



KANNAPOLIS CITY COUNCIL

MEETING AGENDA
Kannapolis City Hall
401 Laureate Way, Kannapolis NC
October 14, 2019
6:00 PM

Please turn off cell phones or place on silent mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

FIRST READING

1. Amendment to the Kannapolis Code of Ordinances Article 12, Parks & Recreation adding West Avenue Park
2. Amendment to the Kannapolis Code of Ordinances, Chapter 12, prohibiting skateboarding (Walter M. Safrit, II, City Attorney)

PROCLAMATIONS

1. Red Ribbon Week October 23-31
2. Breast Cancer Awareness Month

RECOGNITIONS

1. Recognition of James Irvin for the NCWOA B Surface Operator of the Year Award (Wilmer Melton III, Director of Public Works)

APPROVAL/CORRECTION OF MINUTES

1. July 08 Regular meeting
2. July 22 Regular Meeting
3. July 30 Special Meeting
4. August 12 Regular Meeting
5. August 26 Regular Meeting
6. Closed Session July 08
7. Closed Session July 22
8. Closed Session August 12

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

1. Ordinance amending the budget to carryover funds from Fiscal year 2019 to Fiscal year 2020 to (Eric Davis, Finance Director)
2. Ordinance amending the budget for West Avenue decorations (Gary Mills, Parks and Rec. Director)
3. Sole source purchase of Mueller Systems Advanced Metering Infrastructure (Wilmer Melton, Director of Public Works)
4. West 1st Street - Street Renaming (Wilmer Melton, III - Director of Public Works)

BUSINESS AGENDA

- A. Cabarrus County Economic Development Update (Robert J. "Robby" Carney Jr., Executive Director, Cabarrus Economic Development Corporation)
- B. Public Hearing to consider a text amendment to Article 4, Table 4.6-1, Article 5 and Appendix A of the Unified Development Ordinance (UDO), to allow mobile food vending within the CC (Center City), C-1 (Light Commercial and Office), and the C-2 (General Commercial) districts, with specific standards (Zachary D. Gordon, AICP, Planning Director) **SECOND READING**
- C. I-85 Exit 63 Water and Sewer Presentation (Wilmer Melton III, Director of Public Works)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

CLOSED SESSION

GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney client privilege; G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area, and G.S. 143-318.11 (a) (6) for the purpose of discussing personnel matters. (Mayor Pro tem Haas)

Motion to Adjourn Meeting

UPCOMING SCHEDULE

October 28, 2019

November 11, 2019 (Cancelled due to Veteran's Day)

ADA Notice and Hearing Impaired Provisions

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), anyone who requires auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director by phone at 704-920-4302 or email at tcline@kannapolisnc.gov as soon as possible, but no later than forty-eight (48) hours before the scheduled event.



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Walter M. Safrit, III City Attorney
TITLE Amendment to Kannapolis Code of Ordinances
Article 12 "Parks and Recreation"

A. Action Requested by City Council

Motion to Approve Ordinance Amending Kannapolis Code of Ordinances Article 12 Parks and Recreation adding West Avenue Park (Walter M. Safrit, II, City Attorney)

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

With the opening of the new West Avenue Park it is necessary to add it to the list of parks identified in Article 12 "Parks and Recreation" section of the Kannapolis City Code.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

Preservation of City property and city safety is a lawful function of the City Council.

G. Alternative Courses of Action and Recommendation

1. **Motion to approve the Ordinance amending the Kannapolis Code of Ordinances Article 12 "Parks and Recreation" (Recommended)**
2. Amend and then approve the Ordinance.
3. Reject the Ordinance.
4. Table action to a future meeting

ATTACHMENTS:

File Name

▣ Ordinance_(Parks___Recreation)___10-14-19.doc

Ordinance # _____

CITY OF KANNAPOLIS

ORDINANCE

BE IT ORDAINED by the City Council of the City of Kannapolis that Chapter 12 “Parks and Recreation” Section 12-23 “Definitions” of the Kannapolis City Code is hereby amended as follows:

1. Sec. 12-23. is hereby amended and shall read as follows:

“Park, Park Property, Public Property means and includes all or any portion of any park or other public property in the City of Kannapolis including, but not limited to, Bakers Creek Park, Mountain Street Park, Village Park, Veterans Park, Walter M. Safrit Park, Kannapolis Cemetery, James Street Park, Dale Earnhardt Tribute Park, CMC-NE Baseball Stadium, the Sports and Entertainment Venue and West Avenue Park. The terms park, park property and public property shall be each deemed to include one another. Parks shall be identified by signage at each entrance.”

Adopted this the 14th day of October, 2019.

