



**REGULAR WORK SESSION MEETING**

**TUESDAY APRIL 26, 2016 @ 6:00 PM**

**CHERRYVILLE FIRE DEPARTMENT**

**411 E. CHURCH ST. CHERRYVILLE, N.C. 28021**

The Honorable Mayor H.L. Beam 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., Finance Director Dixie Wall, EDC Director Richard Randall, Public Works Director Brandon Abernathy, Police Captain Cam Jenks and Fire Chief Jeff Cash were also present.

No media was present.

**ITEMS FOR DISCUSSION OR ACTION:**

Mayor Beam pointed out that we did have one citizen present at the meeting. Mr. Tom Moss attended the meeting and Mayor Beam asked Mr. Moss if he would like to be heard. Mr. Moss first responded by saying no but then shared that he had talked to Mayor Beam about his son bringing his business to Cherryville. Mr. Moss wanted to know if there were any business incentives for a new business. Mr. Moss wanted to know if money was available to a new business.

Mr. Richard Randall responded by saying that there are no incentives for a new business starting up but the Chamber would be happy to help a new business with any paperwork or obtaining license. Mr. Randall shared that if Mr. Moss had plans of putting people to work the state offers a grant that he could benefit from. The grant that the state offers would be determined on the number of employees that work full time and have benefits. Mr. Moss asked about the façade grant that the City of Cherryville offers. Mr. Randall shared that the façade grant is for signs and window fronts of the downtown businesses. Mr. Moss asked if he would be considered a new business even though the business will be on the other side of town. Mayor Beam answered Mr. Moss and told him that he would be considered a new business and the Chamber of Commerce does a ribbon cutting for new businesses. Mr. Randall also shared that social media has been very positive for businesses. He shared that a seminar was held the night before on social media and the impact it has for businesses. Mr. Randall plans to have the speaker back for another seminar in the near future. All businesses are welcome to the seminars.

**CONSIDERATION TO HOLD PUBLIC HEARING DATE FOR MAY 9 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) CITY MANAGER BEN BLACKBURN:**

City Manager Blackburn shared that the public hearing for the rezoning of the property located at 700 Self Street will be held on May 9, 2016. The hearing is to rezone the property from R-9 (single and two family medium density residential) to B-3 (general business).

**CONSIDERATION TO SET A PUBLIC HEARING RE: ZONING TEXT AMENDMENT FOR FENCES IN B-1 DISTRICT, CITY MANAGER BEN BLACKBURN:**

City Manager Blackburn shared that the planning board met on Monday April 18, 2016 at 6:00 pm to consider the below text changes to Section 5.4.2 (Fences).

**CURRENT CITY OF CHERRYVILLE ZONING ORDINANCE(S) DEALING WITH FENCES IN THE BUSINESS/GMC DISTRICTS:**

**Section 5.4 Fences or Walls Permitted**

Except as otherwise noted, fences or walls are permitted in the various districts subject to the following regulations:

**5.4.1 In Residential (R) Districts:**

- a. When fences or walls are installed in a required setback area (required front, side, or rear yard), the maximum height shall be six (6) feet, except when such fence or wall is installed pursuant to Section 5.2 of this Ordinance it shall not exceed eight (8) feet in height.
- b. No above ground electrical or barbed wire fences shall be allowed except in the R-40 district.

**5.4.2 In B-1, B-2, B-3, and GMC Districts:**

- a. Maximum height shall be twelve (12) feet except that no maximum shall apply to jails and prisons where said wall or fence is installed behind any required setbacks.
- b. No electrical fences except electrical livestock fences shall be permitted

**PROPOSED TEXT ADMENDMENT TO THE CHERRYVILLE ZONING ORDINANCE(S) DEALING WITH FENCES IN THE B-1 DISTRICT: (CHANGES REQUESTED TO BE MADE ARE NOTED IN RED)**

**5.4.2 In B-1, B-2, B-3, and GMC Districts:**

- a. Maximum height shall be twelve (12) feet except that no maximum shall apply to jails and prisons where said wall or fence is installed behind any required setbacks.
- b. No electrical fences except electrical livestock fences shall be permitted.
- c. No chain-link fence(s) of any kind shall be allowed in the front yard or lot In any B-1 (General Business) District property, Except, Temporary chain-link fencing will be allowed under Emergency Circumstances to prevent death / serious injury from occurring when a building has been damaged.

