



**REGULAR WORK SESSION MEETING**

**TUESDAY OCTOBER 26, 2021 @ 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, Jon Abernethy and Malcolm Parker were present. Councilmember Gary Freeman joined the meeting at 5:40 pm. City Manager Jeff Cash, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Police Chief Cam Jenks, Public Works Director Brandon Abernathy, Asst. Fire Chief Jason Wofford, Finance Director Dixie Wall, and Planning & Zoning Director Derrick Mackey were also present. No media coverage.

**ITEMS FOR DISCUSSION OR ACTION:**

**CONSIDERATION TO CLOSE A SECTION OF MAIN STREET AND JACOB STREET FOR FAITH FAIR IN THE MINI PARK NOVEMBER 12 & 13, MAYOR H.L. BEAM:**

Mayor Beam received a letter from the Cherryville Community Revival Committee, requesting road closure for Main Street and Jacob Street in the close proximity to the uptown Mini Park. The committee would like to have a revival in the Mini Park on Friday November 12. The roads closures would need to be between 5:00 pm and 9:00 pm. They would also like to have a Faith Fair in the Mini Park on November 13 from 1:00 until 8:00 pm.

Councilmember Puett made a motion to approve the road closures for November 12 and 13 for the Cherryville Community Revival. Councilmember Abernethy seconded the motion and the vote was unanimous.

**DISCUSSION OF DRIVE-THRU AT CITY HALL, MAYOR BEAM:**

Mayor Beam shared his concerns about the drive-thru at City Hall. Mayor Beam said that he has heard from citizens that the drive-thru is difficult to come thru, and he was wondering if the drive-thru could be extended more to the back of city hall. Mayor Beam also shared that he was aware of the ADA plans and he wanted to know if the drive-thru was part of that.

Public Works Director Brandon Abernathy shared that the drive-thru would be extended out once the ADA construction is complete.

Councilmember Abernethy pointed out that the new kiosk is also an option for citizens to pay their bills.

Mayor Beam shared that after talking to Finance Director Dixie Wall he has learned that kiosk is not being used that often. Mayor Beam asked if a notice could be put on the utility bills about the kiosk being in place. City Manager/Fire Chief Cash shared that he would have a notice about the kiosk on the web site.

**DISCUSSION TO SET A PUBLIC HEARING DATE RE: REZONING OF 406 N. MULBERRY STREET FROM GMC (GENERAL & COMMERCIAL MANUFACTURING) TO R-9 (RESIDENTIAL) PLANNING & ZONING DIRECTOR DERRICK MACKEY:**

Planning & Zoning Director Derrick Mackey approached the podium and asked for consideration to set a public hearing date for November 8, for a zoning classification change at 406 N. Mulberry St. Mr. & Mrs. Eugene Courtmanche filled out an application to have the property that is zoned GMC (General Manufacturing) to R-9 (Residential). The Courtemanch's would like to build a home on this property.

Councilmember Abernethy made a motion to set a public hearing date for Nov. 8, for the rezoning of 406 N. Mulberry Street. Councilmember Puett seconded the motion and the vote was unanimous.

**DISCUSSION OF CORRESPONDENCE WITH PIEDMONT LITHIUM, MAYOR H.L. BEAM:**

Mayor Beam read a request that he received from Emily Blackburn, who works in the Community Relations Department of Piedmont Lithium. Ms. Blackburn's request explained that Piedmont Lithium is looking for ways to give back to the community through donations and volunteerism. Ms. Blackburn reached out to Mayor Beam asking if the City of Cherryville was aware of any programs, food drives, or other needs in Cherryville, that Piedmont Lithium could assist with during the holiday season.

Mayor Beam shared that he was aware of Cherryville Area Ministries, and the Cherryville Ministerial Association and asked if anyone else had ideas that he could share with Ms. Blackburn.

Councilmember Parker mentioned the community Thanksgiving dinner that is held at the American Legion saying he was not sure about the funding needed or where the funds come from.

City Manager/Fire Chief Jeff Cash shared that Mt. Zion Baptist Church has started a program that provides police and fire departments with emergency boxes. Mr. Cash shared that a man come in needing a pair of shoes and some need food.

Councilmember Freeman shared that First United Methodist Church has a discretionary fund for utility bills and fuel oil to help those in need stay warm.

**OTHER BUSINESS:**

Mayor Beam shared a concern from Richard Elam of 304 Old Post Rd. Mayor Beam shared that Mr. Elam came by his office and shared some pictures of the muddy water that is coming

through his taps. Mr. Elam shared that the dirty water started when the Main Street construction started.

Public Works Director shared that Mr. Elam's water comes through a three inch galvanized line that feeds three houses. Mr. Abernathy shared that anytime there is a temperature change, or if someone opens a hydrant in that area, or if there is a leak it can cause Mr. Elam's water to be muddy. Mr. Abernathy has talked with Mr. Elam and his line was flushed to clear up the muddy water. Mr. Abernathy stated this water line is on the list for replacement.