Milton D. Hinnant
Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Walter M. Safrit, II City Attorney
TITLE Amendment to Kannapolis Code of Ordinances,
Chapter 12 Prohibiting skateboarding

A. Action Requested by City Council

Motion to approve an Ordinance amending Kannapolis Code of Ordinances, Chapter 12, prohibiting skateboarding.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

City staff and citizens have raised concerns about the use of skateboards and other devices within City park areas. The primary concern is safety. Parks are often congested. Park patrons must be protected from often unseen and fast moving devices which are capable of causing injury.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

Preservation of City property and city safety is a lawful function of the City Council.

G. Alternative Courses of Action and Recommendation

1. **Motion to approve an Ordinance amending the Kannapolis Code of Ordinances. (Recommended).**
2. Amend and then approve the Ordinance.
3. Reject the Ordinance.

4. Table action to a future meeting.

ATTACHMENTS:

File Name

▢ Ordinance_(Prohibiting_Skateboarding_etc)___10-14-19.pdf

CITY OF KANNAPOLIS

**ORDINANCE PROHIBITING SKATEBOARDING
AND OTHER SIMILAR ACTIVITIES WITHIN CITY PARKS**

WHEREAS, the City Council for the City of Kannapolis, North Carolina is aware of the need for the preservation of City owned property and citizen safety in the City; and

WHEREAS, members of City staff have documented damage to City parks as the result of individuals using the properties for skateboarding and other similar recreational activities; and

WHEREAS, it has been determined that in order to ensure the safety of citizens using City parks and to protect the property and structures belonging to all the citizens, it is necessary to prohibit certain activities within City parks.

NOW, THEREFORE, the City Council does hereby amend Chapter 12 by the addition of Sec. 12-30 as follows:

“Sec. 12-30. Prohibition against skateboarding and similar activities as identified herein within any City park identified in Chapter 12 of the City Code.

No person shall operate, ride or use any motive device propelled or designed for propulsion by human power within any City Park. The term “motive device propelled or designed for propulsion by human power” includes: tricycles, coasters, scooters, skateboards, roller skates, roller blades, sleds and wagons, but shall not include bicycles and wheelchairs or other devices operated or used by handicapped or disabled persons.”

This Ordinance shall take effect from and after adoption.

Adopted this the 14th day of October, 2019.

Milton D. Hinnant
Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N

National Red Ribbon Week
October 23 – 31, 2019

WHEREAS, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them, and

WHEREAS, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle, and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities, and

WHEREAS, the Red Ribbon has been chosen as a symbol commemorating the work of Enriquée “Kiki” Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference, and

WHEREAS, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts, and

WHEREAS, October 23-31 has been designated as National Red Ribbon week with the theme “**Send a Message - Stay Drug Free**”. Americans are encouraged to wear a red ribbon to show their support for a drug-free environment.

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina, by the virtue of the authority vested in me as Mayor do hereby proclaim the week of October 23-31, 2019 as:

“NATIONAL RED RIBBON WEEK”

In the City of Kannapolis and encourage all citizens to join me in this special observance.

IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 14th day of October 2019.

Milton D. Hinnant



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N

NATIONAL BREAST CANCER AWARENESS MONTH

WHEREAS, breast cancer touches every corner of the United States and hundreds of thousands of Americans will be diagnosed with breast cancer and tens of thousands will die from it; and

WHEREAS, about 1 in 8 women born today in the United States will get breast cancer at some point in their lifetime and approximately 2,000 men are diagnosed with breast cancer each year; and

WHEREAS, October is designated as National Breast Cancer Awareness Month and the pink ribbon is the internationally recognized symbol of breast cancer awareness, and

WHEREAS, we show our support for every individual and every family struggling with breast cancer and we pause to remember those we have lost; and

WHEREAS, Breast Cancer Awareness Month in October is a chance to raise awareness about the importance of early detection of breast cancer by getting a mammogram and encouraging our community, organizations, churches, families and individuals to get involved; and

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina, by the virtue of the authority vested in me as Mayor do hereby proclaim October 2019 as:

“BREAST CANCER AWARENESS MONTH”

in the City of Kannapolis and urge all citizens to wear pink ribbons in recognition of breast cancer awareness and in honor of women and men who have lost their lives to breast cancer and of those women who are now courageously fighting the battle with breast cancer.



WITNESS WHEREOF I have set my hand and
Caused the Great Seal of the City of Kannapolis
to be affixed this 14th day of October 2019.

