



## CITY OF CHERRYVILLE

116 S. MOUNTAIN STREET

CHERRYVILLE, N.C. 28021

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### REGULAR CITY COUNCIL MEETING

MONDAY MAY 9, 2022 @ 6:00 PM

CHERRYVILLE COMMUNITY BUILDING

W. J. ALLRAN COUNCIL CHAMBERS

106 S. JACOB ST. CHERRYVILLE, N.C. 28021

- I. CALL TO ORDER: HONORABLE MAYOR H.L. BEAM III
- II. INVOCATION: PASTOR ZACK CHRISTY, FIRST UNITED METHODIST CHURCH
- III. PLEDGE OF ALLEGIANCE
- IV. AGENDA APPROVAL **VOTE**
- V. APPROVAL OF MINUTES (See Agenda Materials) **VOTE**
  - A. CITY COUNCIL REGULAR WORK SESSION MEETING MARCH 29, 2022 pg.(s) 1-17
  - B. CITY COUNCIL BUDGET WORK SESSION MEETING APRIL 10, 2022 pg.(s) 18-20
  - C. CITY COUNCIL REGULAR MEETING APRIL 11, 2022 pg.(s) 21-25
  - D. CITY COUNCIL REGULAR WORK SESSION MEETING APRIL 26, 2022 pg.(s) 26-33
- VI. MAYOR'S COMMENTS
- VII. CITIZENS TO BE HEARD: CITIZENS THAT WISH TO SPEAK MAY DO SO BY COMING TO THE PODIUM AND STATING YOUR NAME AND ADDRESS BEFORE YOU SPEAK. COMMENTS WILL BE HELD TO 5 MINUTES PER PERSON. *(PLEASE SIGN UP WITH THE CITY CLERK AT THE MEETING BEFORE THE MEETING BEGINS)*
- VIII. CONSIDERATION OF PROCLAMATION FOR NATIONAL POPPY DAY, COUNCILMEMBER JILL PUETT (See Agenda Material) pg. 34

- IX. CONSIDERATION OF PROCLAMATION FOR NATIONAL POLICE WEEK, CITY MANAGER BRIAN DALTON (See Agenda Material) pg. 35
- X. CONSIDERATION OF SETTING A DATE FOR A PUBLIC HEARING RE: FY 2022 – 2023 PROPOSED BUDGET, CITY MANAGER BRIAN DALTON (HANDOUT) **VOTE**
- XI. CONSIDERATION OF PUBLIC HEARING RE: REZONING 4233 OLD LINCOLNTON RD. CROUSE, NC 28033 (GIS PARCEL #300506), PLANNING & ZONING DIRECTOR ALEX BLACKBURN (See Agenda Materials) pg.(s) 36-54 **VOTE TO ENTER INTO, CITIZENS COMMENTS, VOTE TO EXIT, COUNCIL DISCUSSION, VOTE**
- XII. CONSIDERATION OF PROPOSED CEMETERY REVISIONS, CITY CLERK PAIGE GREEN (See Agenda Materials) pg.(s) 55-57 **VOTE**
- XIII. OTHER BUSINESS
- XIV. ADJOURNMENT

*Providing exceptional service to our community  
that inspires life to blossom*



**REGULAR WORK SESSION MEETING**

**TUESDAY MARCH 29, 2022 @ 6:00 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, Gary Freeman, Malcolm Parker, and Jon Abernethy were present. 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 Alex Blackburn were also present. No media coverage.

**ITEMS FOR DISCUSSION OR ACTION:**

**DISCUSSION OF WATER LINE ON ANGLE STREET, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton shared that in the 1990's the City of Cherryville installed a new water line and new taps for the residents on Angle Street. The old water line was not abandoned because the residents were given time to connect onto the new line. When the old line breaks, it causes one of the neighbor's back yard to flood and erode. Mr. Dalton explained that the citizens that are still on the old line, need to hire a plumber to hook them onto the new tap and get off the old line. Mr. Dalton shared that the citizens can be given a timeframe in which to tap on, and the City of Cherryville will work with them. He explained that once all Angle Street citizens are on the new water line the City of Cherryville will abandoned the old line.

Councilmember Parker stated that it sounded like a good plan but he has heard that the three citizens that are not on the new water line cannot afford to pay a plumber to tap them onto the water line.

Councilmember Abernethy asked if the City of Cherryville could give the citizens a certain date that the old water line will be abandoned and force the citizens to get on the new water line.

Mr. Dalton responded by saying yes we can do that.

Councilmember's Puett and Parker asked if the city could finance this for the citizens.

Mr. Dalton stated that the City of Cherryville is willing to work with the citizens.



Councilmember Abernethy made a motion to abandon the old water line on Angel Street six months from April 1. Councilmember Parker seconded the motion and the vote was unanimous.

**DISCUSSION OF ZONING ORDINANCE TEXT AMENDMENT, PLANNING & ZONING DIRECTOR ALEX BLACKBURN:**

Planning & Zoning Director Alex Blackburn approached the podium after handing out two proposed documents. Mr. Blackburn went over the documents and explained that he will presenting both proposed documents to the planning & zoning board for consideration. Mr. Blackburn explained that the documents would be coming to council for approval.

Mr. Blackburn shared that a citizen is interested in opening an RV Park and currently the City of Cherryville does not have an ordinance regarding RV Parks. Mr. Blackburn is proposing the ordinance below:

**WILL ALSO NEED TO BE ADDED TO 7.1.2 (RURAL RESIDENTIAL-40) ZONING DISTRICT UNDER CONDITIONAL USES**

**Conditional uses: 17. Recreational Vehicle Park**

**- Or -**

**Addition to Campgrounds found in 7.2.14**

**13.5.7 RECREATIONAL VEHICLE PARK**

The purpose of these regulations is to allow for the placement and growths of Recreational Vehicle Parks while maintain the health, safety, and general welfare standards of established residential and commercial areas in the Cherryville area.

Camping and Recreational Vehicle Parks shall be allowed pursuant to 7.1.17 with the additional standards outlined below;

- A. No Recreational Vehicle Park shall exist on a single parcel that is less than 3 acres in size.
  - 1. New Camping and Recreational Vehicles shall be located at least one (1) mile from any existing recreational vehicle park.
  - 2. Density
    - a. There shall be no more than 15 campsites per acre.
    - b. A setback of a minimum of twenty (20) feet shall be required to separate Recreational Vehicle locations.



- B.** All spaces for camping and recreational vehicles shall be located at least one-hundred (100) linear feet from any adjoining lot line. Where the lot line adjoins a public road right-of-way or street, the spaces shall be located at least fifty (50) linear feet from the property line.
- C.** The campground shall be sufficiently wooded to provide an opaque natural buffer between the campground, all adjacent lots, and all adjacent public roads at the time a certificate of occupancy is issued for the use.
- D.** Accessory uses, limited to usage by campground patrons, may include laundry facilities and the selling of convenience items (snacks, beverages, etc.).
  
- E. Screening**  
Screening of property shall abide by Section 5.2 in order to provide an opaque screening of the use from adjoining and adjacent properties. This is not to be counted as open space as outlined in subsection 13.5.7g (below).
  
- F. Roads and road access**
  - 1. No recreational vehicle site shall have direct access to a public road. Rather, all recreational vehicle sites shall be accessible only from interior roads.
  - 2. Interior roads shall have a minimum width of twenty (20) feet and shall have a maximum length of one thousand (1,000) feet.
  - 3. Interior roads shall be made of an all-weather driving surface capable of supporting emergency vehicles in accordance with the Fire Apparatus Roads Standards in the North Carolina Fire Code.
  - 4. Each recreational vehicle site shall have an address posted thereon to distinguish it from other sites on the property.
  
- G. Open Space-** A minimum of 800 square feet of area per vehicle space must be provided for active or passive recreation such as but not limited to ball fields, tennis courts, swimming pools, clubhouses, etc.

Mr. Blackburn is proposing a Non-Residential Building Design Standards that will address materials, color, configurations, articulation, transparency, roof pitch form, and height. Mr. Blackburn will share the proposal below with the planning board members for approval.

## **Section 5.10 Non-Residential Building Design Standards**

### **5.10.1 Purpose**

- a) These standards are intended to promote the development of property with buildings that positively contribute to increasing property values, respond to longterm needs of changing users, prioritize connectivity and access for pedestrians, future transit opportunities, and vehicular requirements, and integrate with adjacent existing properties by maintaining context sensitive street frontages along the thoroughfares they border.

### **5.10.2 Applicability**

- a) Requirements of this section shall apply to all new and/or expanding developments in the B-1, B-2, B-3, RO and GMC zoning districts, as well as any office and/or retail developments located in the Residential zoning districts. This section does not apply to warehouse or industrial buildings, and does not apply to detached, single family residential properties.
- b) Civic and Institutional buildings, such as schools, churches, and libraries, are signature community elements, and may be made exceptions to the requirements of the more regulated style of private development. However, appropriate designs for these types of structures is a crucial part of maintaining the image of the City; therefore, while civic and institutional buildings shall meet the following design regulations, exceptions may be provided administratively when the specific design circumstance is justified.

### **5.10.3 Architectural Standards**

#### **5.10.3.1 Materials and Color**

- a) Building walls shall incorporate brick, stone, cast stone, formed concrete, stucco, concrete siding, EIFS, wood and wood materials designed and intended for use as an exterior finish material, or other long-lasting material over a minimum 75% of the surface area (excluding windows and doors). Exterior metal, aluminum siding, or vinyl siding shall be prohibited as a primary material.
- b) Building materials shall be similar to the materials already being used in the area, or if dissimilar materials are being proposed, other characteristics such as scale, proportion, form, detailing, color, and texture shall be used to ensure that the building relates to the rest of the neighborhood.
- c) Façade colors shall be of earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material only, the use of fluorescent, dayglow, or neon colors shall be prohibited.

### **5.10.3.2 Configurations and Articulation**

- a) The building façade shall have a clearly identifiable base, body, and cap with horizontal element separating these components. The component described as the body shall constitute a minimum of 50% of the total building height.
- b) No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding forty (40) feet. All building walls shall include at least two of the following items:
  - i. Change in plane of at least twelve (12) inches in depth
  - ii. Change in texture or masonry pattern
  - iii. Windows
  - iv. Awnings and/or canopies, so long as they meet the following criteria;
    - 1. Must have a minimum of nine (9) feet clear height above the sidewalk and must have a minimum depth of three (3) feet.
    - 2. May extend into a required setback above private property; may extend into public right-of-way so long as it is no closer to 2 feet to the back of the curb of the street, nor shall it interfere with street trees, street lights, or street signs.
- c) All sides, including the rear of the building shall include materials and design characteristics consistent with those of the front. Use of inferior or lesser quality materials on side or rear walls is prohibited.

### **5.10.3.3 Transparency**

- a) Façades of all commercial structures shall incorporate windows and doors over a minimum percentage of the surface area of street fronting façades. Minimum percentages are outlined below.
  - i. Ground level of commercial uses: 30% of surface area minimum
  - ii. Ground level buildings over 25,000 square feet: 20% of surface area minimum
  - iii. Upper Story Transparency: 20% of surface area minimum
- b) In cases where a building has more than two façades fronting a street or primary travel way, the transparency requirement shall only be required on two façades based on pedestrian traffic and vehicular visibility.

