



## CITY OF CHERRYVILLE

116 S. MOUNTAIN STREET

CHERRYVILLE, N.C. 28021

PHONE: 704-435-1709 FAX: 704-435-9933

E-MAIL: [pgreen@cityofcherryville.com](mailto:pgreen@cityofcherryville.com)

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**REGULAR CITY COUNCIL MEETING  
MONDAY February 13th, 2023 @ 6:00 PM  
CHERRYVILLE COMMUNITY BUILDING  
W. J. ALLRAN JR. COUNCIL CHAMBERS  
106 S. JACOB ST. CHERRYVILLE, N.C. 28021**

- I. CALL TO ORDER: HONORABLE MAYOR H.L. BEAM III
- II. INVOCATION: Pastor Scott Homesley, St. John's Lutheran
- III. PLEDGE OF ALLEGIANCE
- IV. AGENDA APPROVAL
- V. MAYOR'S COMMENTS
- VI. Fire Department End of Year Report (Chief Wofford Pg 1-3)
- VII. Police Department End of Year Report (Chief Hunsucker Pg 4-12)
- VIII. Budget Amendments, Finance Director Dixie Wall (Pg 13-17)
- IX. Consideration of Public Hearing RE: Property relinquishment from the ETJ for Piedmont Lithium for Monday, March 13, 2023 (Agenda Materials Pg 18-25)
- X. 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. IF YOU WISH TO SPEAK ON A MATTER WHERE A PUBLIC HEARING IS BEING HELD, YOU WILL HAVE A CHANCE TO DO SO DURING THE PUBLIC HEARING AND DO NOT NEED TO SIGN UP)***

- XI. PRESENTATION OF FINANCIAL STATEMENT, CITY MANAGER BRIAN DALTON (See Agenda Material Pg 26)
- XII. OTHER BUSINESS
- XIII. ADJOURNMENT

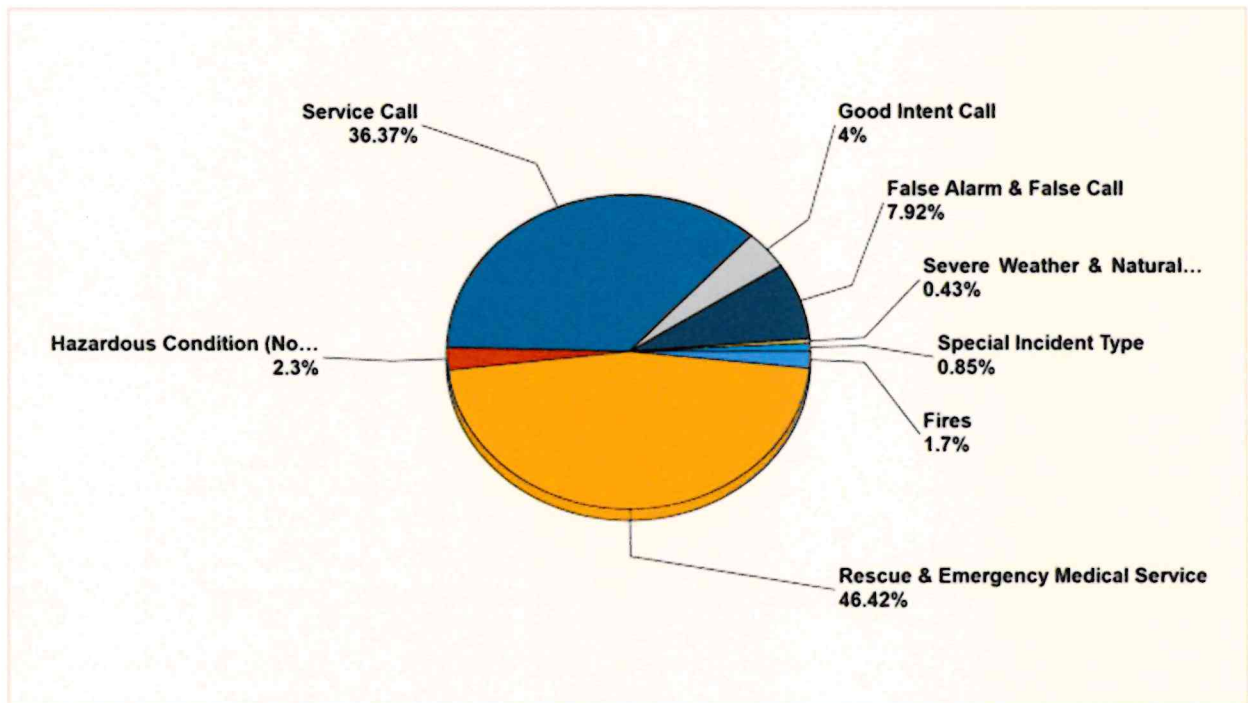
*Providing exceptional service to our community  
that inspires life to blossom*

# Cherryville Fire Department

## 2022 End-of-Year Report



**Total Calls: 1174**



### Off-Duty Response to Calls:

Nathan Bowman: 23  
 Doyle Brown: 6  
 Kaylee Drum: 3  
 Chad Duvall: 2

Colby Heffner: 59  
 Jason Ledbetter: 8  
 Trent Rayfield: 24  
 Jason Wofford: 36

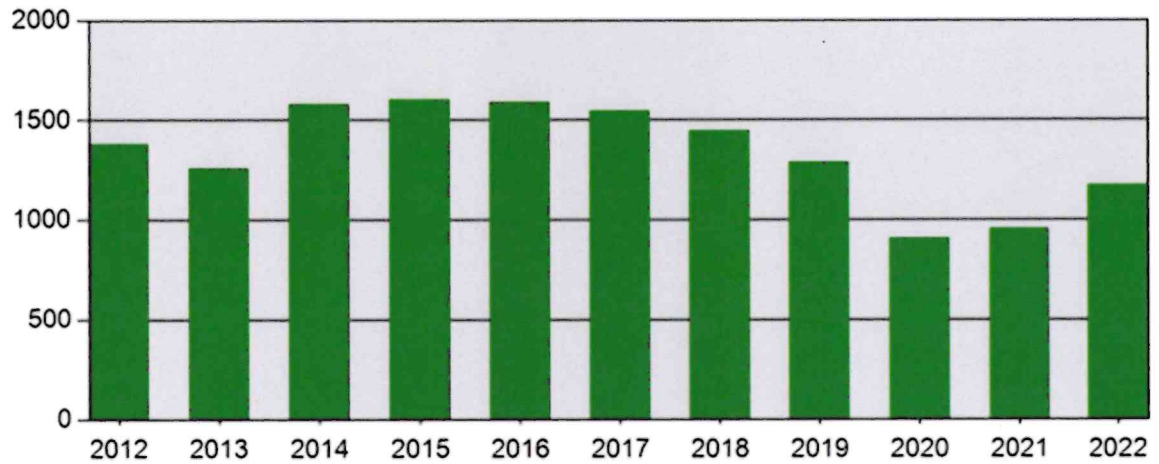
## Average Response Time:

LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 73	0:04:44	0:04:57
AVERAGE FOR ALL CALLS		0:04:44

LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 73	0:01:43	0:01:40
AVERAGE FOR ALL CALLS		0:01:43

## Call Volume Comparison:



YEAR	INCIDENTS
2012	1383
2013	1262
2014	1583
2015	1604
2016	1590
2017	1547
2018	1447
2019	1290
2020	907
2021	956
2022	1174



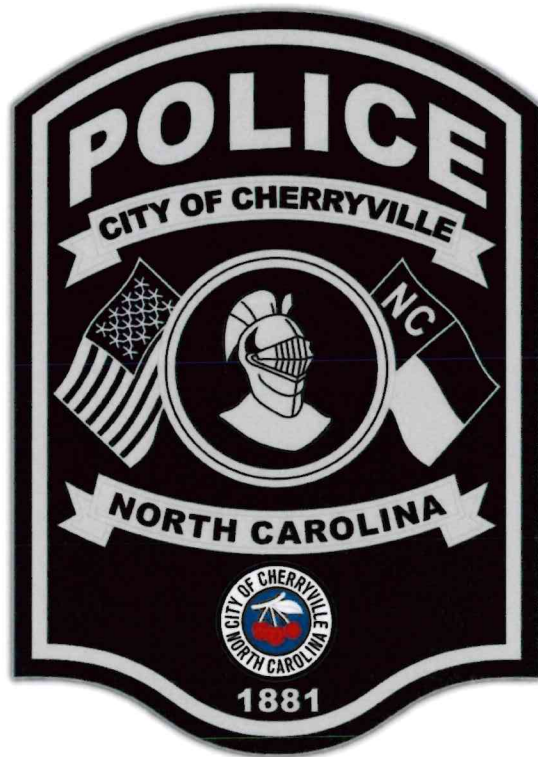
**Total Training Hours: 6159.1**

**Certifications Received by Full-Time Personnel:**

- Doyle Brown – NC Firefighter Certification
- Colby Heffner – Fire Inspector III
- Colby Heffner – NC Pyrotechnics Operator Certification
- Nathan Bowman – NC Pyrotechnics Operator Certification

