



**REGULAR CITY COUNCIL MEETING
MONDAY FEBRUARY 12TH, 2024 @ 6:00 PM
CHERRYVILLE COMMUNITY BUILDING
W. J. ALLRAN JR. COUNCIL CHAMBERS
106 S. JACOB ST. CHERRYVILLE, N.C. 28021**

The Honorable Mayor H.L. Beam called the regular scheduled meeting to order at the community building in the William J. Allran Jr. Council Chambers. Councilmembers Jill Puett, Jon Abernethy, Gary Freeman, and Malcolm Parker were present. City Manager Brian Dalton, City Clerk Paige H. Green, City Attorney Yansae Taylor, Public Works Director Chris J. King, Planning and Zoning Director Richard Elam, Finance Director Dixie Wall, Downtown Director David Day, Fire Chief Jason Wofford, and Police Chief Brandon Hunsucker were also present. Wise News was present for media coverage.

INVOCATION: MR. TOM WITHERSPOON, SHADY GROVE BAPTIST CHURCH:

Mr. Tom Witherspoon gave the invocation.

PLEDGE OF ALLEGIANCE:

Everyone stood and recited the Pledge of Allegiance.

AGENDA APPROVAL:

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

APPROVAL OF MINUTES:

Councilmember Puett asked that a correction be made in the work session minutes and then made a motion to approve both sets of minutes with the change. Councilmember Abernethy seconded the motion and the vote was unanimous.

CITY COUNCIL REGULAR MEETING JANUARY 8, 2024
CITY COUNCIL WORK SESSION MEETING JANUARY 30, 2024

MAYOR'S COMMENTS:

"To begin, I want to congratulate City employee Brian Williams for his promotion as our new Water Plant Superintendent. Brian has been employed at our water plant for over ten years and

- Independence Day Celebration
- Hocus Pocus Parade
- Monsters March
- Scary-Ville
- Tree Lighting
- Who-Ville
- Christmas Parade

Sponsorships Total: \$37,950.00

Volunteer Hours: 590 (over a 100 more hours than 2022 These hours are from prep work, execution, and clean up for all events. Gary Dellinger’s Contribution for electric repair to the WhoBilation Tree, and Student Hours.)

- **We did not use any of the city’s budgeted money for any Festivals or Events hosted by the Chamber of Commerce. We raised enough sponsors to where it was not needed.**

CONSIDERATION OF CONTINUED PUBLIC HEARING RE: REZONING TERRACE ESTATES II, PLANNING & ZONING DIRECTOR RICHARD ELAM:

Councilmember Puett made a motion to enter into public hearing. Councilmember Freeman seconded the motion and the vote was unanimous.

Mr. Elam approached the podium to say that on January 8, a public hearing was held to discuss the proposed rezoning of Terrace Estates, and the concerns of neighbors. Mr. Elam shared that Mr. Gene Dellinger was unable to attend tonight, but he did receive a call from him, asking that consideration be given to the water runoff no matter what decision was made. Mr. Elam introduced Mr. Craig Upshaw of Piedmont Companies, and Mr. Tom Kutz of Century Homes. On January 30, a work session was held where the planning board was present to discuss this matter with council and answer any questions.

Mr. Elam stated that council had questions concerning the NCDOT, and he called the DOT and they said that they had reviewed the project earlier, and the only improvements that needed to be done in the area was, the builder would need to obtain new DOT permits to connect the two sections of Black Rock School Rd. Other than that, no other improvements were needed.

Mr. Elam shared that council had asked about the impact on the schools. Mr. Elam reached out to Gaston County Superintendent Mr. Houchard, sending him an email that contained all of the projects that we have going on. He stated that Mr. Houchard is new to his position, but he is now aware of all the projects Cherryville has going on.

Mr. Elam shared that the planning board had 45 days to provide the city Council with their decision, and they did that, with a unanimous vote to deny the application and pass it on to the city council.

