



**REGULAR CITY COUNCIL MEETING
MONDAY SEPTEMBER 9TH, 2024 @ 6:00 PM
CHERRYVILLE COMMUNITY BUILDING
W. J. ALLRAN JR. COUNCIL CHAMBERS
106 S. JACOB ST. CHERRYVILLE, N.C. 28021**

The Honorable Mayor Pro-tem Jill Puett called the regular scheduled meeting to order at the community building in the William J. Allran Jr., Council Chambers. Mayor Beam was absent. Councilmembers Jon Abernethy, Gary Freeman, and Janice Hovis were present. City Manager Brian Dalton, City Clerk Paige H. Green, City Attorney Yansea Taylor, Public Works Director Chris J. King, Planning and Zoning Director Richard Elam, Finance Director Dixie Wall, Downtown Director David Day, Wastewater Superintendent Larry Wright, Police Chief Brandon Hunsucker, Police Major Danny Renn, and Fire Chief Jason Wofford were also present. The Lincoln Times and Wise News Network were present for media coverage.

INVOCATION: PASTOR SCOTT HOMESLEY, ST. JOHN'S LUTHERAN CHURCH:

Pastor Scott Homesley gave the invocation.

PLEDGE OF ALLEGIANCE:

Everyone stood and recited the Pledge of Allegiance.

AGENDA APPROVAL:

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

APPROVAL OF MINUTES:

Councilmember Abernethy made a motion to approve the following sets of minutes:

- A. CITY COUNCIL REGULAR MEETING AUGUST 15, 2024
- B. CLOSED SESSION MEETING AUGUST 15, 2024

Councilmember Hovis seconded the motion and the vote was unanimous.

MAYOR PRO-TEM'S COMMENTS:

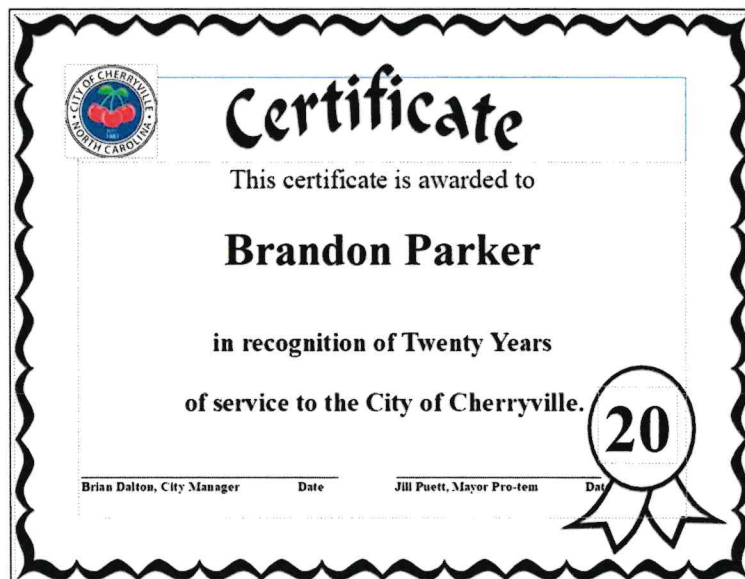
Mayor pro-tem Puett shared that mayor Beam was recovery from surgery at home and asked that everyone keep him in their prayers.

PRESENTATION FROM CHERRYVILLE ABC BOARD:

ABC Board chair James Beam approached the podium to present the city with a check for \$20,000. The city allowed the ABC Board to put back money for a new roof, and currently the board has roughly 93,000 saved for a new roof. Due to Covid, the original quote for a new roof came in around \$100,000, a couple years ago. The board received a quote today of \$56,000 not to exceed \$58,000, from a very reputable company that has been in business for 120 years. Once the new roof is installed the board will bring the city a check for roughly \$30,000 to \$40,000, for the difference in the savings.