**Total Building Inspections Completed: 200**

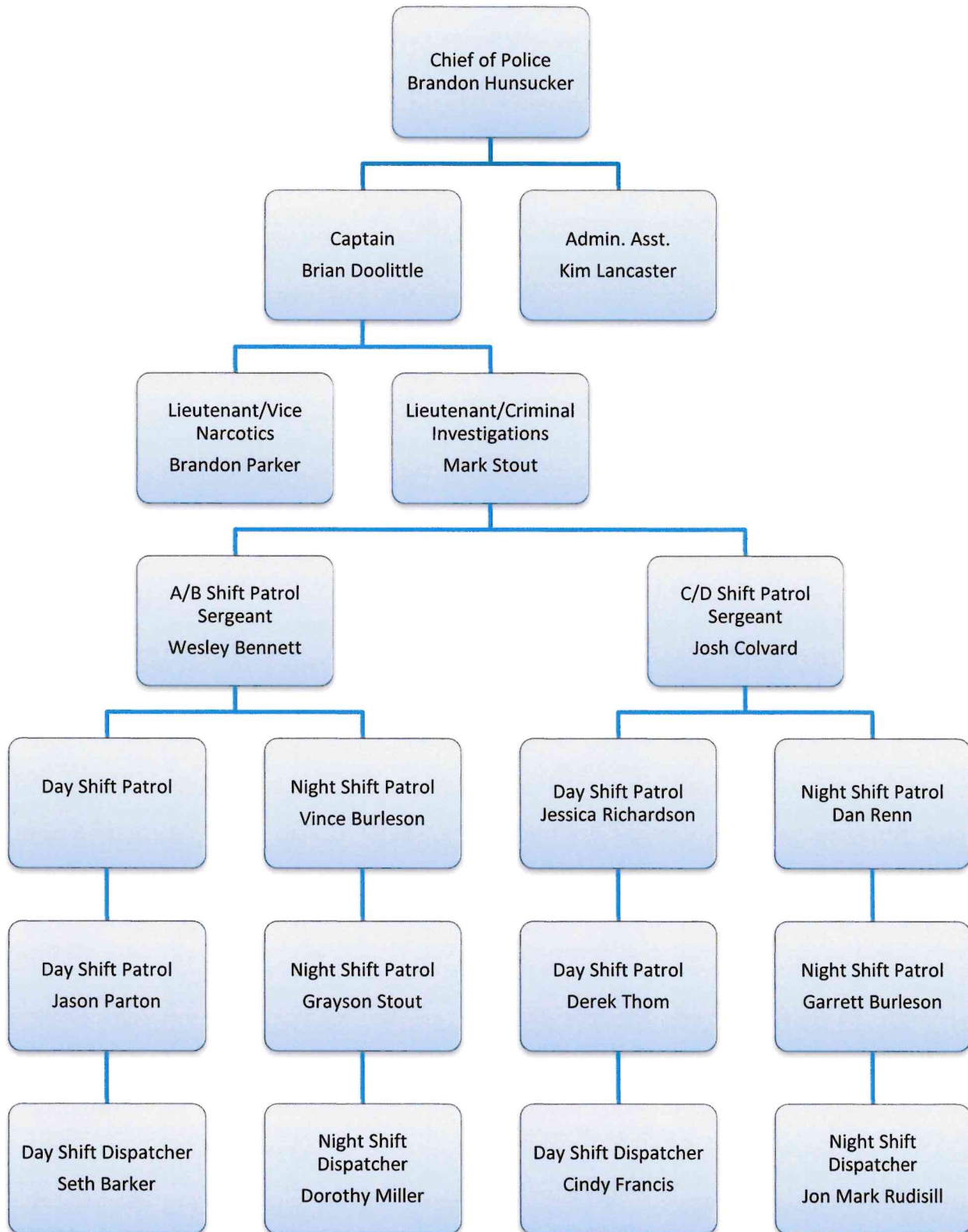
# Cherryville Police Department



**2022**

**End of Year Report**

# ORGANIZATIONAL CHART



<b>Call Log Summary</b>	<b>2022</b>
<b>Total Calls</b>	<b>19,945</b>
<b>Security Checks on Businesses and Residences</b>	<b>10,838</b>
<b>Motor Vehicle Collisions</b>	<b>244</b>
<b>Traffic Stops</b>	<b>1,547</b>
<b>Domestic Calls</b>	<b>176</b>
<b>Larceny Calls</b>	<b>133</b>
<b>Alarms (Business and Residential)</b>	<b>370</b>
<b>Fight in Progress</b>	<b>18</b>
<b>Breaking and Entering or Burglaries</b>	<b>64</b>
<b>Damage to Property</b>	<b>54</b>
<b>911 Hang Up Calls</b>	<b>45</b>
<b>Assaults</b>	<b>29</b>
<b>Foot Patrol</b>	<b>915</b>
<b>Suspicious Persons and Vehicles</b>	<b>1,076</b>
<b>Sexual Offenses</b>	<b>6</b>
<b>Intoxicated Driver</b>	<b>24</b>
<b>Assist Other Agencies</b>	<b>382</b>
<b>Arrests</b>	<b>429</b>
<b>Citations Issued</b>	<b>926</b>

## INCIDENTS AND INVESTIGATIONS CONDUCTED BASED ON CALL TYPES

Incidents and Investigations	2022
Number of Incidents and Investigations	816
Murder	1
Rape	2
Kidnapping/Abduction	1
Robbery	1
Assaults	44
Burglary/Breaking and Entering	34
Larceny	85
Fraud and Forgeries	36
Drug Crimes	130



Call Log Summary	2020	2021	2022
Total Calls	17,952	18,660	19,945
Security Checks on Businesses and Residences	8,970	9436	10,838
Motor Vehicle Collisions	238	253	244
Traffic Stops	2,016	2,329	1,547
Domestic Calls	314	265	176
Larceny Calls	323	219	133
Alarms (Business and Residential)	327	354	370
Fight in Progress	34	19	18
Breaking and Entering or Burglaries	80	72	64
Damage to Property	34	53	54
911 Hang Up Calls	86	58	45
Assaults	39	33	29
Foot Patrol	1,106	1,169	915
Suspicious Persons	718	611	1,076
Subject with a Gun	7	0	1
Sexual Offenses	7	6	6
Intoxicated Driver	37	59	24
Assist Other Agencies	301	332	382
Arrests	773	831	429
Citations Issued	2,062	2,225	926

Green = Numbers Up From 2021

Red = Numbers Down From 2021



## INCIDENTS AND INVESTIGATIONS CONDUCTED BASED ON CALL TYPES

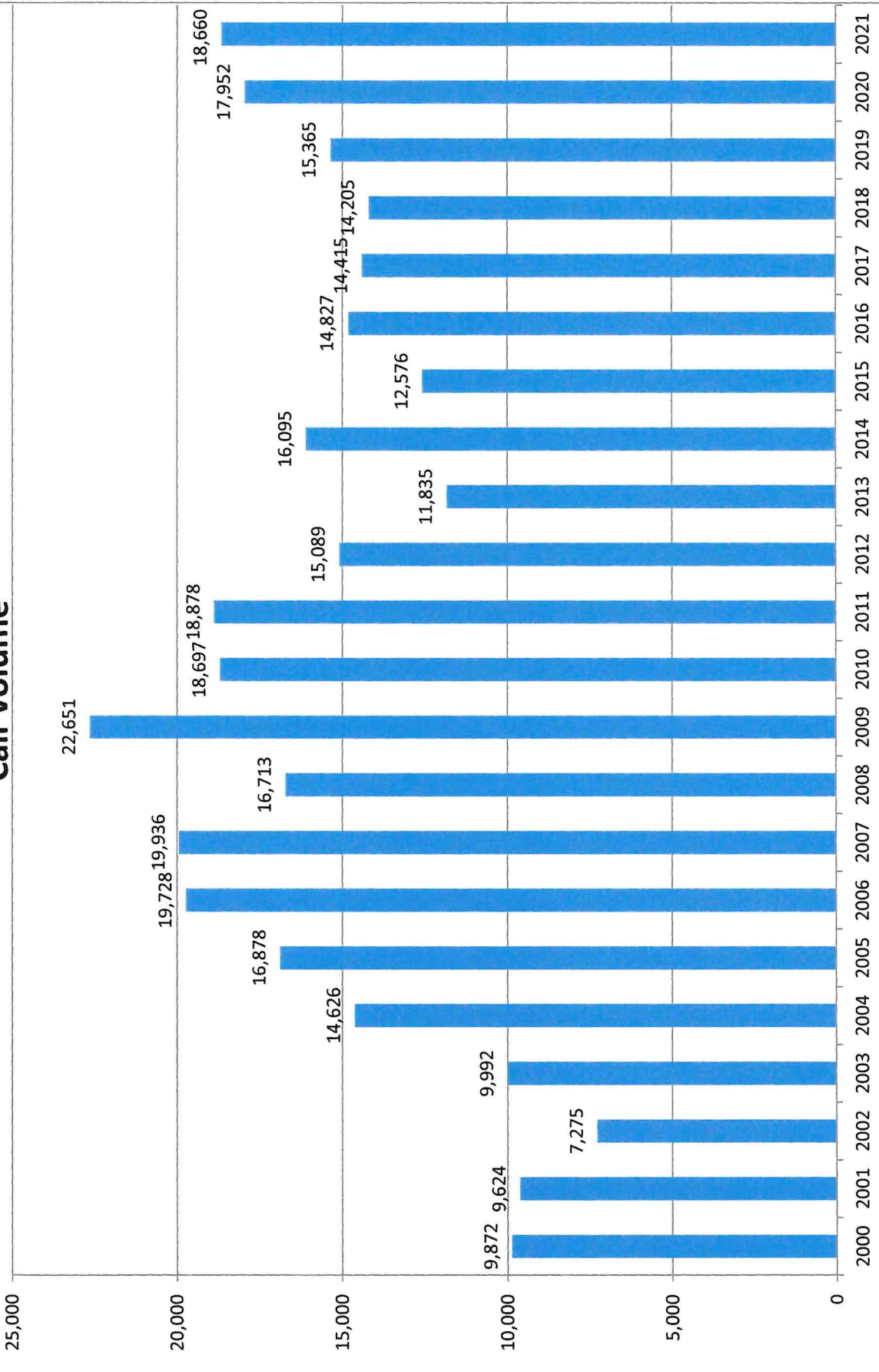
Incidents and Investigations	2020	2021	2022
Number of Incidents and Investigations	767	690	816
Murder	0	1	1
Rape	1	2	2
Kidnapping/Abduction	2	0	1
Robbery	4	3	1
Assaults	54	32	44
Burglary (forcible entry)	33	45	34
Larceny	167	133	71
Fraud and Forgeries	33	23	36
Drug Crimes	330	291	130

