

CITY OF CHERRYVILLE
REGULAR CITY COUNCIL MEETING
MONDAY SEPTEMBER 8, 2014 @ 7:00 PM
CHERRYVILLE COMMUNITY BUILDING

The Honorable Mayor H.L. Beam called the meeting to order at 7:00 pm. Present was Councilmember's Brian Dalton, David Kiser, Malcolm Parker and Jill Puett. Also present was City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler Jr., Police Chief Chad Hawkins, Public Works Director Brandon Abernathy, Finance Director Dixie Wall, EDC Director Richard Randall, and Fire Chief Jeff Cash.

Michael Powell was present for media coverage.

Pastor Eric Childers of St. John's Lutheran Church gave the invocation and it was followed by the Pledge of Allegiance.

MAYOR'S COMMENTS:

Mayor Beam welcomed everyone to the meeting and recognized Troop 323 for being at the meeting. The scouts are working on the Citizenship in the Community badge.

Mayor Beam announced that former City employee Jennifer Hoyle is now incarcerated at Alderson Federal Prison Facility in West Virginia. She will be serving one year and one day for her embezzlement. Mayor Beam also shared that former employee Bonny Alexander is also serving her two year sentence at this same facility for her embezzlement.

Mayor Beam thanked Councilmember Brian Dalton for reading the Proclamation at the Community Revival.

Mayor Beam welcomed Police Chief Chad Hawkins back after having surgery.

Mayor Beam commented that two new picnic tables have been installed at Edwards Park and new bleachers have been installed at C.V. Thornburg Park.

Mayor Beam congratulated the fire department's newest Captain. Trent Carpenter has been named the new Captain replacing Derrick Mackey and Nathan Bowman is the new Driver Engineer, filling Trent's position. A pinning ceremony will be held September 24, at 4:00 pm at the community building.

Mayor Beam shared that on August 29th he and Councilmember Jill Puett attended the regular meeting of the Gaston, Cleveland, Lincoln Regional Metropolitan planning organization. Mayor Beam requested to speak at this meeting in regards to the recent changes on Hwy 279 from Cherryville to Dallas. He asked the organization to adopt a resolution to support Cherryville over the recent changes. After speaking Senator Kathy Harrington approached Mayor Beam and gave him a note asking to meet with him over the concerns. City Manager Blackburn, Mayor Beam and Senator Kathy Harrington will be

meeting on September 10 to voice their disapproval of the no passing zones recently installed by the Department of Transportation on Hwy. 279.

Mayor Beam will be giving the opening address at the 911 ceremony that will be held September 11th at 9:00 am at the Cherryville Fire Department.

Mayor Beam will be giving the opening address on September 13th from 5:00 pm to 9:00 pm. There will be nine Gaston County bands performing at this event. Cherryville is happy to host this event for the second consecutive year.

Mayor Beam addressed Councilmember Parker and apologized for the article that was recently published in the Gazette concerning the clock that once hung on the BB&T building. Mayor Beam stated that Councilmember Parker has spent many hours of his time on this project and he justly deserves the credit for working so hard and tirelessly on this project. Mayor Beam shared that it was never his intention to take credit in any way, shape or form on this project. If the article was presented in that manner he wanted to apologize to Councilmember Parker. Mayor Beam shared that by rights Councilmember Parker should have been featured in the article, not him. Mayor Beam shared that he wanted it on record that he is making a formal apology to Councilmember Parker in regards to the matter.

Mayor Beam shared that Fleet Net has challenged him and the Councilmembers to the ice bucket challenge. Hopefully this will take place at the next work session meeting.

APPROVAL OF MINUTES:

Councilmember David Kiser made a motion to approve both sets of minutes from the previous City Council and Work Session meetings. Councilmember Puett seconded the motion and the vote was unanimous.

AGENDA APPROVAL/REVISION:

Councilmember Dalton made a motion to approval the Agenda. Councilmember Kiser seconded the motion and the vote was unanimous.

