

CITY OF CHERRYVILLE  
CITY COUNCIL WORK SESSION  
MONDAY OCTOBER 28, 2013 @ 3:00 PM  
CHERRYVILLE FIRE DEPARTMENT  
TRAINING ROOM

The Honorable Mayor Robert Austell called the meeting to order welcoming everyone.

I. AUDIT COMMITTEE RECOMMENDATIONS, ANDREW WEST:

Mayor Austell introduced Andrew West as Chairman of the Audit Committee. Mr. West shared with everyone the history behind the Audit Committee and also the goals of the Audit Committee. The Audit Committee looks over the audit each year and they had some recommendation that they want to share. The first recommendation was for the City to develop and publish an organizational code of conduct and provide initial and annual refresher training to all employees. Second, the committee recommended the City improve the process of contracting for the annual financial audit by better describing in the request for proposal those areas requiring additional scrutiny and testing. Third, the committee recommended the City change its payroll period for all City employees from weekly to bi-weekly. Fourth, the committee recommended that the City develop standard operating procedures for the finance and accounting function. And the last thing that was recommended by the committee was for the City to acquire an industry standard integrated finance and accounting system to replace the outdated, non-integrated system in use today.

The Mayor and Councilmember's had discussion concerning these recommendations and thanked Mr. West.

II. DISCUSSION OF TEMPORARY CLOSING OF OLD HOWELL MILL STREET GRID, BEN BLACKBURN:

City Manager Ben Blackburn addressed the Mayor, Councilmember's and citizens about the temporary closing of the Old Howell Street. Ben shared that the area has been turned into a dump because illegal dumping has become popular here. Councilmember Dalton shared that the dumping has continued and it looks really bad. If this area is closed off it will stop the dumping. Property owner Dr. Thomas White will be notified of this.

III. UPDATE ON CMAQ PROJECT, BRANDON ABERNATHY:

Public Works Director Brandon Abernathy gave an update on the CMAQ Project. He shared updates on four different streets. The streets were W. Main Street, S. Jacob Street, N. Chavis Drive and S. Mountain Street. He shared what has been completed on all four streets.

IV. CONSIDERATION OF RESOLUTION HONORING DIANA BEAM, MAYOR AUSTELL:

Mayor Austell shared that Diana Beam has recently retired from the Chamber of Commerce. He asked the Councilmember's if they were in favor of honoring her with a

Resolution at the next City Council Meeting. All Councilmember's were in favor of the Resolution.

V. DISCUSSION OF SOLAR POWER GENERATION FARM, MAYOR AUSTELL:

City Manager Ben Blackburn provided a summary of his meeting with Mayor Austell, Council Member Parker, and Mr. Brian Bednar of Birdseye Renewable Energy concerning the establishment of a solar generation farm in Cherryville. Mr. Blackburn discussed several tracts of land that he and Mr. Bednar had visited within the corporate limits of the city which could be utilized for this use. He added one particular location was a 42 acres site which lies on the west side of town, commonly referred to as the Lester Andrews property on W. Academy Street now owned by Gardner-Webb University. He also stated Mr. Bednar was currently out of town, but once he returned he would further review the site and contact city staff with any additional information and questions he or the city may have.

Mr. Blackburn provided the Council with tax information on the property and what increases could be expected with the solar power generation power farm use in affect. He also commented on what lease payments could be expected from the property owner over five year increments beginning with 15 years. This amount, Mr. Blackburn added, would be based on an annual per acre lease agreement between \$600 and \$800. He concluded his comments by referring the Council to several news articles in newspapers which addressed the issue of solar generation farms and the impact both financially and land use they have on property and those surrounding it.

Discussion followed with the Council agreeing to further investigate this matter and the possibility of implementing this use in the future in the city.

VI. ABC BOARD DISCUSSION:

Mayor Austell spoke to the Council stating it was his wish to set up a meeting with Mr. James Russell Beam, Chairman of the Cherryville ABC Board, Mr. Terry Fisher, Manager of the Cherryville ABC Store, along with Council Member Campbell, Liaison to the ABC Board, and City Manager Ben Blackburn. He added he wished to discuss with the ABC representatives the importance the city has in having a close working relationship between the two entities as well as the city being able to have prior knowledge of any expenditures from the ABC Store that could affect the financial contributions to the city as required by state law. He commented a Memorandum of Understanding or MOU may be in order between the ABC Board and the city which would outline any issues between the parties but in no way did he want the city to "micro-mange the store operations. Mayor Austell stated he hoped to have this meeting set up in the very near future.

