



REGULAR CITY COUNCIL MEETING

MONDAY MAY 9, 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., Police Chief Chad Hawkins, Fire Chief Jeff Cash, EDC Director Richard Randall and Street Superintendent Jason Black were also present. No media coverage.

INVOCATION BY: DR. BILL LOWE, FIRST PRESBYTERIAN CHURCH:

Dr. Billy Lowe gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Everyone in attendance recited the Pledge of Allegiance.

MAYOR'S COMMENTS:

"First, I want to thank council member and mayor pro-tem Brian Dalton for attending & speaking at the little league opening day ceremonies, as I was unable to attend this year due to my work schedule. Later on that evening however I was able to attend the Gaston Symphonic Band & Gaston Strings performances at Starnes Auditorium. I greeted around 200 in attendance and the event was most impressive.

On April 22nd & 23rd, I attended our annual Cherry Blossom Festival. Friday night was not well attended due to the rain situation but Saturday record crowds were on hand and over all the festival was a huge success.

Following the festival on Saturday evening I attended a concert held at Starnes Auditorium with Darrin & Brook Aldridge headlining the event with an opening performance by Cherryville's own Unspoken Tradition. The second half of this event featured Jimmy Fortune former member of the Statler Brothers. The Cherryville Shrine Club and the Cherryville Main Street Program sponsored this event. A large crowd attended this event.

On April 30, I was honored to be one of five Gaston County Mayors to attend the Vietnam era veterans commemoration held at Gaston Memorial Park. I was able to speak and shake hands with hundreds of Vietnam veterans as well as present them with commemorative pins and certificates. Cherryville veterans in attendance were Jim Anderson, Dennis Crowder, Jerry Hudson, and Sam Homesley.

At 12 noon on May 5, I was privileged to give the opening welcome for the 65th annual national day of prayer held at the community building. Pastors from five different churches were present and each gave a prayer for our nation as well as our city.

On May 5, I received the following announcement through the Governor's office in Raleigh from the NC Environmental Officials. Congratulations go to Superintendent Patty Hall and her staff for receiving the NC State AWOP award.

Finally, earlier today I attended and read proclamations to our two nursing facilities namely Carolina Care Center and Peak Resources proclaiming this week of May 8 thru May 14 as National Nursing Home Week. Our City is very proud of these facilities and we are very fortunate to have this top level of nursing and rehabilitation here in our city."

APPROVAL OF MINUTES:

CITY COUNCIL MEETING APRIL 11, 2016

WORK SESSION MEETING APRIL 26, 2016

CLOSED SESSION MEETING APRIL 26, 2016

Councilmember Kiser made a motion to approve all three sets of minutes. 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's Parker and Kiser seconded the motion and the vote was unanimous.

CITIZENS TO BE HEARD:

Mr. David Blanton of 507 N. Pine Street shared some pictures of the street in front of his house. Mr. Blanton shared that he has asked the city to clean up the end of the street where debris has built up. Mr. Blackburn looked at the pictures and shared that he has talked to Mr. Blanton. Mr. Blackburn will have city crews clean up the street. Mayor Beam thanked Mr. Blanton for his comments and sharing.

**PUBLIC HEARING RE: REZONING OF PROPERTY LOCATED AT 700 SELF STREET (PID #130118)
FROM R-9 (SINGLE AND TWO FAMILY MEDIUM DENSITY RESIDENTIAL) TO B-3 (GENERAL
BUSINESS) PLANNING & ZONING DIRECTOR JEFF HAWKINS:**

Councilmember Parker made a motion to enter into a public hearing. Councilmember Kiser seconded the motion and the vote was unanimous. Mayor Beam called on the Planning and Zoning Director Jeff Hawkins to speak on the rezoning. Mr. Hawkins approached the podium to share that Mr. Robert Johnson purchased the property at 700 Self Street, completed the application for rezoning and paid the \$250.00 application fee. City Council held a public hearing for zoning classification change. The Planning Board considered the application and made a recommendation to the city council. The Zoning Director advertises a proposed map change in the local newspaper for one day for two consecutive weeks and he notified adjoining property owners by mail. A notice was posted in front of the property that a public hearing date was set for Monday May 9, 2016.

Mayor Beam asked if anyone would like to speak in favor of or against the proposed zoning classification change.

Mr. Randy Kiser OF 405 Delview Rd. approached the podium to share that he was a neighbor and was not able to attend the community get together that Mr. Johnson held several weeks ago. Mr. Kiser had some questions about the use of the building. Richard Randall, EDC Director answered some of Mr. Kiser's questions as Mr. Robert Johnson came in the meeting. Mr. Kiser had concerns about garbage, yard sales, entrances to the building and he was interested in knowing if the building had a sprinkler system. Mr. Johnson answered all the questions that Mr. Kiser had and Mr. Kiser was satisfied.

Mayor Beam asked for a motion to exit the public hearing. 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 for the rezoning of 700 Self Street. The Councilmember's agreed unanimously to the following:



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 May 9, 2016 to consider Rezoning Parcel ID# 130118 located at 700 Self 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 9th day of May 2016.

H.L. Beam, Mayor

(SEAL)

Paige H. Green, CMC, NCCMC, City Clerk

Councilmember Puett made a motion to rezone the property at 700 Self Street from R-9 to B-3. Councilmember Parker seconded the motion and the vote was unanimous.