CITIZENS TO BE HEARD:

Former Mayor Wade Stroupe of 510 S. Elm Street approached the podium and thanked the Mayor and Councilmember's for their support of the recent Community Revival. He thanked City Manager Ben Blackburn for the beautiful Proclamation and he also thanked all the departments within the City of Cherryville that helped to make the revival a success. Each night approximately 1,000 citizens attended the revival. Mayor Stroupe shared that this will take place again in the future.

Walter Ballard of 610 W, Church Street approached the podium to say that a coworker of his had received a notice from the City of Cherryville about high grass. His coworker's grass has been cut, but his neighbors has not. He commented that the City needs to make sure that notices are sent to the right

address because it cost the City of Cherryville money. Mr. Ballard also brought in a quart of water that he said came out of his pipes. He also brought small cups and offered the Mayor, Councilmember's or any citizen a drink if they wanted one. He feels like he should not have to pay for the water that he has to run in order to get to clear water. He claims that he has to let his water run causing his bill to be higher than his normal average.

Mr. Ben Blackburn explained that our infrastructure is aging and we want to address this. We have already had some engineering cost analysis done. It is a costly endeavor.

Councilmember Dalton agreed with Mr. Ballard and feels like if he has to run water excessively to get clear water it is not his fault. Councilmember Dalton shared that we know there is a problem and it's not the customers.

Mayor Beam shared that he was sure Mr. Ballard was not the only citizens experiencing this problem.

Mr. Blackburn shared that we are not the only community experiencing this problem. It is a concern in every City and Town.

Councilmember Dalton shared that it seems the problem is isolated in that area. He shared that he personally does not have issues with water in his neighborhood.

Councilmember Puett shared that she had talked with a citizen that was concerned about the same issue and he lives in that area as well. The citizen has said that the water was not a problem until Peak had left from the neighborhood.

Mayor Beam commented that Peak used a lot of water and they kept the lines flushed out. Now that they are not there using water it has caused this concern.

CHERRYVILLE CHAMBER OF COMMERCE UPDATE:

Mr. Pete Craft Chairman of the Board for the Chamber of Commerce approached the podium and thanked the Mayor and Councilmembers for the opportunity to speak on behalf of the Chamber. Mr. Craft went on to say that the Chamber of Commerce is currently made up of 115 members that consist of businesses and individuals. There are 13 board members, six of those are appointed by Council and six are appointed by the Chamber Membership Committee. The City Council liaison is Councilmember David Kiser. The Chamber of Commerce has two employees. Richard Randall is Director and Mary Beth Tackett is Vice President. In addition to serving as the main promoter of the community the Chamber also works very hard on downtown events such as the Cherry Blossom Festival, Independence Day Celebration, Little Spooks Parade, Christmas on Main Street, Christmas Parade, Farmers Market, Meet the Candidates, and the Small Town Main Street Program. The Chamber also helped to initiate beer and wine sales at our festivals. This was done for two main reasons. One, was because of a request from festival attendees through the years and two, this was a way to better to control the prevalence of alcohol at the events. Mr. Craft shared that the Cherryville Chamber of Commerce is active socially, economically, and politically in the community. They provide a wide range of services to the community and to the City. He thanked the Mayor and City Council for their support in the things that they do.

Mr. Richard Randall approached the podium and shared that as being EDC Director he works with local businesses on grants. Mr. Randall shared that several businesses have received grant money in our

area. Peak Resources and Carolina Care are two of those and he is currently working with Modern Polymers as they continue to grow. Mr. Randall shared that the only marketable building that we currently have is Turbo System on Dick Beam Rd. It is 35,000 square feet and is in the Industrial Park. He shared that we have had activity from multi-national companies as well as international companies looking at that building but there are issues with location. We are also looking at developing more property for new businesses.