Milton D. Hinnant



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton III, Director of Public Works
TITLE Recognition of James Irvin for the NCWOA B
Surface Operator of the Year Award

A. Action Requested by City Council

No action required

B. Required Votes to Pass Required Action

Presentation Only, no action required

C. Background

The North Carolina Waterworks Operators Association (NCWOA) has been the premier trainer of waterworks professionals for North Carolina since 1939. Their volunteers are industry leaders who come together to provide certification schools and continuing education opportunities to members and non-members. These opportunities keep water industry professionals informed about new technology and advances in the water industry. Becoming a member of NCWOA puts candidates on the pathway of continual growth and success in the water industry.

The Certified Operator of the Year Award is given to recognize at each level of certification (A Surface, B Surface, C Surface, A-Well, B-Well, C-Well, D-Well). The candidate must be a Waterworks Operator who has demonstrated outstanding ability, devotion and technical expertise in the operation of a water treatment facility. In order to obtain this award the candidate must also be a member in good standing of the NCWOA and engaged in water treatment at least part time or on a regular basis. We are pleased to present this award to James Irvin in recognition of this achievement.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
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None

ATTACHMENTS:

File Name

No Attachments Available

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
July 08, 2019**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, July 08, 2019, at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Roger Haas
Van Rowell
Dianne Berry
Doug Wilson
Tom Kincaid

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	David Hancock	Zac Gordon
	Gary Mills	Tony Eury
	Tina Cline	Irene Sacks
	Rick Barnhardt	Jason May
	Terry Clanton	Donie Parker

Visitors Present:	Mollie Ruf	Mike Miller
	Greg Edds	Nate Kaust
	Jeff Ashbaugh	Buddy Amerson
	Darrell Jackson	Lester Sisk
	Ron Haithcock	Marcus Deel
	Sathina Guard	Nathan Payne
	Richard Chaney	

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. Council Member Kincaid led a moment of silent prayer and the Pledge of Allegiance.

1 **ADOPTION OF AGENDA:**

2 Mayor Hinnant noted that Consent Agenda Item 3- Personnel Policy 400.01 - Position
3 Classification Plan and Consent Agenda Item 4- Personnel Policy 400.02 - Compensation Plan be
4 moved to the Business Agenda Item F and G.

5
6 Council Member Wilson made a motion to approve the revised agenda. Motion was seconded by
7 Council Member Dayvault and approved by unanimous vote.
8

9 **PROCLAMATIONS:**

10 Mayor Hinnant proclaimed July as National Parks and Recreation Month
11

12 **RECOGNITIONS:**

13 Mayor Hinnant recognized Buddy Amerson as serving on the Kannapolis Parks and Recreation
14 Commission from December 10, 2007 to June 30, 2019. Mr. Amerson was presented a plaque of
15 appreciation and letter from the Mayor.
16

17 **APPROVAL/CORRECTION OF MINUTES:**

18 Council Member Dayvault made a motion to approve the Closed Session Minutes May 07, 2019.
19 Motion was seconded by Mayor Pro tem Haas and approved by unanimous vote.
20

21 Council Member Kincaid made a motion to approve the Closed Session Minutes June 10, 2019.
22 Motion was seconded by Council Member Berry and approved by unanimous vote.
23

24 **CONSENT AGENDA:**

25 Council Member Dayvault made a motion to approve the revised Consent Agenda. Motion was
26 seconded by Council Member Wilson and approved by unanimous vote.
27

28 First Amendment to the Agreement for Joint Use of Facilities between the Kannapolis City Board
29 of Education and City of Kannapolis (Gary Mills, Director of Parks and Recreation) (Copy
30 included as Exhibit A)
31

32 Kannapolis Parks and Recreation Risk Management Policy and Risk Management Plan and
33 Procedures (Gary Mills, Director of Parks and Recreation) (Copy included as Exhibit B)
34

35 Irish Buffalo Creek Greenway Project NCDOT TIP #C-5161 (Wilmer Melton, III, Director of
36 Public Works) (Copy included as Exhibit C)
37

38 Interlocal Agreement for Mass Communication Services (Annette Privette-Keller, Director of
39 Communications) (Copy included as Exhibit D)
40

41 **BUSINESS AGENDA:**

42 **Presentation 'Your Rowan-Be Original' Rowan County Board of Commissioner Chairman**
43 **Greg Edds (Copy included as Exhibit E)**

44 Introduced were Chairman Greg Edds of the Rowan County Board of Commissioners; Mike Miller
45 and Mollie Ruf of the Miller Davis Agency, a marketing and advertising agency. Your-Rowan-Be

1 Original is a central place for sharing positive information about Rowan County, connecting and
2 promoting goodwill about the places and people of Rowan County. Your Rowan was branded as
3 a way for residents and visitors alike to connect with the overall messaging of Rowan County,
4 share their stories and be informed about the unique assets that make Rowan County a great place
5 to live, learn, work and play. A short five minute video was shown telling the story from a citizens
6 viewpoint.

