



REGULAR CITY COUNCIL MEETING
MONDAY APRIL 12, 2021 @ 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/Fire Chief Jeff Cash, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Public Works Director Brandon Abernathy, Finance Director Dixie Wall, Downtown Director David Day, and Police Lieutenant Brandon Parker were also present. Michael Powell of the Cherryville Eagle was present for media coverage.

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

Pastor Keith Huss of Mt. Zion Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE:

Everyone stood and recited the Pledge of Allegiance.

AGENDA APPROVAL:

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

APPROVAL OF MINUTES:

Councilmember Puett made a motion to approve the minutes from the March 8 city council meeting as well as the March 30 work session meeting. Councilmember Parker seconded the motion and the vote was unanimous.

MAYOR'S COMMENTS:

City Council has been made aware and I would like to take this opportunity to make all of our citizens aware that on March 11, Congress passed the American Rescue Plan, which was signed

into bill on March 14th. This is good news for all 19,000 plus cities in the United States including Cherryville. They have completed the distribution formula which is subject to change, but as of present Cherryville will receive \$890,000 in June and \$890,000 next year for a total of \$1.78 million dollars. This funding will come directly to us. It will require much reporting with lots of strings attached and it will also require audits. We have learned that the following are likely areas where funding will be allowed:

- + Water and sewer improvements
- + Stormwater Compliance
- + ADA Compliance
- + Recreation
- + COVID Salary Replacement
- + Equipment Replacement
- + Others

Items that will most likely not be included for the city:

- + Roads
- + Contributions to retirement funds
- + Debt cancellation
- + Other areas

This is great news for the city of Cherryville.

We will keep Council and citizens informed over the coming months.

I want to share the following email I received this past Thursday from the N.C. Department of Transportation:

2021 Spring Litter Sweep will be taking place April 10-24. Even country music artist Luke Combs is getting involved. N.C. native Luke Combs calls upon all North Carolinians to keep the state beautiful and keep litter off roadways. He is quoted as saying, "We are from one of the most beautiful places in the world, and we need to do our part to help keep it that way." Everyone can do their part by:

1. Securing their loads before driving. Unsecured trash can fly from a vehicle and end up at roadside litter.

2. Holding onto trash until it can be disposed of properly. Keep a litter- bag in your vehicle so you can properly dispose of trash later.

3. Recycling when possible. Recycling protects the environment, saves landfill space and keeps the community clean.

NCDOT has also recently instituted the [Swat-A-Litterbug](#) web tool, which allows people to report others who contribute to highway pollution.

In closing, your mayor has applied to the UNC School of Government to attend the Advanced Leadership Corps' six-day residential program to be held in August 2021.

This program is limited to 24 participants chosen from hundreds of applicants. Preference will be given to those who have served more than one term of office. I will certainly be hopeful that I will be chosen as one of the 24 participants.

This concludes the Mayor's Comments for this evening.

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 CLERK AT THE MEETING BEFORE THE MEETING BEGINS):

No citizens spoke at the meeting.

SPECIAL RECOGNITION OF EMPLOYEE'S YEARS OF SERVICE, MAYOR H.L. BEAM:

Mayor Beam recognized Teddy Sigmon, of the public works department, for having five years of service with the City of Cherryville. Mayor Beam presented Teddy with a certificate.

CONSIDERATION OF FINAL RESOLUTION FORMALLY AUTHORIZING THE SALE OF \$8,700,000 IN PUBLIC IMPROVEMENT BONDS, CITY MANAGER JEFF CASH:

City Manager Jeff Cash asked Council to consider approving the final resolution for the bonds. The resolution is as follows:

Resolution for the Sale of Public Improvements Bonds

WHEREAS --

The voters of the City of Cherryville have previously approved the issuance of City general obligation bonds in the amounts of (a) up to \$3,300,000 to pay capital costs of downtown improvements, (b) \$3,600,000 to pay capital costs of water system improvements, and (c)

\$1,800,000 to pay capital costs of sewer system improvements. City has not yet issued any of these bonds.

The City Council has now determined that the City should issue all \$8,700,000 of the authorized but unissued bonds.

This resolution provides for the issuance of these bonds and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

BE IT THEREFORE RESOLVED by the City Council of the City of Cherryville, North Carolina, as follows:

1. City Will Sell Bonds - The City will issue and sell all of the authorized and unissued bonds described above (referred to as the "Bonds" in this resolution) for their authorized purposes. The bonds will be sold together as a single issue to be designated "Public Improvement Bonds."

2. Payment Provisions. The Bonds will bear interest at the rates determined at the time of their sale by the Local Government Commission (currently scheduled for May 18). The principal of the Bonds will be payable in annual installments as the Finance Officer may determine after consultation with the LGC, except that the final maturity for the Bonds must not extend beyond December 31, 2041.

3. Pledge of Faith, Credit and Taxing Power -- The City's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City will levy and collect an annual ad valorem tax, without restriction as to rate or amount, on all locally taxable property in the City sufficient to pay the principal of and interest on the Bonds as the same become due.

4. Approval of Official Statement for Offering - There has been made available to the Mayor and each member of the Council a draft of an official statement (the "Official Statement") relating to the Bonds, which is designed to provide appropriate information about the City and the financing to prospective investors in the Bonds. The draft Official Statement remains subject to completion and amendment.

The Council approves the LGC's distribution of the Official Statement to prospective purchasers of the Bonds. The Official Statement as distributed must be in substantially the form presented to this meeting, which the Council approves, with changes as the Finance Officer may approve. The Council ratifies the prior actions of the Finance Officer and other City representatives, in collaboration with the LGC staff, in preparing the text of the Official Statement.