### **5.10.3.5 Roof Pitch and Form**



- a) Rooflines should consist of one or more sloped planes. However, flat roofs are allowed so long as they are concealed from view by a parapet wall of a minimum height of three (3) feet along all elevations of the building.
- b) Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, architectural asphalt shingles, or similar, high-quality roofing materials as determined by the Administrator. Minimum roof pitch shall be 3/12.
- c) All rooftop mechanical and electrical equipment shall be completely screened from view from all public streets and adjacent properties.

### **5.10.3.6 Height**

- a) Building height is specific to the zoning district as outlined in Part 7 of this Ordinance. Height Calculations and Exceptions can be found in Section 5.9 of this Ordinance.

## **5.10.4 Site Design Standards**

### **5.10.4.1 Relationship of Building to the Street**

- a) Building facades that front a street must extend parallel to the street. Main pedestrian access to the building shall be from the fronting street, with secondary access from the parking areas. Entrances to retail oriented buildings shall be at grade with fronting sidewalk. Corner buildings may have corner entrances.
- b) To the greatest extent practical, parking shall be placed to the side and/or rear of a building. In instances where this requirement is not practical, as determined by the Administrator, two rows of parking, not greater than 40% of the total amount of parking located on the parcel may be located between a commercial building and the street that is not located along. All additional off-street parking requirements can be found in Part 10 of this Ordinance.
- c) Drive-thru service windows shall be placed on the rear façade of the building. In no case shall a drive-thru window be located on the front façade. If a drive-thru window is to be located on a side of the building, it must be located on the least visible side from the fronting street.
- d) Loading and unloading areas shall be provided in accordance with Section 10.2 of this Ordinance. Loading/unloading areas shall be placed, to the greatest extent possible, to the rear of the structure and screened from view of any street or any residentially developed or residentially zoned property. In the event that a loading dock is necessary to support the proposed use, the loading dock shall be located to the rear of the structure and shall be screened from view of any street or any residentially developed or residentially zoned property.

#### **5.10.4.2 Sidewalks**

- a) A minimum of 8-foot-wide sidewalks are required with a minimum of 4 feet of landscaped buffer between sidewalk and edge of curb along Main Street. Bollards may be required at intersections to prevent unauthorized vehicles from accessing sidewalks. Subject to Administrators approval with regard to the \*Cherryville Historic Central Business District.\*

\*to be proposed for approval at a later date.

- b) A minimum of 6-foot-wide sidewalks are required with a minimum of 3 feet of landscaped buffer between sidewalk and edge of curb along all other routes. Subject to Administrator approval.

#### **5.10.4.3 Solid Waste Storage Area**

- a) Solid waste containers shall be confined to an enclosed area that is screened on all sides. Solid waste storage areas shall be located to the rear or side of the structure. These areas shall be designed to complement the structure and should be constructed from materials that match the building. Solid waste storage areas shall not be located in any applicable planting yard and shall be screened from any street and/or residentially developed or residentially zoned property.

#### **5.10.4.4 Landscaping, Screening, and Mechanical Appurtenances**

- a) Screening and landscaping shall be provided in accordance with Section 5.2 and 5.3 of this Ordinance. In addition to these requirements, landscaping shall be provided along the length of the first 15 feet of the front yard. Such landscaped area shall consist of any combination of trees, shrubs, grass, or other decorative or vegetative ground cover provided, however, that a minimum of 1 canopy tree per 40 feet OR 1 understory tree per 25 feet of linear road frontage be planted. Understory trees shall be utilized where overhead utilities exist to minimize conflicts.
- b) Mechanical equipment, utility meters, storage areas, transformers, generators, and similar features or other utility hardware on the building, roof, or ground shall be screened from public view with materials similar to the structure or they shall be located so that they are not visible from any public view or adjacent property. In addition to design elements, landscape materials shall be used to provide additional screening and/or softening of equipment areas.

#### **5.10.4.5 Installation of Infrastructure**

- a) If a development is requiring the installation of utilities, curb and gutter, sidewalk, bike paths, or greenways, the infrastructure shall be extended along the full length of the property. For instance, if curb and gutter is required along a street frontage, it will be provided along the entire length of the frontage. Greenways and bike lanes, where required based on the adopted plans, will be located along the entire frontage of the

street, or along the full extent of the property, depending on the location of the infrastructure in relation to the site.

## **5.10.5 Alternative Designs**

### **5.10.5.1 Conditional Zoning**

- a) An applicant may request certain alternate designs to those that are required where such deviations may not meet the strict requirements of this Section 5.10, but clearly satisfy its purpose and intent. The City Council may, as part of a conditional zoning request, approve such alternative designs. Such approval must conform to the requirements of Section 19 of this Ordinance.

### **CONSIDERATION OF SECTION VIII OF THE PERSONNEL POLICY RE: INSURANCE AND RETIREMENT BENEFITS, CITY MANAGER BRIAN DALTON:**

Mayor Beam stated, "This is in regards to the insurance and retirement benefits and City Manager Dalton is going to over this, this is the same thing we addressed during our strategic planning session and somehow our former city manager thought we voted on this. As far as I know, we checked the minutes and everything and I remember I was against it because it was only being done to get rid of a person at the fire department and it was going to affect everybody after that, and just because Shelby did it, does not mean we had to. Evidently, someone thought we passed it and our city clerk was told to put it into law. We've already got two people under it and that's the problem we got right now, will they be grandfathered in or do you want to leave it, it is going to cost the city a bunch of money in retirement."

Councilmember Parker, "It is costing us now a hundred thousand dollars."

City Manager Brian Dalton, "Just to give you a background on what we found when this was brought up it was never officially voted on. We looked at the minutes from your budget work session on Saturday May 9, 2020 and during that budget work session there is a laundry list of items that Chief Cash, City Manager Cash at the time, talked to you about saying do you want to look at this, and do you want to look at this and the council was unanimous, saying yes let's look into it. Well that was all that was said about it at the budget work session. So you go on to your June, if you look on page 5 actually it talks about the personnel change for insurance for retirement benefit, it was unanimous that ya'll gave him direction to look into it, along with the long laundry list of items for the 22 year insurance benefit. So then, you go to your regular city council meeting Monday June 8, 2020, you actually voted on the budget. If you go to page 14 there, like I said these are your minutes from the June council meeting. If you go to page 14, there is minutes in there talking about the retiree benefit of 22 years. When you listen to the audio from that meeting ya'll never discussed it at all at the city council meeting. These minutes and this discussion was brought from your budget work session, so really we need to have the minutes amended, first of all. I have spoken to Palmer about this, and that where it says an employee with 25 or more years of service, none of that is in your minutes, you never talked about it at the council meeting in June. So, if you go on down to page 18, that is where



Councilmember Abernethy made a motion to approve the proposed fiscal year 2020 – 2021 budget along with the rates within the budget. Councilmember Puett seconded the motion. Councilmember's Parker, Abernethy and Puett voted to approve the budget and Councilmember Freeman opposed the budget. The budget passed with a 3-1 vote. If you look at the motion there, it has nothing in there that has anything to do with the 22-year health insurance benefit. So, the policy was never voted on, especially within the budget because it is not within the motion."

"So, what I am recommending is, right now we have had two employees retire and take advantage of the 22 year health insurance benefit. When I spoke to Palmer about it, we agreed that an official vote was not taken for the health insurance benefit so, this is not something that should not have been given without a vote being made for a policy change."

"Right now we need to make a decision, are we going to vote to keep the 22 year health insurance or do you want to go back to the 25 years what it was before this was implemented, and do you want to add consecutive years. Paige did a study with many municipalities and that was one of the things they talk about is consecutive years be it 22 years or 25, but that is a decision that the council is going to have to make as we go from here, and obviously I think you are going to have to grandfather the two in that retired with the 22 years. It would be hard to go back and change that with them when they took that benefit. They didn't have any knowledge that it was not voted on."

Mayor Beam commented, "They were told it was voted on."

Mr. Dalton, "I just think that we need to clean it up to make it official what we want to do."

Councilmember Abernethy, "So here is my question, on page I guess 8 or 9 we entered into public hearing and that is highlighted. Jill made the motion we enter into public hearing to discuss the 2020 – 2021 budget right? That is highlighted, so everything we discussed from then on is it not part of that budget?"

City Clerk Paige Green commented, "I think he was trying to introduce it that way."

Councilmember Abernethy, "So that is the clarifying I am wanting to get."

Mr. Dalton, "That is what brought all of this up City Manager Cash had proposed that it was voted on in the budget but I think that the minutes are clear that that is not the case."

Councilmember Abernethy, "OK I just needed clarification there, so it should have been done in its own separate thing."

Mr. Dalton, "Yes, because it is a policy change."

Councilmember Abernethy, "I remember discussing it and I think the reason is because we had that one um."

Mayor Beam, "Carpenter."

Councilmember Abernethy, "Yes because he was out so much with his back so I do remember that discussion."

Mr. Dalton, "You definitely discussed it at the budget work session."

Mayor Beam, "And my comment at that time was be careful what you do, because we are going to pay for it down the road, and it never was, I think that is why it never came to a vote. I could be wrong but I think everyone was still thinking it over in their minds."

Councilmember Abernethy, "And it is not in the actual budget for that year."

City Clerk, "No because it is a personnel policy change and that and the budget are two separate things."

Finance Director Dixie Wall, "If it is not in the budget ordinance that is signed by the mayor then it is not part of that ordinance."

Councilmember Parker, "Are you asking three questions? Vote for 22, 25, or add more to it?"

Mr. Dalton, "I mean that is a decision that you as a council has to make is what do we want to do?"

Mayor Beam, "Rescind the one that is there."

Mr. Dalton, "You never really voted on anything, am I right Palmer? Technically, right now it is still legally it is 25 what we always were. Am I right?"

City Attorney Huffstetler, "Yes, if you want to stay at 25 I would say amend the minutes by deleting the highlighted section and vote again to approve the minutes."

Mr. Dalton, "Correct, if you want to stay at 25, or like I said if you want to go to 22 that is your decision, but I will say, just the two that took advantage or have taken advantage of the 22 year rule drawing that insurance benefit those extra three years will cost the city close to a hundred thousand dollars."

Mayor Beam, "And that is just two people and insurance will keep going up, that is just the cost now. In years to come, it is going to keep going up and are we going to get to the point where we cannot afford to do that. I do like that thing about consecutive years because they can't work five years quit four or five years come back and gain those 22 or 25, which ever you vote on and still be able to draw that benefit. I think it should be consecutive I like that part."

Councilmember Parker, "I agree with you there."

Councilmember Freeman, "Say somebody is here twenty years and they leave can they take their money out at the point?"

Mr. Dalton, "Are you talking about retirement? Yes they can pull it out."

Councilmember Freeman, "But what if they don't take it out they come back."

Mr. Dalton, "That is where I would probably argue the way our policy says, you have to retire from the City of Cherryville. So, if you can't retire and start drawing your state pension to me you have not retired from the City of Cherryville and you are not entitled to that insurance. That is how I read it. Now weather that is right or not I don't know."

Councilmember Freeman, "If an employee leaves and comes back and their money is still in the retirement, I think they should be able to retire with the full number of years they have in the system."

Mr. Dalton, "So you are saying if someone works for the city for 10 years and then goes and works for Lincolnton for 10 years and then comes back, it should just pick up and they should be able to pick back up."

Councilmember Freeman, "If they left their money in the retirement system yes, but if they took it out no. I think if they leave it in they are still vested."

