



REGULAR CITY COUNCIL MEETING
MONDAY MARCH 14, 2016 @ 7:00 PM
CHERRYVILLE COMMUNITY BUILDING
106 S. JACOB STREET CHERRYVILLE, N.C. 28021

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., Planning & Zoning Director Jeff Hawkins, EDC Director Richard Randall, Public Works Director Brandon Abernathy, Finance Director Dixie Wall, Fire Chief Jeff Cash, Police Chief Chad Hawkins and Wastewater Superintendent Larry Wright were also present. No media coverage.

INVOCATION BY: PASTOR WAYNE KEY, MT. ZION BAPTIST CHURCH:

Pastor Wayne Key gave the invocation and the Pledge of Allegiance followed.

MAYOR'S COMMENTS:

Several weeks ago, I made a surprise visit to East Elementary School. I visited several of the classes and spoke to the students at this time. I am always amazed at the interest these students have in our city government.

I have been informed that the improvements to highway 279 project have been moved back and could be as long as late 2017. Right-of-way acquisitions necessary for the new passing zones need more time to be completed. This project is estimated to cost \$13.09 million but will be a much needed improvement for the Cherryville citizens.

The City's Main Street Program has been quite busy these past few weeks. Jean Skibo & the Design Team are working on another mural project for the old Ferguson Hardware building on the corner of main and mountain. This mural will feature the New Year's Shooters in some format. In addition, members of the Main Street Program will be attending the Main Street annual conference next week in Goldsboro, NC.

Our Public Works crew has put out 12 tons of asphalt this past week repairing potholes around the city. They have also scraped and painted the metal barricades located at the Aaron Moss Park and installed refurbished basketball goals.

The City is beginning to use monies from the Gaston County Township Grant. Starting today, new fencing will be installed around the Dixie Youth Ball fields. This project should be

completed before opening day. I will be attending and speaking at opening day on Saturday of this week. Another project in the early stages is the improvements to the Water Treatment Plant. Bids are in the process of being reviewed for the high service pump and refurbishments of filters at the plant.

Recently City Manager Blackburn and I met with representatives of the City of Lincolnton to discuss the Cherryville-Lincolnton Water Purchase Contract. Proposals from both Lincolnton & Cherryville in regards to this contract must be presented to both City Councils for any action to be taken concerning this contract. Both City Managers are in the process of negotiations pertaining to this matter.

This past Wednesday, I received an e-mail from Smart Asset a New York financial technology company. They have just completed a recent study, which ranks cities as the most affordable to reside in. Cherryville again was ranked in the top 10 of the most affordable cities in N.C... This is another example of good news to our city as well as its citizens.

Finally, plans for the Darin & Brooke Aldridge Benefit Concert featuring Jimmy Fortune of the Statler Brothers musical group and our very own hometown members of Unspoken Tradition are moving along nicely. Tickets have been printed and should be available next week. Proceeds from this concert will be divided between our Main Street Program and the Cherryville Shrine Club. I encourage everyone to purchase their tickets early as a sale out crowd is expected for this event.

APPROVAL OF MINUTES:

Councilmember David Kiser made a motion to approve both sets of minutes from the previous city council meeting held February 8 and the work session held March 1. Councilmember Puett seconded the motion and the vote was unanimous.

AGENDA APPROVAL/REVISION:

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

RECOGNITION OF THE CHERRYVILLE HIGH SCHOOL JUNIOR VARSITY CHEERLEADERS RE: 2016 NCCCA CHAMPIONS – MAYOR H.L. BEAM:

Mayor Beam recognized the CHS Junior Varsity Cheerleaders by reading the following resolution:



RESOLUTION HONORING THE CHERRYVILLE HIGH SCHOOL JUNIOR VARSITY CHEERLEADING TEAM FOR WINNING THE 2016

NORTH CAROLINA CHEERLEADING CHAMPIONSHIP (NCCCA)

WHEREAS, success in high school athletics fosters pride and positive recognition for the team, the school, and the entire community; and,

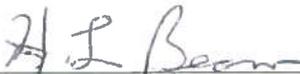
WHEREAS, the 2015-2016 Cherryville High School Junior Varsity Competition Cheerleading squad won first place in Small Junior Varsity Non-tumble Division 1 at the 2016 NCCCA Cheerleading Competition held in Apex, North Carolina; and,

WHEREAS, the 2015-2016 Cherryville High School Junior Varsity Competition Cheerleading squad consists of the following members: Sarah Brayboy, Danielle Walker, Bethany Demofonte, Faith Dobbins, Sarah Hubbard, Becky Brittain, Sarah Steppe, Carter Smith, Madison Philbeck, Caitlyn Goodman, Shannon Carpenter and Dalton Levine.