CONSIDERATION OF CONTRACT RE: REAL ESTATE BROKER/FORMER BB&T BUILDING:

Mr. Blackburn addressed the Mayor and Council with a contract for the sale of the BB&T building. The contract is with Coldwell Bankers and Bob Clay. The building will be put on an electronic listing that is nationally based. The contract is for one year and if the building does sale the realtor will receive a commission of 6%. The listing price for the building will be \$247,000 which is \$20.00 per square foot.

Councilmember Kiser asked if anyone was going to clean up the building. He shared that he feels like some clean up should take place so that it is more presentable. Just some basic cleaning.

Councilmember Dalton made a motion to move forward with the contract. Councilmember Kiser seconded the motion and the vote was unanimous.

CONSIDERATION OF FORMER BB&T BANK BUILDING CLOCK REPAIRS:

Mr. Blackburn addressed the Mayor, Councilmember's and the citizens with a proposal to repair the old clock that once hung on the BB&T building. Mr. VanOrsdel owns a clock shop and was recently featured on television. He is known nationally for his work. Councilmember Parker was watching the episode and asked Chief Jeff Cash to contact the Clock Shop. Chief Cash contacted the Clock Shop and we have been given a price to repair the inside of the clock. The cost to repair the inside of the clock will be \$11,280. A family in town that would like to see the clock repaired is willing to donate \$15,000 to the repairs.

Councilmember Parker made a motion to approve getting the clock repaired. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF HANDICAP PARKING IN MINI PARK:

A former tenant of the offices beside the mini park have requested a handicap parking space for her customers. The tenant that had requested a handicap parking space at the mini park has now moved out. Councilmember's Dalton and Kiser both shared that the current tenants have expressed that they do not want a handicap parking space put in the mini park. Councilmember Kiser made a motion to resend the motion that was made for a handicap space. Councilmember Dalton seconded the motion and the vote was unanimous.

CONSIDERATION OF MAINTENANCE CONTRACT RE: CHERRYVILLE ATHLETIC FIELDS:

Mr. Ben Blackburn addressed the Mayor, Council and citizens sharing with them that staff was asked to prepare a "Scope of Work" for the maintenance of the athletics fields that the City of Cherryville has. After developing the scope of work contractors were notified to see if there would be any interest from vendors. The City has received two bids for consideration. Brandon Abernathy has worked on preparing the scope of work and also talked to the vendors.

Councilmember Dalton shared that we have two vendors. He wanted to know if the third vendor backed out.

Mr. Blackburn shared that he had talked to the other vendor that day and they had not turned in a bid.

Councilmember Dalton shared that he had an issue with the scope of work. He shared that one contractor put in a bid for doing rye grass in the fall and the other contractor did not bid on doing rye grass. Councilmember Dalton shared that he has talked to the City of Gastonia's recreation director Chuck Dellinger and his recommendation is that we do not over seed with rye because it will choke out the Bermuda grass. Councilmember Dalton pointed out that we do have a little bit of difference in the bids. Councilmember Dalton shared that personally he did not want us to use the rye. He used rye on his own yard and it was the worst year he had with his yard. Councilmember Dalton also pointed out that there is a huge price difference in the bids. Councilmember Dalton then asked if it was proper to ask the vendor that was present some questions. Mr. Blackburn shared that he did not feel like it was improper.

Contractor Chesley Walls approached the podium and Councilmember Dalton asked him how his bid would change if he did not put out rye and then spray it out. Mr. Walls responded by saying that that is not where the major discrepancies is at.

Councilmember Dalton asked what his major discrepancy is because his bid is 2 ½ times higher than the other bid that was turned in.

Mr. Walls stated, "If you look at the scope of work it ask for you to top dress the field. Is that a spoon full, is that a bucket full or is that a dump truck load full? I am going to ask you, what would you say if you were going to top dress them?"

Councilmember Dalton responded by saying, "That's a lot of dirt if you are talking about all seven fields."

Mr. Walls stated, "It's \$350.00 per load and that's no labor. That's not putting it out, not moving it times seven, do the math 350 times 7 you are at \$2,500 and there is no labor for spreading that."