Fire Chief Wofford, "I know you are the powers at be, and I will respect whatever decision you make but I do want to point out that my last hire was Chad Duvall and he has been a fill in on our department for probably 10 years. The last two jobs I have opened up hardly anyone has applied. He came to me and was asking questions, he was full time at East Lincoln and once he found out the retirement years were lower to 22 I was able to get somebody that has been with us, who is well trained, I did not have to spend any money on his training, and that was one of the selling points of why he came here. He is young enough to reach that 22 years and where he was at he didn't have a retirement. So, that is why I was a big supporter of this, because you can get people of value that are well trained."

Councilmember Parker, "I just don't think we can afford 22."

Mr. Dalton, "Well I guess everyone saw the data and I guess Shelby must be 22, but that is the only place I know that is that low."

Chief Wofford, "There was two others when we called around but I could not find that file or I could tell you which one it was."

Mr. Dalton, "You know with Gaston County and the State you don't even get health insurance anymore, even if you do thirty years."

Councilmember Freeman asked the city clerk if she remembered how that information got in the minutes.

City Clerk Mrs. Green, "Yes the information in the minutes is exactly what Jeff passed out to each of you. He emailed the information to me the next day for the minutes and I copied and pasted it into the minutes. As you see at the top of page 15 Mayor Beam ask if anyone had any questions about the budget and a discussion was had about the budget only."



Councilmember Abernethy, "So this was included in the agenda that we got?"

Mrs. Green, "Yes."

Mr. Dalton, "Ya'll did talk about it at the budget work session but not at the city council meeting."

Mrs. Green, "Yes Jeff asked you all if you wanted him to move forward with looking into the health insurance and the years of service at the work session and the response was yes."

Mayor Beam, "And at that time I thought we were doing it because we were following Shelby and I thought we were doing it for one employee."

Councilmember Freeman, "I thought it was part of it since it was included with the budget, but I didn't vote for it anyway."

Mr. Dalton, "The way I look at minutes is if you don't talk about it and discuss it, then it should not be in the minutes. If someone were to look back at the minutes they would think that the health insurance was talked about and that is not accurate."

Discussion was held about the number of years and Councilmember Parker made a motion to rescind the minutes from the June 8, 2020 city council minutes by removing the part of Jeff's comments regarding health insurance for retirees that he and the council never discussed.

Councilmember Freeman seconded the motion and the vote was unanimous.

City Clerk will remove the paragraph about health insurance for retirees in the approved minutes of June 8, 2020 and bring the minutes back to the board for approval on April 11, 2022.

City Manager Dalton shared that the proposed personnel policy change was never approved in the motion to approve the FY 2020-2021 budget and it should still read as follows:

An employee who retires from the City with 25 or more years of service is entitled to receive the same health insurance coverage provided to full time employees. The employee is responsible for paying the City in advance for any family health coverage under COBRA. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members under COBRA. The health insurance coverage on the retired employee will continue until his or her 65<sup>th</sup> birthday (when eligible for Medicare benefits) at which time the City will delete the employee from the group coverage.

Fire Chief Wofford, "But we have three hires based under the premise of 22 years. Alex Blackburn, Chris King and Chad Duvall."

Mrs. Green, "Also Jason Stone we have four hires."

Mr. Dalton, "But it all goes back to it was never voted on."

Mayor Beam, "So we should inform them that it was misrepresented or we are going to have six employees in it instead of the two."

Councilmember Abernethy asked Alex Blackburn, "Is this going to affect you employment with us if that changes? Was that a selling point for you to take this job?"

Mr. Blackburn, "It is definitely a bonus point to be honest but you have six people in the year that this is done, and I don't want to over step my boundaries by any means but, what's the realistic livelihood of people staying here for 22 years?"

Mr. Dalton, "How old are you Alex?"

Mr. Blackburn, "I am 31."

Mr. Dalton, "How many years do you have in the retirement system?"

Mr. Blackburn, "I have 5."

Mr. Dalton, "So let's say you need 25 more, you would be 61. I mean I don't think you take advantage of the 22 year policy to be honest with you."

Mr. Blackburn, "No because I am not going to retire at that point."

Mr. Dalton, "You are going to keep working. Who really benefits from the 22-year policy is the person that get's hired when they are older. That comes into the system later." Alex is going to want to finish his 30 years because he has already got five years in, because it is more money.

Mr. Blackburn, "My children will be in college then so I will be working."

Mr. Dalton was given direction to put some information together for the council to look at, at the April work session.

Mayor Beam wanted to know what we were going to do moving forward with any employee that is hired until a decision is made.

Mr. Dalton shared that because the policy was never officially adopted the employees should have never been told 22 years because it was never voted on. It was a mistake that anyone was ever allowed to retire with 22 years.

Mayor Beam, "What have you been telling them Paige?"

Mrs. Green, "That it is being addressed and is under controversy right now and will be discussed by the council."

Mayor Beam, "Alright let's move on."

Below are the changes that were approved in the 2020 – 2021 budget,

**REVENUE CHANGES:**

Property tax increase: Currently the tax rate is 0.46 proposed new rate is 0.52.

Vehicle tag fee increase: Currently \$7.00 proposed new fee \$10.00.

Sanitation fee increase: (needed to cover recycle costs)

Residential cost to increase \$1.00 new proposed fee \$15.00 per container.

Commercial cost increase \$2.00 new proposed fee \$18.00 per container.

**EXPENDITURE CHANGES:**

Administration: Increase Minimum Housing Funding from \$12,000 to \$20,000.

Economic Development: No changes.

Police Department: Leasing four (4) police vehicles from Enterprise Leasing.

Fire Department: Purchase new fire truck

SCBA (breathing apparatus)

Hurst E-draulic Tool

Public Works: No changes.

Street: No changes.

Powell Bill: Paving Jane Street, Celia Street, Ranbar Street and repairing storm drain in Delview.

Sanitation: New boom truck & new garbage containers.

Cemetery: Columbarium

**ELECTRIC FUND HIGHLIGHTS:**

Revenue Changes: Residential – No change.

Commercial – No change but all commercial customers will be evaluated to make sure they are on the correct rate.

Industrial – No change.

OP-12 Proposed a ½ cent increase after the first quarter and additional ½ increase in the last quarter with a total increase of .01.

CP-98 – Proposed a ½ cent increase after the first quarter and an additional ½ cent increase in the last quarter with a total increase of .01.

**EXPENDITURE CHANGES:**

Purchase transformers

Purchase new kiosk for utility office.

**WATER/SEWER HIGHLIGHTS:**

Revenue Changes: Increase water and sewer rates from \$5.86 per 1000 gallons to \$6.50 per 1000 gallons. (Flat rate charge to increase \$1.00)

(Flat rate charge to increase \$1.00)

Residential currently \$16.00 proposed to increase to \$17.00

Commercial/Industrial currently \$20.00 proposed increase to \$21.00.

Outside rates are double on all above rates.

Flat rates would increase to \$34.00

Per 1000 gallon increase to \$13.00.

**EXPENDITURE CHANGES:**

Administration: No changes proposed

Water Plant: Replace #3 High Service Pump.

Wastewater Plant: Proposed new lawn mower

Repairs to Ballard Pump Station

**ALL FUNDS:**

Salary increase: Proposed of 2% to all full time employees.  
Salary Study Adjustments.

Health insurance increased 7%.

Dental insurance – no change

General retirement will increase from 8.95% to 10.15% and law enforcement will increase from 9.74% to 10.90%

Debt service reduces by \$126,444 from FY 2019-2020 to FY 2020-2021.

General	\$54,773
Electric	\$15,189
Water/Sewer	\$56,482

Also included in Mr. Cash’s letter regarding the proposed budget highlights was the following:

**ARTICLE VIII**

**INSURANCE AND RETIREMENT BENEFITS**

**SECTION 1: INSURANCE BENEFITS:**

**Currently the policy states:**

An employee who retires from the City with 25 or more years of service is entitled to receive the same health insurance coverage provided to full time employees. The employee is responsible for paying the City in advance for any family health coverage under COBRA. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members under COBRA. The health insurance coverage on the retired employee will continue until his or her 65<sup>th</sup> birthday (when eligible for Medicare benefits) at which time the City will delete the employee from the group coverage.

~~An employee who retires from the City with 22 or more years of service is entitled to receive the same health insurance coverage (medical only) provided to full time employees. (The amendment as of June 8, 2020 does not apply to any employee that retired prior to July 1, 2020). The employee is responsible for paying the City in advance for any family health coverage under COBRA. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members under COBRA. The health insurance coverage on the retired employee will continue until the retiree is eligible for Medicare benefits at which time the City will delete the employee from the group coverage.~~

The highlighted paragraphs above will be removed from the June 8, 2020 minutes.

**CONSIDERATION OF CITY OF CHERRYVILLE AMERICAN RESCUE PLAN ACT OF 2021, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton asked for consideration for a Grant Project Ordinance for the City of Cherryville American Rescue Plan Act of 2021.

Councilmember Freeman made a motion to approve the Grant Project Ordinance for the City of Cherryville American Rescue Plan Act of 2021 and add parking for the little league park. Councilmember Abernethy seconded the motion and the vote was unanimous.

**DISCUSSION OF DOG PARK PLANS AT WEST GATE PARK, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton went over the plans with council for a dog park at West Gate. Mr. Dalton explained that he is waiting on pricing from vendors.

**OTHER BUSINESS:**

Councilmember Freeman asked about Jerry Sander's project and wanted to know where we were with that.

Mr. Dalton explained that Paul Czeer is still waiting on supplies.

Councilmember Puett asked if we are surveying W. Church Street.

Police Chief Cam Jenks asked council to consider placing a vehicle on the surplus list. He explained that the vehicle is beyond repair. The vehicle is a 2011 Ford Escape.

Councilmember Freeman made a motion to surplus the 2011 Ford Escape. Councilmember's Parker and Puett.

City Manager Brian Dalton handed out the proposed FY 2022 – 2023 budget. A budget work session meeting is scheduled for Sunday April 10, 2022 at 1:00 pm and the Cherryville Fire Department.

**ADJOURNMENT:**

Councilmember Parker made a motion to adjourn the work session meeting. Councilmember Freeman seconded the motion and the vote was unanimous. The meeting adjourned at 7:07 pm.

Adopted this 9 day of May 2022.

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H.L. Beam, Mayor

(SEAL)

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Paige H. Green, CMC, NCCMC, City Clerk





**CITY OF CHERRYVILLE  
CITY COUNCIL SPECIAL BUDGET MEETING  
SUNDAY APRIL 10, 2022 1:00 PM  
CHERRYVILLE FIRE DEPARTMENT**

**ITEMS FOR DISCUSSION OR ACTION:**

The Honorable Mayor H.L. Beam called the budget work session to order. Councilmembers Jill Puett, Gary Freeman, Malcolm Parker, and Jon Abernethy were present. City Manager Brian Dalton, City Clerk Paige H. Green, and Finance Director Dixie Wall were also present. No media coverage.

**DISCUSSION OF FY 2022 – 2023 BUDGET:**

City Manager Brian Dalton walked the group through the proposed FY 2022 – 2023 budget. Each department head came in to go over their budget and answer any questions.

City Manager Dalton highlighted the following current year projects:

1. Water/Sewer Projects completed on Main Street.
2. Downtown Revitalization/Beautification with a tentative completion date of September 2022.
3. Engineering taking place to install a new water line on West Hwy 150.
4. Numerous Waste Water projects- Ballard pump Station Bridge, reviving the second oxidation ditch at the wastewater plant, roof improvements on pump stations, new pumps at several pump stations and new generators.