SPECIAL RECOGNITION OF CITY EMPLOYEE'S YEARS OF SERVICE, MAYOR PRO-TEM JILL PUETT:

Mayor pro-tem Puett recognized the following employees for their years of service:



SPECIAL RECOGNITION OF ADVANCE LAW ENFORCEMENT CERTIFICATION, MAYOR PRO-TEM JILL PUETT:

Mayor pro-tem Puett recognized Police Captain Brandon Parker on receiving his Advance Law Enforcement Certification. Mayor pro-tem Puett read a letter from the North Carolina Department of Justice Criminal Justice Standards Division and Chief Hunsucker presented Captain Parker with this advance law certificate.

SPECIAL RECOGNITION OF CHERRYVILLE HIGH SCHOOL "POWER PLAYERS", CHS ATHLETIC DIRECTOR MATT POWERS, AND PIEDMONT LITHIUM COMMUNITY RELATIONS MANAGER EMILY WINTERS:

The following Cherryville High School students were recognized as "Power Players" for the month of September:

Steven Wyatt
Jeanna Anthony

RESOLUTION AND PLAQUE HONORING ANDY WEST, MAYOR PRO-TEM JILL PUETT:

Mr. Andrew West was recognized for his outstanding leadership and faithful service to the city of Cherryville. Mayor pro-tem Puett presented Mr. West with the following resolution:



**RESOLUTION OF APPRECIATION HONORING
ANDREW C. WEST**

WHEREAS Andy West grew up in Cherryville where he was a student leader and athlete at Cherryville High School before graduating from the University of North Carolina and then later earning an MBA from Syracuse and leading a life of distinguished achievement and of service to his nation and to his hometown; and

WHEREAS Andy West served with distinction as a US Army officer for twenty-two years while serving the nation in many high-level, worldwide assignments, including at the Pentagon, while earning high praise from multiple senior officers and retiring as a highly decorated lieutenant colonel to become one of Cherryville's most distinguished veterans; and

WHEREAS Andy West served as a high-profile business executive and partner in several nationwide firms while ultimately choosing to base in Cherryville and to use his honed, executive leadership skills to make an indelible mark on his hometown for generations to come; and

WHEREAS Andy West helped establish and chair the Cherryville Audit Committee which helped restore faith in the financial integrity of the city's operations following a period of intense media scrutiny and public distrust and which led the city to recoup some funds and earn a statewide award for its efforts: and

WHEREAS Andy West was a tenacious early driving force behind – and the first chairman of --the Cherryville Main Street Program – the impact of which is seen every day in downtown Cherryville as downtown continues to blossom more each year thanks to the firm foundation he laid – and where downtown's designation on the NRHP as well as its gleaming streetscape, booming construction, new businesses, colorful murals, blooming flowers, and growing excitement all bear witness to his lasting legacy; and

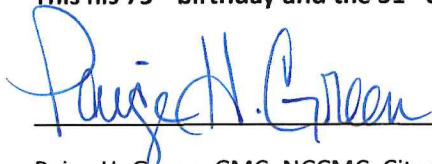
WHEREAS Andy West was recognized statewide as a North Carolina Main Street Champion – having propelled Cherryville's program from its inception to it quickly being recognized as being one of the best in the state and to being accredited nationally; and

WHEREAS Andy West collaboratively engaged city leaders, citizens, donors, organizations, businesses, and entrepreneurs to meticulously build an award-winning program around outstanding strategic planning, organization structure, work plan, public relations, branding, land use, and streetscape design; and

WHEREAS Andy West served in many different leadership positions in local area organizations overtime to include these and others: the Cherryville Rotary Club, Cherryville Community Development Corporation, St John's Lutheran Church, Gaston Vision 20/20, and the Piedmont Council of the Boy Scouts – and was, in addition, rightly recognized as the *2015 Citizen of the Year* by the Cherryville Chamber of Commerce.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cherryville hereby gratefully records and extends the appreciation of the entire community to Andrew C. West for faithful and excellent service to the nation and to the City.

This his 75th birthday and the 31st day of August 2024.

