



**REGULAR CITY COUNCIL MEETING  
MONDAY MAY 9, 2022 @ 6:00 PM  
CHERRYVILLE COMMUNITY BUILDING  
W. J. ALLRAN COUNCIL CHAMBERS  
106 S. JACOB ST. CHERRYVILLE, N.C. 28021**

The Honorable Mayor H.L. Beam called the meeting to order at the community building in the W.J. Allran Council Chambers. Councilmember's Jill Puett, Gary Freeman, Jon Abernethy, and Malcolm Parker (joined meeting at 6:10 pm) were present. City Manager Brian Dalton, City Clerk Paige H. Green, City Attorney Palmer Huffstetler Jr., Planning & Zoning Director Alex Blackburn, Public Works Director Brandon Abernathy, Finance Director Dixie Wall, Asst. Fire Chief Colby Heffner, and Police Chief Cam Jenks were also present. No media coverage.

**INVOCATION: PASTOR ZACK CHRISTY, FIRST UNITED METHODIST CHURCH:**

Pastor Zach Christy 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 Freeman seconded the motion and the vote was unanimous.

**APPROVAL OF MINUTES:**

Councilmember Puett made a motion to approve the following minutes:

- A. CITY COUNCIL REGULAR WORK SESSION MEETING MARCH 29, 2022
- B. CITY COUNCIL BUDGET WORK SESSION MEETING APRIL 10, 2022
- C. CITY COUNCIL REGULAR MEETING APRIL 11, 2022
- D. CITY COUNCIL REGULAR WORK SESSION MEETING APRIL 26, 2022

Councilmember Abernethy seconded the motion and the vote was unanimous.

**MAYOR'S COMMENTS:**

“On April 12<sup>th</sup> our city hosted the first Gaston 2040 Vision meeting held at the City’s Community Building. Main Street Director David Day, Planning & Zoning Director Alex Blackburn, City Manager Brian Dalton and I were all in attendance. Sharon Padgett led the meeting which dealt primarily with transportation issues. All present were concerned that connections to all municipalities within our county should be a top priority.

The following day, City Manager Dalton and I attended the county’s Mayor/City Manager meeting in Lowell. All cities and municipalities within the county had representatives in attendance. Again, the main topic for discussion was the transportation between our cities. Our city was surprised during the meeting when Senior Planner for the Gaston-Cleveland-Lincoln MPO announced that after Mayor Beam’s concerns we posted on the period of comments on the internet, the Connect-Beyond Committee had decided to extend the Highway 279 corridor from Dallas to Cherryville as a new addition to the mass transit 12 county connection plans. Previously Cherryville had not been considered in this 12 county connection. This speaks volumes for our city.

On April 27, City Manager Dalton and I attended a luncheon meeting with county officials at the Cherryville Fire Department to discuss land development for a county industrial park in the Sunbeam Farm Area. County Commissioners Allen Fraley and Bob Hovis were in attendance as well as Gaston County EDC Director Donnie Hicks, Michael Beam, Ken and M’Shel Bowen and many other county representatives. Mr. Hicks stated that if an agreement can be made to purchase the land he would have no problem negotiating a tenant for certain portions of this 87 acres tract. At this time County Officials are waiting on a traffic impact analysis before further negotiations are possible

A meeting was held on April 28, in the conference room at City Hall between the City of Cherryville, Gaston County, and Piedmont Lithium to discuss the future of Piedmont Lithium with regards to both the county and the city. Public Works Director Brandon Abernathy, City Manager Dalton and I were present as well as County Commissioners Allen Fraley and Chad Brown, Gaston County EDC Director Donnie Hicks and Piedmont Lithium representatives Malissa Gordon. Water connections between the county and city discussed and Malissa Gordon stated that Piedmont Lithium at this point were still in the process of applying for permitting from the state of North Carolina. No definitive action was taken at this meeting and further studies will be made before any decisions are made.