WHEREAS, during the 2015-2016 school year, the Cherryville High School Junior Varsity Cheerleaders set a record for winning the first State Title for Junior Varsity Cheerleading.

NOW, THEREFORE, BE IT RESOLVED THAT the Cherryville Mayor and City Council hereby congratulate Coaches: Shannon Ford and Heather Porter, and all the members of the Cherryville High School Junior Varsity Cheerleading Squad on winning the 2016 North Carolina State Cheerleading Championship Small Junior Varsity D1 Non-tumble State Cheerleading Championship.

Duly adopted the 14^{day} of March 2016.



H.L. Beam, Mayor

(SEAL)

Paige H. Green, CMC, NCCMC, City Clerk

**RECOGNITION OF THE CHERRYVILLE HIGH SCHOOL VARSITY CHEERLEADERS RE: 2015/2016
NCCCA CHAMPIONS – MAYOR H.L. BEAM:**

Mayor Beam recognized the CHS Varsity Cheerleaders by reading the following resolution:



RESOLUTION HONORING THE CHERRYVILLE HIGH SCHOOL VARSITY CHEERLEADING TEAM FOR WINNING THE 2015

**NORTH CAROLINA HIGH SCHOOL ATHLETIC
ASSOCIATION CHEERLEADING INVITATIONAL AND THE 2016
NORTH CAROLINA CHEERLEADING COACHES ASSOCIATION
STATE CHAMPIONSHIP**

WHEREAS, success in high school athletics fosters pride and positive recognition for the team, the school, and the entire community; and,

WHEREAS, Cherryville High School Cheerleading has a long and proud tradition and history of competing at a state competition level since 1992; and,

WHEREAS, the 2015-2016 Cherryville High School Varsity Competition Cheerleading squad won first place in Small Varsity Division 2 at the 2015 NCHSSA Cheerleading Invitational held at the Raleigh Convention Center in Raleigh, North Carolina and won first place in the 1A Division at the 2016 NCCCA State Championship; and

WHEREAS, the 2015-2016 Cherryville High School Varsity Competition Cheerleading squad consists of the following members: Mariah Bush, Samantha Levine, Ansley Abernathy, Anna Burlison, Anna Dellinger, Mallary Treadway, Sierra Alexander, Emily Owens, Emma Page, Carlie Grace Jackson, Kenzie Porter, Peyton Sisk, Sarah Brayboy and,

NOW, THEREFORE, BE IT RESOLVED THAT the Cherryville Mayor and City Council hereby congratulate Head Coach Wendy Holt, Assistant Coach Emilie Pope, and all the members of the Cherryville High School Varsity Cheerleading Squad on winning the 2015 North Carolina High School Athletic Association Small Varsity D2 State Cheerleading Championship and the 2016 North Carolina Cheerleading Coaches Association 1A State Cheerleading Championship.

Duly adopted the 14th day of March 2016.



H.L. Beam, Mayor

(SEAL)

Paige H. Green, CMC, NCCMC, City Clerk

**RECOGNITION OF BOY SCOUTS OF AMERICA TROOP 323 RE: CITIZENSHIP MERIT BADGE –
MAYOR H.L. BEAM:**

Mayor Beam recognized the members and the leaders of Scout Troop 323. The scouts were attending the meeting to earn their citizenship merit badge.

PRESENTATION FROM THE CHERRYVILLE YMCA – DIRECTOR DAN SMITH:

Several representatives from the Gaston County YMCA attended the meeting to give an update. Tony Sigmon approached the podium and shared that the YMCA membership is strong and growing. The update from YMCA representatives not only showed a membership increase

since 2012, but it also included an update on sports, visits to the YMCA, afterschool care and summer camp. Mayor Beam and the Councilmember's thanked the YMCA reps. for attending the meeting and sharing the update.