The Council acknowledges that it is the City's responsibility, and ultimately the Council's responsibility, to ensure that the Official Statement in its final form neither contains an untrue statement of a material fact nor omits to state a material fact required to be included therein for the purpose for which the Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading. By the adoption of this resolution, the Council members acknowledge and accept their own responsibility for causing the City to fulfill these responsibilities for the Official Statement.

The City deems the Official Statement as distributed by the LGC to be a "final official statement" within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), except for the omission of certain final Bond pricing and other information that Rule 15c2-12 allows to be omitted.

5. *Prepayment Provisions* – The Council directs the Finance Officer, upon advice from the LGC, to determine the terms and conditions under which the Bonds will be subject to prepayment prior to maturity. The Finance Officer shall execute a certificate prior to the initial delivery of the Bonds designating prepayment terms and conditions. This certificate will be conclusive evidence of the Finance Officer's determination of these terms and conditions.

6. *Form of Bonds; Payment Details* -- The Bonds will be designated "General Obligation Public Improvement Bonds, Series 2021." The Bonds will be in substantially the form set out in Exhibit A. The Bonds will be dated the date of their initial issuance, will be in fully registered form, will be in denominations of \$5,000 and integral multiples thereof and will be numbered for identification from R-1 upward.

The Bonds must be signed by the manual or facsimile signature of the Mayor or the City Manager, and the City's seal must be affixed to the Bonds (or a facsimile of the seal printed on the Bonds) and attested by the manual or facsimile signature of the City Clerk or any Deputy or Assistant Clerk. No Bond will be valid unless at least one of the signatures appearing on the Bond (which may be the signature of the LGC's representative required by law) is manually applied or until the Bond has been authenticated by the manual signature of an authorized officer or employee of a bond registrar selected by the Finance Officer.

Interest on each Bond will be payable semiannually (a) from its date, if it is authenticated prior to the first interest payment date, or (b) otherwise from the interest payment date that is, or immediately precedes, the date on which it is authenticated (unless payment of interest is in default, in which case such Bond will bear interest from the date to which interest has been paid). Principal and interest will be payable in lawful money of the United States of America. Interest will be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Council directs the Finance Officer to execute a certificate prior to the initial delivery of the Bonds designating the final aggregate principal amount of the Bonds (up to the maximum authorized amount of \$8,700,000), the final principal payment schedule, and the interest payment dates for the Bonds. This certificate will be conclusive evidence of the Finance Officer's approval and determination of these matters.

7. Finance Officer as Registrar; Payments to Registered Owners -- The Council appoints the Finance Officer as Registrar for the Bonds. As Registrar, the Finance Officer shall maintain appropriate books and records of the ownership of the Bonds. The City will treat the registered owner of each Bond as the person exclusively entitled to payment of principal, interest and any prepayment premium and the exercise of all rights and powers of the owner, except that the City will make payments to the person shown as owner on the registration books at the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

8. Advertising Bonds for Sale – The Council directs the Finance Officer, in collaboration with the LGC, to take all proper steps to advertise the Bonds for sale in accordance with standard LGC procedures, including through the use of a "Notice of Sale" document in the LGC's customary form. The Council directs the Finance Officer to review and approve a form of Notice of Sale as that officer may determine to be in the City's best interest.

9. LGC To Sell Bonds – The City asks the LGC to sell the Bonds, to receive and evaluate bids and to award the Bonds based on the best bid received.

10. Completing Official Statement after Sale – After the LGC has received bids and awarded the Bonds to the successful bidder, the Council directs the Finance Officer, in collaboration with the LGC, to prepare a final Official Statement within the meaning of Rule 15c2-12. The Council authorizes the Finance Officer to approve the final document as a final Official Statement. The City, together with the LGC, will arrange for the delivery within seven business days of the sale date of a reasonable number of copies of the final Official Statement to the successful bidder on the Bonds for delivery to each potential investor requesting a copy of the final Official Statement and to each entity to which the bidder and members of the bidding group initially sell the Bonds.

11. City Officers To Complete Closing – The Council authorizes the Finance Officer and all other City officers and employees to take all proper steps to deliver the Bonds to the purchaser upon payment for the Bonds, and to take all other proper steps to complete the issuance of the Bonds.

The Council authorizes the Finance Officer to hold the executed Bonds, and any other documents permitted by this resolution, in escrow on the City's behalf until the conditions for the delivery of the Bonds and other documents have been completed to the Finance Officer's

satisfaction. The Finance Officer may then release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council specifically authorizes the Finance Officer to approve changes to any documents previously signed by City officers or employees, provided that the Bonds must be in substantially the form approved by this resolution and that any changes must not substantially alter the intent of the document from that expressed in the form originally executed. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of that officer's approval of any such changes.

In addition, the Council authorizes the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the City's on-going responsibilities with respect to the Bonds. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Bonds, this resolution, or otherwise with respect to the Bonds.

12. Undertaking for Continuing Disclosure -- The City undertakes, for the benefit of the beneficial owners of the Bonds, to provide continuing disclosure with respect to the Bonds as described in Exhibit B.

The Council designates the Finance Officer as the City officer to be primarily responsible for the City's compliance with its undertakings for continuing disclosure provided for in this resolution. The Finance Officer will provide for the filings and reports (including the reports of material events) constituting the continuing disclosure provided for in this resolution.

13. Resolutions as to Tax Matters -- The City will not take or omit to take any action, the taking or omission of which will cause the Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City will comply with any Code provision that may require the City at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Bonds, and the City will pay any such required rebate from its general funds. For this paragraph, "Code" means the United States Internal Revenue Code of 1986, as amended, including applicable Treasury regulations.

