

CITY OF CHERRYVILLE  
CITY COUNCIL WORK SESSION  
JUNE 30, 2014 @ 3:00 PM  
CHERRYVILLE FIRE DEPARTMENT  
TRAINING ROOM

Honorable Mayor H.L. Beam called the meeting to order at 3:00. Present at the meeting, Councilmember Kiser, Councilmember Puett, Councilmember Dalton and Councilmember Parker. Also present City Manager Ben Blackburn, City Clerk Paige Green, City Attorney Palmer Huffstetler Jr., Police Chief Chad Hawkins, Police Captain Cam Jenks, Public Works Director Brandon Abernathy, Planning and Zoning Director Richard Elam, EDC Director Richard Randall, and Fire Chief Jeff Cash. Michael Powell was present for media coverage.

**ITEMS FOR DISCUSSION OR ACTION:**

City Manager Ben Blackburn addressed the Mayor and City Council and asked them to amend the agenda to add a budget amendment for the 2013 - 2014 FY budget. Also the Mayor and Council were given a copy of the audit contract for the FY 2013 - 2014 that will be put on the agenda for the July 14<sup>th</sup> City Council meeting for approval.

**PRESENTATION BY THE CHERRYVILLE ABC BOARD:**

Mr. Terry Fisher Manager of the Cherryville ABC Board and County Commissioner Alan Fraley presented the City of Cherryville with a check for \$12,000.00 that is their pre audited distribution profits. Mr. Fisher feels like there will be more funds to come but does not know the amount at this time. Mr. Fisher shared that the ABC Board has had a good year with \$29,000 shy of a million dollar business. He went on to explain that a couple years ago the State passed a law that required the ABC stores to have a budget and a finance officer. This does add a salary to the payroll. Mr. Fisher stated that the board realized that at some point he would need replacing and they have decided to combine the manager's position with the finance officer's position and that person will be County Commissioner Alan Fraley who will take over as general manager January 1, 2015. Mr. Fisher also asked the Mayor and Council to approve their Travel Policy. This has to be approved every year for the ABC Board.

Mayor Beam thanked Mr. Fisher and Commissioner Fraley for doing a good job and the money.

Mr. Fisher also explained that the ABC Board follows the same travel policy as the City of Cherryville and every year the City Council has to approve the travel policy for the ABC Board. Mr. Fisher asked the Council to consider approving the travel policy for the upcoming year so

he can send it into the State. The Travel Policy will be put on the July 14<sup>th</sup> agenda for the City Council meeting for approval.

Mr. Fisher also shared some figures with everyone. Since the ABC Store opened in Cherryville \$727,951.00 in revenue has been given to the City, \$567,000 has been taken in for distribution profits, \$160,800 for ABC Law Enforcement, and the City has collected \$480,000 in beer and wine tax from the State. Also since the opening of the ABC Store \$1,200,000 has been received and it has not been at the expense of the City.

City Manager Ben Blackburn thanked County Commissioner Alan Fraley for his help with securing the \$300,000 grant for the City of Cherryville for Carolina Care Center and job creations. Commissioner Fraley shared that he would do all he could to help Cherryville. Mayor Beam also thanked Commissioner Fraley, Richard Randall, Tracy Philbeck, and Jason Williams.

**CONSIDERATION TO APPROVE TRAVEL POLICY FOR THE CHERRYVILLE ABC BOARD:**

The Cherryville ABC Board Travel Policy has to be approved by City Council every year. The travel policy will be put on the July agenda for approval. The ABC Board follows the same travel policy as the City of Cherryville.

**DISCUSSION OF PUBLIC HEARING ON THE CLOSING OF SWEETREE ST. (PORTION):**

Mr. Richard Elam explained the process of the public hearing that will be held on July 14, 2014 for the possible closing of a portion of Sweetree Street.

Mayor Beam asked if Modern Polymers had purchased the property yet. Mr. Blackburn stated that they have not at this time.

**DISCUSSION OF TRAFFICE FLOW AT THE CORNER OF N. PINK ST. AND SIXTH ST.:**

Police Chief Chad Hawkins explained that the flow of traffic to and from the Cherryville High School is dangerous for the kids that walk to and from the school. Chief Hawkins ask the Mayor and Council to consider the two proposals that he received from Sosebee Pavement Markings on making some changed that he feels will make the issue of school traffic safer. One proposal is for relocating the sidewalk on the corner of N. Pink Street and Sixth Street and narrow the width of Sixth Street so that the intersection of these two streets meet perpendicular. It would also include the removal of the existing stop sign on N. Pink Street to create free flowing traffic. Installing stop sign on galvanized u-channel post and paint a stop bar on Sixth Street. There would also be a "stop sign ahead" sign on Sixth Street in advance of the intersection and paint pedestrian cross walk across Sixth Street with reflective traffic paint. The total cost for this option would be \$16,683.00.