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:

Mrs. Gina McCants OF 1304 Joyce Drive approached the podium to ask if there has been any progress on the dog park proposal that was given to the council in May 2015.

City Manager Blackburn responded by stating that it was being studied by city staff and being looked at for the upcoming budget year.

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:

Councilmember Parker made a motion to enter into a public hearing for the rezoning of the property located at 303 N. Cherry Street. Councilmember Kiser seconded the motion and the vote was unanimous.

Planning Director Jeff Hawkins approached the podium to say that Mr. Edward Gibson owner of 303 N. Cherry applied to have his property rezoned from B-3 to R-15. Mr. Gibson paid the \$250.00 application fee and the planning board recommended the rezoning. Mr. Hawkins advertised the proposed map change in the local newspaper for two consecutive weeks. Mr. Hawkins also notified adjoining property owners by mail and posted the notification sign at the proposed site. Mr. Hawkins ask Mayor Beam and Councilmembers to consider rezoning the property.

Councilmember Kiser made a motion to exit the public hearing. Councilmember Puett seconded the motion and the vote was unanimous.

Mayor Beam read the statement of consistency below:



STATEMENT OF CONSISTENCY

CITY OF CHERRYVILLE

REQUIREMENT OF SECTION 19.1.10 OF

THE CITY OF CHERRYVILLE ZONING ORDINANCE

The City Council of the City of Cherryville held a Public Hearing on March 14, 2016 to consider Rezoning Parcel ID# 129272 located at 303 N. Cherry Street. After the Public Hearing and discussion of the rezoning, the Council draws the following CONCLUSIONS:

1. It is the Council's CONCLUSION that, the proposed rezoning **IS/IS NOT** consistent with the City of Cherryville Land Use Plan adopted in August 2012.
-
2. The Council finds the proposed rezoning **IS/IS NOT** reasonable and **IS/IS NOT** in the public's interest. This conclusion is based on the following:

Ordered this 14th day of March 2016.



H.L. Beam, Mayor

(SEAL)

Paige H. Green, CMC, NCCMC, City Clerk

Councilmember Kiser made a motion to approve the rezoning of the property located at 303 N. Cherry Street. Councilmember Parker seconded the motion and the vote was unanimous.

CONSIDERATION OF ADOPTION OF CEMETERY POLICY – CITY CLERK PAIGE GREEN & PUBLIC WORKS DIRECTOR BRANDON ABERNATHY:

City Clerk Paige Green shared with Mayor Beam and Council that many citizens have requested that the Cemetery Policy be amended to allow solar lights and flags in the cemetery. The cemetery committee met in February and voted unanimously to amend the policy.

Councilmember Kiser made a motion to amend the cemetery policy to allow a solar light and/or an American flag. Councilmember Puett seconded the motion and the vote was unanimous. Below is a copy of the amended cemetery policy with the change in red.



**CITY OF CHERRYVILLE
CITY MEMORIAL CEMETERY
RULES & REGULATIONS**

(AMENDED MARCH 14, 2016)

PLOTS ARE SOLD ON A STRICTLY CASH BASIS; PAYMENT MUST BE MADE IN FULL PRIOR TO OPENING OF THE GRAVE. PERMIT MUST BE OBTAINED, EITHER ORALLY OR WRITTEN FROM THE CITY CLERK.

NO INSTALLMENTS OR ARRANGEMENTS FOR PAYMENT ARE PERMITTED EXCEPT ON PRE-NEED PLOTS. PRE-NEED PURCHASES OF PLOTS MUST BE PAID FOR IN FULL WITHIN ONE YEAR FROM DATE OF PURCHASE, OR WHEN GRAVE IS OPENED, WHICHEVER COMES FIRST. ACCOUNTS NOT PAID IN FULL WITHIN THE SPECIFIED TIME WILL BE RESOLD BY THE CITY, AND PURCHASER WILL BE REFUNDED ANY MONEY THAT HAS BEEN PAID TOWARD THE ACCOUNT. ARRANGEMENTS MUST BE MADE WITH THE CITY CLERK.