**\*\*ALL OTHER TEXT WILL REMAIN THE SAME\*\***

**Submitted / Requested by: Jeff Hawkins, Planning, Zoning, Code enforcement Administrator**

City Manager Blackburn shared that when the board met they voted to change the text amendment to the following:

**The planning board met on Monday April 18, 2016 at 6pm to consider the above changes. After much discussion, they changed the proposed text change to read as:**

c- Any type of fence in the B-1 (Central Business) Zoning district would need approval from the Zoning Administrator "Before" being installed.

The Planning Board agreed unanimously that the proposed change be Recommended for Approval and be submitted to the City of Cherryville Council for review. (jsh 4.19.2016)

After much discussion, the council asked that the proposed text change be taken back to the planning board and fine tuned. Mr. Blackburn will direct staff.

**CONSIDERATION OF INTERIOR GRANT INITIATIVES, EDC DIRECTOR RICHARD RANDALL:**

EDC Director Richard Randall introduced a new grant program called the Building Improvement Incentive Grant Program. Mr. Randall shared a copy of the fact sheet and explained that currently we have a facade grant that helps business owners on Main Street to improve the look of their business on the exterior. The grant program that Mr. Randall introduced will help improve the interior of the business. This grant will serve as an incentive to taxpayers who improve the interior of a downtown building while making every effort to maintain the historic character of the property. Below is a copy of the fact sheet for the grant program for council's consideration along with the programs standards and application. This will be placed on the May 9 agenda for consideration.

**Building Improvement Incentive Grant Program  
For Downtown Cherryville Business District**

**Fact Sheet**

***What is the Building Improvement Incentive Grant Program for the Downtown Cherryville Business District?***

The grant serves as an incentive to taxpayers who improve the interior of a downtown building while making every effort to maintain the historic character of the property.

It provides up to 50% of the total cost of approved projects for building improvements, for a maximum reimbursable grant of \$5,000 per project.

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.

***Who may apply for the grant?***

Building owners, or tenants with building owner's consent, may apply.

***What buildings are eligible?***

As a catalyst for the recruitment of new business to the downtown business district, eligibility is granted to new business projects inhabiting any building located in the Cherryville downtown business district, with priority given to improvements that will make the greatest impact on the surrounding built environment.

Buildings projected to be used in a trade or business or held for the production of income from nonresidential purposes are eligible. Private residences are not eligible.

***What interior improvement expenditures apply?***

Eligible expenditures include:

- accessibility improvements for handicapped persons
- energy conservation improvements
- electrical work, including service upgrades
- fire alarm systems
- fire sprinkler system installation or upgrade, including any needed water service improvements
- heating, ventilation, air conditioning and roof restoration

- lighting
- painting
- plumbing updates
- restoration of historic interior architectural features, including ceiling, light fixtures, floors and architectural detailing
- improvements for a new, expanding or relocated business

**Ineligible expenditures include:**

- building or land acquisition
- design services, including architectural and interior design
- emergency or safety-related demolition expenses
- flood or water damage repairs
- furnishings, equipment or personal property not affixed to the real estate
- legal fees
- maintenance work (i.e. general repairs that maintain existing conditions)
- new construction
- parking lot resurfacing
- pest extermination
- structural repairs
- work begun prior to application submittal or done without a required building permit
- work proposed on property with an active code citation

***Who makes the decision to approve or reject a request?***

The Cherryville Architectural Review Board (ARB), a volunteer group, which is made up of property and business owners and other interested professionals, recommended by the Cherryville Chamber of Commerce/EDC Board of Directors and appointed by the Cherryville City Council, is charged with that responsibility. The ARB will meet quarterly to review and approve grant applications.

