



REGULAR CITY COUNCIL MEETING  
MONDAY AUGUST 11, 2025 @6:00 PM  
CHERRYVILLE COMMUNITY BUILDING  
W.J. ALLRAN JR. COUNCIL CHAMBERS  
106 S. JACOB STREET CHERRYVILLE, NC 28021

## I. Call to Order: Mayor H.L. Beam

The Honorable Mayor H.L. Beam called the meeting to order. Councilmembers, Jill Puett, Jon Abernethy, and Gary Freeman were present. City Manager Brian Dalton, City Clerk Mary Beth Tackett, Fire Chief Jason Wofford, Public Work Director Chris King, Downtown Director David Day, Planning and Zoning Director Richard Elam, Police Chief Brandon Hunsucker, and Finance Director Dixie Wall were also present. Lincoln Times News and Wise News was present for media coverage

## II. Invocation: Pastor Zack Christy First Methodist Church

Invocation was delivered by Zach Christy First United Methodist Church.

## III. Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

## IV. Agenda Approval

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

## V. Approval of Minutes

Councilmember Puett made a motion to approve both sets of minutes listed below:

- CITY COUNCIL REGULAR MEETING JULY 14, 2025

Councilmember Abernethy seconded the motion and the vote was unanimous

## VI. Mayor's Comments

- City Manager Brian Dalton recently returned from vacation.

- Council Member Janice Hovis is absent representing Cherryville at the Electri-Cities convention in Myrtle Beach, SC.
- Artist Judy Dempsey is progressing well on the Bob and Pat Barker mural at the mini park; a future ceremony will honor the Barkers.
- Five Spur Steakhouse is preparing to open early September; renovations and installations are nearly complete.
- The American Legion regional tournament concluded; Asheville Post 70 will represent NC at the World Series in Shelby beginning August 14. Cherryville will host the regional event in 2026.
- Hefner Lift Station renovations, funded by a city grant, have been completed with a new pump installed.
- Public Works received a new skid steer with mulching head and a new boom truck, both already in use.
- Remodeling of City Hall, including installation of an elevator, will begin soon.
- Farris Fab is manufacturing panels for the mini park as a safety barrier along the railroad.

## VII. Citizens to Be Heard

No citizens were heard

## VIII. Public Hearing for a Voluntary Annexation of PID# 315165 (119 Grove Road) and ordinance annexing PID# 315165 (119 Grove Road): Planning and Zoning Director Richard Elam

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

Planning and Zoning Director Richard Elam presented background and details on the annexation request by Dan Athurs.

The property is contiguous to the city limits and meets statutory requirements.

The public hearing was opened, but no citizens spoke.

Councilmember Abernethy made a motion to exit public hearing. Council member Freeman seconded the motion and the vote unanimous.

No discussion was had by council.

The Annexation Ordinance was read aloud.

With a motion by Councilmember Abernethy and a second by Councilmember Freeman the vote was unanimous to annex the property into the City of Cherryville.



## **ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE CITY OF CHERRYVILLE, NORTH CAROLINA**

**WHEREAS**, the CHERRYVILLE City Council has been petitioned under G.S. 160A-58.1 of the General Statutes of North Carolina, to annex the area described as 119 Grove Rd (Gaston County PID #315165); and

**WHEREAS**, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the City Clerk has certified the sufficiency of the petition and a Public Hearing on the question of this annexation was held at the Cherryville Community Building in the W.J. Allran Council Chambers at 106 S Jacob Street, on August 11th, 2025, after due notice by publication on July 30th, 2025; and

**WHEREAS**, after the notice was duly given in compliance with the pertinent provisions of Chapter 160A-58.2 of the General Statutes of North Carolina, a public hearing was held before the City Council of the City of Cherryville, North Carolina, at a regular meeting held in the Cherryville Community Center in Cherryville, on August 11th, 2025 relative to the annexation of land that is contiguous to the existing city boundary hereinafter described to the City of Cherryville; and

**WHEREAS**, at said public hearing all persons who question the necessity for the annexation were given an opportunity to be heard along with proponents of such annexation; and

**WHEREAS**, after the completion of said public hearing, the City Council has determined that the Petition for Annexation meets the requirement of said Chapter 160A-58.2 of the General Statutes of North Carolina, and has further determined, after due and careful deliberation that it is for the best interest of the City of Cherryville and its citizens that the contiguous real property proposed be annexed to the City of Cherryville; and

**WHEREAS**, the City Council finds it to be in the best interests of the City of Cherryville to modify the boundaries of the electoral district in order to afford the citizens of the annexed area full participation in the electoral process of the City of Cherryville and in order to comply with State and Federal law.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Cherryville, North Carolina, that the following described contiguous real property be and the same is hereby annexed to the City of Cherryville:

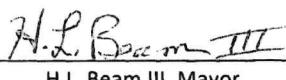
### **119 Grove Rd (Gaston County PID #315165)**

Being all those certain that 12.71 acres of land located in Cherryville Township, Gaston County, North, and being more particularly shown on the attached printout "EXHIBIT A" of the plat from Gaston County's GIS Mapping showing the dimensions of said Gaston County PID #315165

**BE IT FURTHER ORDAINED THAT:**

1. The annexed area herein above identified by added to and become a part of Ward 2; and
2. The effective date of annexation for the property under consideration is August 11<sup>th</sup>, 2025.
3. This Ordinance is adopted this 11<sup>th</sup> day of August, 2025.