Councilmember Dalton said, "I will be the first on record to say it, the bid that we have from you is out of our budget. So either the scope of work needs to be changed or something."

Mr. Walls stated, "I agreed, the scope of work that is being asked to be done on it is very tedious and there is a lot of materials in the scope of work. If you're going to do it right, that's where the major discrepancy is because there is so much in material, and it also just like that Bermuda. It says to cut it two to three times a week. The thing about it is, if you're going to do it right that's, think about it you're going to go out there for 12, 15 or 20 weeks three times a week cutting seven fields. You are talking about a lot of fuel."

Councilmember Dalton stated, "And that is what I am saying. Coming up with this scope of work really messed this process up in my opinion. Let's face it, we can't have Turner Field down here. We don't have the money."

Mayor Beam shared, "I talked to Chuck Dellinger also when we got involved just to get his opinion because I cherish his opinion and I think it is a professional opinion, and he basically said when you start talking about fields you can go from \$2,000 a field to \$20,000 a field. It just depends on what you want to do with those fields. So we are very limited with what budget we have to work with in those regards and I just wanted to put that out there."

Mr. Walls stated, "That's the thing, I have talked to several people, Brandon, Mr. Blackburn your scope of work is very defined by what you are going to do. If you are going to do it that way, the biggest thing I said was the first thing you got to do is take soil samples. I asked them, if you go in there and take a soil sample and it tells me I need \$10,000 worth of materials, how am I supposed to bid on that without taking a soil sample first. It may say you need \$200 worth of materials. There could be phosphorus, iron, lime there is a million things there. It's too broad a spectrum."

Councilmember Dalton stated, "Yes, the scope of work to me has gotten to big."

Mayor Beam stated, "Do you think we need to define the parameters in a better form than we have now. I know one thing we have got to consider is the time constraint. This is the time of year you are generally going to do the work."

Councilmember Dalton stated, "In reality though you are not going to over seed until next April if it's going to be Bermuda."

Mr. Walls stated, "It's probably going to be later than that."

Councilmember Dalton agreed by saying, "Yes when it starts turning warm. You are going to start doing the maintenance part right now, but it does need to be sprayed. "

Mr. Walls stated, "Here is the biggest thing you need to understand before you ever do it, it's going to take two to three years to get it to that point anyway. It's not going to turn around overnight."

Mayor Beam commented, "And what Mr. Dellinger said to me was even if you do it, it is not a done deal. You can't do it and say we don't touch it for five years. It's an ongoing thing, you still got to keep that work going year after year after year behind what you actually do."

Mr. Wall stated, "One of the conversations that I had with Mr. Abernathy was, how are you going to control what traffic has been out there. You can't. It's a slippery slope."

Councilmember Dalton responded, "You know I see what you are saying, but I mean reality is we can't afford this. In all fairness to you, you did bid on the scope of work. I see what you are talking about top dressing. We just can't do that. That's something we have to do."

Mayor Beam asked Mr. Walls, "In reality, how would you change your bid considering what we just discussed?"

Mr. Walls responded by saying, "It's huge, it's apples and oranges. I can only go by what's there. No one can really say, what you want. It goes back to, what are you looking for? What is your project? It's a broad spectrum."

Councilmember Dalton stated, "What about this. What if we drop back and punt and, I mean I think we are looking more as far as a scope of work what the other vendor has, as far as the scope of work. I am looking at his sheet here and I don't see top dressing on it."

Mayor Beam responded, "Let me make a suggestion. Since we are not under those time constraints were talking about."

Councilmember Dalton stated, "We are still under some time constraints, but not with seed."

Mayor Beam stated, "Could we in fact better define what scope of work we are talking about and let them present it to City Manager Blackburn, and set a deadline of say Friday."

Mr. Walls stated, "Let me say this, I know that you are going to come up with some kind of scope of work. I have done a lot down there at the Little League and I have been very involved with them, and it's just like talking about Chuck Dellinger. No doubt Chuck Dellinger knows way more than I know. But if you talk to Chad Cash they would want rye grass because they start practicing and playing in March and April, and they are done playing in June. When does Bermuda kick in Brian?"