Mr. Dalton also shared how fortunate Cherryville is to receive the funds from the American Rescue Relief Plan (ARPA) that will continue to help address numerous infrastructure needs. Mr. Dalton shared that the ARPA list has been incorporated into the proposed budget showing where they will be used. Mr. Dalton stated that the ARPA funds are providing Cherryville with a unique opportunity to complete projects that otherwise may not be able to happen.

Mr. Dalton also highlighted that the proposed budget does not include a tax rate increase and keeps the current rate at .52 cents per \$100.00 and no other fees are scheduled to increase. He also highlighted the following:

- The Electric Rate is proposed to be **decreased by 2%** in the 2022/23 budget. The reason for the decrease is a reduction in wholesale rate that was passed on to the nineteen (19) member cities in Western North Carolina. City Staff feels a 2% reduction will help Cherryville continue to have a strong Electric fund while preparing for future growth. I foresee Cherryville continuing to grow in the near future and bringing on additional electric customers. For example, Stroup Acres that was recently passed and includes a neighborhood development close to 500 residences. There have been 230 lots identified that will be supplied with electricity from the City of Cherryville. There is an upfront cost associated with providing the electricity to these residences. There has been \$300,000 appropriated in this budget to help fund the cost of getting the electricity to these lots. This is one of the reasons that staff only recommends a 2% reduction in electrical rates. This enables us to continue to grow the electric fund to help bring on additional customers in the future. The 2% reduction this year also helps us prepare for increases that will likely be passed on in the years ahead. This will enable us to absorb the increases in future years to keep our rates stable without having any increases.
- The 2022/23 budget includes a 2% COLA for all Full Time City Employees. The budget also includes salary adjustments to numerous employees to complete the salary study that was implemented three (3) years ago. This will be the final year of adjustments to attempt to have all City Employees at or near the state average for their individual position. I believe in this environment it is critical for the City to continue to keep employees compensation at a competitive level to attract and retain employees.
- Health Insurance cost was negotiated from a 10% increase down to a 4% increase. This budget has the cost increase being absorbed without passing any of the additional cost on to employees. The Dental plan was negotiated to have no fee increase for the next two (2) years.
- This budget only has four (4) items to be purchased. One is a right of way mower that is priced at \$240,000. This cost will be split across four (4) funds to pay for this item. This will enable us to mow water/sewer right of ways as well as electric in the future. The mower is enclosed and will give us the ability to cut right of ways on a year round basis.
- Another item in the budget is a bucket truck for the electrical department. This is simply a planned purchase to try and maintain quality equipment as needed. Another purchase is to lease one (1) Chevrolet Tahoe for the Police Dept. This will enable us to move a Dodge Charger to a spare vehicle status. The Dodge Charger has given us numerous mechanical issues over the last couple years and it is more cost effective to take this car off the road as a primary vehicle. The Dodge Charger would become a spare vehicle for the Police Dept. There is also a new dump truck in the budget for the Water Department. The existing dump truck is a 1994 model and badly needs to be replaced. The dump truck is estimated to be \$80,000.
- As staff has prepared this budget the Water/Sewer fund has been identified as the one with the most concern. I have worked with Finance Director Wall to try to correct this going forward. For example, in the last budget \$108,000 was transferred to the General Fund from the Water/Sewer and Electric Funds in lieu of taxes. \$70,000 of the \$108,000 was from the

Water/Sewer fund. The 22/23 budget has the \$70,000 coming from the Electric Fund and the \$38,000 from Water/Sewer Fund. This will help us try to create a stronger Water/Sewer fund. The other reason we are more cognizant of the Water/Sewer fund is that the debt payment for the bonds coming out of this fund is scheduled to be \$340,000 this budget year. In comparison, last year we paid a little over \$200,000 in debt service out of the Water/Sewer fund. An increase of roughly \$140,000 of debt service is now scheduled to come out of the Water/Sewer fund.

- We do have a fund balance built up in the Water/Sewer fund, but our ultimate goal is that we do not resort to having to use these funds to cover expenses.
- This year there is some paving scheduled to be completed with Powell bill funds. Currently, we are looking to pave some of the roads that run off Main St and will need to be paved to make improvements and keep the Main Street project looking uniform. I plan on trying to identify a few more roads to pave in early Summer. Last budget year there were no roads paved and I want to keep progressing to not fall behind.

In summary, the budget has increased overall. The reason for the increase is ultimately a \$400,000 increase in debt service over last year and approximately \$245,334 in salary increases for the 2% COLA and the final year of step increases for numerous employees. Staff feels this is a very conservative budget that does address our needs and that of the Citizens of Cherryville. We are going to make numerous improvements to our infrastructure by using ARPA funds this year that is going to greatly improve our standing in the years to come.

**OTHER BUSINESS:**

Discussions were held concerning the fire department but no official action was taken.

**ADJOURNMENT:**

Councilmember Parker made a motion to adjourn the meeting. Councilmember Abernethy seconded the motion and the vote was unanimous. The meeting adjourned at 6:05 pm.

Adopted this 9 day of May 2022.

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

(SEAL)

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



**REGULAR CITY COUNCIL MEETING  
MONDAY APRIL 11, 2022 @ 6:00 PM  
CHERRYVILLE COMMUNITY BUILDING  
W. J. ALLRAN COUNCIL CHAMBERS  
106 S. JACOB ST. CHERRYVILLE, N.C. 28021**

The Honorable Mayor H.L. Beam called the meeting to order at the community building in the W.J. Allran Council Chambers. Councilmember's Jill Puett, Gary Freeman, Malcolm Parker, and Jon Abernethy were present. City Manager Brian Dalton, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Planning & Zoning Director Alex Blackburn, Public Works Director Brandon Abernathy, Downtown Director David Day, and Finance Director Dixie Wall, Fire Chief Jason Wofford, and Police Chief Cam Jenks were also present. Michael Powell was present for media coverage.

**INVOCATION: PASTOR KEITH HUSS, MT. ZION BAPTIST CHURCH:**

Pastor Keith Huss gave the invocation.

**PLEDGE OF ALLEGIANCE:**

Everyone stood and recited the Pledge of Allegiance.

**AGENDA APPROVAL:**

Mayor Beam asked that the agenda be amended to add another agenda item under number six, so a proclamation from Governor Roy Cooper's office can be read for electrical Line worker Appreciation Day.

Councilmember Puett made a motion to approve the amendment to the agenda to add Roy Cooper's Proclamation and then approve the agenda. Councilmember Abernethy seconded the motion and the vote was unanimous.

**APPROVAL OF MINUTES:**

Councilmember Freeman asked that a statement at the bottom of page four be changed. Councilmember Freeman said he did not say police officers were not friendly a citizens did. Councilmember Puett made a motion to approve the minutes with the change to the March 14,



2022 minutes and the June 8, 2020 revised minutes. Councilmember Parker seconded the motion and the vote was unanimous.

**MAYOR'S COMMENTS:**

“This past month I was honored to attend and speak at four different ribbon cuttings for our city's Chamber of Commerce. They were in the following order: Tony T's Grill on Wheels, Turner's Animal Hospital, Frank Zyas Professional Photography, and the last was for the new location of our local YMCA. Exceptionally large crowds were on hand for all of these ribbon cuttings and we welcome all of these businesses and their new locations.

On March 21, I attended the local meeting of the CCDC held at the conference room of Beam Construction. A very productive meeting was held and future results of this meeting will hopefully soon be realized.

On March 28, I was invited to attend and speak at the second grade classes at East School in Cherryville. Principal Hovis and my daughter Ashley Long escorted me to each of the classes and my attendance was well received as I spoke to each class and allowed the students to ask questions in regards to our city.

This past Sunday, the city held its annual budget meeting in the training room at the city's beautiful Fire Department. Our City Manager Brian Dalton and City Finance Director Dixie Wall had worked long hours on preparing this budget for the city's coming year. Many long hours were spent on discussing the budget, we will be bringing the budget to our citizens for discussion, and approval of the budget will be made this June. Thanks go out to City Manager Dalton and Finance Director Wall for all their tireless work on this year's budget.

This concludes the Mayor's Comments and we will now go to the next item on tonight's agenda.”

**PROCLAMATION RE: LINEWORKER APPRECIATION DAY:**

Councilmember Abernethy read the following proclamation from Governor Roy Cooper's office:



State of North Carolina

**ROY COOPER**

GOVERNOR

**LINEWORKER APPRECIATION DAY**

**2022**

**BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA**

**A PROCLAMATION**

**WHEREAS**, the second Monday of April is designated as Lineworker Appreciation Day in recognition of North Carolina's electric utility lineworkers who selflessly build, maintain, and repair the infrastructure that powers our state; and

**WHEREAS**, lineworkers are often among the first responders during storms and other catastrophic events, working in dangerous conditions often far from their families to make the scene safe for other public safety heroes; and

**WHEREAS**, lineworkers work with thousands of volts of electricity high atop power lines to keep electricity flowing 24 hours a day, 365 days a year, putting their lives on the line to provide power that is on more than 99.95% of the time for the average North Carolina customer, and

**WHEREAS**, on this day, we recognize the brave men and women in the electric utility profession who combine their tireless work ethic with the knowledge necessary to provide dependable electricity to families and businesses throughout our state amidst ongoing changes to energy infrastructure; and

**WHEREAS**, North Carolina lineworkers, part of a long-standing personal, family, and professional tradition, are devoted to service, and deserve our respect and appreciation on this and all days;

**NOW, THEREFORE, I, ROY COOPER**, Governor of the State of North Carolina, do hereby proclaim April 11, 2022, as "LINEWORKER APPRECIATION DAY" in North Carolina, and commend its observance to all citizens.





  
 Roy Cooper  
 Governor

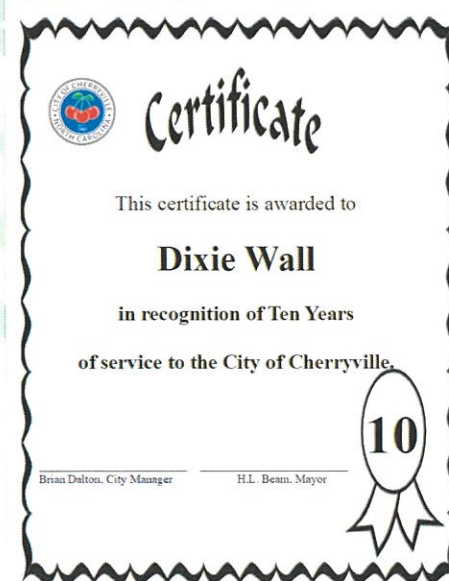
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this seventh day of April in the year of our Lord two thousand and twenty- two and of the Independence of the United States of America the two hundred and forty-sixth.

**CITIZENS TO BE HEARD: CITIZENS THAT WISH TO SPEAK MAY DO SO BY COMING TO THE PODIUM AND STATING YOUR NAME AND ADDRESS BEFORE YOU SPEAK. COMMENTS WILL BE HELD TO 5 MINUTES PER PERSON. (PLEASE SIGN UP WITH THE CITY CLERK AT THE MEETING BEFORE THE MEETING BEGINS):**

None.