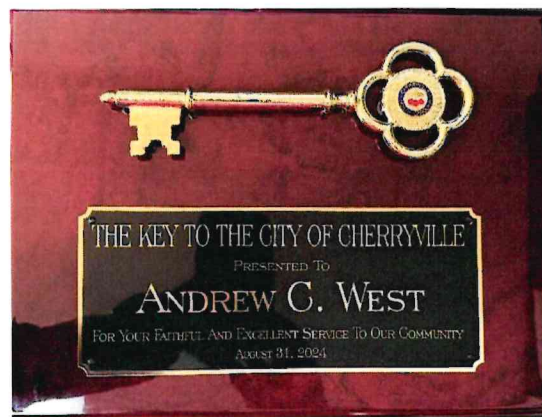


Paige H. Green, CMC, NCCMC, City Clerk



H.L. Beam, Mayor

Mr. Andrew West was also presented a "Key to the City of Cherryville" and below is a pic of the plaque:



PROCLAMATION HONORING CONSTITUTION WEEK, MAYOR PRO-TEM JILL PUETT:

Mayor Pro-tem Puett read the following proclamation honoring Constitution Week, and presented it to the daughters of the American Revolution group in attendance:



**PROCLAMATION
CONSTITUTION WEEK 2024**

WHEREAS, September 17, 2024, marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

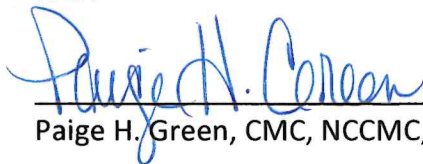
WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Henry L. Beam by virtue of the authority vested in me as Mayor of the City of Cherryville in the state of North Carolina do hereby proclaim the week of September 17 through 23 as

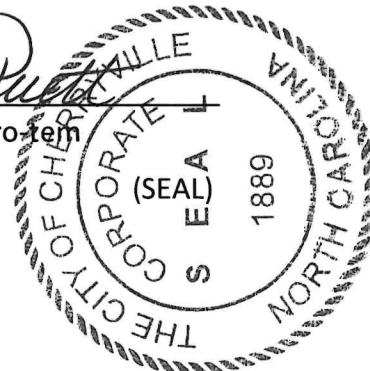
CONSTITUTION WEEK

AND, ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Cherryville to be affixed this 9 day of September of the year of our Lord two thousand twenty-four.


Paige H. Green, CMC, NCCMC, City Clerk


Jill P. Puett, Mayor Pro-tem



PRESENTATION FROM RIPPLE FIBER RE: CONSTRUCTION, SR. VP RIPPLE FIBER, BOBBIE GILBERT & BEN BALLARD:

Ms. Bobbie Gilbert, Senior Vice President of Ripple Fiber, approached the podium to share some information regarding Ripple Fiber. Ms. Gilbert shared packages with the mayor pro-tem and councilmembers, and she shared information about the company and what they do. They have started construction in the city limits and what to make citizens aware, that they may see the company digging in the city right-of-way's installing fiber optic network. Once the fiber network is installed, citizens will have another option for internet plans. The company will also install the fiber optic network for customers that choose to have it. The company offer three plans with no hidden fees or contracts. More information will be put on the city's web page and social media pages.

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 3 MINUTES PER PERSON. (PLEASE SIGN UP WITH THE CITY CLERK AT THE MEETING BEFORE THE MEETING BEGINS. IF YOU WISH TO SPEAK ON A MATTER WHERE A PUBLIC HEARING IS BEING HELD, YOU WILL HAVE A CHANCE TO DO SO DURING THE PUBLIC HEARING AND DO NOT NEED TO SIGN UP):

No citizens spoke.