Planning & Zoning Director Derrick Mackey approached the podium sharing that he had emailed seven houses to Mayor Beam and the Council that will be condemned. Mr. Mackey has sent numerous letters to the property owners about clean up but he has had no response. Mr. Mackey has contacted Mr. Sam Leggett, Construction Inspector with Centralina Regional Council, and he has started the process. The City of Cherryville can burn three houses a year so Mr. Mackey is hoping to have these deplorable homes demolished and charge the property owners for the cleaning up the debris.

City Manager/Fire Chief Jeff Cash shared that usually the fire department can only burn three houses a year for training according to the Air Quality rule, but there is a provision that would allow more homes to be burned down, if the homes have been demolished for clean-up.

Planning & Zoning Director Derrick Mackey also asked for consideration to set a public hearing date for November 8, regarding the rezoning of the Howell Stroupe property located at 1404 Shelby Hwy. Mr. Mackey shared that the application was filed with his office to rezone 1404 Shelby Hwy from R-40 to CU R-9 Cluster, CU RMF, and B-2. Mr. Mackey stated that the request went before the Planning & Zoning Board, but the board made no recommendations.

Councilmember Puett made a motion to set a public hearing date for the rezoning of the Howell Stroupe property located at 1404 Shelby Hwy., for November 8. Councilmember Abernathy seconded the motion and the vote was unanimous.

Mayor Beam asked for consideration on a proposal that he received from City Attorney Palmer Huffstetler Jr. Mr. Huffstetler is proposing that his monthly payroll amount be increased to allow him to make greater contributions to his 401K retirement plan. Mr. Huffstetler explained that he will show an additional retainer credit equal to the increased amount on his quarterly invoice. Mr. Huffstetler explained that this is the only way he is able to contribute to his retirement fund and this will not be an additional cost the City. Mr. Huffstetler asked for an increase of \$500.00 per month toward his retainer fee.

Councilmember Parker made a motion to approve the increase of \$500.00 to Mr. Huffstetler's retainer fee. Councilmember Freeman seconded the motion and the vote was unanimous.

Mayor Beam shared that the City of Cherryville has executed a contract with Gardner Webb University to help market the property they own located at the end of W. Academy Street. Mayor Beam explained that the City of Cherryville has no obligation other than helping Electricities with the marketing. Electricities needed a price per acre, so the City of Cherryville solicited comp pricing with the help of several agencies and folks in the industrial commercial real estate field. Gardner Webb University has agreed to approximately \$60,000 an acre, and that will allow Electricities and the City of Cherryville to market the property. Electricities will do 99% of the work, and they will have a third party real estate firm to market the property nationally. This will be for an 18-month trial period, which is subject for an additional 18-month period. Mayor Beam stated that this is a big step for Gardner Webb University, Electricities, and Cherryville. The City of Cherryville would be able to provide water, sewer, and electric to this property. Mayor Beam shared it would be wonderful to get an industry or two at this location.

Councilmember Freeman made a motion to accept the contract with Gardner Webb University and Electricities. Councilmember Puett seconded the motion and the vote was unanimous.

City Manager/Fire Chief Jeff Cash shared that the Gaston County Health Department will offer all three Covid-19 vaccine boosters. Cherryville will host a clinic for the booster shots and the original folks that took the vaccine first will be the first ones to get the booster. Below is some information to help you know if the booster is available for you.

### **Boosters Now Available for All COVID-19 Vaccines**

To strengthen and extend protections against COVID-19, many North Carolinians who have been fully vaccinated can now receive a COVID-19 booster shot if they are eligible.

#### **You may be eligible for a booster if:**

- You are 18 or older;
- Your second/final dose was more than SIX months ago for Pfizer and Moderna;
- You received your Johnson & Johnson vaccine more than TWO months ago;

#### **And you meet the additional recommendations below:**

##### **Johnson & Johnson**

It is recommended that anyone 18 or older who was vaccinated more than 2 months ago with the Johnson & Johnson vaccine receive a booster dose.

##### **Moderna and Pfizer**

Boosters have been authorized and recommended for individuals who are at high risk for serious illness or exposure. You are eligible if you received the Moderna or Pfizer vaccine and ONE of the following is true:

- You are 65 or older, or
- You live or work in a nursing home or long-term care residential facility, or
- You have a [medical condition](#) that puts you at high risk for severe illness (for example, obesity, asthma, heart disease, high blood pressure, and diabetes), or
- You work in a [high-risk profession](#), meaning you come into contact with a lot of people, and you don't know their vaccination status (for example, health care workers, first responders, teachers, food processing workers, retail and restaurant workers, and public transportation workers), or
- You live or work in a [place where many people live together](#) (for example, homeless shelters, correctional facilities, migrant farm housing, dormitories or other group living settings in colleges or universities).

(This is not a complete list of situations. Talk to a doctor, pharmacist or nurse if you are not sure you're eligible.)