**SPECIAL RECOGNITION OF CITY EMPLOYEE’S YEARS OF SERVICE, MAYOR H.L. BEAM:**

Mayor Beam recognized the following employee for her years of service:



**CONSIDERATION TO SET A DATE FOR A PUBLIC HEARING RE: REZONING REQUEST FOR 4233 OLD LINCOLNTON RD. CROUSE, NC 28033 (GIS PARCEL #300506) PLANNING & ZONING DIRECTOR ALEX BLACKBURN:**

Planning & Zoning Director Alex Blackburn approached the podium to ask for consideration to set a date for a public hearing regarding the rezoning of 4233 Old Lincolnton Rd. Crouse, NC

28033. Mr. Blackburn explained that the owners of the property have filled out the application for the rezoning, it was presented to the planning board, and it is now ready for the council's consideration.

Councilmember Parker made a motion to set a public hearing date for May 9, 2022 for the rezoning of 4233 Old Lincolnton Rd. Crouse, NC 28033. Councilmember Freeman seconded the motion and the vote was unanimous.

**PRESENTATION OF CITY'S FINANCIAL STATEMENT, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton went over the financial statement.

**OTHER BUSINESS:**

Councilmember Freeman asked about the sinkhole at Jerry Sanders. City Manager Dalton shared that Paul Czeer is still waiting on materials.

**ADJOURNMENT:**

Councilmember Abernethy made a motion to adjourn the meeting. Councilmember Parker seconded the motion and the vote was unanimous. The meeting adjourned at 7:17 pm.

Adopted this 9 day of May 2022.

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

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

(SEAL)



**REGULAR WORK SESSION MEETING**  
**TUESDAY APRIL 26, 2022 @ 6:00 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, Gary Freeman, Malcolm Parker, and Jon Abernethy were present. 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 Alex Blackburn were also present. Michael Powell of the Cherryville Eagle was present for media coverage.

**PROCLAMATION OF APPRECIATION RE: CITY CLERK PAIGE GREEN, PROFESSIONAL MUNICIPAL CLERKS WEEK, MAYOR H.L. BEAM:**

Councilmember Puett read a proclamation of appreciation to Professional Municipal City Clerk Paige H. Green. May 1 thru May 7, 2022 is Professional Municipal Clerks Week. Councilmember Puett thanked Paige for all she does for the City of Cherryville. Below is a copy of the proclamation:



**Proclamation**

**53rd ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK**  
**May 1 - May 7, 2022**

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Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, Therefore, I, Henry Lee Beam, III, Mayor of Cherryville, do recognize the week of May 1 through May 7, 2022, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Paige H. Green and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 26 day of April, 2022.

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H.L. Beam, Mayor

2/27



**CONSIDERATION OF REVISED ORDINANCE RE: GRANT PROJECT ORDINANCE FOR AMERICAN RESCUE PLAN ACT OF 2021 RECOVERY FUNDS, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton asked for consideration for the revised Grant Project Ordinance for the American Rescue Plan Act of 2021 Recovery Funds. Mr. Dalton explained that the guidelines for the funds have been revised again and in order for the funds to pay for the projects we have already started on, we will need to supplement the cost object with salaries. Below, is a copy of the revised ordinance:



**Amended**

**Grant Project Ordinance for the City of Cherryville American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the City Council of the City of Cherryville, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted as amended:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The City of Cherryville (City) has received the first tranche in the amount of \$967,565 of CSLFRF funds. The total allocation is \$1,935,131, with the remainder to be distributed to the City within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,

5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and storm water infrastructure, and to expand access to broadband internet.

**Section 2:** The City has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law Enforcement Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$710,000
002	Water Administration Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$430,000
003	Wastewater Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$176,000
004	Water Plant Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$265,000
005	Street Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$200,000
006	Finance Services for period of March 3, 2021 through March 31, 2023	6.1	Salaries	\$154,131
	<b>TOTAL</b>			<b>\$1,935,131</b>

**Section 4:** The following revenues are anticipated to be available to complete the project:

**ARP/CSLFRF Funds:** \$1,935,131

**General Fund Transfer:** \$0

*A 201*



**Total:** **\$1,935,131**

**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the City's Uniform Guidance Allowable Costs and Cost Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status or change of the project to the governing board on a quarterly basis.

**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to City Council.

**Section 8:** This grant project ordinance is effective as of March 3, 2021, and expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the City, whichever occurs sooner.

Adopted this 26 day of April 2022.

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Paige H. Green, CMC, NCCMC, City Clerk

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H.L. Beam, Mayor

(SEAL)

Councilmember Abernethy made a motion to adopt the revised Grant Project Ordinance as written for the American Rescue Plan Act of 2021 Recovery Funds. Councilmember Puett seconded the motion and the vote was unanimous.

**DISCUSSION OF HEALTH INSURANCE BENEFITS FOR RETIREES, CITY MANAGER BRIAN DALTON:**

City Manager Dalton explained that he has put together some options for updating Article VIII, Insurance and Retirement Benefits, for the personnel policy. Mr. Dalton explained that he and City Clerk Paige Green talked to advisors with the North Carolina League of Municipalities and he discussed the matter with City Attorney Palmer Huffstetler Jr. Mr. Dalton revised the

current policy adding consecutive years of service and clarifying the definition of retirement. Below is a copy of the policies Mr. Dalton drafted for consideration:

**~~Employees Hired on or after June 1, 2022 Or Policy for all current employees and future hires.~~**

~~An Employee who retires from the City of Cherryville with 25 or more consecutive years of service with the City of Cherryville is entitled to receive the same health insurance coverage (Medical only) provided to full time employees. The City of Cherryville pays 100% of the premium for the retired employee that has 25 or more consecutive years with the City of Cherryville. Definition of retirement is beginning to receive monthly payments form Local Government Employees Retirement System (LGERS). Retired employees on the medical plan upon retirement are not allowed to cover dependents. The Retired employee will remain on the Medical plan until their 65<sup>th</sup> Birthday or Social Security disability.~~

**Employees Hired prior to June 1, 2022**

~~An Employee who retires from the City of Cherryville with 22 or more **consecutive** years of service with the City of Cherryville is entitled to receive the same health insurance coverage (Medical only) provided to full time employees. The City of Cherryville pays 100% of the premium for the retired employee that has 22 or more consecutive years with the City of Cherryville. Definition of retirement is beginning to receive monthly payments form Local Government Employees Retirement System (LGERS). Retired employees on the medical plan upon retirement are not allowed to cover dependents. The Retired employee will remain on the Medical plan until their 65<sup>th</sup> Birthday or Social Security disability.~~

Mr. Dalton explained that council could decide to keep the policy as written for current and future employees, or decide to change the years of service to 22 years of service for current and future employees and they can also define some of the language.

After some discussion, Councilmember Freeman made a motion to adopt both policies and for employees hired prior to June 1, 2022 remove the word consecutive from that policy. Councilmember Puett seconded the motion and the vote was unanimous. Below are the adopted policies:

**Employees Hired on or after June 1, 2022 (Adopted April 26, 2022)**

An Employee who retires from the City of Cherryville with 25 or more consecutive years of service with the City of Cherryville is entitled to receive the same health insurance coverage (Medical only) provided to full time employees. The City of Cherryville pays 100% of the premium for the retired employee that has 25 or more consecutive years with the City of Cherryville. Definition of retirement is beginning to receive monthly payments form Local

Government Employees Retirement System (LGERS). Retired employees on the medical plan upon retirement are not allowed to cover dependents. The Retired employee will remain on the Medical plan until their 65<sup>th</sup> Birthday or Social Security disability.

### **Employees Hired prior to June 1, 2022 (Current Employees)**

An Employee who retires from the City of Cherryville with 22 or more years of service with the City of Cherryville is entitled to receive the same health insurance coverage (Medical only) provided to full time employees. The City of Cherryville pays 100% of the premium for the retired employee that has 22 or more consecutive years with the City of Cherryville. Definition of retirement is beginning to receive monthly payments from Local Government Employees Retirement System (LGERS). Retired employees on the medical plan upon retirement are not allowed to cover dependents. The Retired employee will remain on the Medical plan until their 65<sup>th</sup> Birthday or Social Security disability.

### **DISCUSSION OF WATER & SEWER FUNDS, CITY MANGER BRIAN DALTON:**

City Manager Dalton shared that he did some research on our current water rates and minimums. Mr. Dalton explained that the current minimum rate for inside water customers is \$17.00 and that rate includes the first 2,000 gallons of water used. After the first 2,000 gallons, customers are billed for each 1,000 used. The outside minimum rate is currently \$34.00 and that includes the first 2,000 gallons of water used. After the first 2,000 gallons used, customers are billed per 1,000 gallons. Mr. Dalton proposed that if the minimum for inside customers were \$17.00 for the first 1,000 gallons of water, and \$34.00 for the first 1,000 for outside customers, it would create a revenue increase of \$402,636 per year. This increase is based on the current average amount of water being used at this time.

After some discussion, it was decided that this change would be added to the proposed 2022 – 2023 budget and adopted.

### **OTHER BUSINESS:**

Councilmember Freeman shared that he has received complaints about the Cherry Blossom and the farmers market being cancelled.

City Manager Dalton shared that he did receive a quote for the dog park at West Gate. Mr. Dalton passed the quote around the table for Council to look at. He stated that he is still waiting on bids for the paving.

**ADJOURNMENT:**

Councilmember Abernethy made a motion to adjourn the work session meeting. Councilmember Parker seconded the motion and the vote was unanimous. The meeting adjourned at 6:42 pm.

Adopted this 9 day of May, 2022.

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H.L. Beam, Mayor

---

Paige H. Green, CMC, NCCMC, City Clerk

(SEAL)





**The Office of the Mayor**

May 9, 2022

*Expressing support for the designation of the May 28, 2022,  
As "National Poppy Day" in honor of our fallen.*

American Legion Unit 100 submitted the following proclamation; which was referred to the office of Mayor H.L. Beam for review.

**PROCLAMATION**

Expressing support for the designation of May 28, 2022 as "National Poppy Day" in Cherryville and recognizing the importance of honoring those that have worn our nation's uniform; and

**WHEREAS**, poppies are worn and displayed as a symbolic tribute to our fallen and the future of living veterans and service members; and

**WHEREAS**, at the end of World War I, The American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by troops in wartimes; and

**WHEREAS**, The use of the poppy symbolically comes from the poem In Flanders Fields, which movingly begins, "In Flanders Fields the poppies blow, between the crosses, row on row," referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and

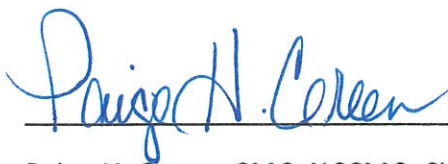
**WHEREAS**, The American Legion Family has long utilized the red poppy as its official flower, symbolizing the blood shed by those who have served in our U.S. Military. and The American Legion and American Legion Auxiliary, expand the meaning and symbolism of the poppy, mirroring the manner in which the poppy is symbolically showcased in England and Canada in celebratory fashion on their Remembrance Day, also known as Armistice Day and Poppy Day; and

**WHEREAS**, wearing a poppy will unite citizens from across the country who decide to show their patriotism; and

**WHEREAS**, May 28, 2022 would be an appropriate date to designate as "National Poppy Day"

**NOW, THEREFORE, BE IT RESOLVED**, that the Office of the Mayor

- (1) Supports the designation of May 28, 2022 as "National Poppy Day; and
- (2) Encourages all citizens, residents, and visitors in Cherryville to join in observing this day to honor every service member who has died in the name of liberty, freedom and democracy while also showing their support for living veterans, service members and their families.