Mr. Elam went over the rezoning options that council has. Below is a list of those options for consideration:

1. Grant rezoning as requested to CZ/R-9 Cluster development – 6,000 sq. ft. lots
2. Grant a rezoning to a CZ/R-12 Cluster development – 8,000 sq. ft. lots (The property is currently R-12 (12,000 sq. ft. lots)
3. Grant a rezoning to R-9 Single Family Residential – 9,000 sq. ft. lots – (or can be a combination of Item 1 (6,000 sq. ft. lots) and this Item 3 (9,000 sq. ft. lots)
4. Grant a rezoning CZ/R-15 Cluster development – 10,000 sq. ft. lots
5. Denial of the application request (the parcel would remain zoned R-12 Single Family Residential – 12,000 sq. ft. lots

Mr. Elam stated that if council decides to deny the request, the property owners could divide the land into no less than 12,000 sq. ft. lots, as they already have a vested right to do so. The owners could then go through the process of submitting a site plan, and everything would go through the planning board and through the city council for approval.

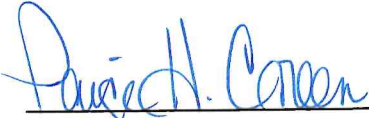
Mr. Upshaw and Mr. Cooks approached the podium with two maps. One site map showed the original proposal of 100 homes in a CZ/R-9 Cluster development, which they have applied for. The second site map showed a rendering of approximately 76 homes if the property remained R-12. Council had asked the developers what the difference would look like if the lots went from 6,000 sq. ft. to 14,000 sq. ft. The original site map proposal, with 100 homes or 6,000 sq. ft. lots, shows a green space, and a canopy of trees that would help with water runoff. It also had one retention pond and a walking space. The second site map proposal, with 76 homes or 14,000 sq. ft. lots, shows no canopy of trees to help with water runoff, no green space, a large drop of 40 feet from the top of the property to the bottom of the cul-de-sac, three retention ponds, and a sewer pump would need to be installed at the bottom of the cul-de-sacs for a total of 6 sewer pumps. Mr. Upshaw also stated the cost for a house on a 6,000 sq. ft. lot would start at \$240,000. The cost of a 14,000 sq. ft. lot would be double.

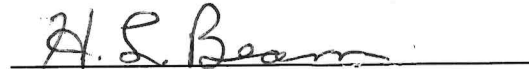
Mr. Steven Dalton, of 404 Houser Street, approached the podium with a jurisdiction question. He stated that he was born and raised on Tot Dellinger Rd. but was never able to vote for Council because he was outside the city limits. He wanted to know how Council could have a say in this matter if it was outside the city limits. Mayor Beam shared that this was annexed in the city limits when Delview was annexed in the city limits.

Councilmember Hovis made a motion to exit the public hearing. Councilmember Abernethy seconded the motion and the vote was unanimous.

Mayor Beam shared that he is not for the smaller lots but, because Council has already approved two housing developments to do cluster developments, it almost seems like they are discriminating against one developer that wants to do the same. He shared that he would like to see lots like the ones that are currently in that area. They are 8,000 sq. ft. lots. Mayor Beam also stated, that the developer has agreed to pay for half of the cost to install the new water line that needs to be put in.

Attest:


Paige H. Green, CMC, NCCMC, City Clerk


H.L. Beam, Mayor

Councilmember Abernethy made a motion to approve the resolution of intent and set a public hearing date for Monday March 11, 2024. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF ORDINANCES RE: ROAD CLOSURES FOR CHERRY BLOSSOM FESTIVAL AND CHRISTMAS PARADE, MAYOR BEAM:

Mayor Beam shared that every year ordinances must be approved for the closing of Hwy. 274, for the Cherry Blossom Festival and the Christmas parade. Councilmember Hovis made a motion to approve both ordinances. Councilmember Puett seconded the motion and the vote was unanimous. Below are the two ordinances:



AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE CHERRYVILLE CHERRY BLOSSOM FESTIVAL

WHEREAS, the City Council of Cherryville acknowledges a long tradition of providing the annual Cherryville Cherry Blossom Festival 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 Cherry Blossom Festival; and

WHEREAS, the City Council of Cherryville acknowledges a festival 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:

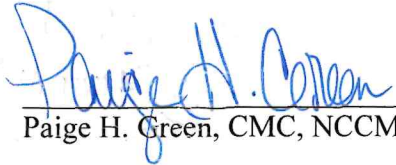
Date(s): Saturday, April 20, 2024

Times: 7:00 a.m. to 6:00 p.m.