CONSIDERATION OF INTERIOR GRANT INITIATIVES, EDC DIRECTOR RICHARD RANDALL:

Mr. Richard Randall approached the podium to share a Building Improvement Incentive Grant Program with Mayor Beam and the Council. Mr. Randall explained that in the past downtown merchants could apply for a facade grant to help improve the outside of their business. Several building have been purchased on Main Street and the owners are renovating the buildings to maintain their historic character. Mr. Randall explained that the grant is being proposed could provide up to 50% of the total cost of approved projects for interior building improvements. Each project has a maximum reimbursable amount up to \$5,000. The program encourages further private reinvestment in existing buildings and promotes appropriate and attractive design projects that preserve the architectural character found in older buildings. The number of grants awarded each year is a function of the funds made available by City Council to support the Cherryville Incentive Grant Program. When requests exceed available funds, the requests may be held for review pending the availability of funds either in the current or subsequent budget years. Mr. Randall shared that building owners, or tenants with building owner's consent, may apply.

Councilmember Dalton shared that three different citizens have approached him about this grant. Councilmember Dalton shared that this shows that citizens are reading about things that are happening in Cherryville.

Mr. Randall asked Mayor Beam and the Council to consider approving the grant immediately because several business owners are working on projects and could use the grant money to help them.

Councilmember Dalton made a motion to approve the Building Improvement Incentive Grant Program immediately. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF RESOLUTION RE: ABC STORE, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn asked Mayor Beam and the Council to approve a Resolution giving the Cherryville ABC Board authority to set funds aside for future capital improvements. Councilmember Kiser made a motion to approve the Resolution. Councilmember Dalton seconded the motion and the vote was unanimous.

CONSIDERATION TO SET A PUBLIC HEARING FOR JUNE 13 RE: FY 2016-2017 BUDGET, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn asked Mayor Beam and the Council to set a date for a public hearing regarding the fiscal year 2016 – 2017 budget. Councilmember Dalton made a motion to set a public hearing for June 13, 2016 regarding the 2016-2017 budget. Councilmember Kiser seconded the motion and the vote was unanimous.

CONSIDERATION TO SET A DATE FOR SPECIAL MEETING RE: BUDGET WORK SESSION FOR MAY 26, 2016, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn asked Mayor Beam and the Council to set a date for a budget work session. Mr. Blackburn also shared that because the regular work session was coming up, the council may want to combine the two meetings. Councilmember Dalton made a motion to merge the budget work session along with the regular work session to be held on Thursday May 26, 2016 at 8:00 am at the fire department. Councilmember Parker seconded the motion and the vote was unanimous.

CONSIDERATION OF AMENDMENT TO EMPLOYEE CONTRACT, MAYOR BEAM:

Mayor Beam and the Council had City Attorney Huffstetler amend the contract between the City of Cherryville and City Manager Blackburn. Mayor Beam asked Mr. Huffstetler if there was any way to clean up item C regarding health insurance. Mayor Beam read that the amendment

states, "Upon retirement, Employee shall receive health insurance retirement benefits." Mayor Beam shared that it does not say for what term. Mr. Huffstetler shared that the City Clerk Paige Green sent him a portion of the personnel policy that clearly defines what the retirement benefit is for health insurance and it reads as follows:

INSURANCE AND RETIREMENT BENEFITS

SECTION 1: INSURANCE BENEFITS:

The City provides medical, dental and vision insurance coverage to its full time employees at no cost to the employee. Employees also have the option of carrying dependents on their insurance. If an employee elects to carry dependent coverage, the City pays forty percent (40%) of the coverage for medical, dental, and vision insurance. The City also offers other supplemental insurance policies at the employee's expense. These supplemental offerings include accident, life, cancer and disability insurance.

An employee who retires from the City with 25 or more years of service is entitled to receive the same health insurance coverage provided to full time employees. The employee is responsible for paying the City in advance for any family health coverage under COBRA. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members under COBRA. **The health insurance coverage on the retired employee will continue until his or her 65th birthday (when eligible for Medicare benefits) at which time the City will delete the employee from the group coverage.**

The following benefit can be found on page 48 for the City of Cherryville's Personnel Policy.

Councilmember Dalton shared, "What this boils down to is it's a change in the contract treating our City Manager the same as other employees that have been with the city for 25 plus years. Mr. Blackburn's got, I think you have crossed 30 years with government, and if you look at Mr. Blackburn's time that he was previously at the City of Cherryville you know and then he had a short stint with Lowell and then came back to the City of Cherryville. This just ensures when he does decide to retire he's treated like other employees that did their 30 years or whatnot. Where he would get health insurance benefits until his 65 birthday."

Councilmember Puett made a motion to amend City Manager Blackburn contract with the City of Cherryville and upon retirement, Mr. Blackburn shall receive health insurance retirement benefits until his 65 birthday. Councilmember Kiser seconded the motion and the vote was unanimous.

OTHER BUSINESS:

City Manager Blackburn shared that there will be a design workshop on May 25 at city hall at 2:00 pm. There will also be a meeting at the community building at 5:30 pm May 25 for the

streetscape design. Anyone wishing to make comments regarding the streetscape project should attend.

ADJOURNMENT:

Councilmember Kiser made a motion to adjourn the meeting. Councilmember Dalton seconded the motion and the vote was unanimous. The meeting adjourn at 8:00 pm.

Adopted this 13 day of June 2016.



H.L. Beam, Mayor



Paige H. Green, CMC, NCCMC, City Clerk