CONSIDERATION OF RESOLUTION TO SUPPORT FUNDING THE ASTRO TURF FOR BUCK FRALEY FIELD, CITY MANAGER BRIAN DALTON:

City Manager Brian Dalton shared that the American Legion has completed many upgrades to Fraley Field. There is a new score board, new fence, and new batting cage. The upgrades enabled the American Legion to host the 2024-2025 American Legion State Tournament. Mr. Dalton shared that the city is looking into a partnership with the American Legion, and supporting them on the installation of astro turf on the baseball field. He shared that the current price for the astro turf is \$487,000, and Patrick O'Leary has contributed \$200,000, towards the project. The American Legion is going to put \$50,000, toward the project and the city of Cherryville is planning on funding the other \$237,000 as a loan. The American Legion plans on paying the city back as funds become available. Mr. Dalton shared that he cannot go public yet, but there are other organizations that he is working with, to get more funds for this project. He explained that the city could get their money back quickly, or it could take a longer time, he is just sure at this time. Mr. Dalton has received a quote from Geo Surfaces and explained that this is the company the has installed the astro turf on all four Lincoln County High School football fields. This company has put astro turf all across the country having done Gardner Webb, and Catawba College recently. Mr. Dalton shared how this company does not use the rubber pellets in the turf, they use a product that looks like sand and it keeps the astro turf thirty degrees cooler than the average turf. Mr. Dalton shared a pic of Fraley Field and the areas where the astro tuft would be installed, which would be the infield and the baselines.

Only the outfield would need to be stripped moving forward and the pitching mound will remain dirt.

Mr. Dalton will meet with Gaston County Schools facility director tomorrow, because they will have to sign off on this project and approve it since it is Gaston County property.

Councilmember Puett asked Mr. Dalton to explain some of the benefits of having the astro turf. Mr. Dalton shared that during the state tournament this summer there was a lot of rain, and if the turf gets put down, they would no longer have that problem of water standing on the field. Once the rain stops with the astro turf, it is gone in minutes. During the state tournament, they had to stop games and put thousands of dollars of Turface on the field to get it playable. He also shared that the other benefit is that coaches no longer have to worry about mowing, cutting the infield, dragging the field, putting the lines down, it is all ready to play so, it enables the American Legion to have more tournaments. The American Legion is already scheduled to host the senior state tournament, and if they get this turf, they stand to get the junior state tournament as well. The tournaments would be back-to-back and they would not have to worry about getting the field ready. Mr. Dalton shared that the turf does have a twelve-year limited warranty, and the company would leave materials with the American Legion to come back and make any updates.

Councilmember Freeman, "There is also the possibility that if it rains out in Shelby, then the World Series can send games to Cherryville, right?"

Mr. Dalton, "There is always the possibility if we have turf."

Mr. Dalton shared that we had so much rain during the state tournament that two games had to be played at Sims Park, and they have astro turf. Mr. Dalton also visited the Fuse over the weekend in Gastonia, and that field is all astro turf. It is a huge benefit and it is something we are all shooting for, not just American Legion Baseball, but we are hoping to get the Southeast Regional awarded to Cherryville starting in 2026. Mr. Dalton also added that a college coach was contacted and asked if he would entertain the possibility of coming to Cherryville to play a college baseball game with all of the renovations that have been done, and he said absolutely, that if the field had astro turf he would be interested in coming to Cherryville and playing college baseball games.

Mayor Pro-tem stated, "So, the economic impact for the city of Cherryville and the people here would be great."

Mr. Dalton shared that there would be many things to look at, like the Southeast Regionals, and we know a lot more work needs to be done, not just this, we need a canopy and we need this turf, but that is how you get a hotel interested in talking to us. Mr. Dalton explained that a hotel needs a reason to come to Cherryville and this would be a reason to have a hotel interested.

Councilmember Abernethy, "I look at this as an investment that we are going to get back. It's a win, win."

Mr. Dalton shared the American Legion and city attorney Yansea Taylor have gotten involved today and they have an agreement that they are looking at, to have the American Legion sign. Mr. Dalton shared that we cannot put the American Legion under too strict stipulations

because, there are some things that we just don't know but, once signed the city will be in a partnership with the American Legion.

