



REGULAR WORK SESSION MEETING

TUESDAY JANUARY 25, 2022 @ 5:30 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 and Gary Freeman were present. Councilmember Malcolm Parker joined by conference call and Councilmember Jon Abernethy joined by zoom. City Manager Brian Dalton, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Police Chief Cam Jenks, Public Works Director Brandon Abernathy, Fire Chief Jason Wofford, Finance Director Dixie Wall, and Planning & Zoning Director Derrick Mackey, Program Coordinator Mary Beth Tackett, and Downtown Director David Day were also present. Michael Powell was present for media coverage.

ITEMS FOR DISCUSSION OR ACTION:

DISCUSSION OF AMERICAN RESCUE PLAN ACT (ARPA) SPENDING PLAN NARRATIVE, VIA ZOOM, KELLY WESTON & NINA BARRETT, CENTRALINA COUNCIL OF GOVERNMENT:

Ms. Kelly Weston and Ms. Nina Barrett joined the work session meeting via zoom meeting to explain the spending narrative for ARPA funds. Ms. Weston explained the following:

American Rescue Plan Act Spending Plan Process Summary

City of Cherryville

Total Allocation: \$1,925,174

Centralina Regional Council facilitated two American Rescue Plan Act (ARPA) spending plan development work sessions with City of Cherryville staff to identify and consolidate the City's investment priorities for State and Local Fiscal Recovery Funds (SLFRF). The first session focused on defining Cherryville's COVID-19 impacts, recovery needs, and resilience priorities to determine how to spend the ARPA funds. The second session focused on prioritizing the list of proposed response, recovery, and resilience investments with budget estimates into a spending plan matrix organized by the eligible use and expenditure categories.

This summary explains the impacts the City experienced during the pandemic and provides a justification for the investments detailed in the spending plan matrix.

- List of additional ARPA projects for consideration that can benefit the population residing and doing business in the QCT
 - The Resilience projects noted with an asterisk (*)
 - Small Business Loan Program
 - Funding to organizations that support food assistance, job training, violence intervention programs, etc.
 - Head Start Program
 - Public Wi-Fi implementation

The potential ARPA investment opportunities noted above are subject to verification of eligibility as expressed in the final rule issued by the U.S. Department of Treasury.

Mayor Beam thanked Ms. Weston and Ms. Barrett for joining the meeting and sharing the spending plan for the ARPA funds.

DISCUSSION OF CHAMBER OF COMMERCE’S BOARD OF DIRECTOR’S TEAM, PROGRAM COORDINATOR MARY BETH TACKETT:

Program Coordinator Mary Beth Tackett approached the podium to share that several chamber board members are rolling off and need to be replaced. Mrs. Tackett shared the nominees and they are listed below:

**Chamber of Commerce Board of Directors Terms
12 Directors**

Name	Affiliation	Term Ends	Comment
Gary Dellinger	Board Elected	December 2021	2022 Nominee Barry Heavner of Houser Drug
Stephanie Gillings	Board Elected (May 26)	December 2021	2022 Nominee Emily Blackburn of Piedmont Lithium
Allen Eaker	Council Appointed	December 2021	2022 Nominee Sarah Chambers of Peak Resources Cherryville
<i>Lynne Henson</i>	<i>Council Appointed</i>	<i>December 2021</i>	<i>2022 Nominee Johnny Brown of Allstate Insurance</i>
Donna Beringer	Board Elected (May 26)	December 2022	
Hannah Garrett	Board Elected (May 26)	December 2022	

<i>Nominee: Pete Craft</i>	<i>Council Appointed</i>	<i>December 2022</i>	<i>4th term Approved by City Council</i>
<i>Emily Hurst</i>	<i>Council Appointed</i>	<i>December 2022</i>	
<i>Pam McGinnis</i>	<i>Board Elected (May 26)</i>	<i>December 2023</i>	
<i>Vickie Spurling</i>	<i>Board Elected</i>	<i>December 2023</i>	
<i>Debbie Hopper</i>	<i>Council Appointed</i>	<i>December 2023</i>	<i>Seat Replacement Nominee Casey Sipe of Modern Printing</i>
<i>Jhoan Alfaro</i>	<i>Council Appointed</i>	<i>December 2023</i>	

<i>Mary Beth Tackett</i>	<i>Staff - COC Director</i>	<i>Indefinite</i>	
<i>Steve Panton</i>	<i>Staff - Plans</i>	<i>Indefinite</i>	
<i>Gary Freeman</i>	<i>City Council Rep</i>	<i>Indefinite</i>	

Mayor Beam asked that this be an item on the February 14 agenda. Consideration will be given at that time to nominees.

