



CITY OF CHERRYVILLE

116 S. MOUNTAIN STREET

CHERRYVILLE, N.C. 28021

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REGULAR CITY COUNCIL MEETING

MONDAY SEPTEMBER 14, 2015 @ 7:00 PM

CHERRYVILLE COMMUNITY BUILDING

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

The Honorable Mayor H.L. Beam III called the regular City Council meeting to order. Councilmember's David Kiser, Jill Puett, Brian Dalton and Malcolm Parker were present. Also present was City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler Jr., Public Works Director Brandon Abernathy, Fire Chief Jeff Cash and Detective Mark Stout. No media coverage was present.

INVOCATION BY: REV. DR. ERIC CHILDERS, ST JOHN'S LUTHERAN CHURCH:

Rev. Dr. Eric Childers of St. John's Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Everyone remained standing after the invocation to recite the Pledge of Allegiance.

MAYOR'S COMMENTS:

My first comments will be related to our city staff.

Jason Black, former crew leader in the city's water & sewer division of the public works dept. was recently promoted to the position of superintendent of the city's street and sanitation divisions of the public works department.

In our most recent work session, Jason expressed his interest in addressing the cleanup of our downtown areas and especially the highways leading into and out of our city. Congratulations go out to Jason from city council on his new promotion.

City Clerk Paige Green has been attending the NC Clerk's Certification school in Chapel Hill recently and has only a few more sessions to attend before she will be awarded her Clerk's Certification title. This Council wishes her success in this endeavor and looks forward to its completion.

Congrats also go out to Police Chief Chad Hawkins who recently was elected by his peers to the position of President of Gaston County Police Chiefs Association. I believe this is an indication of how our police department is perceived within our county and is a testament of the positive direction our police department is moving in. Congrats again Chief Hawkins.

Public Works Director Brandon Abernathy informed city staff that as of August 21, a portion of Sweet Tree Street had been closed by a directive of City Council. Contractor Beam Construction is using this portion for deliveries of materials to the new building site. Around the first of October, Beam Grading will begin with the street improvements on Sigmon and Carroll Streets.

This past week I signed a proclamation for the Tryon reserve chapter of the daughters of the American Revolution proclaiming this week as Constitution Week.

On Friday September 11, I attended and gave the opening remarks at the 14th annual 911-remembrance ceremony held at our local fire department. This event was well attended by our citizens and special guests included Council Member's Jill Puett, David Kiser, County Commissioner Allen Fraley, and NC District 110 Representative Kelly Hastings.

Finally, that same afternoon I attended and spoke at the unveiling of the plaque on the BB&T building, honoring the financial contribution made by the Moss family for the restoration and rehanging of the 1914 McClintock clock.

Special recognition was giving to Councilmember Malcolm Parker for his efforts on acquiring the monies from the Moss family that made this event possible. City Manager Ben Blackburn also thanked the Moss family and all individuals that had a hand in bringing this project to its fruition.

APPROVAL OF MINUTES:

Council Member David Kiser made a motion to approve the minutes as written for the City Council Meeting from August 10, 2015 Closed Session Meeting from August 10, 2015 City Council Work Session Meeting from August 31, 2015. Council Member Jill Puett seconded the motion and the vote was unanimous.

AGENDA APPROVAL/REVISION:

City Manager Blackburn shared that Mrs. Heather Mauney had called earlier in the day and ask that the agenda item for St. John’s Lutheran Church VBS Recognition be change to a later date. Council Member Parker made a motion to strike the agenda item. Council Member Kiser seconded the motion and the vote was unanimous.

ST. JOHN’S LUTHERAN CHURCH VBS RECOGNITION:

Mrs. Heather Mauney asked that this item be placed on the October or November agenda.

PRESENTATION BY GASTON COUNTY FAMILY YMCA, TONY SIGMON:

Mr. Sigmon was not present for this agenda item.

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. Walter Ballard of 610 W. Church Street approached the podium to ask about golf carts in the city limits because he almost hit one while driving.