Below is a copy of the resolution for consideration:



**RESOLUTION OF SUPPORT TO HELP FUND HAVING TURF PLACED ON
JOHN L. "BUCK" FRALEY FIELD**

WHEREAS, Baseball has been a loved and important past time in the City of Cherryville; and

WHEREAS, Cherryville teams have been highly successful throughout the years and brought positive publicity to Cherryville over the years; and

WHEREAS, Numerous improvements have been made to John L "Buck" Fraley field over the past year that has enabled Cherryville to host the 2024 and 2025 NC American Legion State Tournament; and

WHEREAS, Cherryville American Legion and the City of Cherryville would like to continue making improvements and host large events in the future; and

WHEREAS, The City of Cherryville, American Legion Post 100 and private sponsorships are committed to making improvements to ensure Cherryville, NC as a destination for future events; and

WHEREAS, hosting these events are often a driver to the local economy with individuals coming to shop and eat in local businesses; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cherryville supports helping loan funds to the Cherryville American Legion to have turf installed at John L "Buck" Fraley Field.

Adopted this 9 day of September 2024.

Paige H. Green, CMC, NCCMC, City Clerk

Jill P. Puett, Mayor Pro-tem

(SEAL)

Councilmember Hovis, "Brian I'm sure that you have probably taken care of this but, I would just like to make sure that maybe it is in the minutes, that this financial arrangement between the city and the legion, is approved by the Local Government Commission."

Mr. Dalton, "Absolutely, we have the ability, and I am going to give you an example. I think I told you today, the City of Gastonia gave Gaston County Schools \$750,000, to turf the new Grier Middle School football field, for the reason, that based in their interlocal agreement, they have the ability to use that baseball field, and I agree with the city manager of Gastonia, anything that is right in the center of town like that, you want it to look nice, and I feel the same way about our baseball field right on highway 150, so absolutely it is fine for us."

Councilmember Hovis, "The financials are fine and you might also want to tell us about the interlocal agreement."

Mr. Dalton, "Yes, we do have an interlocal agreement, it is three years at a time, it automatically renewed again in September of 2022, I believe, but the interlocal agreement is where the school system, if the school system is not using their facilities, the city has the right to use that facility, and vice versus. Just like we provide tennis courts for the high school tennis for boys and girls. We provide a baseball field for middle school baseball to play on, up until this year we have always provided a field for the middle school softball. So, that interlocal agreement is what covers them using our facilities and us using their facilities. There is also on page four of the interlocal agreement, there is also some verbiage in there, where they have the right, based off our approval, to improve our facilities, and then we have the right, based off their approval, to improve their facilities, which is what we would be doing here with this turf. It is all in the interlocal agreement, and like I said, that renews in three-year terms, and it was renewed last on September 2022.

Councilmember Puett, "That's the same agreement that the world series has with the city of Shelby."

Mr. Dalton, "Probably so, I'm sure,"

Councilmember Abernethy, "I think that even though this agreement is going to be with the American Legion, funds can come from other places to pay this money back, it doesn't just have to come, and so of that is already in the works, so."

Mr. Dalton, "Some of that is already in the works, absolutely, like I said we just don't know one hundred percent so I would not want to say that those funds are there."

Councilmember Freeman, "This is money that came from the bond? Is that correct?"

Mr. Dalton, "Well, technically what we would do is, no we would not use the bond funds because the bond funds are for facilities that are specifically in our name, so we will not use bond funds for it, we will just pull money from our account, we will then have a line item

showing that we have loaned out \$237,000, and as that gets paid back, we will put that back in that account."

Councilmember Freeman, "The general fund?"

Mr. Dalton, "You might as well say the general fund, yes."

Councilmember Freeman, "Didn't Dixie signed off on it, saying you would be able to do that?"

Mr. Dalton, "Yes, Dixie and I talked about this a lot and the bond funds come up, but with it not being a facility that is not in the city of Cherryville's name, only being an interlocal agreement, we didn't feel like we could use bond funds for that."

Councilmember Abernethy, "Alright, so I make a motion."