Later that evening, City Manager Dalton and I took part in a joint virtual meeting between Gaston-Cleveland-Lincoln MPO and Charlotte Regional Alliance for Transportation. The meeting involved multiple counties about moving forward and working together to tackle future transportation issues.

Rehab Builders Inc. has been busy working on bids for rehabbing our historical museum. This company has been highly recommended for their work and had recently completed work on the old Gaston County courthouse in Dallas NC. The contractor is supposed to email our city manager a list of tasks he is going to work on and the cost of this work.

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

None.

**CONSIDERATION OF PROCLAMATION FOR NATIONAL POPPY DAY, COUNCILMEMBER JILL PUETT:**

Councilmember Puett read the following proclamation for National Poppy Day:



**The Office of the Mayor**

May 9, 2022

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

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

## **PROCLAMATION**

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

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

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

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

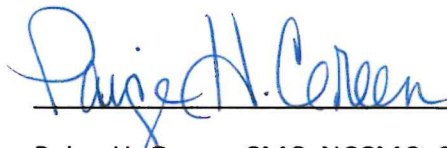
**WHEREAS**, The American Legion Family has long utilized the red poppy as its official flower, symbolizing the blood shed by those who have served in our U.S. Military. and The American Legion and American Legion Auxiliary, expand the meaning and symbolism of the poppy, mirroring the manner in which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

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

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

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

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

  
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Paige H. Green, CMC, NCCMC, City Clerk

  
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H.L. Beam, Mayor

(SEAL)

**CONSIDERATION OF PROCLAMATION FOR NATIONAL POLICE WEEK, CITY MANAGER BRIAN DALTON:**

City Manager Brian Dalton read the following proclamation for National Police Week:



**NATIONAL POLICE WEEK 2022**

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

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

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

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

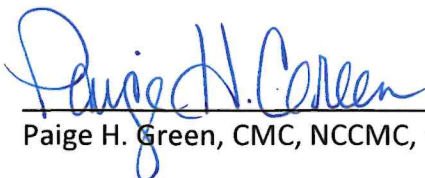
**WHEREAS**, 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years;

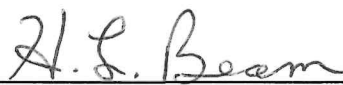
**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34<sup>th</sup> Candlelight Vigil, on the evening of May 13, 2022;

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

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

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

  
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Paige H. Green, CMC, NCCMC, City Clerk

  
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H.L. Beam, Mayor

(SEAL)

**CONSIDERATION OF SETTING A DATE FOR A PUBLIC HEARING RE: FY 2022 – 2023 PROPOSED BUDGET, CITY MANAGER BRIAN DALTON:**

Councilmember Puett made a motion to set a public hearing date for Monday June 13, 2022 for consideration of the proposed FY 2022 – 2023 budget. Councilmember Abernethy seconded the motion and the vote was unanimous.

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

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

Mr. Alex Blackburn approached the podium to share that Sonya G. Ivester and Anne G. Whisnant filled out an application on January 24, 2022, for a zoning classification change for 4233 Old Lincolnton Rd., Crouse NC 28033. Mr. Blackburn explained that the request is to rezone the property from GMC Industrial to Residential R-40. He went on to say that, the planning board reviewed the recommendation of proposed change and approved the change. City Council set a public hearing date for May 9, 2022 for consideration of the rezoning.

Mayor Beam asked if any citizens would like to speak for or against the rezoning and there were none.

Councilmember Freeman made a motion to exit the public hearing. Councilmember Parker second the motion and the vote was unanimous.

Mayor Beam went over the Statement of Consistency below:



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## STATEMENT OF CONSISTENCY

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

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

1. It is the Council's CONCLUSION that, the proposed rezoning **IS / IS NOT** consistent with the City of Cherryville Land Use Plan adopted in August 2012.
2. The Council finds the proposed rezoning **IS / IS NOT** reasonable and **IS / IS NOT** in the public interest. This conclusion is based on the following:

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**Ordered this 9<sup>th</sup> day of May 2022**



H.L. Beam, Mayor



Paige H. Green, CMC, NCCMC, City Clerk

Councilmember Freeman made a motion to approve the Statement of Consistency and approve the rezoning of 4233 Old Lincolnton Rd. Crouse, NC 28033. Councilmember Abernethy seconded the motion and the vote was unanimous.