DISCUSSION OF ANNUAL ROAD CLOSURE RE: CHERRY BLOSSOM & CHRISTMAS PARADE, PROGRAM COORDINATOR MARY BETH TACKETT:

Mrs. Tackett also shared that the 2022 Cherry Blossom Festival has been cancelled due to the construction on Main Street. She went on to say that each year Council must approve an ordinance declaring a road closure for the Cherryville Christmas Parade that will be held on Saturday December 10, 2022. Below is a copy of the ordinance:



AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE CHERRYVILLE CHRISTMAS PARADE

WHEREAS, the City Council of Cherryville acknowledges a long tradition of providing the annual Cherryville Christmas Parade for the pleasure of its citizens; and

WHEREAS, the City Council of Cherryville acknowledges that its citizens, businesses, and community organizations benefit from participation in the annual Christmas Parade; and

WHEREAS, the City Council of Cherryville acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two and a half (2.5) hours for removing signs, traffic control, and litter;

NOW THEREFORE BE IT ORDAINED by the City Council of Cherryville pursuant to the authority granted by G.S. 20-169 that we hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

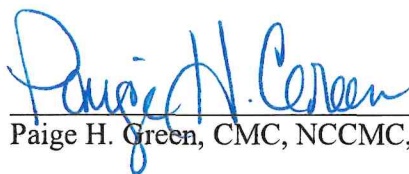
Date(s): Saturday, December 10, 2022


Times: 8:00 a.m. to 12:30 p.m.

Route Description: NC Hwy 274 at the intersections of Main Street and First Street (the parade is held on local roads, namely Main Street, Mulberry Street, and First Street and only crosses NC Hwy 274 at the intersections noted above)

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around the parade route.

Adopted this 25 day of January 2022.


Paige H. Green, CMC, NCCMC, City Clerk


H.L. Beam III, Mayor



Councilmember Freeman made a motion to approve the ordinance declaring a road closure for the 2022 Cherryville Christmas Parade that will be held on Saturday December 10, 2022. Councilmember Puett seconded the motion and the vote was unanimous.

DISCUSSION OF CITY INVENTORY FOR SURPLUS, CITY MANAGER BRIAN DALTON:

City Manager asked Council to consideration placing the following items on Gov. Deal:

Wastewater Plant

1999 Dodge Ram Truck 2500 4x4

Vin # 3B7KF26Z1XM516173

Mileage unknown speedometer and dash cluster doesn't work.
Truck does run but needs work.



Onan 300 KW Generator
Model # 300.ODRS-17R/21067C
Serial # G790434422
Has a Cummins Diesel engine
Winding is bad on the generator



Homemade lawnmower trailer
6 ft wide by 12 ft long
Needs tires



Portable Aircompressor Ingersoll-rand
Does not run



Water Plant

FORD GT 95 Lawnmower

Does not run



1988 Dodge Ram 2 wheel drive Truck

Vin # 1B7FD04X7JS697419



Councilmember Puett made a motion to place the city inventory on Gov. Deals. Councilmember Freeman seconded the motion and the vote was unanimous. The inventory will be placed on Gov. Deals and sold.

CONSIDERATION OF CONFLICT OF INTEREST POLICY RE: WESTGATE PARK, CITY MANAGER BRIAN DALTON:

City Manager Brian Dalton ask Council to consider the following Conflict of Interest Policy:



**City of Cherryville
Conflict of Interest Policy**

The purpose of the following policy and procedures is to prevent the personal interest of staff members, city manager, and council members of City of Cherryville from interfering with the performance of their duties to City of Cherryville, or resulting in personal financial, professional, and/or political gain on the part of such persons at the expense of City of Cherryville.

Definitions: Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, city manager, and council members of City of Cherryville.

Governing Board means the City Council member.

City Manager means the individual who directs the administration of the City.

Staff member means a person who receives all or part of his/her income from the payroll of City of Cherryville.

Policy:

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full City Council in all conflicts of interest, including but not limited to the following:
 - a) A council member is related to another council member.
 - b) A council member is related to a staff member.
 - c) A council member is also a staff member.
 - d) A council member or staff member receives payment from City of Cherryville for any contract, subcontract, goods, or services other than as part of his/her regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and council policy.
 - e) A council member or staff member is a member of the governing body of a contributor to City of Cherryville.