The second option that Chief Hawkins shared was to paint a double centerline with reflective yellow paint, paint a stop bar, stencil directional arrows, stencil "STOP" on the asphalt, paint traffic island with reflective white traffic paint, install stop ahead sign on galvanized u-channel post, as well as a yield sign, install pedestrian crossing sign ahead, and install crosswalk sign in crosswalk. Chief Hawkins recommends the second option at the cost of \$2,895.00. Chief Hawkins as well as the other police officers have observed the traffic after many complaints and they feel like it is a dangerous situation. This will be put on the agenda for July 14 meeting.

**DISCUSSION OF THE BB&T BUILDING:**

City Manager Ben Blackburn addressed the Mayor and City Council asking them for permission to move forward with trying to sell the BB&T building. Mr. Blackburn explained that the building needs to be marketed if we plan on selling it. Mayor Beam and all four Councilmembers agreed that we need to restart the marketing process and gave City Manager Blackburn the go ahead to move forward.

**DISCUSSION OF PLANNING BOARD MEMBERS:**

Mr. Richard Elam addressed the Mayor and Council letting them know that a new member will need to be appointed to the Planning and Zoning Board. Mr. Reid Huss's term is expiring and he would like to serve another term. Another board members term that is expiring and Mr. Elam asked the Council to consider appointing a member at the July 14 meeting. He asked each of them to give it some thought and this will be placed on the agenda for the July 14 meeting.

**DISCUSSION OF CITY OF CHERRYVILLE ZONING ORDINANCE TEXT AMENDMENTS:**

Mr. Richard Elam addressed the Mayor and Council with changes recommended by the Planning Board to the Zoning Ordinance. This will be placed on the agenda for the July 14 meeting. They recommended changes are in red print and are as follows:

**3. RECOMMENDATION TO CITY COUNCIL REGARDING AN AMENDMENT TO THE CITY OF CHERRYVILLE**

**ZONING ORDINANCE TO ADD THE FOLLOWING USE TO B-3 GENERAL BUSINESS ZONES:**

**Section 7.10.1**

**Services**

**SS. Tattoo Parlor/Body Piercing Establishment**

**Section 4.1 – Definition**

**Tattoo Parlor/Body Piercing Establishment**

**Tattoo Parlor/Body Piercing Establishment - An establishment whose principal business activity is**

- (1) Placing ink under the skin using needles that result in the coloration of the skin or,**
- (2) for piercing of the body (other than for the ear).**

**THE PLANNING BOARD RECOMMENDS TO CITY COUNCIL THAT THE ABOVE USE AND DEFINITION BE APPROVED AS PRESENTED AND WRITTEN FOR B-3 ZONES ONLY. IF ADOPTED, THIS SERVICE WOULD THEN ONLY BE ALLOWED IN B-3 (GENERAL BUSINESS) ZONES**

**4. RECOMMENDATION TO CITY COUNCIL REGARDING AN AMENDMENT TO THE CITY OF CHERRYVILLE**

**ZONING ORDINANCE TO DELETE THE FOLLOWING USES/SERVICES FROM B-1 CENTRAL BUSINESS DISTRICT:**

**Section 7.8.1 – Retail Uses**

**MM. Pawn Shop The Planning Board did not see a problem with this retail use. Was recommended to stay in B-1 (Central Business District)**

**Section 7.8.1 – Services**

**I. Fitness and tanning shop The Planning Board did not see a problem with these services. However, they recommended name changes to “Fitness Center and/or Tanning Salon”**

**K. Laundromat The Planning Board recommended that Laundromats no longer be allowed in B-1 and that this service be deleted from the B-1 Zone. It is still allowed in B-3 Zones.**

**V. Recycling depository The Planning Board recommended that a Recycling depository no longer be allowed in B-1 and that this service be deleted from the B-1 Zone. It is still allowed in B-3 Zones.**

**Section 7.8.2 – Services**

**F. Telecommunication Towers and Facilities The Planning Board recommended that Telecommunication Towers and Facilities no longer be allowed in B-1 and that this service be deleted from the B-1 Zone.**

**DISCUSSION OF JULY WORK SESSION:**

City Manager Ben Blackburn shared that the July work session is scheduled for July 28, 2014. He shared that he and the City Clerk will be out of town July 19 – July 26. At this time there are no items that we are aware of that need to be discussed. Mr. Blackburn shared that it could change and some items could come up and he asked if the Mayor and Council would consider changing the meeting to the 29<sup>th</sup> or 30<sup>th</sup>. Councilmember’s Dalton and Parker shared that if

there is nothing to discuss then we did not need to meet. After discussion the Mayor and Council set the work session for July 30<sup>th</sup> if we have any items for discussion. This will be placed on the July 14<sup>th</sup> agenda.