City Attorney Yansea Taylor, "So, I think we have to be clear on, when we are making loans, there are a lot of rules right around governments making loans, so is that to be for a public purpose, and it has to be, since we are giving these funds to a private entity, it has to be for a program, or service, or activity."

Mr. Dalton, "No, It's not a private entity, it's a high school field."

Mrs. Taylor, "It's a non-profit, right?"

Mr. Dalton, "It's a high school field."

Mrs. Taylor, "Who's field?"

Mr. Dalton, "Gaston County Schools."

Mrs. Taylor, "So, it's through our interlocal agreement. It still needs to be that it's for a public purpose that we would otherwise service or perform as an activity. So. Is that something that we would otherwise do? Would the city be involved in that? Or is that more of a county?"

Mr. Dalton, "What are you asking?"

Mrs. Taylor, "For the baseball fields and things like that."

Councilmember Hovis, "Does that have to be part of the resolution?"

Mrs. Taylor, "It needs to say that the funds are for the provision of a service or performance of a function or activity that we are otherwise authorized by law to perform."

Councilmember Freeman, "We get that though the interlocal agreement."

Mr. Dalton, "Yes that, if I am following you right, that is what I think. The interlocal agreement allows us to work with the American Legion to provide this for the community."

Mrs. Taylor, "I think the 'loan' is the piece that I am hung up on."

Mr. Dalton, "Well, how do you say what Gastonia did with Gaston County Schools?"

Mrs. Taylor, "Did they loan them the money?"

Mr. Dalton, "I think they probably just gave them the money."

Councilmember Hovis, "I think the "loan" is the sticky word."

Mrs. Taylor, "I think I told you wrong when I talked to you earlier today. I think the loan is more sticky than to just give them the money."

Councilmember Abernethy, "Do we need to table this until our work session?"

Mr. Dalton, "We need to get started."

Mrs. Taylor, "You could give the money anticipating that the revenues will be brought back through visitors tax dollars and things like that, as opposed to, repayment of any kind of loan."

Councilmember Abernethy, "I don't know that it actually says loan, does it?"

Mr. Dalton, "I don't know for sure. So, do you think we just need to take that part out?"

Mrs. Taylor, "I think that the American Legion can just volunteer to give the funds back."

Mr. Dalton, "There are too many situations like this, I know the City of Lincolnton has done it, the City of Gastonia has done it, because they buy restaurants and rent them. That happens all the time, so I know that it is possible."

Councilmember Hovis, "Could it be handled that you're going to have a document with the American Legion? I mean it can kind of be handled on the back side of that, and not use the word loan."

Mrs. Taylor, "I mean they can make a pledge to commit funds to the city."

Councilmember Puett, "We just need to change the wording on the bottom."

Councilmember Hovis, "I just want to make sure."

Mrs. Taylor, "Absolutely Councilmember Hovis I totally agree. We want to do it the right way."

Mr. Dalton, "You know my thing to is, we have talked about this with commissioners, obviously that use to be City of Cherryville property and you know that, all of that property used to belong to the City of Cherryville City Schools. So, there is talk now where if Gaston County ever does build another high school, all that property automatically comes back to the City of Cherryville. The baseball field, the gym, the football field, it comes back because the City of Cherryville is who built that. That's who did it."

Mrs. Taylor, "Then that would certainly be repayment right, to have your improvement back home."

Councilmember Freeman, "Let's just change it to say Cherryville supports funding."

Mrs. Taylor, "Yes I would just take out the word loan."

Mr. Dalton, "Take out the word loan."

Mrs. Taylor, "Helping with funds."

Mr. Dalton, "Then we just need to have an agreement with the American Legion."

Councilmember Freeman, "As donations come in, they all would be donated to the city."

Councilmember Abernethy, "I make a motion to approve the resolution with the change in the bottom paragraph to state, now therefore be it resolved that the City Council of the City of Cherryville supports helping the Cherryville American Legion fund having the turf installed at John L. Buck Fraley Field."

Councilmember Freeman, "Make that sound good Paige."