VII. DISCUSSION OF CHRISTMAS LUNCHEON, BEN BLACKBURN:

City Manager Blackburn informed the Council of the city's annual Christmas luncheon for the city employees as well as Council Members. He stated this year's event would be a luncheon as opposed to the previous year's breakfast and dinner. He said the luncheon will be a catered event to be held on Friday, December 20<sup>th</sup> between 11:30 am and 1:00 pm and would be held at the Cherryville Community Building or the First Baptist

Church's COC facility, if available. The Council agreed to this change in format and directed staff to move forward in the matter.

#### VII. OTHER BUSINESS:

In Other Business, Council Member Parker questioned why the city's Christmas Parade schedule was not published in the Gaston Gazette. He stated he had been approached from several citizens on the omission. Staff reported there was no answer to why it was omitted by the paper but would address it in future issues between now and the date of the parade.

Council Member Campbell reported he had earlier had a conversation with Dr. A.M. "Bud" Black concerning the city placing a water meter on his property on Tot Dellinger Road without his permission. He added, the water meter serviced a lateral line which provided water to Mrs. Judy W. Anthony, also of Tot Dellinger Road. Council Member Campbell stated Dr. Black wished the city to provide him with a water meter in lieu of payment for setting the meter on his property. Council Member Kiser added he too was aware of this matter concerning Dr. Black and the water meter.

City Manager Blackburn stated he had spoken with Dr. Black on two separate occasions where Dr. Black asked for a water meter for his use as payment for the city placing a water meter on his property to provide water service to Mrs. Judy W. Anthony's residence. Mr. Blackburn stated he had told Dr. Black the city would remove the Anthony water meter at any time Dr. Black requests from which Dr. Black responded on both occasions he did not wish Mrs. Anthony to go without water. Mr. Blackburn stated he told Dr. Black he (Mr. Blackburn) did not have the authority to arbitrarily give, without payment, him a water meter without the City Council agreeing to it.

Discussion followed with the Council giving the City Manager its support in his position on this matter.

City Manager Blackburn presented the City Council with an amendment to the proposed lease of the facility commonly referred to as the Cherryville Rescue Squad Building between the City of Cherryville and Gaston County. Mr. Blackburn stated the lease amendment was presented by Gaston County which addressed the matter of a "Hold Harmless" provision. This amendment would mean that both parties would hold the other harmless, providing that the party against whom such indemnification is sought acted negligently.

City Attorney Palmer Huffstetler Jr. stated he had reviewed the revisions proposed for the lease agreement and had no problems with it. He suggested the amendment be passed on to the NCLM's Risk Management team and get their opinion. City Manager Blackburn stated he would do so.

The Council requested staff to place this matter on the November 12<sup>th</sup> Regular Meeting of the City Council.

Council Member Dalton addressed the Council of the actions of the NC General Assembly in its past session. He stated that beginning in the 2014-15 fiscal year there will be a 4% increase in the sales tax for electricity sales in North Carolina. He added this will

be in addition to the expected rate increase for the wholesale purchase of electricity from ElectriCities.

City Manager Blackburn asked the Council for clarification on the city's new payment system which would allow for the off-site payment by credit card for the city's utility customers. Mr. Blackburn stated he wanted the Council and city staff to be in full agreement with the new payment system.

Finance Director Dixie Wall added the city is in the process of establishing this payment plan which includes a yearly participation fee to be paid by the city on a per utility customer basis as well as, the inclusion of a convenience fee which would be assumed by the customer whenever a payment process was completed as opposed to the city absorbing the convenience fee costs. She further stated the convenience fee would not be applied to those paying "face-to-face" at City Hall.

The Council agreed this was their intent when the matter was discussed and voted on at the Council's Regular Meeting of September 9, 2013.

IX. ADJOURNMENT:

Mayor Austell called for the adjournment of the meeting per the Council's consent. Meeting adjourned at 5:00 pm.

Adopted this 12 day of November, 2013

Paige H. Green  
City Clerk, Paige Green

Robert Austell  
Mayor, Robert Austell



SEAL