**OTHER BUSINESS:**

City Manager Ben Blackburn addressed the Mayor and City Council with a budget amendment for the 2013-2014 Budget Ordinance. The budget amendment was for the general fund and a housekeeping measure to make sure the expenditures match the revenues at year end. Councilmember Kiser made a motion to adopt the budget amendment and it was seconded by Councilmember Puett. The vote was unanimous.

City Manager then addressed the Mayor and Council with an audit contract prepared by Collis and Associates for consideration at the July 14 meeting. This contract is for services for 2013 - 2014. The amount of the contract is \$26,000 same as last year. Mr. Collis will be at the July 14<sup>th</sup> meeting to give a final report of last year's audit and answer any questions anyone may have about the renewal of the contract.

Councilmember Parker has some questions and concerns about the audit and he made a motion to enter into closed session after other business. Councilmember Dalton seconded the motion and the vote was unanimous.

Councilmember Dalton asked for a sign going into Vista that states "NO OUTLET". Richard Beam a resident of that neighborhood has talked to Councilmember Dalton and Councilmember Parker about this issue and would like to see this sign. Councilmember Dalton feels like it could deter crime. Councilmember Parker feels like his neighborhood also needs a "NO OUTLET" sign as well. Councilmember Parker also shared that Richard Beam had talked to him about a Crime Watch Program in his neighborhood. Councilmember Parker has talked to Chief Hawkins about this and it is being looked into.

Councilmember Parker shared that the reason Joan Blackwelder is at the meeting is because she has an issue with parking.

Joan Blackwelder shared that she was told that the parking lot at the building located at 301 E. Main Street was a city parking lot. She wanted to know why all the employees that work in that building park there. She explained that she has an ice cream shop in that building and some of her customers are in wheel chairs. Mrs. Blackwelder shared that she only has one parking space for her business. Because other employees were parking in her one space she made a sign that said "Ice Cream Parking Only". The sign allowed one handicap customer to come in her store. She shared that the city asked her to remove her sign because it was city parking. After she was asked to remove her sign she looked into handicap parking and city

parking. Since that is a city parking lot it has to have a handicap parking place for every six spaces in the lot and there are none. Mrs. Blackwelder shared that Danny York comes by her store 2 or 3 times a week and keeps asking her when they are going to install a handicap ramp. Mrs. Blackwelder also has a customer that has to park at the railroad tracks and the husband comes in to get ice cream for his handicap wife. She is unable to go into the ice cream store and enjoy ice cream. Mrs. Blackwelder feels like the parking should be fair to everyone especially the handicap.

Mr. Blackburn stated that there are approximately 6 handicap parking spaces along Main Street, Mountain Street and Oak Street. The closest handicap parking to this building is at the barber shop down the road.

Mayor Beam agreed that maybe one handicap space needs to be put in that parking lot. Councilmember Parker feels like there should be two handicap spaces.

Mr. Blackburn will get with Public Works Director about handicap parking in this area.

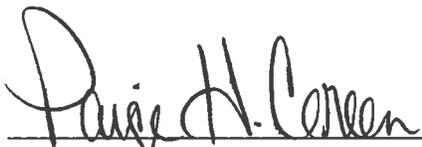
Mrs. Blackwelder went on to say that she pays \$800.00 a month for her space and \$400.00 of that is for power. She stated that she has had her ice cream coolers calibrated and she should only be paying \$95.00. She was very frustrated about this issue but also shared that the ice cream store has done well on Main Street.

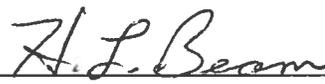
Everyone agreed that a ramp for the handicap does need to be installed.

Mayor Beam, City Councilmember's, City Manager, City Clerk and City Attorney entered into closed session at 4:15 pm.

Closed session ended at 5:55 pm. Councilmember Dalton made a motion to adjourn the work session and it was seconded by Councilmember Parker. The vote was unanimous. The work session ended at 6:00 pm.

Adopted this 14<sup>th</sup> day of July, 2014.

  
\_\_\_\_\_  
City Clerk, Paige H. Green

  
\_\_\_\_\_  
Mayor, H.L. Beam