14. Bonds Are "Bank-Qualified" Obligations -- The City designates the Bonds as "qualified tax-exempt obligations" for the purpose of Code Section 265(b)(3), which provides

beneficial income tax treatment for interest on the Bonds in the hands of certain financial institutions.

15. Book-Entry System for Bond Registration -- The City will issue the Bonds by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. The book-entry system for registration will operate as described in the Official Statement. Therefore, so long as the book-entry system of registration with DTC is in effect, (a) the City will make Bond payments only to DTC or its nominee as registered owner of the Bonds, (b) the City will not be responsible or liable for any transfer of payments to parties other than DTC or for maintaining, supervising or reviewing the records maintained by DTC or any other person related to the Bonds, and (c) the City will not send redemption notices (or any other notices related to the Bonds) to anyone other than DTC or its nominee. The Council, by resolution, may elect to discontinue the City's book-entry system with DTC. The Council authorizes the Finance Officer to enter into any agreements such officer deems appropriate to put into place and carry out the book-entry system with DTC.

16. Ratification of Professionals - The Council confirms the selection of (a) of Sanford Holshouser LLP to serve as the City's bond counsel with respect to the Bonds, and (b) of Davenport & Company LLC to serve as the City's financial advisor..

17. Finding as to Useful Life and Term of the Bonds – The Council finds and determines that the average weighted maximum useful life of the projects to be financed with the proceeds of the Bonds is at least twenty-five years, subject to ordinary maintenance for projects of this type, and therefore the term of the Bonds will be within such maximum useful life.

18. Miscellaneous Provisions – The Council authorizes all City officers and employees to take all such further action as they may consider desirable in carrying out the purposes of this resolution. The Council ratifies all prior actions of City officers and employees in this regard. Upon the absence, unavailability or refusal to act of the Mayor, the City Manager or the Finance Officer, any of such officers may assume any responsibility or carry out any function assigned to another officer in this resolution. In addition, upon the unavailability of the Mayor or the Clerk, respectively, any of the rights or responsibilities directed to such officers may be carried out or exercised by the Mayor Pro Tem or any Deputy or Assistant Clerk. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

EXHIBIT A - Form of Bonds

REGISTERED

REGISTERED

Number R-X

UNITED STATES OF AMERICA

STATE OF NORTH CAROLINA

CITY OF CHERRYVILLE

General Obligation Public Improvement Bond, Series 2021

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	November 1, ____	June 3, 2021	XXX XXX XXX

REGISTERED OWNER: *****

PRINCIPAL AMOUNT: ***** THOUSAND DOLLARS

(\$____,000)***

THE CITY OF CHERRYVILLE, NORTH CAROLINA (the "City"), for value received, promises to pay to the registered owner of this Bond, or registered assigns or legal representative, the principal amount stated above on the maturity date stated above, subject to prior redemption as described below, and to pay interest on this Bond semiannually on each May 1 and November 1, beginning November 1, 2021, at the annual rate stated above. Interest is payable (a) from the dated date stated above, if this Bond is authenticated prior to November 1, 2021, or (b) otherwise from the May 1 or November 1 that is, or immediately precedes, the date on which this Bond is authenticated (unless payment of interest on this Bond is in default, in which case this Bond will bear interest from the date to which interest has been paid).

This Bond is one of an issue of the City's \$8,700,000 General Obligation Public Improvement Bonds, Series 2021 (the "Bonds"), of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity. The Bonds are issued pursuant to a resolution adopted by the City's governing City Council on April 12, 2021, and the Constitution and laws of the State of North Carolina, including the Local Government Bond Act.

The City's full faith and credit are pledged for the payment of principal of and interest on this Bond.

The City will make all payments in lawful money of the United States. Interest is calculated based on a 360-day year consisting of twelve 30-day months.

The Bonds are issued by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. Transfer of beneficial ownership interests in the Bonds in the principal amount of \$5,000 or any integral multiple thereof will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Principal, and interest on the Bonds are payable by the City to DTC or its nominee as registered owner of the Bonds. The City is not responsible or liable for such transfer of ownership or payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Bonds maturing prior to November 1, 2032, are not subject to redemption prior to maturity. Bonds maturing on November 1, 2032, and thereafter are redeemable, at the City's option, from any moneys that may be made available for that purpose, in whole or in part on any date not earlier than November 1, 2031, at a redemption price of 100% of the principal amount to be redeemed, plus interest accrued to the redemption date, without premium.

If less than all of the Bonds stated to mature on different dates are called for redemption, the City will select the Bonds to be redeemed in such manner as the City may determine. If less than all of the Bonds of any one maturity are called for redemption, the particular Bonds or portions of Bonds to be redeemed from that maturity will be selected by lot in such manner as the City in its discretion may determine; provided, however, that the portion of each Bond to be redeemed will be in the principal amount of \$5,000 or some integral multiple thereof, and that, in selecting Bonds for redemption, each Bond will be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Notwithstanding the foregoing, so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants will determine which of the Bonds within any such maturity are to be redeemed. If a portion of a Bond is called for redemption, the City will issue a new Bond to the registered owner in a principal amount equal to the unredeemed portion, upon the registered owner's surrender of the Bond.

The City will send notice of redemption to DTC or its nominee as the registered owner of the Bonds in such manner as may be provided for under DTC's then-current operating procedures. The City will send this notice not more than 60 days and not less than 30 days prior to the date fixed for redemption. The City is not responsible for sending redemption notices to anyone other than DTC or its nominee.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the City so elects, the City will discontinue the book-entry system with DTC. If the City does not identify another qualified securities depository to replace DTC, the City will deliver replacement Bonds in the form of fully registered certificates.