  
\_\_\_\_\_

Paige H. Green, CMC, NCCMC, City Clerk

  
\_\_\_\_\_

H.L. Beam, Mayor





## NATIONAL POLICE WEEK 2022

To recognize National Police Week 2022 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Cherryville Police Department;

**WHEREAS**, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including 1 member of the Cherryville Police Department;

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC;

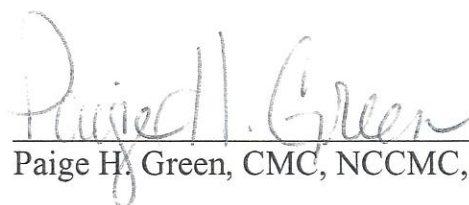
**WHEREAS**, 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years;


**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34<sup>th</sup> Candlelight Vigil, on the evening of May 13, 2022;

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which will be observed this year May 11-17;

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

**THEREFORE, BE IT RESOLVED** that Cherryville Mayor and City Council will observe May 11-17, 2022, as National Police Week in Cherryville, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

  
Paige H. Green, CMC, NCCMC, City Clerk

  
H.L. Beam, Mayor





## City of Cherryville Planning Department – Staff Report

### Rezoning Case

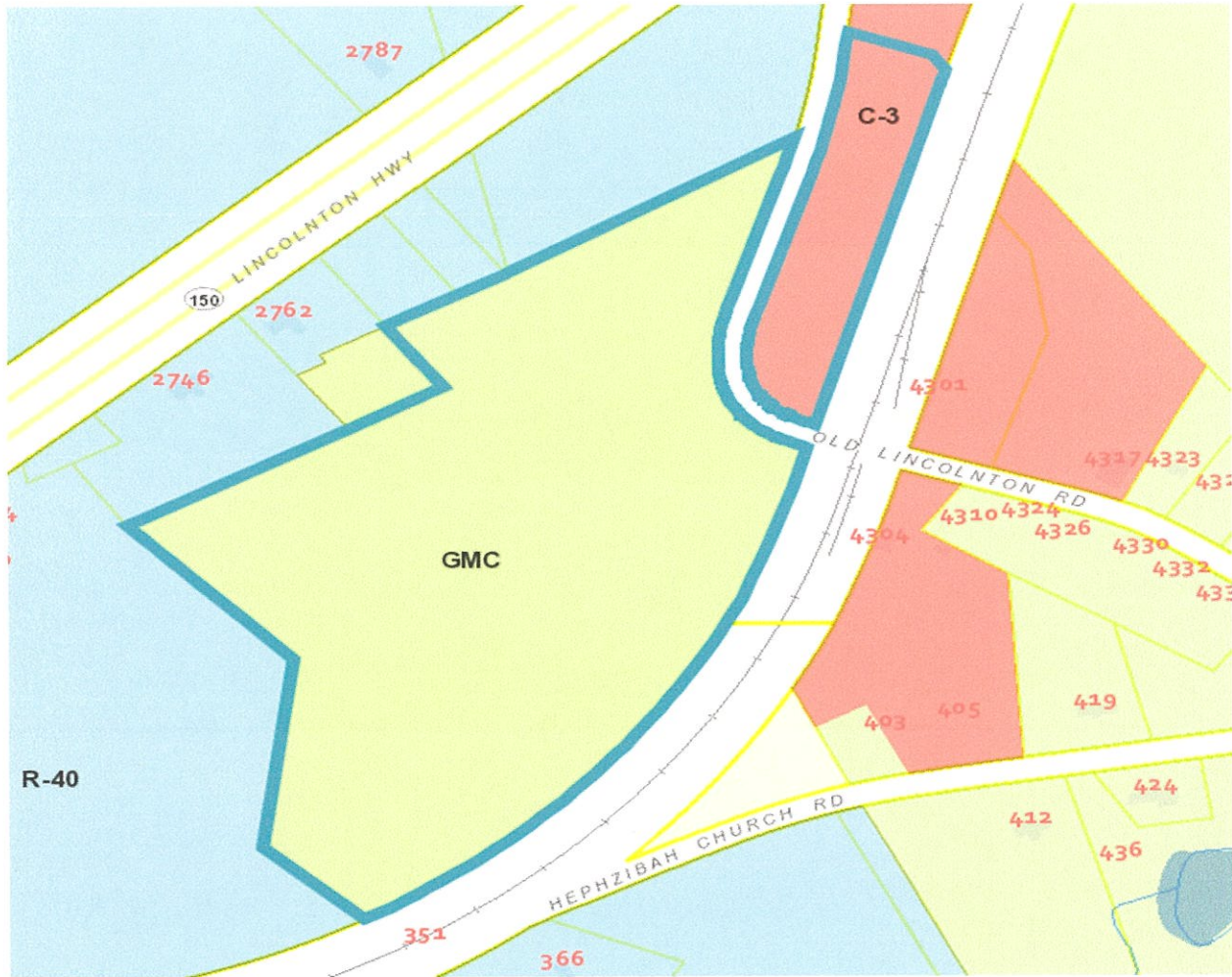
Applicant:	Sonya G. Ivester & Anne G. Whisnant
Property Owner(s):	
Property Location:	4233 Old Lincolnton Rd. Crouse, NC 28033 Parcel ID # 300506
Property Size:	35.05 Acres
Current Zoning:	General Manufacturing and Commercial
Proposed Zoning:	Rural Residential District (R-40)

### Description:

City Staff received a Zoning Map Amendment application on January 7, 2022 from Sonya G. Ivester and Anne G. Whisnant regarding a possible rezoning request for PID # 300506 described above. A complete application with payment was obtained on January 24, 2022. This request is to change the current zoning of the ~32 acres residing within the City of Cherryville's Extraterritorial Jurisdiction from the designation of General Manufacturing and Commercial (GMC) to that of the proposed Rural Residential District (R-40).

A portion of this property is dissected by Old Lincolnton Road which is the dividing line of the City of Cherryville's ETJ and the Gaston County UDO jurisdiction. The applicants have been informed that the City of Cherryville can only preside over plots and segments that reside within the zoning jurisdiction of Cherryville and its Extraterritorial Jurisdiction and therefore the roadway will be the extent of the City's zoning designation.

The current properties surrounding this parcel are listed as Rural Residential (R-40) to the North, West and Southern directions and the adjacent properties to the East are zoned as General Commercial (C-3) under the Gaston County Unified Development Ordinance.



**Process:**

Staff received the application and scheduled the rezoning request to be reviewed at the next available meeting of the Cherryville Planning Board on March 21, 2022.

- Pre-filing meeting to discuss proposed amendment and to become familiar with applicable requirements and approval procedures.
- Filing of Request
  - January 24, 2022
- Cherryville Planning Board review and recommendation of proposed change.
- Staff to schedule with the City Council to set a Public Hearing for their May 9, 2022 meeting.
- Staff to schedule proper advertisement of the Public Hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
- Staff to install zoning signage on the subject property prior to public hearing.
- Notices of adjoining property owners to be sent prior to the Public Hearing by staff.

**Meeting Dates:**

- January 1, 2022 Pre-Filing meeting
- January 24, 2022 Submittal of complete application
- March 21, 2022 Planning Board Review of Rezoning Request
- April 11, 2022 City Council to set Public Hearing
- May 9, 2022 City Council to hold Public Hearing

**Staff Comments:**

The current zoning for the parcel residing within the Extraterritorial Jurisdiction of the City of Cherryville is designated as **General Manufacturing and Commercial (GMC)** which is defined in Section 6.2.12 as a district designed primarily for general commercial and industrial land uses, including manufacturing, processing and assembling of parts and products, distribution of products at wholesale, retail, transportation terminals and a broad variety of specialized commercial and industrial operations. Many types of such operations are permitted by right, however, certain types of manufacturing and commercial operations will be allowed only upon issuance of a special use permit after review by the Board of Adjustment and the Board of Adjustment having made certain findings and having determined any required conditions as set forth in Part 13.

Applicants have requested a change to the **Rural Residential District (R-40)** which is further enumerated in Section 6.2.1 as a district intended to accommodate low-density residential and agricultural uses in fringe areas of the zoning jurisdiction which generally are non-intensely developed. This district is established to accommodate low density development where public utilities are non-existent or partially existent, and to accommodate greater densities where services are present, therefore, density levels are variable to the existence of such facilities. The continuance of agricultural operations is encouraged within this district. Under certain circumstances certain special uses may be allowed depending upon facilities to support such uses, compatibility with existing and proposed surrounding development, and other criteria set forth in this Ordinance.

A portion of this parcel resides outside of the City of Cherryville jurisdiction and therefore the applicant and City Staff concluded that the extent of the rezoning will reach to the edge of Old Lincolnton Road, also the extent of the City's ETJ. For a rezoning of the remainder of the property, the applicants will have to abide by the processes established by Gaston County.

Staff must bring to your attention that the Future Land Use Plan, as adopted by City Council on August 13, 2012, shows this area as maintaining the spirit of an Industrial land use.

# **LEGAL NOTICE**

## **LEGAL NOTICE OF PUBLIC HEARING**

**NORTH CAROLINA**

**GASTON COUNTY**

**CITY OF CHERRYVILLE**

**CITY COUNCIL**

**Notice is hereby given that the Cherryville Planning and Zoning Board will meet on Monday March 21<sup>st</sup> at 6:00 pm at the Cherryville Community Building 108 S. Jacob St. to hold a Public Hearing to consider the following:**

**Rezoning request submitted by Sonya G. Ivester & Anne G. Whisnant to rezone 4233 Old Lincolnton Rd. Crouse, NC 28033 Parcel#300506 . Request is to change parcel from GMC (General Manufacturing and Commerce District) to Residential R-40.**

**All interested or affected parties are invited to attend and present any evidence or testimony in favor of / or opposed to the matter set above**

**Derrick Mackey**

**Zoning Administrator**

**CITY OF CHERRYVILLE**

**APPLICATION FOR ZONING CLASSIFICATION CHANGE**

TO THE CHAIRMAN OF THE CHERRYVILLE PLANNING & ZONING BOARD

The undersigned hereby respectfully request that the Cherryville Planning & Zoning Board, pursuant to the provisions of Section 19 of the Cherryville Zoning Ordinance, recommended to the Cherryville City Council a zoning classification change from;

GMC Industrial to Residential R-40

on the following described property;

Gaston County Tax Book ~~0085~~ <sup>008E</sup>, Map ~~0100~~, Parcel(s) 300506

PID # \_\_\_\_\_ Total Acreage of Property: 35.05

The property address is: 4233 Old Lincolnton Rd, Crouse NC 28033

Owner/Applicant Name: Sonya G. Ivester & Anne G. Whisnant

Mailing Address: 47 Heritage Lane, Shelby, NC 28150

Phone Number(s): 704-473-2654

This property is owned by Sonya G. Ivester & Anne G. Whisnant

as evidence by deed dated 9/12/2008

recorded in Gaston County Deed Book 008E, Page 1237

This property is bounded by on the:

NORTH: Parcel #157345 Karen & Denise Carpenter, #158047 Purviam Acres #158048 300507, Rosie Vargas #22384 Jason & Debra Gentry

SOUTH: P#158061, Michael Pennix Thomas 158038 Jeffrey & Kelly Freeman, 158049 Teidant

EAST: P#157348 Sonya Ivester & Anne Whisnant

WEST: P#158031 Johnny & Tonya Wright

It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Planning Board to be appropriate to the property involved and that the burden of proof for a Zoning Amendment rests with applicant.