7
8 Mayor Hinnant asked how the City of Kannapolis could become involved. Council was told to
9 embrace this brand and follow them on Facebook, Twitter, Instagram and their website:
10 www.yourrowan.com

11
12 Mayor Hinnant thanked Chairman Edds, Mike Miller and Mollie Ruf for the presentation. No
13 action was required by Council.

14
15 **Presentation and approval of Eastside Park Master Plan (Gary Mills, Director of Parks and**
16 **Recreation) (Copy included as Exhibit F)**

17 Mr. Mills and Jeff Ashbaugh presented a power point on the Eastside Park Master Plan. Staff has
18 been working the last 8 months on the Master Plan for the Eastside Park. Council approved funding
19 for the Master Plan in the FY19 budget. The Eastside Park is to be developed on the 33-acre tract
20 on Midlake Avenue that the City acquired a couple years ago. As demand from residents on the
21 eastside for a park continued, the City decided to move forward with the development of the plan
22 for this future park site.

23
24 The City held two public meetings, also requested feedback via an online survey. In addition to
25 the recent public feedback, Staff also utilized the approved Citywide P&R Master Plan
26 recommendations to develop the following plan for the property. Over 60 people attended the two
27 sessions. Top priorities were paddleboats, walking trails; sidewalks to the park, picnic
28 shelters/restrooms, a playground with a hill slide and water spray ground. There would be a dog
29 park with separation of small and larger dogs with plenty of shade and access for natural water for
30 the dogs.

31
32 It is the intent of the City to apply for a Parks and Recreation Trust Fund grant (PARTF) at some
33 point in the near future to provide additional funding assistance for development of the project. In
34 order to have the project/application score well, the City must have a site-specific master plan
35 developed and approved by City Council. The P&R Commission reviewed the site plans and
36 master plans at their two previous meetings and unanimously approved the site plan and Master
37 Plan for the Eastside Park.

38
39 Questions asked by Council if other size boats or kayaks would be allowed.

40 The general public would not be allowed to bring boats and bait fishing is not allowed based on
41 state regulations. There could potentially be kayaks. City Staff would regulate the rental of
42 paddleboats.

43
44 What kind of barrier would be in place as a safety protection?

45 There will be a 50-75 foot vegetation buffer. However, a fence could be added along the buffer.

1 Following general discussion, Council Member Dayvault made a motion to approve the Eastside
2 Park Master Plan. Motion was seconded by Council Member Wilson and approved by unanimous
3 vote.
4

5 **Presentation and approval of Westside Park Masterplan (Gary Mills, Director of Parks and**
6 **Recreation) (Copy included as Exhibit G)**

7 Mr. Mills and Jeff Ashbaugh presented a power point on the Eastside Park Master. Staff has been
8 working the last 8 months on the Master Plan for the Westside Park. City Council approved
9 funding for the Master Plan in the FY19 budget and staff is now bringing it to City Council for
10 approval. The Westside Park is to be developed on approximately 45 acres just north of Hwy 73.
11 The City has acquired multiple parcels in this area for development of the Westside Park as well
12 as for the Rocky River Greenway (part of the Carolina Thread Trail). There is one more tract to
13 acquire from Christ the King High School to make the plan complete. Staff has already obtained
14 the appraisal for the property and will be working to complete the acquisition phase. As demand
15 from residents for a Westside park and athletic fields continue, the City decided to move forward
16 with the development of the Master Plan for this future park site. The City held two public meetings
17 and requested feedback via an online survey. In addition to the recent public feedback, Staff also
18 utilized the approved Citywide P&R Master Plan recommendations to develop the following plan
19 for the property.
20

21 It is the intent of the City to apply for a Parks and Recreation Trust Fund grant (PARTF) at some
22 point in the future to provide additional funding assistance for development of the project. In order
23 to have the project/application score well, the City must have a site specific Master Plan developed
24 and approved by City Council. The P&R Commission reviewed the site plan and Master Plan at
25 their two previous meetings and unanimously approved the site plan and Master Plan for the
26 Westside Park.
27

28 Following general discussion, Council Member Wilson made a motion to approve the Westside
29 Park Master Plan. Motion was seconded by Council Member Berry and approved by unanimous
30 vote.
31

32 **Appointment to the Board of Adjustment (Zachary D. Gordon, AICP, Planning Director)**

33 Council Member Wilson made a motion to reappoint Joann Crosby for a three-year term ending
34 June 20, 2022 to the Board of Adjustment. Motion was seconded by Council Member Berry and
35 approved by unanimous vote.
36