- f) A council member or staff member may have personal, financial, professional, or political gain at the expense of City of Cherryville.
 - g) A council member or staff member engages in activities that may cause a loss of public credibility in City of Cherryville or create a public impression of impropriety.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the City Council shall determine whether a conflict of interest exists and, if so, the council shall vote to authorize or reject the transaction and/or condition. Both votes shall be by a majority vote without counting the vote of any interested council member, even if the disinterested council members are less than a quorum, provided that at least one consenting council member is disinterested.
3. An interested council member, city manager, or staff member shall not participate in any discussion or debate of the City Council, or of any committee thereof, in which the subject of discussion is a contract, transaction, or situation in which there may be a conflict of interest.
4. No council member, city manager, or staff member shall participate in the selection, award, or administration of a procurement transaction in which federal or state funds are used, where to his/her knowledge, any of the following has a financial interest in that transaction: (1) the staff member, city manager, or council member; (2) any member of his/her immediate family; (3) his/her partner; (4) an organization in which any of the above is an council member, city manager, or employee; or (5) a person or organization with whom any of the above is negotiating or has any arrangement concerning prospective employment.
5. Existence of any of the above-listed conditions shall render a contract or a transaction voidable unless full disclosure of personal interest is made in writing to the city council and such transaction was approved by the council in full knowledge of such interest.
6. The disinterested council members are authorized to impose by majority vote other reasonable sanctions as necessary to recover associated costs against a council member, city manager, or staff member for failure to disclose a conflict of interest as described in Paragraph 1 or for any appearance of a conflict.
7. Appeal from sanctions imposed pursuant to Paragraph 5 and 6 above shall be prescribed by law in those courts of the State of North Carolina with jurisdiction over both the parties and the subject matter of the appeal.
8. In the event that City of Cherryville has incurred costs or attorney fees as a result of legal action, litigation, or appeal brought by or on behalf of an interested council member or staff member due to a conflict of interest and consequent sanctions and in the event that City of Cherryville prevails in such legal action, litigation, or appeal, City of Cherryville shall be entitled to recover all of its costs and attorney fees from the unsuccessful party.
9. A copy of this policy shall be given to all council members, city manager, and staff members upon commencement of such person's relationship with City of Cherryville. Each council member, city manager, and staff member shall sign and date the policy at the beginning of his or her term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

Approved this 25 day of January 2022.

Signed:

(signature)

(name printed)

(date)

To ensure the policy is being regularly enforced and monitored for compliance, the City Manager shall remind city council and staff members of the policy annually by email and shall require city council and staff members to disclose annually any interests that may give rise to conflict.

Use the section below to disclose any interests that may give rise to conflict:

City Manager Dalton shared that the City of Cherryville will need to have this policy in placed for the grant for Westgate Park.

Councilmember Abernethy made a motion to approve the policy as written. Councilmember Freeman seconded the motion and the vote was unanimous.

DISCUSSION OF PUBLIC HEARING SCHEDULED FOR FEBRUARY 14 RE: SPECIAL USE PERMIT FOR 126 W. MAIN STREET:

Mayor Beam reminded everyone that there would be a public hearing on February 14, regarding a Special Use Permit for 126 W. Main Street.

DISCUSSION OF EOY REPORT RE: CHAMBER OF COMMERCE, CHAIRMAN PETE CRAFT:

Mayor Beam shared that Pete Craft, Chairman of the Chamber of Commerce, will be at the February 14 meeting to give an end of the year report.

DISCUSSION OF TREY AVE., CITY MANAGER BRIAN DALTON:

City Manager Brian Dalton shared that Ms. Chris McCall of Trey Ave., has asked the City of Cherryville to consider releasing the end of Trey Ave., where it dead ends to her so that all three of her properties would adjoin. Mr. Dalton shared that Ms. McCall would be responsible for having the land surveyed. Mr. Dalton stated that the release of this property would not be an expense for the City of Cherryville.

Mayor Beam responded saying that we need to contact Mr. Bob Reynolds because the dead end road abuts to his property and it would land lock him for us to release it to Ms. McCall.

Mr. Dalton will contact Mr. Reynolds and give an update later.

OTHER BUSINESS:

City Manager Brian Dalton shared a map of Westgate Park that shows the plans for a dog park, pickle ball courts, and a practice football field. Mr. Dalton explained that Gaston County

has plans to construct a field on the corner of E. Academy Street and Kenwood Ave. That project will begin soon and that will give Cherryville another practice field for football or soccer.

Mr. Dalton asked everyone to look over the rendering before them, and decide if they would like to keep it as planned, or would they like to make some changes before any final decisions are complete.

Some of the suggestions for Westgate were to leave the tennis courts, have them resurfaced, and that allows the tennis courts to be utilized for both pickle ball and tennis. Another suggestion was to reduce the amount of parking spaces on the rendering. Mr. Dalton shared that the first thing that would need attention is the paving.

Councilmember Parker suggested putting a committee of five or six citizens together to discuss a final plan for Westgate.

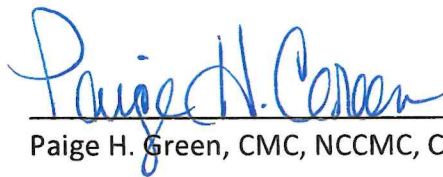
At this time, Westgate Park will have two dog parks. One for small dogs and one for large dogs.

Mr. Dalton will get with Recreation Director Bobby Dale Reynolds and move this project forward.

ADJOURNMENT:

Councilmember Puett made a motion to adjourn the meeting. Councilmember Freeman seconded the motion and the vote was unanimous. The meeting adjourned at 6:23 pm.

Adopted this 14 day of February 2022.



Paige H. Green, CMC, NCCMC, City Clerk


H.L. Beam, Mayor