In cases where grant applications are rejected, the ARB will provide the applicant with the reason(s) for rejection, so that the applicant may correct the application and re-apply for a grant at a later date.

***What is the process for applying for a grant?***

- 1) Building owner or tenant meets with the Executive Director of the Cherryville Chamber of Commerce/EDC.
- 2) Building owner or tenant completes an application and provides required supporting materials.

- 3) If needed, building owner or tenant will meet with the Cherryville Architectural Review Board (ARB) to consider the application(s).
- 4) ARB will notify applicant in writing of acceptance, acceptance with conditions, or rejection of application.
- 5) Any changes to approved work during construction must be approved in writing by the Cherryville Architectural Review Board.
- 6) Upon completion, applicant sends copies of paid receipts/statements to Executive Director of the Cherryville Chamber of Commerce.
- 7) The Executive Director of the Cherryville Chamber of Commerce/EDC and the ARB inspect completed work. 8) Once verification is made that work is completed in accordance with the application, the Executive Director of the Cherryville Chamber of Commerce/EDC requests disbursement of grant funds. A check will be issued to the property owner or tenant as applicable.

***What other conditions apply?***

- 1) Grants are based on the entire scope of the project. All work must be consistent with the approved project or the total grant award may be voided.
- 2) All applications must be approved prior to commencement of work.
- 3) Each building is considered separately to meet the 50% matching rule.
- 4) Grant applicants are expected to follow the intent of the program's guidelines and will not complete ineligible work preceding a grant request or following a grant disbursement.
- 5) All applications are reviewed and approved on their merit by the entire ARB. Assurances made by city staff or committee members regarding applications should not be construed as binding.
- 6) The ARB will notify the applicant in writing of all grant approvals and changes to the scope of work for an approved project.

***Examples***

- 1) A property owner applies for a grant for an eligible building. The planned improvement costs \$4,000 and follows the downtown architectural guidelines. The applicant receives a matching grant of \$2,000.
- 2) A property owner applies for a grant for an eligible building. The planned improvement costs \$15,000 and follows the downtown architectural guidelines. The applicant receives a matching grant up to the grant maximum of \$5,000.

## ***Program Standards***

### ***The NC Secretary of the Interior's Standards for Rehabilitation***

The Secretary of the Interior's Standards for Rehabilitation are ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs. All façade changes must meet these standards.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**Building Improvement Incentive Grant Program  
For Downtown Cherryville Business District**

**Application**

Location of Property:

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Name of Property Owner/Lessee:

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Address:

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Telephone:

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I am applying as  the property  owner or lessee. (Check one box)

Attach a detailed description of your plans for improving the building. Include a drawing/sketch of proposed renovations specifically identifying changes for each detail of the building. For example, new paint schemes, awning size, placement and color and legitimate estimates of the work to be done.

Please Check:

I have attached project plans, specifications or other appropriate information including estimates of the work to be done.

I have reviewed (1) all pages of the Cherryville Incentive Grant Program for Downtown Business District Building Improvement; (2) the NC Secretary of Interior Standards for Rehabilitation; and (3) City of Cherryville Downtown Business District Architectural Guidelines and understand the program's requirements and intend to follow the program guidelines.

I understand that grant funds can be used only for the project described in the application. The work must be

completed within four (4) months of the date of review by the Cherryville Grant Committee (unless otherwise specified by the committee). All work must be completed according to state and local building codes and ordinances and approved, when necessary, by the proper authorities.

I understand that all building changes require a zoning permit.

I also understand that this application must be reviewed before any work is done on the project and that no

projects will be funded if work was done before the application was approved. I also agree to provide receipts, invoices, and records to document all work performed on this project in order to receive reimbursable grant funding.

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Signature of Applicant

Date

If the applicant is leasing the building, then the property owner's signature certifying they have read, understand and approve this project is also required.

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Signature of Property Owner

This will be placed on the May 9 agenda for consideration.

**UPDATE ON UPSET BID PROCESS FOR THE WATER PLANT HOUSE, CITY MANAGER BEN BLACKBURN:**

City Manager Blackburn shared that a bid for the water plant house came into the clerk's office on April 18, 2016 @4:50 pm. The bid was for \$36,100.00. The ad will run again on May 4 and May 11 for another upset bid.