Mr. Richard Beam of 605 Vista Drive approached the podium to express his concern about the garbage truck and the liquids that run out on the street. He shared that the smell is bad and he has called other communities and ask how they handles the liquids. He was told that another community leaves the plug in the garbage truck and does not have this problem. Public Works Director Brandon Abernathy explained that we pick up solid waste and no liquids should be put in the garbage containers. Brandon explained that we do not have a place to drain the liquids from the truck and that is the only way to empty the truck. The liquids need to run out because when the man on the back of the garbage truck compacts the solids, the liquids come back on him if they are in the truck. In addition, the City of Cherryville is charged at the landfill by the weight of garbage and we would not want to pay for the liquid.

Mayor Beam shared that he did not realize that only solids go in the garbage container until this was discussed recently at the work session. He suggested that maybe we could put a flyer in the utility bills so customers would also be aware of this.

CONSIDERATION OF ADOPTION OF RESOLUTION RECOGNIZING CHERRYVILLE FIRE DEPARTMENT 2015 FIRE PREVENTION WEEK:

Mayor Beam read the following Resolution:

RESOLUTION

- WHEREAS,** the City of Cherryville is committed to ensuring the safety and security of all those living in and visiting (CITY); and
- WHEREAS,** fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and
- WHEREAS,** home fires killed 2,755 people in the United States in 2013, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 369,500 home fires; and
- WHEREAS,** working smoke alarms cut the risk of dying in reported home fires in half; and
- WHEREAS,** three out of five home fire deaths result from fires in properties without working smoke alarms; and
- WHEREAS,** in one-fifth of all homes with smoke alarms, none were working; and
- WHEREAS,** when smoke alarms should have operated but did not do so it was usually because batteries were missing, disconnected, or dead; and
- WHEREAS,** half of home fire deaths result from fires reported at night between 11 p.m. and 7 a.m. when most people are asleep; and
- WHEREAS,** Cherryville’s residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and
- WHEREAS,** Cherryville’s residents should install smoke alarms and alert devices that meet the needs of people who are deaf or hard of hearing; and
- WHEREAS,** Cherryville’s residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and
- WHEREAS,** Cherryville’s first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and
- WHEREAS,** Cherryville’s residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and
- WHEREAS,** the 2015 Fire Prevention Week theme, “Hear the Beep Where You Sleep. Every

Bedroom Needs a Working Smoke Alarm!" effectively serves to remind us that we need working smoke alarms to give us the time to get out safely.

THEREFORE, I H. L. Beam III Mayor of Cherryville do hereby proclaim October 4-10, 2015, as Fire Prevention Week throughout this city, and I urge all the people of Cherryville to install smoke alarms in every bedroom, outside each sleeping area, and on every level of the home, including the basement and to support the many public safety activities and efforts of Cherryville's fire and emergency services during Fire Prevention Week 2015.

Adopted this 14th day of September 2015.

ATTEST:

Mayor H.L. Beam III

City Clerk Paige Green

Council Member Puett made a motion to approve the Resolution for Fire Prevention Week 2015. Council Member Parker seconded the motion and the vote was unanimous.

CONSIDERATION OF ADOPTION OF RESOLUTION RECOGNIZING THE COMBINED RELATIONSHIP BETWEEN THE CITY AND THE OFFICE OF THE NC STATE FIRE MARSHAL:

Mayor Beam shared that the Resolution below was a matter of housekeeping for the fire department. Council Member Kiser made a motion to approve the Resolution. Council Member Dalton seconded the motion and the vote was unanimous.

RESOLUTION

WHEREAS, The City of Cherryville Fire Department of the City of Cherryville serves as an Agency of the City of Cherryville; and

WHEREAS, The City of Cherryville Fire Department of the City of Cherryville has requested confirmation of this Agency relationship; and

WHEREAS, This Agency's relationship is long-standing and generally acknowledged.

NOW, THEREFORE, Be it resolved, that the City of Cherryville does hereby confirm this Agency's relationship and does verify by this Resolution that relationship.