**Green** = Numbers Up From 2021

**Red** = Numbers Down From 2021

Total Calls Per Month	2020	2021	2022
January	1,319	1,715	1,762
February	1,016	1,473	1,629
March	1,571	1,412	1,932
April	1,282	1,519	2,184
May	1,211	1,720	1,855
June	1,218	1,435	1,787
July	1,239	1,565	1,688
August	1,869	1,404	1,421
September	1,627	1,306	1,438
October	1,713	1,392	1,616
November	1,968	1,744	1,252
December	1,919	1,975	1,380
Total	17,952	18,660	19,945

# Call Volume





- The police department responded to 19,995 calls in 2022. This is in comparison to 18,660 calls last year.
- Our call volume has been increasing since 2019 which accounts for a 21.44% increase in call volume since that time.
- Of these calls it resulted in 860 Investigations which is a 18.26% increase since 2021.
- Larceny calls have decreased over the past year, which is a 39.26% decrease.
- Frauds and forgeries have decreased by 5.5% since 2019.
- Arrest have decreased this year compared to previous years. Due to several factors; **Department has been short-handed; two officers short for over half the year, the state also implemented a new system which took a month or so to begin and several months more to get the bugs worked out. Now it takes officers on average, twice the time to make and process an arrest.**
- Drug investigations also suffered from the problems mentioned above. Drug seizures were up for the year though, close to 48.92% increase from 2021, Those investigations include undercover narcotics operations, search warrants, knock and talks on known drug locations and a drug-oriented focus approach by the patrol team and working task forces with other agencies.

DRUG	Weight	STREET VALUE
MARIJUANA	253.4 g/9 Oz	\$4,000.00
METH	186.87g/6 ½ oz	\$18,700.00
HEROIN	6.51g	\$650.00
OPIOIDS	10,500 Dosages	\$78,000.00
PILLS	62.25 Dosages	\$620.00
FENTANYL	67.9 g/2.4 Oz	\$6,700.00
TOTALS	1,052.13 g/ 37.5oz	\$108,670.00
Task Force Ops	Marijuana 109.000g	

- The Cherryville Police Department was awarded a Byrne Discretionary Grant of \$114,000 this past year through the Bureau of Justice Assistance. This grant will be used to repair the roof of the police department, along with some plumbing issues at no cost to the city.
- All the Telecommunicators at the police department were required by state standards to be state certified this year. This required all Telecommunicators to take a weeklong training course and pass a state exam.



**2022-2023 BUDGET AMENDMENT**

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**BE IT ORDAINED** by the City Council of the City of Cherryville:

**Section 1.** The 2022-2023 Budget Ordinance of the City of Cherryville adopted on June 13, 2022 is amended by increasing and decreasing the following appropriations due to grants/donations and insurance received in FY 2023.

<u>REVENUES</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
31.310.9900	Water/Sewer - Fund Balance	\$ 150,000.00	
<u>EXPENDITURES</u>		<u>Increase</u>	<u>Decrease</u>
31.7130.4400	Water Plant - Contract Services (Tank Maint)	\$ 90,000.00	
31.7110.7400	Water Adm - Capital Equipment (1/4 ROW)	\$ 60,000.00	

**Section 2.** This ordinance is effective upon its adoption this February 13, 2023.

\_\_\_\_\_  
 City Clerk  
 ATTEST

\_\_\_\_\_  
 Mayor



**2022-2023 BUDGET AMENDMENT**

**BE IT ORDAINED** by the City Council of the City of Cherryville:

**Section 1.** The 2022-2023 Budget Ordinance of the City of Cherryville adopted on June 13, 2022 is amended by increasing and decreasing the following appropriations due to grants/donations and insurance received in FY 2023.

<u>REVENUES</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10.3412.8500	General - Insurance Reim	\$ 2,855.00	
10.3431.2620	General - Police Grants	\$ 114,000.00	
10.3431.3350	General - Police Donations	\$ 1,500.00	
10.3493.3350	CMSP Donations	\$ 3,250.00	
10.3412.3350	General - Donations	\$ 6,000.00	
10.3412.2620	General - Grants	\$ 2,209.00	
32.3471.2620	Sanitation - Grants	\$ 1,341.00	
31.3710.2620	Water/Sewer - Grants	\$ 840.00	
30.3720.2620	Electric - Grants	\$ 5,000.00	

<u>EXPENDITURES</u>	<u>Increase</u>	<u>Decrease</u>
10.6120.1510	Recreation - Maint Bldg & Grounds (Septic Tank)	\$ 2,855.00
10.4310.6900	Police - Grants (FY22 BJA Byrne Discretionary)	\$ 114,000.00
10.4310.6930	Police - Donations	\$ 1,500.00
10.4930.6930	CMSP - Donations	\$ 3,250.00
10.6120.6930	Recreation -Donations (Westgate Park Gate)	\$ 6,000.00
10.4340.6900	Fire Dept - Grants (Safety Grant)	\$ 2,818.00
10.4340.6900	Fire Dept - Grants (Match Safety Grant)	\$ (4,390.00)
10.4520.6900	Street - Grants (Safety Grant)	\$ 1,600.00
32.4710.6900	Sanitation - Grants (Safety Grant)	\$ 2,682.00
31.7110.6900	Water Adm - Grants (Safety Grant)	\$ 1,680.00
30.7200.2930	Electric - System Maint (Electricities Grant)	\$ 5,000.00

**Section 2.** This ordinance is effective upon its adoption this February 13, 2023.

\_\_\_\_\_  
 City Clerk  
 ATTEST

\_\_\_\_\_  
 Mayor





**2022-2023 BUDGET AMENDMENT**

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**BE IT ORDAINED** by the City Council of the City of Cherryville:

**Section 1.** The 2022-2023 Budget Ordinance of the City of Cherryville adopted on June 13, 2022 is amended by increasing and decreasing the following appropriations due to Carryover Budget from Fiscal Year 2022.