It is further understood by the undersigned that the singling out of a small parcel(s) of land for exceptional zoning constitutes "spot" zoning and in such cases as rezoning request and a public hearing is superfluous. Therefore, it is the responsibility of the applicant to submit a valid request, not incompatible with the existing neighborhood zoning patterns. The responsibility of securing additional properties to be included in the request lies with the undersigned.

A check, made payable to the City of Cherryville, or cash, in the amount of \$250.00 to cover the cost of advertisement and Public Hearing(s), is submitted herewith.

*Sonya B. Inesto*  
*Arone H. Whisnaut*  
Signature of Applicant

1-7-22  
Date



**PROCEDURE FOR AMENDMENT TO OFFICIAL ZONING MAP  
CITY OF CHERRYVILLE**

**REQUEST FOR CHANGE IN ZONING CLASSIFICATION**

- Applicant consults with the Zoning Administrator
- Applicant completes and submits (along with a \$250.00 application fee) the application forms at least 15 days prior to the regular Planning & Zoning Board meeting
- City Council sets Public Hearing for Zoning Classification change (at their regular meeting on the 2<sup>nd</sup> Monday of the month)
- Planning Board considers the application, makes a recommendation to the City Council (at their regular meeting on the 3<sup>rd</sup> Monday of the month)
- Zoning Administrator advertises proposed map change in local newspaper one (1) day for two (2) consecutive weeks, notifies adjoining property owners by mail and posts notification sign at proposed site
- City Council holds a Public Hearing (generally the 2<sup>nd</sup> Monday of the following month) and following the Public Hearing, decides in favor of or against proposed Zoning Classification change

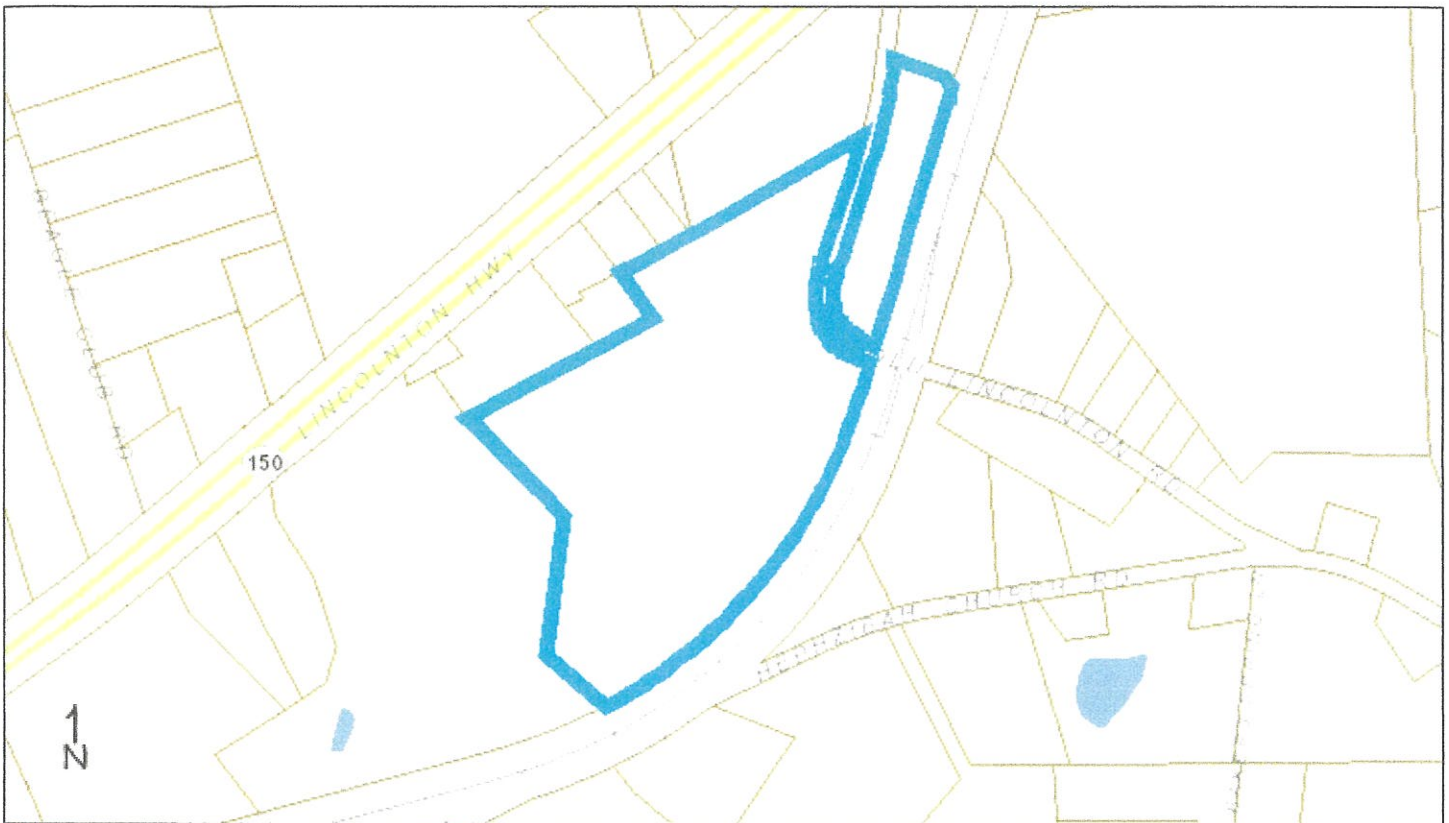
## Property Boundaries

North: Parcel #157345 Kern & Denise Carpenter, #158047, 158046,158045 Putnam Acres, LLC, 158044  
300507 Rosie Vargas

South: Parcel#158061 Michael Dewayne Thomas, Parcel# 158038 Jeffery & Kelly Freeman  
Parcel#158049 Tri- County Farm Supply

East: Parcel # 157348 Sonya Ivester & Anne Whisnant

West: Parcel # 158031 Johnny & Tonya Wright



**Primary Property Address**

4233 OLD LINCOLN TON RD CROUSE, NC  
28033

**Tax Information**

**PARCEL #:** 300506  
**PIN #:** 3601606228  
**CURRENT OWNERS:** IVESTER SONYA G & WHISNANT ANNE G  
**MAILING ADDRESS:** 47 HERITAGE LN , SHELBY, NC 28150-0000  
**NBHD #:** CV026  
**NBHD NAME:** NORTH CHERRYVILLE  
**TOWNSHIP:** CHERRYVILLE TOWNSHIP  
**LEGAL DESC:** 12 020 020 00 000

**Tax Information**

**DEED BOOK: PAGE:**  
**DEED RECORDING DATE:**  
**SALES AMOUNT:** \$0  
**PLAT BOOK: PAGE:**  
**STRUCTURE TYPE:**  
**YEAR BUILT:** 0  
**VACANT:** IMPROVED  
**SQUARE FOOTAGE:** 0  
**BASEMENT:** NO  
**BED: 0 BATH: 0 HALF-BATH:**  
**MULTI-STRUCTURES:** NO  
**ACREAGE:** 35.05  
**TAX DISTRICT:** CROUSE FD  
**VOLUNTARY AG DISTRICT:** NO  
**PROPERTY USE:** INDUSTRIAL

**Tax Values**

**MARKET LAND VALUE:** \$145,130  
**MARKET IMPR. VALUE:** \$0  
**MARKET VALUE:** \$145,130  
**FARM DISCOUNT:** NO  
**EXEMPTION:** NO  
**TAXABLE VALUE:** \$145,130

**Election Information**

**PRECINCT NAME:** CHERRYVILLE I  
**POLLING PLACE:** CHERRYVILLE COMMUNITY CENTER  
**POLLING ADDRESS:** 108 S. JACOBS ST  
**WARD #:**  
**CONGRESS REPRESENTATIVE:** TED BUDD  
**CONGRESSIONAL DISTRICT:** 13  
**HOUSE REPRESENTATIVE:** KELLY E. HASTINGS  
**HOUSE DISTRICT:** 110  
**SENATOR:** W. TED ALEXANDER  
**SENATE DISTRICT:** 44

**Parcel Information**

**CITY LIMITS:** NO  
**ETJ:** CHERRYVILLE  
**POLICE DISTRICT:** GASTON COUNTY  
**FIRE DISTRICT:** CROUSE  
**FLOOD:**  
**LOCAL WATERSHED:** INDIAN CREEK  
**CENSUS TRACT:** 306.01

**Disclaimer:** The information provided is not to be considered as a legal document or description. The map & parcel data is believed to be accurate, but Gaston County does not guarantee its accuracy. *Values shown are as of January 1, 2019.* - Document created for printing on 2/7/2022

Property Information			
<b>Control Data with Tax Year Dropdown</b>		<b>Mapped Acres</b>	35.0500
<b>Tax Year</b>	2022 ▾	<b>Assessed Value</b>	145,130
<b>Parcel Number</b>	300506	<b>Tax Rate</b>	Unavailable
<b>Class</b>	3000 - Industrial Land	<b>Total Tax</b>	Unavailable
<b>Tax Code</b>	320 - CROUSE FD		
<b>Neighborhood</b>	CV026 - North Cherryville		
<b>Physical Address</b>	4233 OLD LINCOLNTON RD CROUSE NC 28033		

Property Sketches & Photos

Mobile Video File



No Billing Details

Tax Due Amounts		
	If paid in...	Amount due is...
February 2022		\$0.00
March 2022		\$0.00
April 2022		\$0.00
May 2022		\$0.00
June 2022		\$0.00
July 2022		\$0.00
August 2022		\$0.00
September 2022		\$0.00
October 2022		\$0.00
November 2022		\$0.00
December 2022		\$0.00

[Pay Taxes](#)

Tax Due amounts are for all unpaid years.  
See Payment History section for year-by-year details.