37 **Appointments to Planning and Zoning Commission (Zachary D. Gordon, AICP, Planning**
38 **Director)**

39 Council Member Dayvault made a motion to reappoint Scott Trott and David Steele for a three-
40 year term ending June 20, 2022 to the Planning and Zoning Commission. Motion was seconded
41 by Mayor Pro tem Haas and approved by unanimous vote.
42

43 **Personnel Policy 400.01 - Position Classification Plan (Tina Cline, Human Resource**
44 **Director) (Copy included as Exhibit H)**

45 Council Member Dayvault asked for clarification from Mrs. Tina Cline, Human Resource
46 Director. Following general discussion, Mayor Pro tem Haas made a motion to approve Personnel

1 Policy 400.01 - Position Classification Plan. Motion was seconded by Council Member Rowell
2 and approved by unanimous vote.

3
4 **Personnel Policy 400.02 - Compensation Plan (Tina Cline, Human Resource Director) (Copy**
5 **included as Exhibit I)**

6 Council Member Dayvault asked for clarification from Mrs. Tina Cline, Human Resource
7 Director. Following general discussion, Council Member Dayvault made a motion to approve
8 Personnel Policy 400.02 - Compensation Plan. Motion was seconded by Council Member Wilson
9 and approved by unanimous vote.

10
11 **CITY MANAGER REPORT:** Mr. Legg gave an update on the progress of the downtown
12 revitalization.

13
14 **CITY COUNCIL COMMENTS:** None

15
16 **CLOSED SESSION:**

17 Mayor Pro tem Haas made a motion to go into closed session pursuant to G.S. 143.318.11 (a) (3)
18 for consulting with an attorney in order to preserve the attorney-client privilege, G.S. 143.318.11
19 (a) (4) for discussing matters related to the location or expansion of industries or businesses in the
20 area. Motion was seconded by Council Member Wilson and approved by unanimous vote.

21
22 Council went into closed session at 7:30 PM.

23
24 Council Member Wilson made a motion to come out of closed session. Motion was seconded by
25 Council Member Dayvault and approved by unanimous vote.

26
27 Council resumed regular session at 8:30 PM.

28
29 There being no further business, Mayor Pro tem Haas made a motion to adjourn. Motion was
30 seconded by Council Member Kincaid and approved by unanimous vote.

31
32 The meeting adjourned at 8:30 PM on Monday, July 8, 2019.

33
34
35
36
37
38 _____
39 Milton D. Hinnant, Mayor

40
41 _____
42 Bridgette Bell, MMC, NCCMC
City Clerk

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
July 22, 2019**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, July 22, 2019 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Van Rowell
Diane Berry
Doug Wilson
Tom Kincaid
Ryan Dayvault

Council Members Absent: Roger Haas

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	JW Chavis	David Jordon
	Tony Eury	Annette Privette Keller
	Trent Marlow	Terry Clanton
	Rick Barnhardt	Sherry Gordon
	Zac Gordon	Jason May
	Wilmer Melton	Irene Sacks

Visitors Present:	Lester Sisk	William Pilkington
	Sathina Guard	Yolanda Thompson
	Tannor Guard	David Drake
	Shelly Arledge	Darrell Jackson
	Ashley Hines	Bryson Nesbitt
	Jasmine Wright	Cynthia Seaforth
	Bobbie Hague	JJ Snider
	Daniel Wallace	Nathan Payne
	Justin Mueller	Rvan Kruse

CALL TO ORDER AND WELCOME:

1 Mayor Hinnant called the meeting to order and welcomed those in attendance. A moment of silent
2 prayer and the Pledge of Allegiance was led by Council Member Wilson.

3
4 **ADOPTION OF AGENDA:**

5 Council Member Wilson made a motion to approve the agenda. Motion was seconded by Council
6 Member Dayvault and approved by unanimous vote.

7
8 **RECOGNITIONS**

9 **Oath of Office – Kannapolis Police Officers.**

10 The Kannapolis Police Department has added three new officers who successfully completed
11 Basic Law Enforcement Training and graduated in June of 2019. Basic Law Enforcement Training
12 consists of 682 hours of extensive training. They are currently in Field Training with the
13 Department. They will be administered the ceremonial oath of office by Bridgette Bell, City Clerk.
14 The police officers are; Sathina R. Guard, Taylor G. Honeycutt Lucas A. Kincaid

15
16 **APPROVAL OF MINUTES**

17 Motion was made by Council Member Berry to approve the June 24, 2019 regular meeting
18 minutes. Motion was seconded by Council Member Kincaid and approved by unanimous vote.