<u>REVENUES</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10.3412.9900	General - Fund Balance	\$ 471,515.00	
<u>EXPENDITURES</u>		<u>Increase</u>	<u>Decrease</u>
10.4310.6930	Police - Donations	\$ 5,677.00	
10.4930.6930	CMSP - Donations	\$ 45,137.00	
10.6120.6900	Recreation - Grants (State Directed \$50K)	\$ 14,792.00	
10.6120.6900	Recreation - Grants (SCIF \$22,800)	\$ 22,800.00	
10.6120.6900	Recreation - Grants (SCIF \$350K)	\$ 350,000.00	
10.6120.6930	Recreation - Donation (Heritage Park)	\$ 33,109.00	

**Section 2.** This ordinance is effective upon its adoption this February 13, 2023.

\_\_\_\_\_  
 City Clerk  
 ATTEST

\_\_\_\_\_  
 Mayor



**2022-2023 PROJECT BUDGET ORDINANCE**

**BE IT ORDAINED** by the City Council of the City of Cherryville:

**Section 1.** The 2022-2023 Budget Ordinance of the City of Cherryville adopted on June 13, 2022 is amended by increasing and decreasing the following appropriations due to ARPA Allocation FY 2023.

<u>REVENUES</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
65.3612.2620	American Rescue Plan	\$ 967,566.00	
10.3412.9600	Transfer In - Administration	\$ 77,066.00	
10.3431.9600	Transfer In - Police	\$ 355,000.00	
10.3471.9600	Transfer In - Street	\$ 100,000.00	
31.3710.9600	Transfer In - Water Administration	\$ 208,132.00	
31.3713.9600	Transfer In - Water Plant	\$ 132,500.00	
31.3714.9600	Transfer In - Wastewater	\$ 94,868.00	
<u>EXPENDITURES</u>		<u>Increase</u>	<u>Decrease</u>
65.4120.9800	Transfer Out - Administration	\$ 77,066.00	
65.4310.9800	Transfer Out - Police	\$ 355,000.00	
65.4520.9800	Transfer Out - Street	\$ 100,000.00	
65.7110.9800	Transfer Out - Water Administration	\$ 208,132.00	
65.7130.9800	Transfer Out - Water Plant	\$ 132,500.00	
65.7140.9800	Transfer Out - Wastewater	\$ 94,868.00	
10.4120.0020	Administration - Salaries	\$ 77,066.00	
10.4310.0020	Police - Salaries	\$ 355,000.00	
10.4520.0020	Street - Salaries	\$ 100,000.00	
31.7110.0020	Water Administration - Salaries	\$ 208,132.00	
31.7130.0020	Water Plant - Salaries	\$ 132,500.00	
31.7140.0020	Wastewater -Salaries	\$ 94,868.00	

**Section 2.** This ordinance is effective upon its adoption this February 13, 2023.

\_\_\_\_\_  
City Clerk  
ATTEST

\_\_\_\_\_  
Mayor



**2022-2023 BUDGET AMENDMENT**

**BE IT ORDAINED** by the City Council of the City of Cherryville:

**Section 1.** The 2022-2023 Budget Ordinance of the City of Cherryville adopted on June 13, 2022 is amended by increasing and decreasing the following appropriations due to Carryover from FY 2022.

<u>REVENUES</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10.3412.9900	General - Fund Balance	\$ 290,684.00	
31.3710.9900	Water/Sewer - Fund Balance	\$ 393,778.00	
32.3471.9600	Transfer In - Sanitation	\$ 238,500.00	
<u>EXPENDITURES</u>		<u>Increase</u>	<u>Decrease</u>
10.4120.9800	Transfer Out - Administration	\$ 31,749.00	
10.4130.9800	Transfer Out - Police	\$ 206,751.00	
10.4120.0020	Administration - Salaries	\$ 52,184.00	
31.7140.5800	Wastewater - Capital Improvements	\$ 92,850.00	
31.7140.7400	Wastewater - Capital Equipment	\$ 300,928.00	
32.4710.7400	Sanitation - Capital Equipment	\$ 238,500.00	