ALL DEEDS FOR LOTS ARE TO BE GIVEN WITH THE UNDERSTANDING THAT THE PURCHASER OF SAID PLOT AGREES TO ABIDE BY ALL CEMETERY ORDINANCES NOW IN EFFECT, OR ANY ORDINANCE HEREINAFTER PASSED BY THE CITY COUNCIL.

NO COPING OF CONCRETE, STONE, BRICK, OR ANY SUCH MATERIAL SHALL BE ALLOWED. NO SAND, GRAVEL, CRUSHED STONE OR SIMILAR MATERIALS SHALL BE ALLOWED ON LOTS OR GROUNDS.

ALL GRAVES ARE TO BE KEPT FLAT, NO MOUNDS ALLOWED.

IN THE OLD SECTION, ALL MONUMENTS ARE TO BE SET IN LINE OR CENTER OF THE FULL SIZED LOTS, AND ON THE WEST SIDE OF THE HALF SIZED LOTS. ON DIVIDED PLOTS, MONUMENTS WILL BE ALLOWED ON THE PLOTS WITH EASTERN BOUNDARIES; FLAT MARKERS ON PLOTS WITH WESTERN BOUNDARIES.

IN THE NEW SECTION, FLAT MARKERS ONLY SHALL BE USED. MARKERS MUST BE PLACED FLAT TO THE GROUND. THE CITY IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE MARKERS.

NO PLOT MARKER SHALL BE REMOVED UNLESS THE REPLACEMENT IS ON THE SAME SIZE MARKING AND NUMBERING.

ALL LIVE FLOWERS ON NEW GRAVES SHALL BE REMOVED IN ONE WEEK. PERMANENT ARRANGEMENTS WILL BE ALLOWED TO REMAIN ON GRAVES FOR SIX WEEKS UNLESS THEY DETERIORATE PRIOR TO THIS PERIOD. PERMANENT ARRANGEMENTS ON NEW GRAVES WOULD FALL INTO THIS CATEGORY. THE CITY IS NOT RESPONSIBLE FOR ANY MISSING FLOWERS.

THE FOLLOWING IS PROHIBITED ON ALL GRAVE: ORNAMENTS, FURNITURE, GLASS VASES, GLASS CASES OR ANY OTHER GLASS OR PORCELAIN ITEMS, LIGHT FIXTURES, DECORATIVE FLAGS, TOYS, WOODEN OR ANY OTHER ARTICLES ON POLES, WATERING CANS OR ANY OTHER ARTICLE THAT MAY BE CONSIDERED OBJECTIONABLE BY THE CITY. THE CITY RESERVES THE RIGHT TO REMOVE SAME WITHOUT NOTICE TO THE OWNER, ANY RELATIVE OR OTHER PERSON. EXCEPTIONS TO THESE RULES ARE ALLOWED AT CERTAIN HOLIDAYS (SUCH AS EASTER AND CHRISTMAS), BUT ITEMS MUST BE REMOVED IMMEDIATELY AFTER THE HOLIDAY, OR THEY WILL BE REMOVED BY THE CITY. **A SOLAR LIGHT OR A CURRENT FLAG OF THE UNITED STATES OF AMERICA MAY BE PLACED IN THE ORIGINAL VASE WITH THE FLOWER ARRANGEMENT SO LONG AS IT DOES NOT EXCEED 12 INCHES IN TOTAL HEIGHT ABOVE THE TOP OF VASE.**

NO TRUCKS HAULING MONUMENTS OR VEHICLES OF ANY KIND SHALL BE ALLOWED TO DRIVE ON THE GROUNDS EXCEPT ON DRIVEWAYS PROVIDED. PERMIT MUST BE OBTAINED FROM THE UTILITY DEPARTMENT BEFORE PLACING MARKERS ON GRAVES.

