

WORK SESSION OF JULY 13, 2023

The City of Kings Mountain, North Carolina held a Regular Work Session at 6:00 p.m. on Thursday, July 13, 2023 in the Council Chambers of City Hall with Mayor Scott Neisler presiding.

ATTENDANCE

The following Councilmembers were present: Annie Thombs, Jay Rhodes, David Allen, Keith Miller, Mike Butler and Jimmy West. Councilmember Tommy Hawkins was absent.

Also, present: Jim Palenick, City Manager, Mickey Corry, City Attorney, and Karen Tucker, City Clerk.

INVOCATION

The invocation was given by Reverend Brian Taule, David Baptist Church, Kings Mountain, North Carolina.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Scott Neisler.

DISCUSSION ITEMS

Item 4 – Presentation and Discussion Regarding Development Matters

City Manager Jim Palenick updated Council regarding several development projects, some that are familiar and others that are relatively new, as follows:

- Candlewood Suites is an 86 unit, 4-story hotel that is coming to 707 York Road
- Dixon Ridge is a 384-acre project that is in the ETJ
- Recent settlement between the Catawba Nation and the National Indian Gaming Commission – They are no longer in violation
- 8 residential units (4 duplexes) being built at 914 South Battleground Avenue
- Future Development Agreements with Albemarle
- An email was sent to the State Legislature regarding the future of Project South
- Pinnacle Park, an Industrial Development off of York Road consisting of 905,000 square feet of industrial space in four separate buildings, \$120 Million investment
- Continuing efforts with Brinkley Ridge, Duval, and Orchard Trace regarding connectivity of the three residential developments
- Future Streetscape discussions with Kings Mountain Forward, Inc.

Item 5 – Presentation and Discussion Regarding Board of Adjustment Ordinance Text, Procedures, and Scheduling

Kimberly Herndon, Acting Director of Development Services addressed Council regarding the proposed language for the Board of Adjustment changing the current board to be comprised of all seven members of City Council and the ETJ members of the Planning and Zoning Board from Cleveland and Gaston Counties. Five of the seven members will sit and two will be present as alternates. ETJ members will hear cases that pertain only to property located in the ETJ area of either Cleveland or Gaston County. Staff is in the process of determining the population count in both ETJ areas in order to ensure that there are proportionate seats for both counties. All terms will be three-years due to the fact that this is what the state statute calls for. The draft that is included in tonight's package does not reflect this; however, this will be changed to agree with the letter of the law.

There was discussion regarding whether or not the adoption of this language would require a public hearing. Council has already held a public hearing on the matter and has already voted to change the Board of

Adjustment to the City Council. Planning and Zoning made an alternative recommendation at an earlier meeting, so there is no reason to send it back. It was determined that since a Public Hearing has already taken place, and action was taken to change the board to consist of seated City Councilmembers that the next action would be to simply adopt the new language.

If Council is comfortable with the language, it is anticipated that it can be adopted at the next regular meeting, then an organizational meeting will be scheduled after the final language is adopted.

CITIZEN RECOGNITION

No one signed up to speak.

Upon Motion by Councilmember Keith Miller by Councilmember Mike Butler, it was unanimously voted to recess the Regular Work Session and enter into a Public Hearing at 6:30 p.m.

PUBLIC HEARING

ITEM 6A: Public Hearing to consider the Adoption of a Water and Wastewater System Development Fee Study prepared By Willdan Financial Services.

City Manager Jim Palenick addressed Council regarding his matter. This is the next to last step in the effort to adopt this study and system development fees. Staff would recommend that Council would take public comment tonight, then continue this public hearing to the next regular meeting to allow time for additional public input, then the final step of adopting the ordinance after the public hearing is closed at the next meeting. He reviewed "Section 5" of the proposed ordinance which pertains to language that delays the effective date for single family dwellings that meet certain criteria for a period of 36 months from the time that the ordinance is adopted. The intent of this language is to incentive nicer, single family type projects.

No one spoke in favor or against this matter.

Upon Motion by Councilmember Keith Miller by Councilmember Annie Thombs, it was unanimously voted to continue the Public Hearing until the next regular meeting.

Councilmember Keith Miller then offered a Substitute Motion due to the fact that the original Motion did not move to reenter the Regular Work Session, stating that he would move to continue the Public Hearing on this matter until the next regular meeting of Tuesday, July 25, 2023 at 6:00 p.m. in Council Chambers and to reenter the work session. This was seconded by Councilmember Annie Thombs and this motion passed unanimously. Council reentered the regular work session at 6:37 p.m.

ACTION ITEMS FROM PUBLIC HEARING

ITEM 8 (Action on 6A)

No Action Taken

Upon Motion by Councilmember Jimmy West, seconded by Councilmember Jay Rhodes, it was unanimously voted to close the Regular Meeting at 6:39 p.m. and enter into a Closed Session pursuant to N.C.G.S. § 143-318.11 (a)(6) regarding the following:

- To consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee.


CLOSED SESSION

Upon Motion by Councilmember Jay Rhodes, seconded by Councilmember Jimmy West it was unanimously voted to close the Closed Session and re-enter the Regular Meeting at 7:14 p.m.

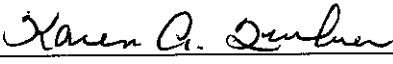
There was no action taken as a result of the Closed Session.

ADJOURNMENT

Upon Motion by Councilmember Annie Thombs, seconded by Councilmember Mike Butler, it was unanimously voted to adjourn at 7:14 p.m.

BY: 
G. Scott Neisler, Mayor

ATTEST:


Karen A. Tucker, City Clerk