**CONSIDERATION TO SET PUBLIC HEARING RE: FY 2016 – 2017 BUDGET, CITY MANAGER BEN BLACKBURN:**

City Manager Blackburn shared that a public hearing date will need to be set at the May 9 meeting for June 13. The public hearing will be for consideration of adopting the FY 2016-2017 budget. This will be placed on the May 9 agenda.

**CONSIDERATION OF SPECIAL MEETING RE: BUDGET WORKSESSION, CITY MANAGER BEN BLACKBURN:**

City Manager Blackburn asked Mayor Beam and the councilmembers to set a date for a special meeting. The meeting will be for a budget work session. Mayor Beam and the council agreed on Thursday May 26, 2016 at 8:00 am. The meeting will be held at the fire department in the training room.

**OTHER BUSINESS:**

City Manager Blackburn suggested a closed session re: N.C.G.S. 143.318.11 (6) regarding personnel. Councilmember Parker made a motion to enter into a closed session. Councilmember Kiser seconded the motion and the vote was unanimous. The closed session began at 6:35 pm.

Mayor Beam, Council, City Manager, City Clerk and City Attorney returned to the work session. Councilmember Puett made a motion to exit the closed session. Councilmember Kiser seconded the motion and the vote was unanimous.

City Manager Blackburn shared that in the past pool owners that needed water for their pools would pay a \$100.00 fee at city hall and get hose from the fire department to fill their pools out of hydrants. City Manager Blackburn shared that staff would like to change that procedure to a one-time sewer adjustment on the customer's account for filling their pool with their garden hose. Public works director Brandon Abernathy shared that with customers using our hose and the hydrants the hydrants get opened and closed too fast and it causes a discoloration of water and creates a cross connection. Once the cross connection is created there is no protection to the city water system. Finance Director Dixie Wall shared that the customers with pools would be allowed a sewer adjustment once a year for pool filling. There will be no water adjustments just sewer.

Councilmember Puett shared that she was contacted by Ms. Sonja Hoyle on Main Street. Ms. Hoyle wanted to know if the city had any interest in the vacant lot beside her that is for sale. The vacant property is located at the corner of Main St and S. Mulberry Street. City Manager Blackburn shared that there had been discussion between the Homesley family, owners of the property, and the Main Street Program about establishing that property for additional parking or a green space. Mr. Howard Homesley and Ms. Shirley Smith are owners of the property.

Ms. Gates of the garden club contacted Councilmember Kiser about the information she shared with Mayor Beam and the council at the last work session in regards to the historical park. Mr. Blackburn shared that he spoke with Ms. Alisa Eaker about the plants that she would be planting and the guarantee of them surviving. Ms. Eaker had no guarantee that the plants would survive but shared that a drip irrigation system on a timer would benefit the plants greatly. Council gave staff direction to get back in touch with Ms. Eaker and move forward with the new plants as well as the drip irrigation system.

Councilmember Kiser commented on the newly planted cherry trees on the vacant property across from Carpenter's Funeral Home. Councilmember Dalton asked who owned the property because the grass was getting high and needed to be mowed. City Manager Blackburn shared that Jeff Hawkins has contacted the property owner about getting the property mowed.

Mayor Beam shared that thank you letters need to be sent to the corporate sponsors of the recent concert held at Starnes Auditorium. City Manager Blackburn shared that the letter has been typed and is ready to be sent to each sponsor. Councilmember Parker thanked all city employees that made the concert possible. Councilmember Parker recognized that the concert would not have been possible without city staff.

**ADJOURNMENT:**

Councilmember Dalton made a motion to adjourn the work session. Councilmember Kiser seconded the motion and the vote was unanimous. The work session adjourned at 7:07 pm.

Adopted this 9<sup>th</sup> day of May 2016.

  
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H.L. Beam, Mayor

  
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Paige H. Green, CMC, NCCMC, City Clerk

(SEAL)