**CONSIDERATION OF PROPOSED CEMETERY REVISIONS, CITY CLERK PAIGE GREEN:**

City Clerk Paige Green shared that she held a cemetery meeting on May 4 and the board has several revisions that they would like to propose to council regarding the current cemetery policy. Mrs. Green explained that at the time the policy was adopted for the benches it was not made clear on what type of bench would be allowed in the cemetery. Below is the current policy regarding benches:

**BENCHES:**

Customers will purchase bench.

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

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

After some discussion, the cemetery board agreed that the policy needed to be clear on what type of benches are allowed in the cemetery, so they are proposing adding the following for consideration:

**BENCHES:**

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

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

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

Mrs. Green also explained that the engraving fees for the 2x2 markers and the niche doors to the columbarium also needed to be revised. Mrs. Green explained that when the cemetery committee proposed a policy for the new section of the cemetery, the engraving fees were primarily for one cremains in a niche. However, every niche that has been sold has been for two

cremains and it seems couples are buying them. Mrs. Green went over the current fees and they are:

<b>ENGRAVING FEES (LIMITED TO THREE (3) LINES)</b>	\$ 250.00
All engraving will be of uniform design and inscriptions	
Additional engraving on original marker	\$ 190.00

Mrs. Green explained the engraving fees need to be revised to reflect two lines for an individual or four lines for double cremains. The cemetery board is proposing the following revision:

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

Mrs. Green also shared that the additional engraving needs to be paid at the time of death only because prices change.

Councilmember Puett made a motion to approve the proposed revisions from the cemetery committee to the cemetery policy. Councilmember Parker seconded the motion and the vote was unanimous.

**OTHER BUSINESS:**

Mayor Beam shared that he had read a proclamation at Carolina Care Center earlier in the day for National Nursing Home Week.

Councilmember Freeman shared that the classes he was teaching at Gardner Webb University have ended and he would like to make a motion that the work session meetings resume at 5:30 starting May 31, 2022. Councilmember Puett seconded the motion and the vote was unanimous.

Councilmember Parker apologized for being late for the meeting.

City Manager Brian Dalton went over the financial statement.

City Manager Dalton also gave an update on West Gate Park stating that the city engineer is putting together a scope of work, and that will be advertised for bids as soon as it is ready.



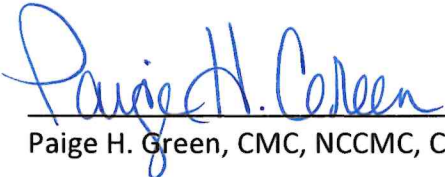
Planning & Zoning Director Alex Blackburn approached the podium and asked for Council's consideration in setting a public hearing date for June 13, 2022. Mr. Blackburn shared that Anthony Grove Baptist Church has applied for a special use permit and the planning board recently met to discuss the permit. Mr. Blackburn explained that Rev. Dr. Bean and the congregation would like to have a daycare and elementary school operated inside their existing structures. The elementary school would be kindergarten through fifth grade.

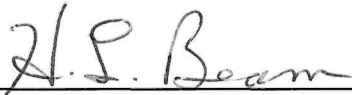
Councilmember Freeman made a motion to set a date for a public hearing regarding a special use permit for Anthony Grove Baptist Church. Councilmember Abernethy seconded the motion and the vote was unanimous.

**ADJOURNMENT:**

Councilmember Puett made a motion to adjourn the meeting. Councilmember's Parker and Abernethy seconded the motion and the vote was unanimous. The meeting adjourned at 6:37 pm.

Adopted this 13 day of June 2022.

  
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Paige H. Green, CMC, NCCMC, City Clerk

  
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H.L. Beam, Mayor