Councilmember Freeman seconded the motion and the vote was unanimous. Below is a copy of the revised resolution:



RESOLUTION OF SUPPORT TO HELP FUND HAVING TURF PLACED ON
JOHN L. "BUCK" FRALEY FIELD

WHEREAS, Baseball has been a loved and important past time in the City of Cherryville; and

WHEREAS, Cherryville teams have been highly successful throughout the years and brought positive publicity to Cherryville over the years; and

WHEREAS, Numerous improvements have been made to John L "Buck" Fraley field over the past year that has enabled Cherryville to host the 2024 and 2025 NC American Legion State Tournament; and

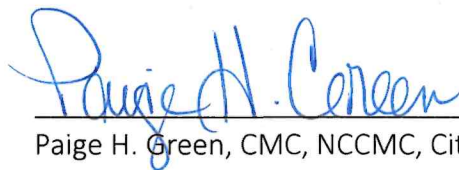
WHEREAS, Cherryville American Legion and the City of Cherryville would like to continue making improvements and host large events in the future; and

WHEREAS, The City of Cherryville, American Legion Post 100 and private sponsorships are committed to making improvements to ensure Cherryville, NC as a destination for future events; and

WHEREAS, hosting these events are often a driver to the local economy with individuals coming to shop and eat in local businesses; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cherryville, supports helping fund the Cherryville American Legion to have turf installed at John L "Buck" Fraley Field.

Adopted this 9 day of September 2024.


Paige H. Green, CMC, NCCMC, City Clerk


Jill P. Puett, Mayor Pro-tem
(SEAL)

**CONSIDERATION OF RESOLUTION TO SURPLUS CITY PROPERTY/EQUIPMENT TO GOV-DEALS,
CITY MANAGER BRIAN DALTON:**

City Manager Dalton asked for consideration for the following resolution to put city equipment/property on Gov. Deals:



**RESOLUTION AUTHORIZING DISPOSITION OF
SURPLUS PERSONAL PROPERTY/EQUIPMENT**

WHEREAS, G.S. Chapter 160A-265 authorizes local government units to dispose of property/equipment in governmental use; and,

WHEREAS, the City of Cherryville desires to dispose of certain property/equipment of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherryville that:


1. The following property/equipment is hereby declared to be surplus:


Decorative Lamp Post from Main Street

2. The City Manager is authorized to dispose of the described property utilizing any means permitted by G.S. 160A-265 - 160A-270.

Duly adopted the 9 day of September 2024.


Paige H. Green, CMC, NCCMC, City Clerk


Jill P. Puett, Mayor Pro-tem



Below is the lamp post from Main Street that staff would like to put on Gov. Deals:





Councilmember Hovis made a motion to approve the lamps post off of Main Street being put on Gov. Deals. Councilmember Abernethy seconded the motion and the vote was unanimous.

CONSIDERATION FOR CHANGE OF VENUE FOR WORK SESSION FOR SEPTEMBER 24, 2024:

Mayor Pro-tem asked for a motion for a change of venue for the Tuesday September 24, 2024 work session meeting at 5:30. A change of venue is needed because Mr. Steve Panton has the draft presentation ready for the Main Street Vacant building ordinance.

Councilmember Abernethy made a motion to change the regular scheduled work session meeting from the W.J. Allran Council Chambers, to the Cherryville Fire Department training room for the presentation. Councilmember Freeman seconded the motion and the vote was unanimous.