  
Mary Beth Tackett, City Clerk

  
H.L. Beam III, Mayor



## IX. Consideration of Annexation Petition Re: Waffle House At 109 Bud Black Road (GIS Parcel 159036): Planning & Zoning Director Richard Elam

- Consideration of Resolution Directing the City Clerk to investigate the annexation petition
- Consideration of Resolution to set a date for Public Hearing Re: Annexation Petition

Planning and Zoning Director recommended directing the city clerk to investigate the petition and setting a public hearing date.

Councilmember Puett made a motion to direct the city clerk to investigate the petition and set the public hearing for September 8, 2025. Council member Abernethy seconded the motion and the vote unanimous.



**RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE AN ANNEXATION PETITION PURSUANT TO ARTICLE 4A OF NORTH CAROLINA GENERAL STATUTE 160A GOVERNING CONTIGUOUS ANNEXATIONS.**

**WHEREAS**, a petition requesting annexation of an area described in said petition as Gaston County Parcel# 159036 was received on August 4<sup>th</sup>, 2025 by the City of Cherryville; and

**WHEREAS**, North Carolina General Statute Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Cherryville, North Carolina before further annexation proceedings consistent within the petition can take place; and

**WHEREAS**, the Mayor and Council of the City of Cherryville, North Carolina deems it advisable to direct the City Clerk to investigate the sufficiency of the petition;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council for the City of Cherryville, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above-described petition under the N.C.G.S. Chapter 160A, Article 4A, Part 1 and to certify as soon as possible to the Mayor and Council of the City of Cherryville the result of the investigation.

**ADOPTED** this the 11<sup>th</sup> day of August, 2025.

*Mary E. Jackett*  
Mary Beth Jackett  
City Clerk

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





**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF  
ANNEXATION PURSUANT TO N.C.G.S. 160A-58**

**WHEREAS**, a petition requesting annexation of the area described herein has been received;  
and

**WHEREAS**, the City Council has directed the City Clerk to investigate the sufficiency thereof;  
and

**WHEREAS**, certification by the City Clerk as to the sufficiency of said petition has been made;  
and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Cherryville,  
North Carolina:

**Section 1:** That a public hearing on the question of annexation of the area described herein  
which is contiguous to the primary city limits of the City of Cherryville will be held at the  
Cherryville Community Building in the W.J. Allran Chambers at 6:00 P.M. on the 8<sup>th</sup> day of  
September, 2025.

**Section 2:** The area proposed for annexation is described as follows:

(Metes and bounds description attached hereto as Exhibit A.)

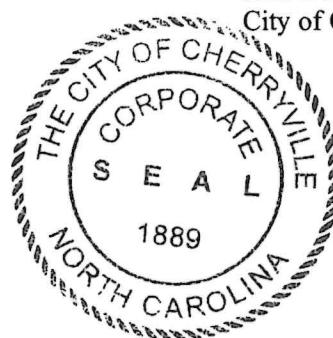
**Section 3:** Notice of said public hearing shall be published in the Cherryville Eagle a newspaper  
having a general circulation in the City of Cherryville section of the Lincoln Times News, at  
least ten (10) days prior to the date of said public hearing.

ATTEST:

Mary E. Tackett

Marybeth Tackett – City Clerk

H.L. Beam  
H.L. Beam – Mayor  
City of Cherryville, North Carolina



## X. Consideration to adopt “Brunch Bill” Ordinance- City Manager Brian Dalton

City Manager Brian Dalton explained the ordinance allowing alcohol sales to begin at 10:00 AM on Sundays instead of 12:00PM. He also noted we are the only city around that has not adopted this ordinance.

Council discussed the ordinance and it respecting freedom of choice. ( Councilmember Hovis was also phoned in for the discussion)

Councilmember Freeman made a motion approve the Brunch Bill. Council member Puett seconded the motion and the vote unanimous.

**Ordinance to Enact Section 3-40 of the Cherryville Code of Ordinances with  
Respect to Alcoholic Beverages**

**G.S. 160A-205.3 Hours of certain alcohol sales**

In accordance with G.S. 18b-1004(c), a city may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises permit issued under G.S. 18B-1001.

This ordinance shall become effective upon adoption and is better known as the "Brunch Bill."

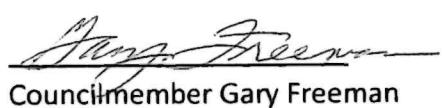
Unanimously adopted August 11, 2025 by the Cherryville City Council.



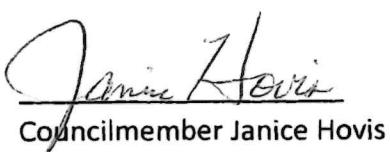
Councilmember Jon Abernethy



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



Councilmember Gary Freeman



Councilmember Janice Hovis



Mary Tackett  
City Clerk Mary Beth Tackett



Councilmember Jill Puett



## XI. Other Business

- Council expressed appreciation for City Manager Dalton's responsiveness following his return from vacation.
- American Legion representatives thanked city employees and volunteers for their efforts during the recent regional baseball tournament.
- Special recognition was given to Public Works for maintaining the tournament facilities and to Assistant City Manager Dixie Wall for covering during the City Manager's absence.
- Council Member Abernethy recognized Chris King for promptly addressing a water leak on Pink Street.

## XIV. Adjournment

Councilmember Abernethy made a motion to adjourn the meeting. Councilmember Puett seconded the motion and the vote was unanimous. The meeting adjourned at 6:28 pm



H.L. Beam, Mayor



Mary Beth Tackett, City Clerk

(SEAL)