The City Finance Officer has been appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records indicating ownership of the Bonds. The City will treat the registered owner of this Bond as the person exclusively entitled to payment of principal, [premium, if any,] and interest and the exercise of all other rights and powers of the owner, except that the City will make Bond payments to the person shown as owner on the City's registration books on the **Record Date**, which is the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

The City has designated the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The City intends that North Carolina law will govern this Bond and all matters of its interpretation.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and laws of the State of North Carolina.

IN WITNESS WHEREOF, the City of Cherryville, North Carolina, has caused this Bond to be signed by its City Manager, its seal to be affixed hereto and attested by the City Clerk and this Bond to be dated June 3, 2021.

(SEAL)

ATTEST:	
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<p><u><i>[Sample only - do not sign]</i></u></p> <p>City Clerk</p> <p>City of Cherryville, North Carolina</p>	<p><u><i>[Sample only - do not sign]</i></u></p> <p>City Manager</p> <p>City of Cherryville, North Carolina</p>
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The Bonds have been approved by
the North Carolina Local Government
Commission in accordance with the
Local Government Bond Act.

[Sample only - do not sign]

Sharon G. Edmundson
Secretary, Local Government Commission

[City of Cherryville, North Carolina

[\$8,700,000 General Obligation Public Improvement Bonds, Series 2021]

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type transferee's name and address, including zip code)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OR TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

<p>Signature Guaranteed:</p> <p>_____ NOTICE: Signature(s) must be _____ guaranteed by a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program</p>	<p>_____ (Signature of Registered Owner)</p> <p>NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular without alteration or enlargement or any change whatsoever.</p>
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[City of Cherryville, North Carolina

[\$8,700,000 General Obligation Public Improvement Bonds, Series 2021]

Exhibit B -- Undertaking for Continuing Disclosure

The City undertakes, for the benefit of the beneficial owners of the Bonds, to provide the following items and information to the Municipal Securities Rulemaking Board (the "MSRB"):

- (a) by not later than seven months from the end of each of the City's fiscal years, beginning with the year ending June 30, 2021, audited City financial statements for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements are not available by seven months from the end of any fiscal year, unaudited City financial statements for such fiscal year, to be replaced subsequently by audited City financial statements to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each of the City's fiscal years, beginning with the year ending June 30, 2021, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year (which data will be prepared at least annually, will specify the date as to which such information was prepared and will be delivered with any subsequent material events notices specified in subparagraph (c) below) for the type of information included under heading "The City - Debt Information" and "- Tax Information" in the final Official Statement (excluding any information on overlapping or underlying units), and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modifications to rights of the beneficial owners of the Bonds, if material;
- (8) calls for redemption of the Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar proceedings related to the Town or any other person or entity that may at any time become legally obligated to make payments on the Bonds (collectively, the "Obligated Persons");

(13) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation (as defined below) of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

“Financial obligation” means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of an obligation described in either clause (a) or (b). The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

If the City fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking will not be an event of default and will not result in any acceleration of payment of the Bonds. All actions will be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The City shall provide the documents and other information referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The City may discharge its undertaking as set forth in this resolution by providing such information in any manner that the United States Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

The City reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the City's judgment, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the City;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the City or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of the bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the effect of the change in the type of operating data or financial information being provided.

The approval of this resolution takes several actions:

1. Formally authorizes the sale of all \$8,700,000 in public improvements bonds;
2. Formally pledges the City's taxing power to provide for payment on the bonds, if that becomes necessary;
3. Approves the proposed form of the bonds themselves;
4. Approves the form of the draft official statement for use in offering bonds to investors;
5. States the City's agreement to comply with the relevant provisions of federal tax law and the federal rules for continuing disclosure to the securities markets; and
6. Authorizes City staff to complete the process of issuing the bonds, and approves the steps to that end previously taken.

Mr. Bob Jessup, of Sanford Holshouser Law Group, was present to answer any questions that Council may have concerning the approval of the final resolution.

Councilmember Abernethy made a motion to approve the resolution as written, authorizing the sale of \$8,700,000 in public improvement bonds. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF BID AWARDS RE: DOWNTOWN SEWER REHABILITATION, WATER LINE CONSTRUCTION, AND DOWNTOWN REVITALIZATION, CITY MANAGER JEFF CASH:

City Manager Jeff Cash shared a letter asking for approval of the following constructions companies for the downtown sewer rehabilitation, the water line construction, and the downtown revitalization:

After much work, deliberation and study, we recommend that the City Council award the contracts to the following bidders for the downtown projects:

- Downtown Sewer Rehab - CaJenn Construction & Rehabilitation Services, Inc.
- Water Line Construction - Sealand Contractors Corp.
- Downtown Revitalization - Sealand Contractors Corp.

These bids have been approved by our engineering firm, Wright & Associates, as well as Frazier Engineering. The above contractors are also recommended by City staff for our bond projects. We would like for you to review these documents prior to the April 12th regular City Council meeting, at which time we will ask you to formally adopt the above bids. Should you have any questions, let me know.

Councilmember Abernethy made a motion to award the downtown sewer rehabilitation to CaJenn Construction & Rehabilitation Services, Inc., the water line construction and the downtown revitalization to Sealand Construction Corporation. Councilmember Freeman seconded the motion and the vote was unanimous.