**Additionally, individuals are now able to receive any brand of COVID-19 vaccine for their booster shot.** Some people may have a preference for the vaccine type that they originally received and others may prefer to get a different booster. Limited evidence suggests that booster doses of one of the two mRNA vaccines – Moderna or Pfizer-BioNTech – more effectively raise antibody levels than a booster dose of the Johnson & Johnson vaccine. NC DHHS encourages you to speak with a doctor, nurse or pharmacist if you have questions about what booster is right for you.

Think you may be eligible? Get a booster anywhere COVID-19 vaccines are available. People do not need a doctor's note to get a booster shot and may self-attest to eligibility.

Public Works Director Brandon Abernathy asked for consideration to surplus a 2004 International Street Sweeper. The sweeper will be listed on Gov-Deals and removed from the fleet of vehicles.

Councilmember Abernathy made a motion to approve the 2004 International Street Sweeper a surplus item for Gov-Deals. Councilmember Freeman seconded the motion and the vote was unanimous.

Councilmember Freeman shared that is it hard to pull out onto Hwy. 150 off of Benaja St. He asked if a light at that corner would help.

Mayor Beam shared that he would ask Mark Stafford at the next MPO meeting. This would be a NCDOT issue.

Councilmember Parker shared that he received an anonymous letter in the mail and he knew a lot of people received the same letter. Councilmember Parker asked City Manager/Fire Chief Jeff Cash if he would like to explain.

City Manager/Fire Chief Jeff Cash responded by saying that he and Mayor Beam talked the night before and in his whole career with the City of Cherryville he has not accepted any kind of anonymous complaints. He went on to say that he was greatly bothered by the anonymous letter because attached to that letter was a letter that He had sent to Mayor Beam and each councilmember. Mr. Cash stated, "One of the five of you let that letter get out or you shared it with someone, and I am bother by that because my letter was asking that I be involved in the hiring process along with it had my recommendations for an interim if you had to go that route."

Councilmember Parker, "Well that question that I have is, is any of it true? Is any of it true or part of it true?"

Cash, "No of it is founded. Ask a specific question and I will answer it or I have staff here to answer it."

Councilmember Abernethy, "Ask me I will answer it. I was chairman of the deacons at the time when something in this letter happened and there were five other very godly men involved. Jeff Cash was not a deacon member at the time this took place. I have told the truth every single I have been asked about the termination. The truth is not going to change and I stand by it and the five men that help make that decision with me know the truth, my pastor knows the truth."

Mayor Beam, "I don't think this should be discussed here period. I do not think the letter should be discussed. It is bogus."

Councilmember Parker, "It hurts the town."

Cash, "Well if people are that naïve to believe something like that, then they have a problem to begin with. You have to have smart enough intelligent people Mr. Parker to realize what is real and what is not real. It is election time and things go on."

Mayor Beam, "The chief called me and I asked him about the letter and said I hope you know that did not come from me. He said Mayor you do not have to tell me I know that did not come from you by the way it was worded and everything. However, it could be perceived that I wrote it because he is my opponent. I did not write it so I immediately posted on face book that it did not come from me and I did not agree with the contents of the letter what so ever, and if someone cannot sign it then I agree it is not worth discussing."

Councilmember Parker, "Well I know it didn't come from me because there are words in there I cannot spell."

Councilmember Abernethy, "I too am very bothered that there were only five copies of this letter that Jeff sent to us and how did this person get a copy of this letter?"

Mayor Beam, "Well I can tell you if it means anything. When I got Jeff's letter I was upset about some of the letter and I shared it with my workers. I told them, look at this letter that I got. It never said we were to keep it personal."

Cash, "No we are talking about my letter."

Mayor Beam, "Yours never said to keep it personal."

Cash, "Well it was personnel and I just assumed you understand."

Mayor Beam, "No I did share it but it was with the people at work and I could have laid a copy, but I don't anyone would have done it from work, really I don't."

Cash, "He is my point, it is bogus and anyone that don't have the intestinal fortitude to sign a letter then I count it as none threatening, but I can tell you that all of that has gone to my attorney."

Councilmember Abernethy made a motion to go into a closed session. Councilmember Puett seconded the motion and the vote was unanimous. Closed Session began at 6:20 pm.


**CONSIDERATION TO ENTER INTO CLOSED SESSION RE: N.C.G.S. 143-318.11.(6) MAYOR AND CITY COUNCIL ONLY (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.**

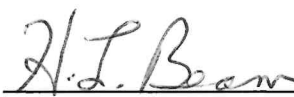
Mayor Beam and Council returned from closed session and announced that three applicants were chosen for an interview for the city manager's position. Mayor Beam shared that the City Clerk will be given direction to contact the three applicants and set up an interview.

**ADJOURNMENT:**

Councilmember Abernethy made a motion to adjourn the meeting. Councilmember Puett seconded the motion and the vote was unanimous. The meeting adjourned at 6:56 pm.

Adopted this 8 day of November 2021.

  
Paige H. Green, CMC, NCCMC, City Clerk

  
H.L. Beam, Mayor