CONSIDERATION OF ANNEXATION PETITION RE: DOLLAR TREE @2301 LINCOLNTON HWY (GIS PARCEL #312590), PLANNING & ZONING DIRECTOR RICHARD ELAM:

Planning & Zoning Director Richard Elam approached the podium to share that on September 4, Piedmont Companies filed a petition for annexation into the city limits of Cherryville. Piedmont Companies also paid the \$400.00, application fee. Piedmont companies met with Mr. Elam regarding the annexation into the city limits. Piedmont Companies is building the new Dollar Tree on Lincolnton Hwy. Mr. Elam explained that Piedmont Companies provided all the information required for the annexation which include a map of the area, a written description of the metes and bounds, and a copy of the recorded deed. Mr. Elam asked council for consideration to approve the resolution directing the city clerk to investigate the petition received under NCGS 160A-31. Below is a copy of that resolution:



RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A

A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on September 9th, 2024 by the City of Cherryville; and

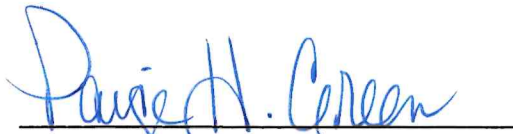
WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigate by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Cherryville deems it advisable to proceed in response to this request for annexation;

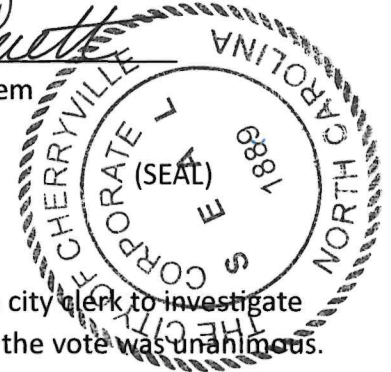
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherryville that:

The City Clerk is hereby directed to investigate the sufficiency of the above, described petition and to certify as soon as possible to the City Council the result of her investigation.

Adopted this 9 day of September 2024.


Paige Green, CMC, NCCMC, City Clerk


Jill P. Puett, Mayor Pro-tem



Councilmember Hovis made a motion to approve the resolution to direct the city clerk to investigate the annexation petition. Councilmember Freeman seconded the motion and the vote was unanimous.

Mr. Elam explained that the city clerk has investigated the annexation petition and has provided a Certificate of Sufficiency.




CERTIFICATE OF SUFFICIENCY

To: The City Council of the City of Cherryville, North Carolina,

I, Paige H. Green, City Clerk, do hereby certify that I have investigated the Annexation Petition of 2301 Lincolnton Hwy., for contiguous annexation of certain property known as Dollar Tree, and have found as a fact that said Petition is signed by all of the owners of real property lying in the area described therein in accordance with North Carolina General Statutes §160A-58. The undersigned therefore certifies that the Petition is sufficient for the voluntary annexation of a contiguous area pursuant to NCGS §160A-58.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the City of Cherryville this 9 day of September 2024.




Paige H. Green, CMC, NCCMC, City Clerk

Mr. Elam asked for consideration of the resolution to set a date for a public hearing regarding the annexation petition. Councilmember Hovis made a motion to set a date for a public hearing for Monday October 14, 2024, at 6:00 pm, in the W.J. Allran Council Chambers, for consideration of the annexation petition for 2301 Lincolnton Hwy. Councilmember Abernethy second the motion and the vote was unanimous.

OTHER BUSINESS:

Councilmember Hovis asked when paving would begin in the city. Mr. Dalton responded saying the city will be taking bids starting this week for this paving. The street that are at the top of the list are:

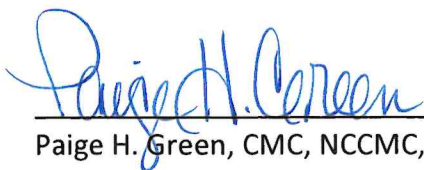
1. Elm street at Highway 150 to Main Street (24,200 square feet)
2. Styers street at Ballard to Old Post (31,200 square feet)
3. Rudisill at Main Street to Pine (19,800 square feet)
4. Pine Street to Main Street (37,600 square feet)

Councilmember Hovis also asked about the drainage pipe on N. Pink Street and Sixth Street, asking when it would be installed. Public Works Director Chris J. King shared that he is waiting on a few more items to come in to start that project.

ADJOURNMENT:

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

Adopted this 14 day of October 2024.


Paige H. Green, CMC, NCCMC, City Clerk


Jill P. Puett, Mayor Pro-tem

