



**REGULAR CITY COUNCIL MEETING
MONDAY OCTOBER 12, 2015 @ 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 at 7:00 pm. Councilmembers Parker, Dalton, Puett and Kiser were present. Also present were City Manager Ben Blackburn, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Finance Director Dixie Wall, Police Chief Chad Hawkins, Fire Chief Jeff Cash, Captain Jason Wofford and Public Works Director Brandon Abernathy. No media was present.

INVOCATION BY: REV. SHARON KNULES:

Rev. Sharon Knules gave the invocation and the Pledge of Allegiance followed it.

MAYOR'S COMMENTS:

My first comments will be in the form of congratulatory comments. First to Water Treatment Plant Operator, Brian Williams who recently passed his Grade C Certification examination. This allows another employee capable of operating the plant unassisted. Congratulations Brian Williams.

In addition, Mr. Chris Heedick passed his wastewater examination for his Grade 2 Operator's License. We are proud of Chris as well and his accomplishments.

The city electric dept., public works, police & fire employees are to be congratulated for their quick response on Oct.3 when the wind & rain caused a large tree on Old Post Road to fall and take out a main power line to the south side of our city. Their immediate response helped clear the roadway while at the same time restoring power to our system.

I want to take this opportunity to personally congratulate and recognize our city employees from the public works dept. Under the leadership of Brandon Abernathy and city clerk Paige Green, for the excellent job they did on the cleaning off the city cemetery. The city staff has received numerous calls from area residents on how “nice and neat” the cemetery looks.

Several weeks ago, city manager Ben Blackburn met with U.S. House of Representative Congressman Patrick McHenry and his staff concerning the possibility of the US Postal Service building a new post office in Cherryville. I would like to quote Congressman McHenry in part on his response, “dealing with the US Postal Service is as frustrating for me as it is for local leaders. We will certainly do all we can to advocate for a new post office in Cherryville given the constraints we discussed.” Hopefully we will receive more positive news from Congressman McHenry in the future concerning this matter.

The City through the Main Street Program will be submitting an application for the \$10,000 grant monies to be awarded to a Cherryville project by the Gaston County Community Foundation. If these monies are awarded they will go towards the city’s façade grant program of the main street program.

Finally, I was honored recently to speak at the mortgage note burning of the Christian Outreach Center of the First Baptist Church of Cherryville. My comments for the most part were to congratulate my church not as a member but more as the mayor for the civic-minded events that the C.O.C. has hosted for our city and how these events have affected our surrounding community in a positive manner.

The recent rainfalls have improved the water situation greatly for our city. On Oct.8 the State’s drought management advisory council issued a map showing all 100 state counties to be clear of any drought advisories.

As a result of this information from the various state agencies, which have monitored the drought conditions since mid-May, the city’s water shortage response team, of which city manager Ben Blackburn is a member has recommended that the city remove all restrictions placed on water usage for our water customers. As mayor, I will now ask city council for their response to these recommendations.

APPROVAL OF MINUTES:

City council minutes from September 14, 2015 and work session minutes from September 28, 2015 were in agenda packages for approval. Councilmember Kiser made a motion to approve both sets of minutes as written. 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.

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:

No citizens spoke.

CONSIDERATION TO NAME A PUBLIC FACILITY RE: TENNIS COURT AT AARON MOSS PARK:

Mrs. Sumer Smith, Mrs. Jennifer Cook and several other Cherryville High School Alumni have filled out an application for naming the tennis court at Aaron Moss Park after Ms. Donna Lavery. Mrs. Smith shared that she would like to see the tennis courts named Donna Lavery Tennis Court for many reasons. The application ask the following two questions and below them are their responses:

What general contributions did this individual give to the community that warrant the requested name?