**Section 2.** This ordinance is effective upon its adoption this February 13, 2023.

\_\_\_\_\_  
 City Clerk  
 ATTEST

\_\_\_\_\_  
 Mayor

# City of Cherryville Planning Department – Staff Report

## **Rezoning Case**

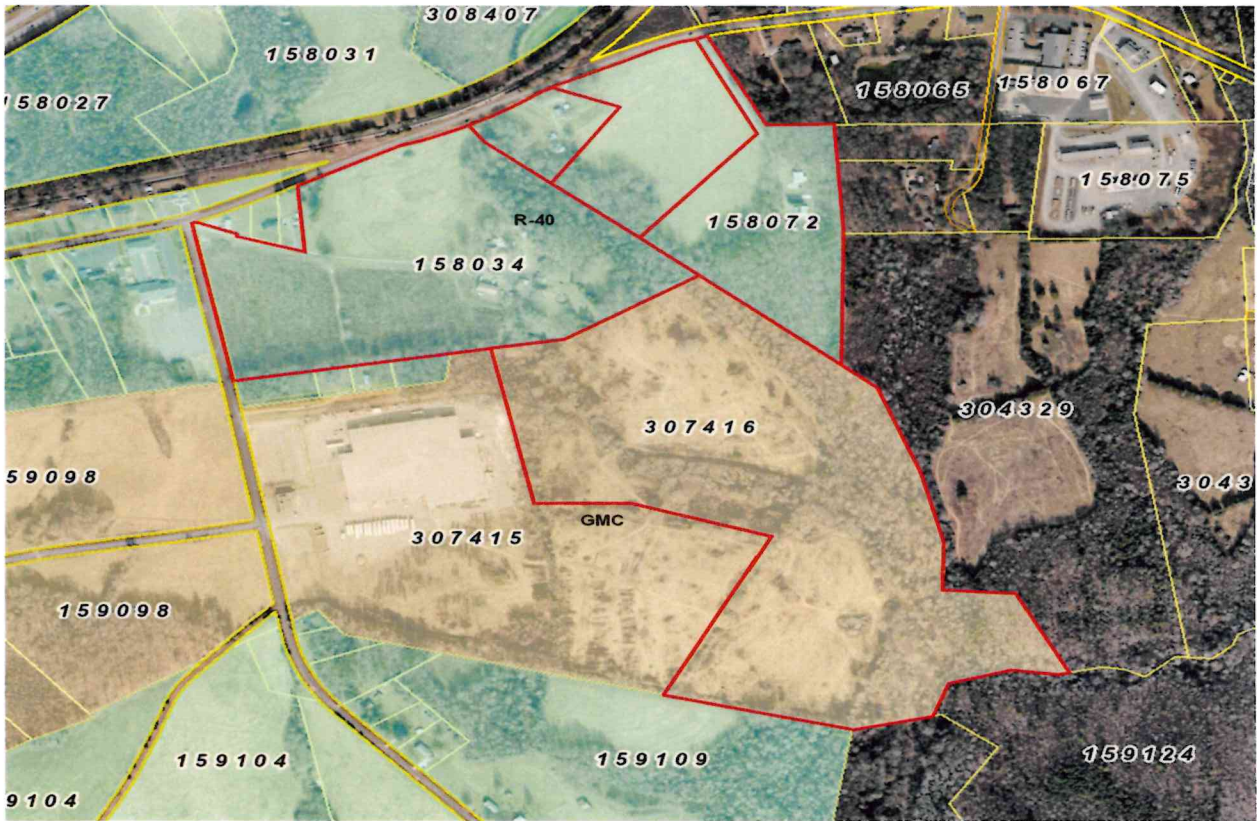
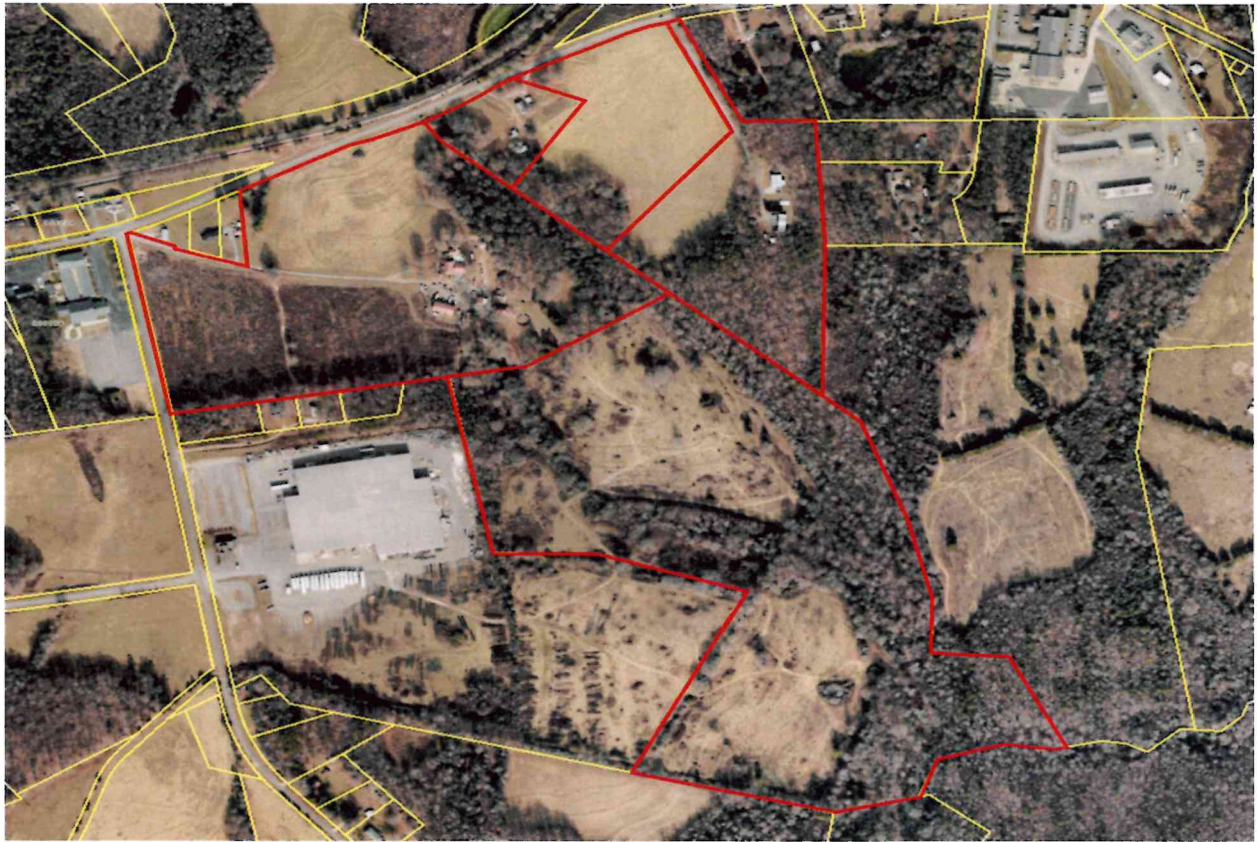
Applicant:	Piedmont Lithium Inc.
Property Owner(s):	George Bennett Allen (PID 158034) Jeffrey Lee Freeman Jr./Kelly Brazell Freeman (158038, 158072) Andrew Green/ Madison Leigh Freeman (158037) Gaston Land Company (307416)
Property Location:	Near intersection of Hephzibah Church Road and Anthony Grove Road
Property Size:	158034 – 38.84 Acres 158072 – 15.40 Acres 158038 – 13.20 Acres 158037 – 3.84 Acres <u>307416 – 65.87 Acres</u> Total 137.15 Acres
Current Zoning:	General Manufacturing and Commercial (307416) and R-40 (158034, 158072, 158038, 158037,
Proposed Zoning:	Relinquishment of Extraterritorial Jurisdiction to that of Gaston County

## **Description:**

City Staff received a Zoning Map Amendment application on December 9, 2022 requesting that the City of Cherryville relinquish the above listed properties located in the Extraterritorial Jurisdiction (ETJ) to be included in the sole jurisdiction of Gaston County. Applicant and City Staff held a meeting to discuss the possibility of this action several months prior.

The properties listed above are under contract by the owners (listed) and all have signed a notarized statement that they are aware of the request and approve of the action.





**Process:**

Staff received the application and scheduled the request to be reviewed during the January 16<sup>th</sup>, 2023 meeting of the Cherryville Planning Board.