IF YOU HAVE ANY QUESTIONS PLEASE DO NOT HESITATE TO CONTACT PAIGE GREEN, CITY CLERK AT 704-435-1709 OR pgreen@cityofcherryville.com

CONSIDERATION OF ADOPTION OF GASTON COUNTY TOWNSHIP GRANT CONTRACT – CITY MANAGER BEN BLACKBURN:

Gaston County Township Grant Contract was in agenda packages for Mayor Beam and the Councilmembers review. After some discussion, Councilmember Parker made a motion to approve the Gaston County Township Grant Contract. Councilmember Kiser seconded the motion and the vote was unanimous.

CONSIDERATION TO ADOPT BUDGET AMENDMENTS – FINANCE DIRECTOR DIXIE WALL:

Finance Director Dixie Wall presented five budget amendments for Council’s consideration. The amendments were for grant monies that were received throughout the year. Councilmember Dalton made a motion to approve the five budget amendments. Councilmember Kiser seconded the motion and the vote was unanimous. Below are the five budget amendments:



2015-2016 BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Cherryville:

Section 1. The 2015-2016 Budget Ordinance of the City of Cherryville adopted on June 8, 2015 is amended by increasing the following appropriations due to donations in the current fiscal year.

REVENUES

10.3480.0900	General Donations	\$6,711.00
--------------	-------------------	------------

EXPENDITURES

10.5100.1700	Police – Auto Maintenance	\$ 861.00
10.5100.6000	Police –Donation	\$ 5,850.00

Section 2. This ordinance is effective upon its adoption this March 14, 2016.

Paige H. Green, CMC, NCCMC, City Clerk



H.L. Beam, Mayor



2015-2016 BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Cherryville:

Section 1. The 2015-2016 Budget Ordinance of the City of Cherryville adopted on June 8, 2015 is amended by increasing the following appropriations due to donations in the current fiscal year.

REVENUES

30.3480.0944	EDC- CSTP Donations	\$ 21,925.00
30.3990.0000	Fund Balance	\$ 1,625.00

EXPENDITURES

30.8100.7320	Capital Outlay- Façade	\$ 23,550.00
--------------	------------------------	--------------

Section 2. This ordinance is effective upon its adoption this March 14, 2016.

Paige H. Green, CMC, NCCMC, City Clerk



H.L. Beam, Mayor



2015-2016 BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Cherryville:

Section 1. The 2015-2016 Budget Ordinance of the City of Cherryville adopted on June 8, 2015 is amended by increasing the following appropriations due to donations in the current fiscal year.

REVENUES

31.3350.0000	Misc Revenues	\$ 648.00
--------------	---------------	-----------

EXPENDITURES

31.7200.5700	Water Line Maint	\$ 439.00
31.8140.1600	Equipment Maint	\$ 209.00

Section 2. This ordinance is effective upon its adoption this March 14, 2016.

Paige H. Green, CMC, NCCMC, City Clerk

H.L. Beam, Mayor



2015-2016 BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Cherryville:

Section 1. The 2015-2016 Budget Ordinance of the City of Cherryville adopted on June 8, 2015 is amended by increasing the following appropriations due to donations in the current fiscal year.

REVENUES

10.3480.0300	General Grants	\$ 1,000.00
30.3480.0300	Electric Grants	\$ 4,000.00

EXPENDITURES

10.4200.3300	Admin- Dept Supplies	\$ 1,000.00
30.8100.7300	Elect- Capital Impro	\$ 4,000.00

Section 2. This ordinance is effective upon its adoption this March 14, 2016.

Paige H. Green, CMC, NCCMC, City Clerk

H.L. Beam
H.L. Beam, Mayor

that many plays were in the works for the summer and he is happy to be a part of all that is going on there.

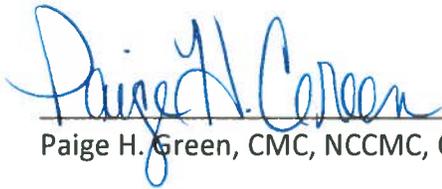
ADJOURNMENT:

Councilmember Parker made a motion to adjourn the meeting. Councilmember Kiser seconded the motion and the vote was unanimous. The meeting adjourned at 7:55 pm.

Adopted this 9th day of April 2016.



H.L. Beam, Mayor



Paige H. Green, CMC, NCCMC, City Clerk

(SEAL)