19
20 **BUSINESS AGENDA:**

21 **2018 State of the County Health Report (Dr. William Pilkington, CEO Cabarrus Health**
22 **Alliance) (Copy included as Exhibit A)**

23 Dr. William Pilkington, CHA CEO and Public Health Director of the Cabarrus Health Alliance
24 presented the 2018 State of the County Health Report. Unveiling the findings from Cabarrus
25 County's 2018 "State of the County Health Report" Cabarrus Health Alliance CEO William
26 Pilkington said the news is good — "as it usually is in our county," he said. Dr. Pilkington outlined
27 findings from the biennial assessment of health and human services Monday, explaining that the
28 report evaluated the county's performance on addressing physical and mental health needs. The
29 report also identified unmet needs across the area.

30
31 Dr. Pilkington said Cabarrus has seen marked strides since the findings in 2017. Of top significance
32 is the county's struggle with substance use and abuse. Impacting the number of calls has been
33 increased training for health care professionals, substance use disorder screenings for inmates, a
34 mental health task force and a "mental health first aid kit." The first aid kit led to 277 residents
35 being trained to respond to a mental health crisis, meaning the county has also seen a decrease in
36 psychiatric admissions in hospital emergency departments. Childhood obesity is probably going
37 to be the largest killer over the next 20 years, said Dr. Pilkington.

38
39 Hoping to abate the epidemic, Pilkington said the county implemented a "Children Win" program
40 focused on increasing education and opportunities for healthy eating and exercise. It has also
41 implemented a school garden at Carver Elementary School and a walking trail at Forest Park
42 Elementary School. Other county struggles include student vaping and use of synthetic
43 cannabinoids, issues the county is working on with law enforcement agencies and school
44 personnel. Even so, the county is headed in the right direction given its recent growth. Pilkington

1 said the county grew from a population of 80,000 with 40 physicians in 1981 to 206,000 with
2 nearly 400 physicians in 2018.

3 There being no questions or comments, Mayor Hinnant thanked Dr. Pilkington for the
4 presentation.

5
6 **Continuation of Public Hearing from May 13, 2019 City Council meeting to consider**
7 **adopting an Ordinance to demolish the substandard structure at 1428 West A Street**
8 **(Zachary D. Gordon, AICP, Planning Director) (Copy included as Exhibit B)**

9 Planning Director Zac Gordon presented the following facts.

10
11 City Council held a public hearing on May 13, 2019 on this case. At the conclusion of hearing,
12 Council unanimously approved a motion to continue discussion of this case at July 22, 2019
13 meeting to determine whether minimum housing code violations have been addressed.

14
15 Case Summary:

16 According to public records the property was purchased on May 17, 2004. While it is uncertain
17 how long the power has been off, water records reveal that no water usage has occurred since it
18 was purchased in 2004. The taxes were behind but have recently been caught up and are current.
19 On February 26, 2018 a building permit was issued for a residential repair. The building permit
20 was issued just prior to the hearing held with the owner on February 27, 2018. No record of
21 inspections have occurred since it was obtained.

22
23 On April 26, 2019 a meeting was held with the property owner at the house. No sign of progress
24 was seen from the interior nor the exterior. The power was off and there was no way to tell if the
25 HVAC, or other electrical systems worked. The water was off and it was not possible to determine
26 if any remaining plumbing was operational. Overhead water damage was observed but it was not
27 clear if the leak was still active. An update on status of compliance will be provided at Council
28 meeting.

29
30 Mr. Gordon further explained that as of today's date, there still is no electrical, water or heat,
31 therefore does not meet the minimum housing code requirements. However, vinyl siding, sheet
32 rock and windows have been installed. Mr. Gordon explained that the Community Improvement
33 Commission will have their organizational meeting tomorrow night and recommends that this
34 matter be send to this board for recommendation to Council.

35
36 Council Member Dayvault noted the owner has done a lot of work both inside and out. There are
37 a lot more houses in Kannapolis that are in a lot worse shape.

38
39 Following general discussion, Council Member Wilson made a motion to send this matter to the
40 Community Improvement Commission for recommendation. Council Member Dayvault seconded
41 the motion and it was approved by unanimous vote.

42
43 **Public Hearing - TA-2019-03 Text Amendments to allow "Medical Waste Facilities" in the**
44 **I- 1 Zoning District and to add definitions for "Medical Waste" and "Medical Waste**

(Disposal) Facility" (Zachary D. Gordon, AICP, Planning Director) (Copy included as Exhibit C)

Mr. Gordon explained that Staff is proposing to amend Article 4, Table 4.6-1, to include Medical Waste Facilities as a use permitted with a Conditional Use Permit (CUP) in the I-1 (light Industrial) zoning district, subject to the standards of Section 5.11. Currently, Solid Waste Collection and/or Disposal (Hazardous) uses are only permitted with a Conditional Use Permit in the I-2 zoning district.