PUBLIC HEARING RE: WERT STREET, WEBB STREET, AND A PORTION OF HOWELL STREET CLOSINGS, MAYOR H. L. BEAM:

Mayor Beam asked for a motion to enter into a public hearing. Councilmember Parker made a motion to enter into a public hearing. Councilmember Puett seconded the motion and the vote was unanimous. The following has been completed for the public hearing:

STREET CLOSING STEPS PER NC GENERAL STATUE 160A-299

At the regular meeting of the City of Cherryville's work session meeting on Tuesday February 23, 2021, the City Council adopted the **Resolution of Intent**, and also set a "**Public Hearing**" date of April 12, 2021, for the closing of Wert Street, Webb Street, and a portion of Howell Street.

The **Resolution of Intent** and **Legal Notice of Public Hearing** was published for four (4) consecutive weeks: Wednesday March 17, Wednesday March 24, Wednesday March 31, and Wednesday April 7, in the Cherryville Eagle.

On March 24, 2021, a copy of the **Resolution of Intent** and a **Legal Notice of Public Hearing** was posted at the corner of Wert and Styers Street, and at the corner of Sigmon and Academy Streets. The notice was also posted in the front and back lobbies of Cherryville's City Hall.

Tonight's April 12, 2021 **Public Hearing**, is just another step in the process per NC General Statue 160A-299. Tonight's **Public Hearing** is to discuss and vote on the **Resolution of Order to Permanently Close Wert, Webb and a portion of Howell streets**.

My office has not heard from any abutting property owners regarding this matter.

Respectfully,

Paige H. Green

City Clerk

Mayor Beam asked if any citizen would like to speak during the public hearing. No citizens spoke.

Mayor Beam asked for a motion to exit the public hearing. Councilmember Parker made a motion to exit the public hearing. Councilmember Puett seconded the motion and the vote was unanimous.

Mayor Beam shared that there is also a resolution and order in the agenda package too permanently close Webb Street, Wert Street and a portion of Howell Street. Below is a copy of the resolution:



A RESOLUTION AND ORDER PERMANENTLY CLOSING WERT STREET,

WEBB STREET, AND A PORTION OF HOWELL STREET

WHEREAS, on February 23, 2021 City Council of the City of Cherryville directed the City Clerk to publish a Resolution of Intent of the City Council to consider closing that portion of Wert Street extending from the eastern edge of the right of way for Sigmon Street (northwestern corner of the 8.14 acre parcel shown on the aforesaid survey) to the western edge of the right of way for Putnam Street (southeastern corner of the 2.86 acre parcel shown on the aforesaid survey), that portion of Webb Street that traverses the 8.14 acre parcel shown on the aforesaid survey, and that portion of Howell Street that traverses the 8.14 acre parcel shown on the aforesaid survey (all designated areas highlighted in yellow on the attached survey): and,

WHEREAS, said publication was to be accomplished in the Cherryville Eagle, once a week for four successive weeks advising the public that a public hearing would be conducted in the training room of the Cherryville Fire Department located at 411 E. Church Street on April 12, 2021 at 6:00 pm and,

WHEREAS, the City Clerk was further instructed to notify all persons owning property abutting the affected portion of said street of the scheduled public hearing by copy of the Resolution of Intent, and that said notice of public hearing be posted in two places on the affected portion of Wert Street, Webb Street and a portion of Howell Street; and,

WHEREAS, the City Clerk has advised the City Council that on the date directed, she sent a notice to each of said abutting property owners advising that of the date, time and place of the public hearing by copy of the City Council's Resolution of Intent and advising said abutting property owners that the question as to the closing of said portion of streets would be acted upon, said notices having been mailed and,

WHEREAS, the City Clerk has advised the City Council that none of the notices so sent have been returned undelivered; and,

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said streets; and,

WHEREAS, it now appears to the satisfaction of the City Council the closing of said streets is not contrary to the public interest and that no individual owning property abutting the street, will as a result of said closing, be thereby deprived of a reasonable means of ingress and egress to their property; and,

WHEREAS, it appears to the satisfaction of the City Council that the closing of said right of way will not be in conflict with the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRYVILLE, NORTH CAROLINA:

Section 1. That Wert Street extending from the eastern edge of the right of way for Sigmon Street (northwestern corner of the 8.14 acre parcel shown on the aforesaid survey) to the western edge of the right of way for Putnam Street (southeastern corner of the 2.86 acre parcel shown on the aforesaid survey), that portion of Webb Street that traverses the 8.14 acre parcel shown on the


aforesaid survey, and that **portion of Howell Street** that traverses the 8.14 acre parcel shown on the aforesaid survey (all designated areas highlighted in yellow on the attached survey) as situated within the City of Cherryville is hereby permanently closed and all rights, title and interest that may be vested in the public to said areas for street purposes is hereby released to the abutting property owners in accordance with Chapter 160A-299, as amended, of the North Carolina General Statutes.

Section 2. The City Clerk is hereby authorized and directed to file in the office of the Register of Deeds of Gaston County a certified copy of this resolution ordering the closing of Wert Street extending from the eastern edge of the right of way for Sigmon Street (northwestern corner of the 8.14 acre parcel shown on the aforesaid survey) to the western edge of the right of way for Putnam Street (southeastern corner of the 2.86 acre parcel shown on the aforesaid survey), that portion of Webb Street that traverses the 8.14 acre parcel shown on the aforesaid survey, and that **portion of Howell Street** that traverses the 8.14 acre parcel shown on the aforesaid survey (all designated areas highlighted in yellow on the attached survey).

Section 3. The City of Cherryville reserves its right, title, and interest in any utility improvement or easement with a street closed pursuant to this section. Such reservation also extends to utility improvements or easements owned by private utilities, which at the time of the street closings have a utility agreement or franchised with the City of Cherryville.