Councilmember Dalton replied, "About May."

Mr. Walls stated, "So that's kind of the thing there. When you talk about which one you are using, softball starts in February. The thing about it is, I am not trying to throw suggestions but I think if you are going to do it talk to the people that using the field. See what their needs are, what they want, what their guidelines are and that will give you more of a scope of what you are looking for."

Councilmember Dalton stated, "I think you have to agree rye grass does not give you near as good a facility when you use it. Rye grass might look a little better."

Mr. Walls responded by saying, "No but the thing is, that's when their on it per say more than the others."

Councilmember Dalton stated, "Unless you have tournaments. If you have tournaments guess what, the rye is dead and you have nothing."

Mr. Walls stated, "If that's your goal to bring people in this town to host tournaments then you want the fields in a totally different fashion."

Mayor Beam stated, "Which goes back to defining the scope of work we want done."

Councilmember Kiser asked Brandon Abernathy, "You talked to Little League to, you talked to Chad."

Mr. Abernathy responded, "Yes we did."

Councilmember Parker stated, "I spoke with a professional from Lincoln County who come over and looked at our fields and he recommended no rye."

Councilmember Dalton stated, "Everybody's going to recommend no rye if you want a good facility. I mean you can't build a good playing surface putting rye. You just can't do it."

Mr. Walls stated, "It just depends on when you are using the field, I mean if you are going to use it in cool weather then."

Mr. Abernathy stated, "That's where it came from. Little League requested rye grass because that is when they play."

Councilmember Dalton asked Chief Jeff Cash when the season started for Little League? Chief Cash responded by saying March 15.

Councilmember Dalton stated, "I am just saying long term I don't think rye is the way to go. I think you would be better having fescue than rye."

Chief Cash stated, "Can I address that Mayor? I can tell you why rye and fescue is out there. When I was President of Little League, it's when the fields were horrible. So I called the county horticulturist, if I said that right, and they met me out there and we took soil samples, and they wrote us a prescription for those fields. And we put rye and fescue and it turned out to be the best decision for those fields ever made. So where the debate is I'm not sure but that is why it got the rye and fescue a few years ago when I was President when there was no grass down there. That's what we ended up doing and it worked real good for us that year. Just to give you the back ground."

Mr. Abernathy stated, "That's what we did, we actually got with Chad Cash from Little League and that's why they want the rye grass they want it green when they start. That's just plain and simple. And it's like Mr. Walls addressed earlier, you know the ideal way is to take a soil sample to the Ag center and them send back, like the Chief was talking about, they will give you a prescription of what you can do. That's why when I talked to Mr. Walls it was basically, you can only put so much lime out at one time and it you have to wait a certain period of time. I told him in his bid to go ahead and account for that one time and put in there in a clause that if it needed more than that is above and beyond what the contract called for. And if you choose to have soil samples, which I didn't put in the scope of work, that's going to change it all together again, because of what comes back in those results from the Ag center. So you can change it either way."

Mayor Beam stated, "And that's basically what I am getting to. We really haven't ourselves decided exactly what scope we want at this time so I mean how can we make a decision on that."

Councilmember Dalton stated, "In reality this scope is great, but we can't afford it. The scopes great but we can't afford it."

Mr. Abernathy stated, "You don't have to go with Bermuda you can go with fescue if that's your choice. It's all in what you want. I think that's what Mr. Walls was trying to express. We got to decide what we want so we can take care of what we need."

Councilmember Dalton stated, "Personally I think you are better off with fescue than rye."

Councilmember Kiser stated, "I certainly don't know anything about grass, but we need to decide or somebody needs to decide and then let them rebid on another scope. A better outline."

Councilmember Dalton stated, "We need to get a scope that's within our budget."

Mayor Beam stated, "Let's do that. Let's let City Manager redefine the scope of what we really want done to the fields and all and then staff make a deadline on that and you can make a decision of where to go from there."