This text amendment proposes to:

Add Medical Waste Facilities to the Solid Waste Collection and/or Disposal use category; and Permit Medical Waste Facilities in the I-1 zoning district, subject to the granting of a Conditional Use Permit, subject to the Hazardous Waste Facilities standards in Article 5.11 of the UDO (see attached for reference). By requiring that these uses be allowed only by a Conditional Use Permit, staff and the Board of Adjustment will be able to evaluate the location and site adequacy for any proposed medical waste facility on a case by case basis; and

Adding definitions for "Medical Waste" and "Medical Waste (Disposal) Facility to Appendix A of the UDO.

Article 3.8 of the UDO addresses the procedures for processing amendments to the text of the ordinance. Per Section 3.8.2, "Any person, board, department, or commission may apply for a change in zoning ordinance text". The proposed text amendment was initiated by the Planning Department. Per Sections 3.8.3.2 and 3.8.3.3 of the UDO, a majority vote of the Planning and Zoning Commission is required to recommend approval of a text amendment. A recommendation to approve is then forwarded to City Council who shall, either approve or deny the text amendment by a majority vote. At its June 5, 2019 meeting, the Planning and Zoning Commission voted unanimously to recommend TA-2019-03 to the City Council for adoption. The first reading of TA-2019-03 occurred at June 24, 2019 City Council meeting.

Following general questions and discussion, Mayor Hinnant opened the public hearing to those in attendance for an opportunity to speak.

Bobbie Hague of 423 West Avenue stated that medical waste consists of needles that have been used on people for dangerous diseases. She has concern about the statements made that wastes not being hazardous. Anything Before deciding to bring facilities into the City, the question should be to find out they are proposing regarding the disposal of this waste.

There being no further speakers, Mayor Hinnant closed the public hearing.

Council Member Berry asked if this matter could be tabled until it defined exactly what are medical wastes and how it will be disposed. Mr. Legg offered clarification.

1 Council Member Dayvault made a motion to approve a Statement of Consistency with regards to
2 Text Amendment TA-2019-03. Motion was seconded by Council Member Wilson and approved
3 by unanimous vote.
4

5 Council Member Wilson made a motion to adopt an Ordinance amending the text of the UDO, to
6 allow "Medical Waste Facilities" in the I- 1 Zoning District and to add definitions for "Medical
7 Waste" and "Medical Waste (Disposal) Facility". Motion was seconded by Council Member
8 Rowell and approved by unanimous vote.
9

10 **Public Hearing - TA-2019-05 Text Amendments to various sections of the Unified**
11 **Development Ordinance (UDO) to remove the land development standards currently located**
12 **in the UDO and incorporating those development standards into an Appendix D (Zachary**
13 **D. Gordon, AICP, Planning Director) (Copy included as Exhibit D)**

14 Mr. Gordon explained that at its June 5, 2019 meeting, the Planning and Zoning Commission
15 considered Text Amendment TA-2019-05, which would consolidate all technical development
16 standards into an appendix to the UDO. The Planning and Zoning Commission voted to
17 recommend TA-2019-05 for City Council approval. Staff had initially presented to the City
18 Council at their May 13, 2019 a Planning and Zoning Commission recommended amendment to
19 the UDO, which would have placed these technical development standards in a separate manual.
20 Council directed Staff to include the land development standards as an addendum to the UDO,
21 rather than locating these standards in a separate manual. This Text Amendment satisfies that
22 directive, and as such proposes to add the consolidate land development standards as Appendix D
23 to the UDO.
24

25 The consolidation of land development standards into an appendix will simplify the land
26 development process for landowners and developers looking to develop property within the City.

27 Article 3.8 of the UDO addresses the procedures for processing amendments to the text of the
28 ordinance. Per Section 3.8.2, "Any person, board, department, or commission may apply for a
29 change in zoning ordinance text". The proposed text amendment was initiated by the Planning
30 Department. Per Sections 3.8.3.2 and 3.8.3.3 of the UDO, a majority vote of the Planning and
31 Zoning Commission is required to recommend approval of a text amendment. A recommendation
32 to approve is then forwarded to City Council who shall, either approve or deny the text amendment
33 by a majority vote. Planning staff concurs with the recommendation of the Planning and Zoning
34 Commission and recommends City Council adoption of TA-2019-05.
35