Section 4. This Resolution shall become effective upon its adoption and approval and will take effect on May 1, 2021.

Adopted and approved this 12 day of April 2021.



H.L. BEAM, Mayor

ATTEST:



PAIGE H. GREEN, CMC, NCCMC, City Clerk

APPROVED AS TO FORM:

PALMER HUFFSTETLER JR.
City Attorney

Councilmember Puett made a motion to adopt the resolution and order to permanently close Wert Street, Webb Street, and a portion of Howell Street. Councilmember Freeman seconded the motion and the vote was unanimous.

CONSIDERATION OF AGREEMENT RE: TERRACE ESTATES SUBDIVISION/BLACK ROCK SCHOOL ROAD WATER LINE UPGRADES, CITY MANAGER JEFF CASH:

City Manager Jeff Cash shared a letter with Mayor Beam and Council regarding the agreement with the City of Cherryville and Piedmont Companies Incorporated. Below you will find a copy of the agreement:

March 29, 2021

Jeff Cash
City Manager
City of Cherryville
116 South Main Street
Cherryville, NC 28021

RE: Terrace Estates Subdivision/Black Rock School Road Water Line Upgrade

Mr. Cash,

The Piedmont Companies is requesting that the fees outlined in your letter of February 19, 2021 for the water line improvements to be made to the Black Rock School Road area and the Terrace Estates subdivision be amended so that the fees are paid as the subdivision is developed. To compensate the City for this change, Piedmont Companies is asking to change the amount of the fee per lot be raised to \$1,200 from the \$1,000 per lot shown in your letter. The proposed fee changes would be made on the following lot take down schedule with Century Homes:

Phase	# Lots	Expected Date	Fee
One	30	January 2022	\$36,000
Two	13	July 2022	\$15,600
Three	15	January 2023	\$18,000
Four	18	July 2023	\$21,600

The proposed change in per lot fees will bring the total revenues provided by the Terrace Estates Subdivision for the water line project to \$91,200.

Thank you for considering this change.

Craig L. Upshaw
Commercial Developer

City Manager Cash explained that the new water line would be a \$200,000 project that the City of Cherryville will have to front. Mr. Cash explained also that this line will take care of water pressure issues in the area. He went on to say that, he is hoping that the Rescue Money will help with this project. This is not included in the new budget.

Councilmember Freeman made a motion to accept the agreement from Piedmont Companies Incorporated. Councilmember Puett seconded the motion and the vote was unanimous.

CONSIDERATION OF PROPOSED CITY POLICY RE: WATER TAPS FOR MAIN STREET REVITALIZATION, CITY MANAGER JEFF CASH:

City Manager Jeff Cash explained that a list of merchants on Main Street have been identified and will need to be contacted regarding the new 12" water line that will be installed. The new water line will be installed in the back alley. The businesses on the list below will need to change their service line to the back of their business. The list includes:

315 E. Main Street	204 E Main Street	217 E. Main Street
205 E. Main Street	211 E. Main Street	301 E. Main Street
127 E. Main Street	303 E. Main Street	126 E. Main Street
125 E. Main Street	120 W. Main Street	124 W. Main Street
123 E. Main Street	116 W. Main Street	208 E. Main Street
101 E. Main Street	126 W. Main Street	122 W. Main Street
206 E. Main Street	118 W. Main Street	210 E. Main Street
210 E. Main Street	100 S. Mountain Street	

Mr. Cash explained that the City of Cherryville will cover the cost of the new taps and meters but the merchants will be responsible for the cost of their service line from the new water line to their business. Mr. Cash shared that staff has put together an incentive plan that will be offered to the merchants. The incentive will allow the merchants listed above to apply for a grant of \$2,500 through the Main Street Program. Below is the criteria for the grant:

1. Each effected owner must apply for this up to \$2500.00 incentive assistant grant and the form must be turned into the Main Street Director.
2. A grant must be filled out per building.
3. The Public Works director has compiled a list of those business effected. (See Attached)

4. Each owner must submit for the proper permits and approval through Gaston County Building Inspections.
5. Copies of those permits must be included with the Grant application
6. The water taps for the buildings will be in the rear part of the buildings after the construction/revitalization is complete.
7. Once the construction/revitalization is complete, it is projected the front street side water source will be disconnected and no service will be available after a reasonable amount of time.
8. Once the city's new waterlines are approved by the proper officials, and operable, you will have up to 60 days to have this new connection to your building complete and inspected to receive the up to \$2500.00 grant. The specific dates will be advised once the construction of the water lines has begun.
9. Each owner can stub new water service out the back at any time during the city's construction/revitalization of main street.
10. The city has a list of plumbers, but we cannot recommend.
11. The city will pay up to \$2500.00 per building.
 - a. If you work/bill from the authorized plumber is \$500, your building will only receive the cost of the connection (\$500) not the entire \$2500.00.
12. A copy of the approved documents from the Gaston County inspector, a copy of the receipt/invoice from the plumber must be attached to receive this one-time grant.
13. If you have any questions, please contact the Public Works Manager, Downtown Director or City Manager.

After some discussion, Councilmember Parker made a motion to approve the Incentive Grant Program for Main Street merchants that will need to install a new service line. Councilmember Freeman seconded the motion and the vote was unanimous.

On Monday May 17, at 6:00 pm, there will be a meeting with the merchants on Main Street. The meeting is being held to explain this process and answer any questions that the merchants may have.