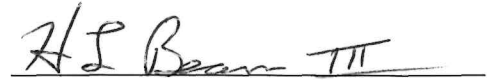
Area Description: NC Hwy 274 at the intersection of Main Street.

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

Adopted this 12th day of February 2024.



Paige H. Green, CMC, NCCMC, City Clerk


H.L. Beam III, Mayor

(SEAL)



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 14, 2024

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 12th day of February 2024.

Paige H. Green
Paige H. Green, CMC, NCCMC, City Clerk

H.L. Beam III
H.L. Beam III, Mayor

(SEAL)

CONSIDERATION OF CHAMBER BOARD MEMBER NOMINATIONS, MAYOR BEAM:

Mayor Beam shared that two members are up for re-appointment for the chamber board. The two members are Pam McGinnis and Vicki Spurling. Both are three-year terms.

Councilmember Freeman made a motion to re-appoint both Pam McGinnis and Vicki Spurling for another three-year term. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF MUSEUM BOARD COMMITTEE, MAYOR BEAM:

Mayor Beam shared that a list of applications for the museum board had been sent out to each councilmember. Mayor Beam asked that the council review the applicants and choose the five members they would like to see on the board. He asked that council send their top five picks to Mr. Dalton by Thursday February 22, and he will put a list together for further review at the work session meeting on February 27. The following citizens have applied:

- | | | | | |
|-----------------|----------------|----------------|--------------------|----------------|
| Pete Craft | Diana White | Clay Henley | Carol Cavallaro | Anita Millwood |
| Alice Dellinger | Michael Atwell | Doug Blackburn | Melissa Summer | Malcolm Parker |
| Anna Koontz | Mike Powell | Dan Thomas | Elizabeth Campbell | Judy Bingham |

CONSIDERATION OF BUDGET AMENDMENTS, CITY MANAGER BRIAN DALTON:

Mr. Dalton explained the four budget amendments for consideration. Mr. Dalton shared that the amendment for \$290,000.00 is for the Ballard pump station bridge. He shared that the columns for the bridge will be set, and Mike Steele will then help set the bridge in place with a crane. The budget amendment for \$140,000.00 is for grant money. He also explained that the city would be responsible for the grant money for the Cherryville Little Theatre, Cherryville Historical Museum, Preserve Gaston, Cherryville YMCA, Cherryville High School (girls' softball), Cherryville Main Street Program, and Cherryville Area Ministries. The funds for these organizations will only be filtered through the city, and the city will pay the invoices for each organization.

Councilmember Abernethy made a motion to approve the budget amendments. Councilmember Hovis seconded the motion and the vote was unanimous.

OTHER BUSINESS:

Councilmember Abernethy asked if there would be a fence separating the pool from the splash pad. Mr. Dalton shared that there would be a fence separating the two because we anticipate the splash pad being open longer than the pool since the splash pad does not require a lifeguard.

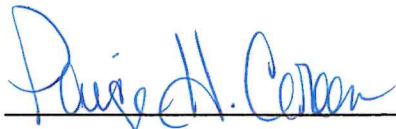
Mr. Dalton also shared that he met with Mr. Hollar, the gentleman that is putting the splash pad in, and he said that Mr. Hollar will be painting a baseball field on the pad. It will have a home plate, bases, and base lines. The splash pad will have a baseball theme. Mr. Hollar also shared that Cherryville's splash pad will be one of the nicest in North Carolina.

Councilmember Puett thanked public works for repairing more potholes. Mr. Dalton shared that he and Chris J. King met with Chad Gee, who is repairing our potholes, to get a price on repairing the sidewalk in front of Vickie's Grill. Hopefully that will be repaired soon.

ADJOURNMENT:

Councilmember Abernethy made a motion to adjourn the meeting. Councilmember Hovis seconded the motion and the meeting adjourned at 7:05 pm.

Adopted the 11 day of March 11, 2024.



Paige H. Green, CMC, NCCMC, City Clerk



H.L. Beam, Mayor

(SEAL)

