

****NOTICE OF QUORUM FOR THE PURPOSE OF MANDATORY PUBLIC AWARENESS CLASS FOR CITY OF KINGS MOUNTAIN CITY COUNCIL****

Per Federal requirements associated with Pipeline Hazardous Materials Safety Administration (PHMSA) in the owning and operating of a Public Natural Gas System, a public awareness class has to be administered to Councilmembers by the Energy Services Director. **Notice is hereby given that a quorum will be present for this mandatory training prior to the Regular Council meeting of Tuesday, July 30, 2019 at 4:30 p.m. in Council Chambers.**

**CITY OF KINGS MOUNTAIN, NORTH CAROLINA
AGENDA FOR THE REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 30, 2019, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS**

1. Call to Order and Determination of a Quorum.
2. Invocation by Mayor Scott Neisler, First Presbyterian Church, Kings Mountain, North Carolina. *(Please stand for Invocation and remain standing for Pledge of Allegiance)*
3. Pledge of Allegiance – *Mayor G. Scott Neisler*
4. Motion to adopt the proposed Agenda. *(Only emergency items shall be added to the agenda. Emergency shall be defined and requested by the City Manager. Upon approval of the Mayor and City Council the item will be added. Consent Items will be adopted with a single motion, second and vote unless a request for removal from the Consent Agenda is heard from a Councilmember.)*
5. City Councilmember’s comments and remarks

SPECIAL PRESENTATIONS AND RECOGNITIONS:

6. Mayor’s comments and remarks:
 - Employee recognition

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|---------------------|---------------------|----------|
| ✓ Frank Burns | Fire Department | 30 Years |
| ✓ Darryl Dixon | Public Works | 20 Years |
| ✓ Terry Cain | Energy Services/Gas | 15 Years |
| ✓ Ricky Duncan | Water Department | 15 Years |
| ✓ Lareina Carpenter | Human Resources | 5 Years |
 - **Resolution** recognizing Patrol Officer Brent Herndon for obtaining his Intermediate Law Enforcement Certification from the State of North Carolina.
 - **Resolution** recognizing Detective Josh Bryant for obtaining his Intermediate Law Enforcement Certification from the State of North Carolina.
 - **Resolution** supporting the More Powerful North Carolina Campaign.
 - **Proclamation** in support of 35th Annual National Night Out which will be held on Tuesday, August 6, 2019.

7. Special Events update – *Christy Conner, Special Events Director.*
8. Citizen Recognition - *Persons wishing to appear before the Council during this portion of the meeting should register their name and the subject they wish to address with the City Clerk prior to the beginning of the meeting. Each presentation will be limited to three (3) minutes.*

CONSENT AGENDA:

9. Motion to approve the following Consent Agenda Items:
 - A. Minutes of the Regular Meeting of June 25, 2019.
 - B. Budget Amendments to Mauney Memorial Library and ElectriCities Economic Development Study/Strategic Planning Project.
 - Mauney Memorial Library – Amendment in the amount of \$110,000 to true up inception to date budget to reflect the total contributions received and accounted for in the Library Capital Fund. These funds can only be utilized for library capital purposes and will be transferred out to be spent as a qualifying need arises. (Increasing total budget in the fund.)
 - Mauney Memorial Library – Amendment in the amount of \$35,000 to be utilized for constructing a lift for those who may need this service. These funds, donated by the Scism family, can only be used for library capital purposes. (Increasing total budget in the fund.)
 - ElectriCities Economic Development Study/Strategic Planning Project – Amendment in the amount of \$50,000 to re-budget unspent dollars from last years’ budget related to the ElectriCities Economic Development Study/Strategic Plan. This process has overlapped fiscal year end, thus unused budget needs to be carried forward. (Increasing total expenditures.)
 - C. Adopt an **Ordinance** amending the Code of Ordinance for the City of Kings Mountain § 72.25 (B) to change the speed limit on South Cansler Street from King Street to Meadowbrook Road from 35 MPH to 25 MPH.
 - D. Adopt an **Ordinance** amending the Code of Ordinance for the City of Kings Mountain § 73.04 (B) to amend the City Code of Ordinance: Parking Prohibited in Certain Places. This is a recommendation from the Kings Mountain Transportation Committee.
 - E. Authorize Police Chief Lisa Proctor to execute a Memorandum of Understanding regarding Law Enforcement-Based Victim Specialist

Program between the Cleveland County Sheriff's Office and the Kings Mountain Police Department. This is a grant opportunity through the US Department of Justice.