DISCUSSION OF DRAFT BUDGET, CITY MANAGER JEFF CASH:

City Manager Jeff Cash handed out the 2021-2022 proposed budget draft. He went over the highlights of the proposal and they are:

**CITY OF CHERRYVILLE
2021-22 FISCAL YEAR
DRAFT PROPOSAL BUDGET NOTES**

April 12, 2021

General Fund Highlights:

Revenue Changes: Planning and Zoning fees increase
Community Building Rental increase

Expenditure Changes:

Administration: Planning and Zoning Requested Software \$12,000 **(Not included)**

EDC: Moved CMSP and Director's Salary back to General Fund from Electric
(Using committed fund balance from donor in the amount of \$450,000 to cover
Expenditures of \$261,600 and debt service payment in the amount of \$188,400)

Police Department: Leasing a police vehicle from Enterprise Leasing
Facility Repairs – roof and plumbing \$66,000 **(Not included)**
Evidence Storage Bldg. \$17,000 **(Not included)**
Body Cams \$18,000 **(Not included)**

Fire Department: Requested defibrillators \$10,000 **(Not included)**

Public Works: No Change

Street: Requested ½ Street Sweeper \$137,500 **(Not included)**
½ New Dump Truck \$35,000 to pull leaf machine **(Not included)**
New Leaf Machine \$40,000 **(Not included)**

Powell Bill: Paving \$60,000 (Jane, Celia, and Ranbar)
Hampton Storm Drain Repair
½ Street Sweeper \$137,500
½ New Dump Truck \$35,000 to pull leaf machine **(Not included)**

Sanitation: Moved from General Fund to a self-supported Utility Fund

Recreation: Lawn Mower \$12,000 **(Not included)**
Storage Building \$10,000 **(Not included)**
Parking Lot \$60,000 **(Not included)**

Cemetery: Planting Scattering Grounds **(Not included)**

Electric Fund Highlights:

Revenue Changes:

- Residential – 5% decrease and develop a hardship rebate to credit eligible customers utility bill
- Commercial – No Change but change known customers to correct rate with the correct demand energy.
- Industrial – No Change
- OP-12 – Request to move to correct rate with economic rider and close this rate
- CP-98 - Request to move to correct rate with economic rider and close this rate

Expenditure Changes:

Repair Dock and Parking Lot \$25,000
Tree Trimming \$65,000
Cherrywood new underground \$95,000
Downtown electric improvement including Pink St and Depot Underground \$220,000
Right of Way mower \$76,000
Service Truck \$24,000

Water/Sewer Highlights:

Revenue Changes:

Change employee rate

Expenditure Changes:

Administration: Debt Service payment- \$169,000 for downtown water/sewer
Last payment on Lincolnton interconnect \$66,000
Black Rock Improvement \$100,000 (Not included)
Repair at pump station at REMC \$50,000
Compound AMI Water Meter \$25,000
F550 Truck with Utility Bed \$70,000

Water Plant: Replace #3 High Service Pump \$55,000 (Not included)

Wastewater: Roof on Ballard Pump Station \$20,000 (Not included)
Generator \$93,000 (Not included)

All Funds:

- Salary Adjustments (Year 2 of 3) Includes Fringes
 - General \$115,760
 - Electric \$43,630
 - Water/Sewer \$72,630
 - Sanitation \$21,400Total \$253,420

- Cola 1.5% Includes Fringes
 - General \$30,860
 - Electric \$9,280
 - Water/Sewer \$15,200
 - Sanitation \$4,100Total \$59,440

- Health Insurance increase 5%
- Dental Insurance Increase 5%
- General Retirement Increase 1.2% from 10.15% to 11.35%
- Law Retirement Increase 1.2% from 10.90% to 12.10%

Debt Service Increased by \$416,255 from FY 2021 to FY 2022

General - \$ 396,421

Water/Sewer - \$233,128

Notes:

***This is year two (2) of the salary adjustment for all full-time employees**

***I am recommending a 1.5% Cost of Living Adjustment (COLA)**

***I am requesting that we move Longevity pay from a cash number for years of service to a percentage of salary for years of service to make longevity meaningful for employees'.**

City Manager Cash explained that once he realized that Congress passed the American Rescue Plan, and it was signed into bill on March 14, he realized that Cherryville will receive \$890,000 in June and \$890,000 next year for a total of \$1.78 million dollars. Mr. Cash shared that the funds will require much reporting with lots of strings attached but it will likely create areas where funding will be allowed. Because of this, many items have been moved around in the proposed budget that these funds can cover. He went on to explain that the department heads had gotten together and came up with a list of the most critical items needed in their departments. Below is a list of those items:

American Rescue Plan (ARP) - \$1.78 Million Priority List

- Black Rock - \$200,000
- Westgate Park - \$350,000
- Body Cams (Police) - \$18,000
- Splash Pad - \$350,000
- Defibrillators (Fire) - \$10,000
- Police Department Facility Repairs (Roof & Plumbing) - \$66,000
- Police Department Evidence Storage Building - \$17,000
- Planning/Zoning Software - \$12,000
- High Service Pump (Water Plant) - \$65,000
- Raw Water Pump (Water Plant) - \$20,000
- Water Plant Road - \$50,000
- Lawn Mower (Recreation) - \$12,000
- Storage Building (Recreation) - \$10,000
- Little League Parking Lot - \$60,000
- Generator (Wastewater Plant) - \$93,000
- Roof at Ballard Pump Station (Wastewater Plant) - \$20,000
- Bridge at Ballard Pump Station - \$20,000
- ADA at City Hall - \$600,000
- ADA City-Wide
- Main Street to Peak Resources Water Line - \$1,000,000
- Sewer Line to Ballard Pump Station - \$1,000,000
- West Church (Hwy. 150) Water Line - \$1,200,000
- Street Sweeper ½ cost - \$137,500

City Manager Cash ask for Mayor Beam and Council to consider setting a date for a budget work session. After some discussion, a budget work session is scheduled for Saturday May 1, 2021 at 8:30 am at the Cherryville Fire Department.