Councilmember Dalton stated, "I tell you, I'll come up tomorrow and we will set down and we will work on it for a little bit. We will try to come up with something, and confer with the Little League. We can't have a scope that large, I mean it's out of our budget."

Mayor Beam asked the rest of the Council if they were fine with that decision.

Councilmember Parker stated, "I know there's going to be issues out there and citizens out there saying why are you contracting this out when you got city employees that can do this. I just want to make sure that if we do this, that these city employees don't take advantage of us. And if we do do this, Ben I'm leaving, I'm holding you responsible for these city employees taking advantage of us."

City Manager Blackburn responded by saying, "We've got good city employees and they are dedicated to their jobs, no question about that, and not implying that from the Council. We understand, staff does, that there is a need to better up fit out athletic fields and that is why the Council is exploring this idea tonight. Mr. Abernathy and I have set here and we have had numerous conversations in recent weeks since this ideas came up on how to better employee the use of our employees that we have since this work load would be taken off of them. One of the areas that we would like to concentrate on, and this is something Mayor and Council that I would like to take the liberty on it September 16 at City Hall the Small Town Main Street Steering Committee will be hosting a meeting with all the property owners and the business men and women of the downtown area in which we can strengthen the item that we will be talking about at length tonight. But with having said that we want to beautify our downtown and entrance ways and after talking with Mr. Abernathy we are prepared in making that presentation at the September 16 meeting, that we will divert those man hours to our downtown and Main Street areas."

Councilmember Parker stated, "I just wanted to make sure our citizens know where we were headed on that."

Councilmember Dalton stated, "That's the whole goal, is that when I ride down Main Street I don't see high grass again."

Mr. Blackburn shared that there had been more of a concentration on that area lately.

Councilmember Dalton will meet with staff tomorrow morning, contacts will be made to possible vendors for their bids, and bids will be due in by Friday September 19, 2014. A decision will be made the following Monday on September 22, 2014. The new scope of work will be sent out after it is complete. This will give vendors one week to submit a bid. Mayor Beam and the Councilmembers all agreed to this.

CONSIDERATION OF AWARD OF SMALL TOWN MAIN STREET (STMS) BRANDING STUDY VENDOR:

Mr. Richard Randall approached the podium to share that seven RFP's had been sent out to different companies for bids on branding the community. Three vendors had responded and a committee was put together to look over the bids. The group that has been awarded is Arnett Muldrow & Associates out of Greenville. They are known nationally for their work. The company will meet with the Mayor, Council, and citizens to gather ideas that they will present to us for consideration. The bid was for \$15,000 and we have received the donation from Cherryville Federal that will cover this cost.

Councilmember Dalton shared that he can tell this company does their homework because they already have a picture of baseball on the cover of their proposal. Councilmember Dalton made a motion

to accept this vendor for the branding of Cherryville and it was seconded by Councilmember's Kiser and Parker. Vote was unanimous.

OTHER BUSINESS:

Councilmember Dalton asked if we were able to contact the owners of Gasland to have them clean up the property. They were cleaning it up earlier in the day.

Councilmember Kiser asked if the stripping that was recently at the high school, was done properly. He had heard that there were concerns. Chief Hawkins approached the podium and shared that there were concerns early on that the buses would not be able to make the turn off of Sixth Street. Chief Hawkins met with school officials and road on the bus to make sure the turn could be made. Chief Hawkins shared that some don't like having to stop at the new stop sign but it makes school traffic safer.

Rodney Bowyer of 305 Mark Street asked if he could speak. He shared that the City should not use rye grass on the ball fields.

ADJOURNMENT:

Councilmember Kiser made a motion to adjourn the meeting. Councilmember Parker seconded the motion and the vote was unanimous. The meeting adjourned at 8:40 pm.

Adopted this 15th day of October, 2014.

H.L. Beam

Mayor, H.L. Beam

Paige H. Green

City Clerk, Paige H. Green