Payment History				
Tax Year	Total Due	Total Paid	Amount Unpaid	Date Paid
2021	\$1,339.70	\$1,339.70	\$0.00	1/27/2022
2020	\$1,304.72	\$1,304.72	\$0.00	1/6/2021
2019	\$1,319.23	\$1,319.23	\$0.00	1/3/2020

Legal Descriptions													
<b>Legal Description</b>	<b>Subdivision Name</b>	<b>Block</b>	<b>Lot</b>	<b>Plat Book</b>	<b>Plat Page</b>								
12 020 020 00 000													
No Exclusions													
Related Names													
<b>OWNER</b>	IVESTER SONYA G &	<b>OWNER</b>	WHISNANT ANNE G,										
<b>Mailing Address</b>	47 HERITAGE LN	<b>Mailing Address</b>	47 HERITAGE LN										
	SHELBY, NC 281500000		SHELBY, NC 281500000										
<b>Comments</b>	008E-1237	<b>Comments</b>	008E-1237										
No Transfer History													
Parcel Genealogy													
<b>Relationship</b>	<b>Parcel Number</b>	<b>Action</b>	<b>Year</b>										
Parent Parcel	158039	Split	2019										
Land Valuation													
<b>Property Class</b>	<b>Valued Acres</b>	<b>Appraised Value</b>											
IND RESIDUAL	20.0000	105,000											
	15.0500	40,125											
Structure (1 of 1) Real Estate													
<b>Property Class</b>	<b>Description</b>	<b>Total Finished Area</b>	<b>Year Built</b>										
COM - Commercial	Outbuilding Only	0											
<table border="1"> <tr> <td>Barns</td> <td></td> </tr> <tr> <td>Barn (Flat)</td> <td>1 Square Ft.</td> </tr> </table>		Barns		Barn (Flat)	1 Square Ft.	<table border="1"> <tr> <td>Other per Sq. Ft.</td> <td></td> </tr> <tr> <td>Misc Structures</td> <td>1 Square Ft.</td> </tr> </table>		Other per Sq. Ft.		Misc Structures	1 Square Ft.		
Barns													
Barn (Flat)	1 Square Ft.												
Other per Sq. Ft.													
Misc Structures	1 Square Ft.												
Market Value													
<b>Year</b>	<b>Market Land</b>	<b>Market Building</b>	<b>Market Total</b>										
2022	145,130	0	145,130										
2021	145,130	0	145,130										
2020	145,130	0	145,130										
<a href="#">Show 1 More</a>													

Contact Information

128 W. Main Ave.  
 PO Box 1578  
 Gastonia, NC 28053-1578

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**Abutting and Adjacent Property Owners:**

Kern A. Carpenter & Denise C. Berry  
18285 SW 264 Street  
Homestead, FL 33031

Putnam Acres LLC  
P.O. Box 486  
Cherryville, NC 28021

Rosie Samantha Cruces Vargas  
2762 Lincolnton Highway  
Cherryville, NC 28021

Jason A Gentry and Derenda Gentry  
2746 Lincolnton Hwy  
Cherryville, NC 28021

Johnny S. Wright and Tonya Denise Wright  
2724 Lincolnton HWY  
Cherryville, NC 28021

Madison Leigh Freeman & Andrew Green  
366 Hephzibah Church Road  
Crouse, NC 28033

Jeffrey Lee Freeman Jr. &  
Kelly Brazell Freeman  
396 Hephzibah Church Road  
Crouse, NC 28033-9623

Michael Dewayne Thomas  
4304 Old Lincolnton Road  
Crouse, NC 28033-6704

Tri-County Farm Supply Inc. Pro.  
P.O. Box 30008  
Charleston, SC 29417

Sonya G. Ivester & Anne G. Whisnant  
47 Heritage Lane  
Shelby, NC 28150

## NOTICE OF PUBLIC HEARING

The City of Cherryville's City Council will hold a Public Hearing at their regularly scheduled meeting of Monday, May 9, 2022 at 6:00 p.m., at the Cherryville Community Center, 106 S. Jacob Street, Cherryville, NC 28021.

The purposed of this Public Hearing will be to consider a proposed Zoning Map Amendment (Rezoning) for the property at 4233 Old Lincolnton Road, Crouse, NC 28033, further identified as PID # 300506. The requested change is from the current zoning of General Manufacturing and Commercial (GMC) to that of the Rural Residential-40 (R-40).



For further information, please contact Alex Blackburn, Planning & Zoning Director, at 704-435-1705 or at [ablackburn@cityofcherryville.com](mailto:ablackburn@cityofcherryville.com)





A single sign was placed on the property as identified by the red star above on April 14, 2022.





**ZONING**

**NOTICE OF  
PUBLIC HEARING  
CITY OF CHERRYVILLE**

HEARING DATE:  
May 9, 2012

FROM: General Manufacturing  
Commercial (GMC)

TO: Rural Residential-40 (R-40)

@ 6 PM IN THE  
COMMUNITY BUILDING  
106 S. JACOB STREET

CONTACT INFORMATION:  
CHERRYVILLE ZONING OFFICE  
AT 704-435-1705





**ZONING**

**NOTICE OF  
PUBLIC HEARING  
CITY OF CHERRYVILLE**

**FROM:** General Manufacturing  
Commercial (GMC)

**TO:** Rural Residential-40 (R-40)

**HEARING DATE:**  
May 9, 2022  
**@ 6 PM IN THE  
COMMUNITY BUILDING  
106 S. JACOB STREET  
CONTACT INFORMATION:  
CHERRYVILLE ZONING OFFICE  
AT 704-435-1705**



## Memorandum

**To:** Alex Blackburn, Planning and Zoning Administrator, City of Cherryville  
**From:** Julio Paredes, Planner  
**Date:** March 21, 2022  
**Subject:** GCLMPO Rezoning Review – Old Lincolnton Road.

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at Old Lincolnton Road. PID: 300506. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. The GCLMPO 2050 Highway MTP does not include any proposed improvements to any streets adjacent to the subject property.
3. A proposed unfunded Major Road Improvement to Hephzibah Church Rd is included in the MPO's CTP. The typical cross section for a two lane road involves a minimum of 60 ft. right-of-way. The existing right-of-way along Hephzibah Church Rd is 60 ft and 200 ft at the SF rail tracks.

CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project. If a project shown on the CTP becomes a funded project, NCDOT will acquire necessary right of way in compliance with 49 CRF Code of Federal Regulations as well as NC General Statutes.

4. The CTP shows recommended bike facilities improvements along Hephzibah Church Rd.
5. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/developer should work with NCDOT on any required driveway permits or any TIA requirements.



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Post Office Box 1748  
Gastonia, North Carolina 28053  
Phone (704) 866-6980

150 South York Street  
Gastonia, North Carolina 28052  
Fax (704) 869-1960

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or [juliop@cityofgastonia.com](mailto:juliop@cityofgastonia.com).



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## STATEMENT OF CONSISTENCY

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### CITY OF CHERRYVILLE REQUIREMENT OF SECTION 19.1.10 OF THE CITY OF CHERRYVILLE ZONING ORDINANCE

The Cherryville City Council, held a Public Hearing on: May 9<sup>th</sup>, 2022 to consider Rezoning Parcel #300506, After the Public Hearing and discussion of the rezoning the Council draws the following CONCLUSIONS:

1. It is the Council's CONCLUSION that, the proposed rezoning **IS / IS NOT** consistent with the City of Cherryville Land Use Plan adopted in August, 2012.

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2. The Council finds the proposed rezoning **IS / IS NOT** reasonable and **IS / IS NOT** in the public interest. This conclusion is based on the following:

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Ordered this 9th day of May, 2022

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**H.L. Beam III - Mayor**

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**Paige Green - City Clerk**

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## **FEES FOR CHERRYVILLE CITY MEMORIAL PARK**

The following fee changes for the Cherryville Memorial Cemetery will be effective **January 1, 2022** and will remain in effect until further notice.

<b><u>PURCHASE PRICE FOR ALL GRAVE SPACES:</u></b>	Inside Residence	\$ 600.00
	Outside Residence	\$1,000.00

### **FEES FOR GRAVE OPENING AND CLOSINGS:** (CHARGES PRIOR TO INTERMENT)

Cremation Grave Opening	\$ 375.00
Baby Grave Opening	\$ 340.00
Adult Grave Opening	\$ 630.00
Oversized Adult Grave Opening	\$ 730.00

<b>Maintenance Fee for Inside City Residence:</b>	\$ 0.00
<b>Maintenance Fee for Outside City Residence:</b>	\$ 700.00

An additional fee of \$600.00 will be charged to have a grave opened on the following holidays – New Year’s Day, Independence Day, Thanksgiving Day, Memorial Day and Labor Day.

In order to insure quality workmanship we ask for at least 36 hours’ notice. Notice of less than 24 hours will incur an additional charge passed on from Greene & Son, Inc.

Rock removal is an additional \$225.00 per hour.

Funerals scheduled to begin after 4:00 pm, will incur an additional charge of \$500.00. Funerals lingering in the cemetery, deterring contracted staff from closing of the plot after 5:00 pm will be subject to additional charges that will be passed on from contractor.

Due to the increased demand for Saturday and Sunday funerals, holding bodies for the weekend, there is an additional \$100.00 charge for graves on these days.

We do not perform burials on Easter Sunday, Thanksgiving or Christmas day.

If there are any questions concerning the above fee schedule and the city’s policies relating to the Cherryville Memorial Cemetery, please call City Clerk Paige Green at 704-435-1709.



**NEW CREMATION SECTION OF CEMETERY ONLY**

Cremation remains: (2 x 2 space)	Inside Residence	\$ 375.00
	Outside Residence	\$ 600.00

Maintenance fee only for outside residence for cremation remains: (Adopted 12/09/2013)  
\$300.00

ALL MARKERS FOR CREMATION REMAINS MUST BE A FLAT 2 x 2 MARKER.

**BENCHES:**

Customers will purchase bench **designed to hold cremains made of granite or marble to be approved by the city.**

Space for bench in the City Cemetery will be \$400.00

City will meet with the family and choose where benches can be placed. If a bench is moved for any reason, the City of Cherryville will assume the benches property and resale the space.



**FEES FOR CHERRYVILLE MEMORIAL COURTYARD**

The following fees will apply for the Memorial Courtyard effective **January 1, 2022** and will remain in effect until further notice.

<b>PURCHASE PRICE FOR 2 X 2 CREMATION SPACE</b>	Inside Resident	\$ 500.00
Price includes 2 X 2 marker	Outside Resident	\$1,000.00

<b>OPENING &amp; CLOSING FOR 2 X 2 CREMATION</b>		\$ 500.00
The 2 X 2 markers for this section are already in place for engraving.		

<b>PURCHASE PRICE FOR NICHE (ROWS 2-5)</b>	Inside Resident	\$1,500.00
	Outside Resident	\$2,000.00

<b>PURCHASE PRICE FOR NICHE (ROWS 1 &amp; 6)</b>	Inside Resident	\$1,200.00
	Outside Resident	\$1,700.00

<b>OPENING &amp; CLOSING FOR NICHE</b>		\$ 200.00
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<b>MAINTENANCE FEE (for cremation grave space &amp; niche)</b>	Inside Resident	No Fee
	Outside Resident	\$ 500.00



<b>ENGRAVING FEES</b> <del>(LIMITED TO THREE (3) LINES)</del>	\$ 250.00
Individual Cremains (Limit of two lines of engraving)	\$ 250.00
Double Cremains (Limit two lines per cremain of engraving)	\$ 500.00
All engraving will be of uniform design and inscriptions	
Additional engraving on original marker <b>to be paid at the time of death only</b>	\$ 190.00
 <b>SCATTERING PERMIT (ISSUED BY CITY CLERK)</b>	 \$ 20.00

An additional fee of \$600.00 will be charged to have a grave opened on the following holidays – New Year’s Day, Independence Day, Thanksgiving Day, Memorial Day and Labor Day.

In order to insure quality workmanship we ask for at least 36 hours’ notice to open a grave. Notice of less than 24 hours will incur an additional charge passed on from Greene & Son, Inc.

Funerals scheduled to begin after 4:00 pm, will incur an additional charge of \$500.00. Funerals lingering in the cemetery, deterring contracted staff from closing of the plot after 5:00 pm will be subject to additional charges passed on from the contractor.

Due to the increased demand for Saturday and Sunday funerals, holding bodies for the weekend, there is an additional \$100.00 charge for graves on these days.

We do not perform burials on Easter Sunday, Thanksgiving or Christmas day.

If there are any questions concerning the above fee schedule and the city’s policies relating to the Cherryville Memorial Courtyard, please call City Clerk Paige Green at 704-435-1709.