CONSIDERATION OF CITY’S FEE SCHEDULE, CITY MANAGER JEFF CASH:

Mayor Beam shared that staff has worked to revised some city fees. Below is a copy of the proposed fees for consideration:

2021 REVISION OF FEES		EFFECTIVE DATE JULY 1, 2021	
<u>Administration</u>		<u>Current:</u>	<u>Increase To:</u>
Copies		\$.10 /per copy	Same
Late Fee		\$10.00 or 3% whichever is greater	\$15.00 or 3% whichever is greater
Disconnect Fee		\$35.00	\$50.00
After Hours Reconnect		\$15.00	\$25.00
Extension Fee		\$25.00	Same
Deposit for Services	Good	\$250.00 (\$100/Electric, \$100/Water, \$50 Sewer)	Same
	Credit		
	Bad		
	Credit	12 month avg times 2 of move in residence	Same
Tamper Fee		\$250/per occurrence	Same
Underground	New	\$150.00	\$250 for the 1st 100 feet and \$2/foot over 100 feet
	Existing	\$300.00	\$250.00 for the 1st 100 feet and \$2/foot over 100 feet
Area Light Installation		None	\$4 per foot after the 1st 150 feet
Overhead Area Light Installation		None	\$4 per foot after the 1st 150 feet
Temp Service		\$75.00	plus \$100 per pole \$125.00
Mowing Charge		\$85.00	Actual Cost plus \$100 in Admin Fees
Garbage Container		\$75.00	\$80.00
Special Refuse Pick up Fees	Levels	\$25.00	Same
		\$50.00	Same
		\$75.00	Same
		\$100.00	Same
<u>Water/Sewer Tap Fees</u>	Meters	3/4" meter - \$200.00	3/4" meter - \$250.00
		1" meter - \$300.00	1" meter - \$400.00
		over 1" meter - actual cost	Same
	Taps	3/4"- \$1100.00*	Same*
		1"- \$1100.00*	1"- \$1200.00*

		over 1" - actual cost plus 50% labor cost	Same
		4" Sewer - \$1300.00*	Same*
		6" Sewer - \$1800.00*	Same*
		*2X for outside customers	*Same
		Any boring or cutting involved in making taps - \$150.00	Same
		Any broken cut off valves or broken meters broken meters - Cost of meter	Any broken cut off valves or broken meters \$250.00
Community Building Rental	Inside	1 day - \$150.00	\$100.00 Damage Deposit
-		(Includes a refundable \$50.00 deposit)	plus \$50 cleaning fee
-		1/2 day - \$100.00	
		(Includes a refundable \$50 Deposit)	\$40 per hour
	Outside	1 day - \$300.00	\$200.00 Damage Deposit
		(Includes a refundable \$50 Deposit)	plus \$50 cleaning fee
		1/2 day - \$150.00	\$80 per hour
		(Includes a refundable \$50 Deposit)	
Planning			
Cell Tower		\$250.00	\$3,500.00
Special Use/Conditional Use		\$250.00	\$500.00
Police			
Reports			\$2.00
Fingerprints			\$10.00
Golf Cart Registration			\$25.00
Golf Cart Violations			
		First Offense	\$50.00
		Second Offense	\$100.00
		Third Offense	\$200.00 and no operating privileges
			for 30 days
		Fourth Offense	\$250.00 and no operating privileges
			for 6 months
		Violations will be added to renewal if not paid to the police department	
Fire			
Burn Permits		\$5.00	\$10.00
Third re-inspection and every re-			\$100.00 (New)
Inspection thereafter until violation			
has been corrected			

After some discussion, Councilmember Abernethy made a motion to approve the revised fees with an effective date of July 1, 2021. Councilmember Freeman seconded the motion and the vote was unanimous.

PROCLAMATION RE: ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK MAY 2 – MAY 8, 2021, MAYOR H.L. BEAM:

Mayor Beam presented City Clerk Paige Green with the following proclamation for Professional Municipal Clerks Week:



Proclamation

52nd ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK
May 2 - May 8, 2021

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, H.L. Beam, Mayor of the City of Cherryville, do recognize the week of May 2 through May 8, 2021, 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 12 day of April, 2021





H.L. Beam, Mayor

OTHER BUSINESS:

City Manager Jeff Cash thanked Mayor Beam for his contributions to First Baptist Church in honor of all city employees.

City Manager Cash would like to get a letter from Mayor Beam thanking the various professionals that have help the City of Cherryville through the bond process.

City Manager Cash shared that Little League's opening day is April 24, 2021.

Councilmember Freeman shared that he spoke with Michael Dellinger that lives on the corner of Jacob Street and Academy Street. Mr. Dellinger is concerned about a neighbor's tree that could potentially fall on his house. The tree is rotten and the property owners will not have it taken down. Councilmember Freeman asked if the City of Cherryville could help Mr. Dellinger out in any way.


Public Works Director Brandon Abernathy shared that the tree is not in the city's right of way and therefore the city cannot take the tree down.

City Manager Cash shared that this has come up before and the City of Cherryville is not aware of any ordinance or policy that they can enforce to have the tree taken down.

ADJOURNMENT:

Councilmember Parker made a motion to adjourn the meeting. Councilmember Puett seconded the motion and the vote was unanimous. The meeting adjourn at 7:00 pm.

Adopted this 10 day of May 2021.



H.L. Beam, Mayor



Paige H. Green, CMC, NCCMC, City Clerk