Adopted this _____ day of _____, 20_____.

ATTEST:

CONSIDERATION OF IMPLEMENTATION OF DOWNTOWN PIGEON ABATEMENT:

City Manager Blackburn shared that Ms. Jean Skibo and members of the design team (Small Town Main Street) have been working hard to find a solution to downtown Cherryville's pigeon problem. Ms. Skibo contacted the North Carolina Wildlife Commission and she learned that they do not deal with pigeons. Ms. Skibo was referred to the District Wildlife Biologist, Danny Rail who is located in Morganton and Gaston County is in his district. Mr. Rail informed Ms. Skibo that pigeons are not native to N.C. and are not a regulated bird. Ms. Skibo learned that pigeons can be excluded and there is no license needed to shoot them. Mr. Rail then referred Ms. Skibo to Mr. Andy Moore at the U.S. Department of Agriculture in the Statesville office. Mr. Moore defended pigeons as urban birds that love old buildings. Mr. Moore shared that if the pigeons are to be excluded, they should be excluded in a non-lethal way. Some of the non-lethal ways would be netting, prevent roosting and nesting by making flat surfaces unavailable using devices that can be used to change flat nesting spots. This can be done by using wood metal sheathing at a 45-60 degree angle, spikes, mild electric shock etc. The USDA will also come out and trap pigeons by baiting and confining them in containers. They take them away and euthanize them. There is a charge for this and it is usually thousands of dollars. Flocks soon return and the process starts over again.

The third option is the Ovocontrol P, or birth control for pigeons. Ovocontrol P representative Eric Wolf has supplied information that will answer any questions. The cost for this form of birth control is \$6.25 a day and is available 365 days a year. If used exactly as directed, it works. Flocks gradually decrease; hence, costs decrease. Mayor Beam and the Council were given case studies on Ovocontrol P in their packets of information.

After some discussion, Mayor Beam and the Council decided that this was expensive and decided to do nothing at this time.

CONSIDERATION OF NOMINATION TO ELECTRICITIES JOINT BOARD OF DIRECTORS:

City Manager Blackburn explained to Mayor Beam and the Council that Ron Hovis is currently serving in a majority vote seat and is not eligible for re-election to the Board. Mr. Blackburn shared that Mayor Beam and the Council only make a nomination to the Electricities Board of Directors. Qualifications must be met to serve on the board and the election will take place on November 17, 2015 at the Power Agency meeting.

Council Member Malcolm Parker nominated Jerry (Fatty) Hudson. Council Member Puett seconded the motion and the vote was unanimous.

OTHER BUSINESS:

Mayor Beam expressed his concern for the condition of the skate park. Mayor Beam shared that the park was trashed and there is no respect for it. Mr. Blackburn asked Detective Mark Stout is patrol could stop by the skate park more frequently. Council Member Kiser advised that maybe the Hovis family should be made aware of the parks condition.

Council Member Parker shared that he was contact by Ms. Rudisill about theft at the Cherryville Museum. Council Member Parker also feels like there are too many keys out in the community and the locks need to be changed.

Council Member Dalton recently attended a travel baseball tournament over the weekend and feels like Cherryville is missing the boat. Council Member Dalton shared that he spoke with the organizer of the tournament and they take in around \$15,000. Council Member Dalton expressed that the City of Cherryville needs a Recreation Director so that we can host such events and put the money back into our parks. Mayor Beam and Council directed City Manager to have a job description together and on the agenda for the September work session meeting.

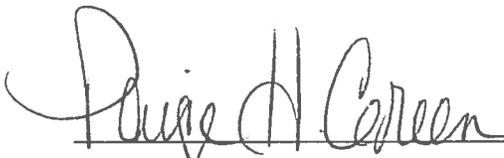
ADJOURNMENT:

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

Adopted this 12 day of October 2015.



Mayor, H.L. Beam III



City Clerk, Paige H. Green

(SEAL)