Donna Lavery, high school teacher, basketball, track, and tennis coach- career has spanned multiple principals and athletic directors. She has turned the tennis program from a minor fall sport for girls or spring sport for boys into a ministry for young men and women. Academics and sportsmanship are critical to Lavery. Always self-effacing, Lavery is quick to not the importance of the tennis program and how it helps skilled young players contribute to their team and to be successful athletes. If you attend a Friday night football game, you will see Lavery—selling programs. This fundraiser helps her tennis team get uniforms and other equipment needed to run her program. However, these funds do not match the needs of the team. Ms. Lavery has always given to the sport, not only in a timely fashion, but monetarily. If there is a student who cannot financially afford to play, Lavery has given students racquets and any other means needed to be a part of the team. Whether it be, work out transportation, or pay for uniform and equipment out of her own pocket. There are endless examples of her generosity and commitment to the teams she coaches.

What specific contributions did the individual make support of the establishment or improvement of the facility that warrant the name?

Lavery has been the only tennis coach at Cherryville high school since the 1980's. She has had lasting an impact on the hundreds of students who had the opportunity to be coached by her. There is no other member of Cherryville's community who has contributed more to tennis in

this city; her name is synonymous with tennis around Cherryville. She has had numerous fundraisers to assist in maintaining this park, she cleans the park herself before and after tennis matches, she takes pride in the CHS tennis courts as if they were her own. Lavery has been a dedicated supporter of the city tennis park and has assured a worthy and enduring legacy for the recreation system through her tennis program. Her program has established a tradition and practice that has shown to best serve the interests of the City of Cherryville. Her exceptional leadership warrants her name on the city tennis park. If needed, we have a multitude of former and present tennis players, as well as, citizens of our community who are willing to write personal letters of how she has impacted their lives in a positive way—not only through teaching tennis skills but life skills as well.

Mrs. Smith also shared a letter written by Cherryville High School's Athletic Director Scott Harrill recommending Ms. Donna Lavery for the Outstanding Coaches Award. Mr. Harrill's letter shared that throughout Ms. Lavery's teaching career she has seen student athletes go off to college to further their education. He explained that she is the type of coach that develops lifelong relationships where these student athletes return to see her at school. Mr. Harrill shared that Ms. Lavery does so much more than coach tennis, track and basketball. She teaches life lessons through sports and she is a dedicated teacher in the Science Department. Ms. Lavery has the energy and excitement of a first year teacher even though she has been working for over thirty years.

Mayor Beam shared that he feels like if anyone deserves this, Donna Lavery would be the one. Mayor Beam commented on how he knows that Ms. Lavery does so much for so many. Mayor Beam shared that Ms. Lavery is not verbal about all she does because she is not looking for any recognition.

Councilmember Puett agreed with Mayor Beam and shared that Ms. Lavery is a great person that does so much for others.

Councilmember Kiser pointed out that at the top of the third page of the Public Facility Naming Policy it states clearly the item being discussed. The Public Facility Naming Policy states that facilities on public lands may under certain circumstances be named separately from the parks and facilities where they are located.

Councilmember Dalton shared that he received a phone call from a citizens that wanted him to know that Ms. Lavery was very deserving of this. The caller shared how Ms. Lavery had helped his daughter in many ways.

Councilmember Puett made a motion to name the tennis courts locate at Aaron Moss Park after Ms. Donna J. Lavery. Councilmember Daltons seconded the motion and the vote was unanimous.

CONSIDERATION FOR CHERRYVILLE FIRE DEPARTMENT TO APPLY FOR 2015 DHS/FEMA FIRE ACT GRANT RE: TURNOUT GEAR, CHIEF JEFF CASH:

Chief Jeff Cash approached the podium while Captain Wofford handed out a list of grants that the Cherryville Fire Department has received since 2000. The grants came to a total of \$996,172. Chief Cash asked Mayor Beam and Council permission to apply for a grant that would provide new personnel protective equipment, or turn out gear, for interior firefighting. Currently the fire department needs to replace 25 complete sets of turn out gear. The DHS/FEMA grant could replace all 25 sets of turn out gear needed at a cost of \$50,000. The City of Cherryville's cost to match this would be \$3,500. In this year's budget, the fire department was budgeted \$7,500. The fire department plans to purchase three sets of turn out gear this year.