- Pre-filing meeting to discuss proposed amendment and to become familiar with the applicable requirements and procedures
- Filing of Request
  - December 9, 2022
- Cherryville Planning Board to review and recommend action on the proposed change.
  - January 16, 2023 – Presented before the Planning Board.
  - Planning Board voted unanimously to recommend approval of relinquishment to the City Council.
- Staff to schedule with the City Council to set a Public Hearing.
- Staff to schedule proper advertisement of the Public Hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
- Staff to install zoning signage on the subject property prior to Public Hearing.
- Notices of adjoining property owners to be sent prior to Public Hearing.

**Dates:**

- December 9, 2023 – Filing of Request
- January 16, 2023 – Planning Board Consideration
- February 13, 2023 – City Council to schedule Public Hearing
- March 13, 2023 – Public Hearing

**Staff Comments:**

The five properties are currently located within the Extraterritorial Jurisdiction of the City of Cherryville and consist of General Manufacturing and Commercial (GMC) as well as Rural Residential (R-40) Zoning Districts.

The applicants have disclosed that they are intending to utilize the property for a Lithium Mine and refinery in conjunction with property already solely in the jurisdiction of Gaston County. Both the City of Cherryville and Gaston County require that this use first obtain a Special Use Permit and the applicants are seeking to have one Special Use application and approval rather than going through the same process twice.

In accordance with the City of Cherryville Zoning Ordinance, a mining operation is a listed use as found in Part 7, Section 7.12.2(B)



**Conditional Uses:**

B. Mines and quarries

The City of Cherryville Future Land Use Plan, as adopted on August 13, 2012, depicts the entire area encompassing all five (5) parcels as being of the Industrial designation.

If approved, the properties will be relinquished from the zoning jurisdiction of the City of Cherryville. Per **North Carolina General Statute 160D-202(h)**:

**Relinquishment of Jurisdiction** – When a city relinquishes jurisdiction over an area that it is regulating under this Chapter to a county, the city development regulations and powers of enforcement shall remain in effect until (i) the county has adopted such development regulation or (ii) a period of 60 days has elapsed following the action by which the city relinquishes jurisdiction, whichever is sooner. Prior to the transfer of jurisdiction, the county may hold hearings and take other measures consistent with G.S. 160D-204 that may be required in order to adopt and apply its development regulations for the area at the same time it assumes jurisdiction.

If the City Council so decides to reject the request for relinquishment, the applicants would be required to apply for a Special Use Permit simultaneously for the same use before the Gaston County Board of Commissioners as well as the City of Cherryville City Council.

**Abutting/Adjacent Property Owners:**

**North:**

Johnny Wayne Little & Sara Lynn Little  
2343 Country Club Road  
Lincolnton, NC 28092

Tonya Denise Wright  
2724 Lincolnton HWY  
Cherryville, NC 28021

Life and Truth Baptist Church  
P.O. Box 1698  
Lincolnton, NC 28093

Vance Allen Kirby & Debra S Kempston  
312 Hephzibah Church Road  
Crouse, NC 28033-9736

George Bennett Allen  
340 Hephzibah Church Road  
Crouse, NC 28033-9736

**West:**

Anthony Grove Baptist Church  
100 Anthony Grove Road  
Crouse, NC 28033-8788

Michael N Beam Trust  
P.O. Box 4148 MAC G0128-021  
Atlanta, GA 30302

Linda B Beam AMND RSD REV R  
868 Church Street, N FL 2  
Concord, NC 28025-4350

Commodore Homes LLC  
3636 N Central Ave STE 1200  
Phoenix, AZ 85012

Charles Edward Bush  
215 Anthony Grove Road  
Crouse, NC 28033

**South:**

Cathi Elaine F Putnam  
4505 Cove Road  
Wilmington, NC 28405-1005

Charles Edward Gillespie  
9711 228<sup>th</sup> Place SW  
Edmonds, WA 98020

Cathryn C Varalli & John A Varalli  
1373 High Shoals Road  
Lincolnton, NC 28092

**East:**

Gaston Land Company  
32 North Main Street  
Belmont, NC 28012

Calvin Shaw  
1030 Bakers Spring Lane  
Crouse, NC 28033

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

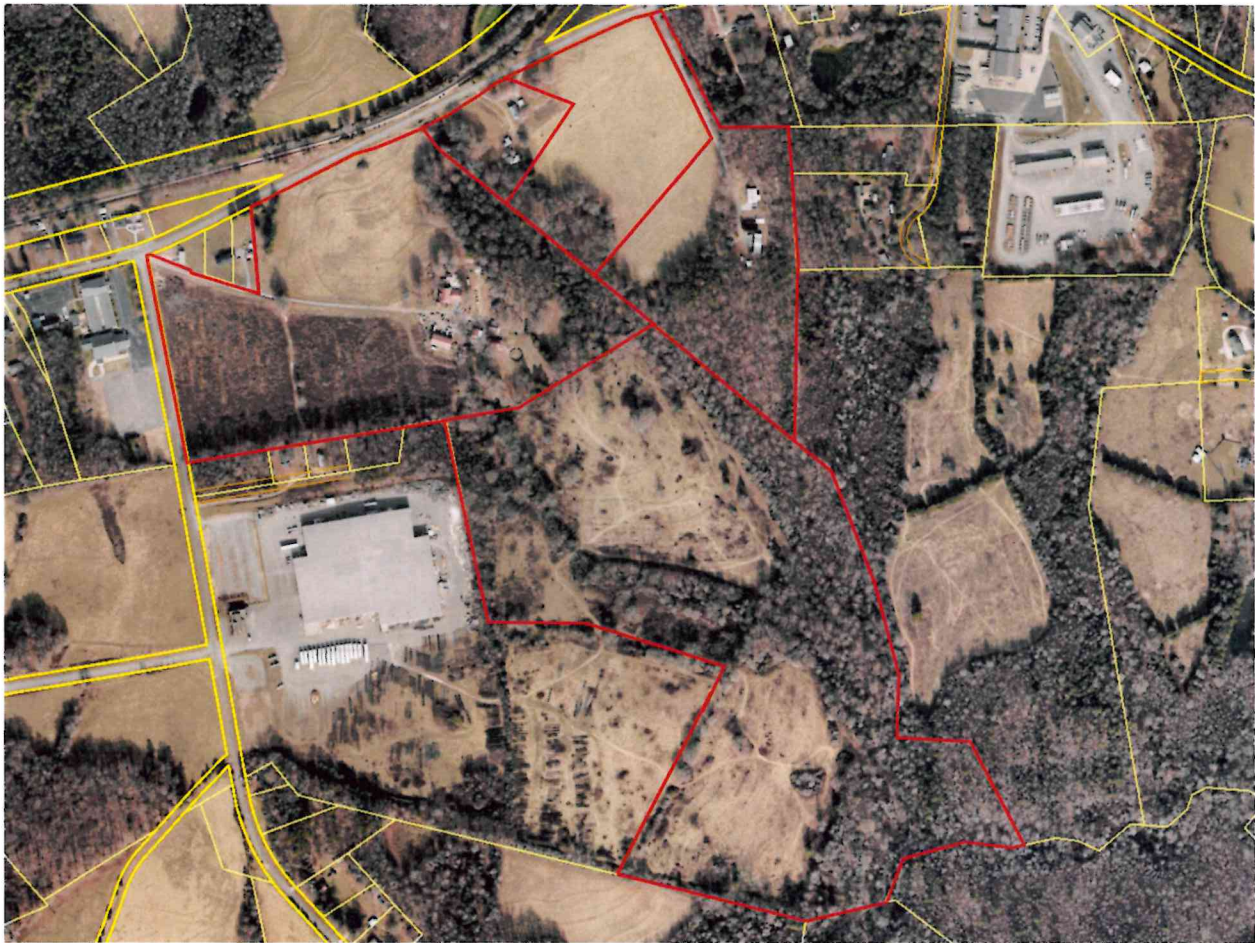
David Dean Smith  
1040 Bakers Spring Lane  
Crouse, NC 28033