- F. Authorize the Mayor to execute a Moss Lake Use Agreement which would allow Wake the World to host an event on August 5, 2019. This event would be held from 10:00 AM to 3:00 PM and it would provide adaptive water sports for disabled children and adults. Moss Lake Property Owners Association (MLPOA) is providing support for this group.
- G. Authorize the Mayor to execute a Moss Lake Use Agreement which would allow Float Fest to host an event on August 17, 2019. This 3rd Annual Float Fest event would be held from 1:00 PM to 5:00 PM and it will be raising funds to go to the Cleveland County Department of Social Services for the Foster Children Special Fund.
- H. Approve the Downtown Kings Mountain Façade Grant application in the amount of \$5,000 for 133 W. Mountain Street, for Thoroughbred Partners, Ltd and John McGill, Managing Partner, for the purpose of façade repairs, rehabilitation, and renovations.
- I. Adopt an **Ordinance** amending the closing time at Patriots Park from 9:00 PM to 10:00 PM.
- J. Authorize the Mayor to execute a new (5) Year Fiber Lease Agreement with STI that will begin on October 1, 2019. There are three agreements to be approved. They are the STI Final Dark Fiber Use Agreement, the STI Final Rack Space Lease Agreement, and the Fiber & Rack Space Rates.
- K. Approve the following appointments to the following Boards and Commissions:
 - Moss Lake Commission:
 - Reappoint Steve Marlow, term expiring 6/30/2020.
 - Gene Henry (filling vacant seat), term expiring 6/30/2020.

PUBLIC HEARING

- 10. Motion to Recess the Regular Meeting and enter into a Public Hearing to discuss the following:
 - A. Consider a Rezoning Request with a Conditional Use Permit for property located on 923 Cleveland Avenue from RS-8 to Conditional Use – General Business – Case No. CUR-1-3-19 – *Stuart C. Gilbert, Economic Development and Planning Director.*

- B. Consider a Draft Zoning Text Amendment to the permitted uses listed on the Kings Mountain Zoning Ordinance with special conditions added in the general business, and light and heavy manufacturing districts, to include tattoo parlors, vape shops and body piercing shops – Case No. Z-1-5-19 - *Stuart C. Gilbert, Economic Development and Planning Director.*
- C. Receive citizen comments about the closeout of the Community Development Block Grant (CDBG) Project #15-E-2770 received by the City from the North Carolina Department of Commerce, Rural Development Division – *Steve Austin.*

11. Motion to close the Public Hearing and re-enter the Regular Meeting.

REGULAR MEETING

12. **(Action on 10-A)**

Motion to adopt a Consistency Statement in **Favor/Against** a Rezoning Request with a Conditional Use Permit for property located on 923 Cleveland Avenue from RS-8 to Conditional Use – General Business – Case No. CUR-1-3-19.

13. **(Action on 10-B)**

Motion to adopt a Consistency Statement in **Favor/Against** a Draft Zoning Text Amendment to the permitted uses listed on the Kings Mountain Zoning Ordinance with special conditions added in the general business, and light and heavy manufacturing districts, to include tattoo parlors, vape shops and body piercing shops – Case No. Z-1-5-19.

Motion to Approve/Deny **Ordinance** amending the Zoning Ordinance to require to require a Draft Zoning Text Amendment to the permitted uses listed on the Kings Mountain Zoning Ordinance with special conditions added in the general business, and light and heavy manufacturing districts, to include tattoo parlors, vape shops and body piercing shops – Case No. Z-1-5-19.

14. **(Action on 10-C)**

No action required by Council.

15. Motion to close the Regular Session and enter into a Closed Session pursuant to N.C.G.S. § 143-318.11 (3) – discuss Economic Development Agreement.

CLOSED SESSION

16. Motion to close the Closed Session and re-enter the Regular Meeting.

ADJOURNMENT

17. Motion to Adjourn.