Councilmember Dalton made a motion to allow the fire department to apply for the DHS/FEMA grant for personnel protective equipment. Councilmembers Kiser and Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF CHERRYVILLE ABC BOARD APPOINTMENT, CITY MANAGER BEN BLACKBURN:

Council Member Kiser made a motion to reappoint James Russell Beam to the ABC Board for a third term. Councilmember Parker seconded the motion and the vote was unanimous. The new term will begin November 1, 2015.

REVIEW OF WATER PLANT RESIDENTIAL LOT SURVEY, CITY MANAGER BEN BLACKBURN:

City Manager Ben Blackburn shared with Mayor Beam and the Council that the house at the water plant was surveyed cutting it out from the water plant property. The house is now nine tenths of an acre and it sets within a sixty-foot utility easement. The home meets the zoning criteria for Gaston County. Mr. Blackburn shared that staff is recommending a meeting to be held in the near future to discuss plans for this property.

Mayor Beam directed staff to follow up in the near future with a meeting on this property.

UPDATE/INFORMATION RE: IRRIGATION METER BILLING, FINANCE DIRECTOR DIXIE WALL:

Finance Director Dixie Wall explained the irrigation fees to Mayor Beam and Councilmembers. Mrs. Wall explained that it would save the city money to consolidate the irrigation bill with the utility bill. Currently customers with irrigation meters receive two bills.

Mrs. Wall stated that we have approximately 20 to 25 customers that this would affect. The change for the customer would be that once the irrigation meter is consolidated with the utility bill, the city would not be able to inactivate the irrigation billing as we do currently. Most customers with irrigation systems call to have their systems turned off in the winter months when the system is not in use so they do not have to pay the minimum fees. Once it is turn off, the customer does not receive a bill until it is requested by the customer to have it turned back on. Our customers are not charged for the service of having the irrigation turned off and on. Once the irrigation service is added to the utility bill, the city will not be able to inactivate the account like we have in the past, and the customer will have to pay the minimum on the irrigation system every month even if there is no usage. All electric and water meters are read regardless if they are on or off. After some discussion, Council directed staff at the August work session to move forward with adding the irrigation water meters to the customer's main account and only send out one bill.

Mr. Blackburn shared that this item needs to be discuss by Council to decide if a fee should be charged to turn the meters off and on, or should the meter be removed when customer request it to be turned off. Mr. Blackburn attended a managers meeting learned that Mt. Holly charges \$100.00 to turn off and on, Bessemer City charges \$40.00 and Belmont charges \$40.00. If the irrigation meter is left in the meter box and off, the customer still has the availability of the water and availability fees would apply.

Councilmember Parker made a motion to charge customers \$40.00 from this point forward that call and request their irrigation services discontinued. A \$40.00 fee will apply to reinstall the irrigation meter and continue services. Councilmember Dalton seconded the motion and the vote was unanimous.

CONSIDERATION OF ELECTRICITIES COST OF SERVICE STUDY, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn shared information about Electricities providing a Cost of Service Study to member cities. The benefits of the study are as follows:

- Ensure that all rate schedules are set at levels that recover the full cost of providing service to those customers.
- Ensure that billing component charges are set at levels that recover an appropriate allocation of fixed and variable cost based on how customers use electricity.
- Determine if there is cross subsidization between customer classes.

Cost of service is one of many considerations in setting rates so other issues will also come into play such as economic development objectives and rate continuity when deciding how to implement the findings of a study. If rate changes are desirable, Electricities can help

determine the impact it would have on our customers and help the City of Cherryville look at options for phasing in changes that would have unacceptable impacts if implemented all at once. Since a wholesale rate reduction has been implemented for the FY1516 rate year and since there are no wholesale rate changes anticipated over the next few years, the timing is good to more easily manage customer impacts.