Deana G Jones  
412 Hephzibah Church Road  
Crouse, NC 28033-8799

## NOTICE OF PUBLIC HEARING

The City of Cherryville's City Council will hold a Public Hearing at their regularly scheduled meeting of Monday, \_\_\_\_\_, 2023 at 6:00 p.m., at the Cherryville Community Center located at 106 S Jacob Street, Cherryville, NC 28021.

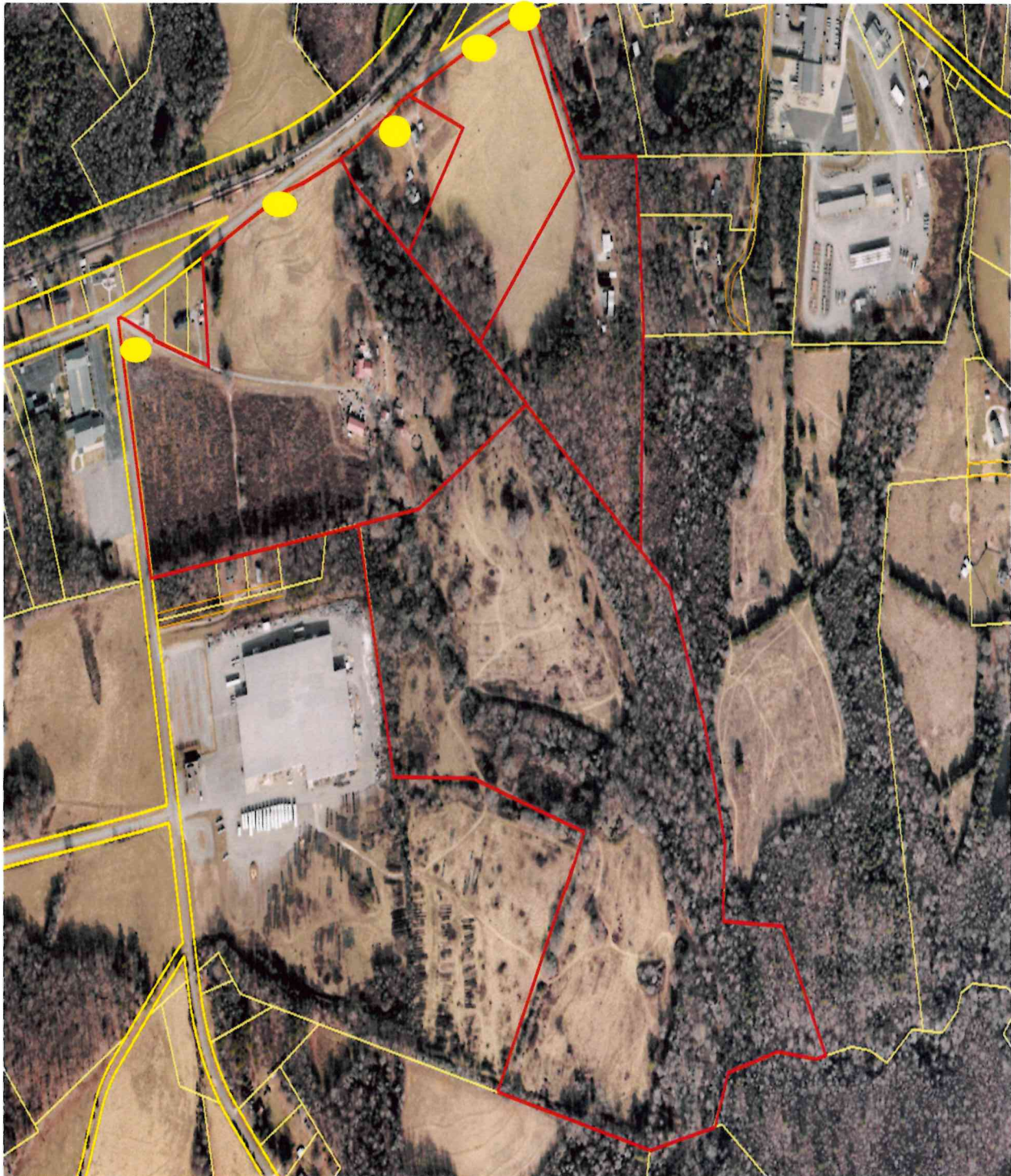
The purpose of this Public Hearing will be to consider the requested Zoning Map Amendment in the form of a relinquishment of Parcels 307416, 158034, 158072, 158038 and 158037, located at the intersection of Hephzibah Church Road and Anthony Grove Road. The request is a removal of Cherryville Zoning Jurisdiction for that of the Gaston County Jurisdiction.



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



**Sign Placement**



● - Indicates placement of Public Notice Sign





CITY OF CHERRYVILLE  
 MAJOR FUND FINANCIAL SUMMARY REPORT  
 6 MONTHS ENDING DECEMBER 31 2022

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390k Transfer  
 for generator  
 and oxidation

\*\*\*given to council/dept heads monthly