It takes about 3 to 6 months for a cost of service study to be generated after all data has been supplied by the city, It is a good idea to begin the process 9 to 12 months prior to the desired implementation date so that there is time factored in for data compilation and backend analysis. For instance, if implementation were desired for the rate year starting July 1, 2016, it would be beneficial to initiate the process as soon as possible.

After discussion, Mayor Beam and the Council agreed that this might be something they will consider closer to budget planning.

CONSIDERATION OF APPOINTMENT TO ELECTRICITIES BOARD OF COMMISSIONERS, CITY MANAGER BEN BLACKBURN:

City Manager Ben Blackburn explained that currently there is a vacant seat on the Electricities Board and Cherryville needs a third person to fill the space. Councilmember Kiser made a motion to appoint Ben Blackburn to the vacant seat on the Electricities Board. Councilmember Puett seconded the motion and the vote was unanimous.

DISCUSSION OF JOB DESCRIPTION FOR PARKS DIRECTOR, CITY MANAGER BEN BLACKBURN:

City Manager Blackburn provided Mayor Beam and the Council a job description for a Parks Director. Mr. Blackburn explained that he took several other job descriptions and comments from Councilmember Dalton to put the job description together. Below is a copy of the job description:

GENERAL DEFINITION OF WORK:

Performs intermediate work in the repair, maintenance and care of parks and related structures and equipment; does related work as required. Work is performed under regular supervision of the Recreation department.

ESSENTIAL FUNCTIONS / TYPICAL TASKS:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Maintain all athletic fields, parks, and community building grounds
 - a. Drags and lines ball fields; operates tractor with drag and line attachments.
 - b. Operates riding and hand mowers, weed eaters and other maintenance equipment.

- c. Performs work tasks including mowing grass, trimming shrubs and trees, watering and assisting with horticultural practices such as fertilization and planting.
 - d. Performs maintenance, minor construction and repair duties on recreational facilities such as field house dug out buildings and concessions, playgrounds, picnic areas and other recreational areas.
 - e. Checks equipment for safety.
2. Coordinate with outside organizations, such as:
- a. Little League
 - b. Dixie Youth
 - c. YMCA

KNOWLEDGE, SKILLS, AND ABILITIES:

General knowledge of the tools, materials and equipment used in grounds maintenance work; general knowledge of the materials, equipment, tools and techniques of the standard building trades; some knowledge of safety precautions applicable to the duties of the class; ability to understand and follow instructions; ability to operate mowers, tractors and related machinery and equipment; ability to perform manual labor for extended periods of time; some knowledge of lawn and field care, including but not limited to fertilizing, seeding, weed removal; some knowledge about athletic field maintenance and layout; ability to establish and maintain effective working relationships with associates.

PHYSICAL REQUIREMENTS:

This is medium work requiring the exertion of 50 pounds of force occasionally, up to 20 pounds of force frequently and some heavy work requiring the exertion of 100 pounds of force occasionally, up to 50 pounds of force frequently, and up to 20 pounds of force constantly to move objects; work requires balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, grasping, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, visual inspection involving small defects and/or small parts, use of measuring devices, assembly or fabrication of parts at or within arm's length, operation of machines, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to outside environmental conditions, extreme heat, vibration, hazards, atmospheric conditions, and oils.

SPECIAL REQUIREMENTS:

Possession of a valid North Carolina issued Driver's License.

Councilmember Dalton shared that Cherryville is missing out on making money to put back into our parks. Councilmember Dalton explained that travel ball is year round and other cities and towns are making money by hosting tournaments. He recently visited a park that was hosting a tournament and was told by the director that the city would make \$15,000 in one day. He went

on to say that our parks use to be something that Cherryville was proud of but we are ten years behind right now.

Mayor Beam asked where the funds would come from to support an unbudgeted position. He also shared that the position needs more discussion and expectations of a director need to be in the job description. Mayor Beam also feels like the position is important but has questions he would like answers to before he makes a decision.

Councilmember Puett shared that she also wants to discuss this position more. She explained that she knows nothing about travel ball or tournaments but she is for the position. She would like to have more information before she is ready to move towards hiring a director.

Councilmember Parker shared that he was for this position but not ready to make a decision at this time. He explained that this was the first time he has seen the Parks Director job description and it needs more discussion.

Councilmember Kiser also feels like the position is important but he is not ready to make a decision without answers to some questions that he has.

Councilmember Dalton shared that Brandon Abernathy has enough on his plate and this would help take some responsibilities off him giving him more time to focus on other areas within the city. Councilmember Dalton asked Brandon how many employees he currently has for parks and recreation. Mr. Abernathy responded by saying one full time employee and two inmates. Mr. Abernathy also handles all the agreements on the leasing of the fields and the fields. Councilmember Dalton pointed out the fact that the fields are being used for practice every day and on weekends the teams that are practicing are taking their money out of town to spend. He went on to say that with a parks director planning tournaments and keeping the fields up, the city can make money to put back into parks and recreation. Councilmember Dalton explained that change is not going to happen overnight but it will happen.

Councilmember Parker made a motion that this item be discussed more at the upcoming work session on October 26. Councilmember Kiser seconded the motion and the vote was unanimous. Council also directed staff to have information on where the funds would come from to create this position.

OTHER BUSINESS:

Councilmember Dalton wants to change the work session meeting time from 3:00 pm to 7:00 pm. Councilmember Dalton stated that decisions have been made at the last two work session that should not have been made. He also stated that the meetings should be held when the citizens can attend and not in the middle of the day. Councilmember Dalton stated if we are

going to have two meetings a month, than they need to be held at a time when it is best for the citizens to come and not during the day when they cannot make it.

Mayor Beam added, "For councilmembers as well because you have chosen not to attend those meetings."

Councilmember Dalton commented saying, "I have said it since day one, its wrong."

Councilmember Puett stated, "I have to leave work too."

Councilmember Kiser stated, "I haven't got a problem with that either."

Mayor Beam asked if there were any other suggestions than 6:30 or 7:00.

Councilmember Parker responded by saying, "Can we make it at 6:00 that suits me better."

Councilmember Dalton stated that he feels like most months having the work session meeting it is a waste of the employee's time and the mayor and councils time. Councilmember Dalton feels like sometimes we hold these meetings just to meet, and he does not understand what the point is.

Mayor Beam stated that the next work session meeting would be at 6:00 pm.

Councilmember Parker wanted to know if we have stopped mowing the right a ways on Requa Rd. He stated that the grass is very high.

Mayor Beam commented on the condition of the skate park. He commented on how much better it looks.

Councilmember Parker also asked about the plugs in the garbage trucks. He wanted to know if we were using them. Brandon Abernathy shared that we are but we will not be able to when it rains because the hopper fills with rainwater.

Councilmember Parker ask Mr. Blackburn to contact a professional and get some pricing on the BB&T building. Councilmember Parker asked that Chief Cash help with this also.

Police Chief Chad Hawkins approached the podium to give an update on the radios. Chief Hawkins stated that 2 ½ years ago, the police department was in need of new radios. He was happy to say that the radio project is now complete. With the \$15,000 from last year and the \$15,000 in grant funds, this year communication is great between departments.

ADJOURNMENT:

Councilmember Kiser made a motion to adjourn the meeting. Councilmember Puett seconded the motion and the vote was unanimous. The meeting adjourned at 8:35 pm.

Adopted this 9 day of November 2015.

H. L. Beam III

Mayor, H.L. Beam III

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

(SEAL)