36 Council Member Dayvault said in light of Council's direction for staff to include the LDSM as an
37 addendum vs a separate manual, suggests that the matter be tabled. Having done more research,
38 and talking to the community and developers, believes that direction was in error. He feels the City
39 would better served by following the original recommendation and include as a separate manual
40 rather than including as an Appendix to the UDO.
41

42 Mayor Hinnant then opened the public hearing to those in attendance for an opportunity to speak.
43 There being no speakers, Mayor Hinnant closed the public hearing.
44

1 Council Member Dayvault made a motion to table this matter to the August 12, 2019 meeting.
2 Motion was seconded by Council Member Wilson and approved by unanimous vote.
3

4 **CITY MANAGER REPORT: None**
5

6 **CITY COUNCIL COMMENTS: None**
7

8 **SPEAKERS FROM THE FLOOR:**

9 Bobbie Hague of 423 West Avenue asked on an update regarding a meeting with the YMCA on
10 an athletic program for the youth.
11

12 **CLOSED SESSION**

13 Council Member Wilson made a motion to go into Closed Session pursuant to G.S. 143-318.11
14 (a) (3) to consult with an attorney in order to preserve the attorney client privilege; G.S. 143.318.11
15 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the
16 area. Motion was seconded by Council Member Dayvault and seconded the motion and it was
17 approved by unanimous vote.
18

19 Council went into closed session at 6:52 PM.
20

21 There being no further business, Council Member Wilson made a motion to come of out closed
22 session. Motion was seconded by Council Member Dayvault and approved by unanimous vote.
23

24 Council resumed regular session 8:25 PM.
25

26 Council Member Dayvault made a motion to adjourn. Motion was seconded by Council Member
27 Berry and approved by unanimous vote.
28

29 The meeting adjourned at 8:25PM on Monday, July 22, 2019
30
31
32
33
34

35 _____
36 Milton D. Hinnant, Mayor
37

38 _____
39 Bridgette Bell, MMC, NCCMC
City Clerk

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
July 30, 2019**

A special called meeting of the City Council of the City of Kannapolis, North Carolina was held on Tuesday, July 30, 2019 at 6:00 p.m., in the Executive Conference room, Second Floor at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Roger Haas
Van Rowell
Diane Berry
Doug Wilson
Tom Kincaid

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Absent

City Attorney: Walter M. Safrit

Staff Present: Zac Gordon Eric Davis
Irene Sacks Trent Marlow
Wilmer Melton Jason May

Visitors Present: None

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the special meeting to order and welcomed those in attendance.

ADOPTION OF AGENDA:

Council Member Wilson made a motion to approve the agenda. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

CLOSED SESSION:

Mayor Pro tem Haas made a motion to go into closed session pursuant to G.S. 143.318.11 (a) (3) for consulting with an attorney in order to preserve the attorney-client privilege, G.S. 143-318.11 (a) (6) for the purpose of discussing personnel matters and G.S. 143.318.11 (a) (4) for discussing

1 matters related to the location or expansion of industries or businesses in the area. Motion was
2 seconded by Council Member Kincaid and approved by unanimous vote.

3 Council went into closed session at 6:02 PM.
4

5 Council Member Dayvault made a motion to come of out closed session. Motion was seconded by
6 Council Member Wilson and approved by unanimous vote.
7

8 Council resumed regular session at 7:55 PM.
9

10 Council Member Wilson made a motion to approve Block 5, Option 3, Phase 1 pertaining to the
11 Downtown Phase II Action Plan. Motion was seconded by Council Member Dayvault. The motion
12 was approved by a 6-1 vote with Mayor Hinnant casting the descending vote.

13 **Gem Theater Renovations:**

14 Two issues were expressed by Mr. Morris regarding the renovations to the Gem Theater:
15 additional restrooms and an exit for patrons exiting the building after a showing. Diagrams were
16 provided by Clearscape showing more restroom spaces. The proposed restrooms can handle 750
17 male occupants; 390 female occupants and 125 male/female family. Staff will try to maximize the
18 number of stalls in the current configuration and keep the budget reasonable and move forward.

19 The other issue was creating a separate for patrons to exit the building after a showing, rather than
20 going back through the front lobby as they do now. The Architect proposed to shorten the
21 storage/future catering space thus allowing people to exit through the existing front side door,
22 (#107) rather than going back through the lobby. This space was initially proposed to be unfinished
23 shelf space, if patrons are to be directed through, it will need to be improved and finished, adding
24 additional cost. Mr. Morris' concerns with this proposal is that this Staff will not be able to monitor
25 patrons leaving the building. It is of the Architect's opinion that this area is more structurally
26 complicated and would be more costly. It was the consensus to leave the plans as is, allowing
27 patrons to exit the theater through the front lobby until Staff to brings back more details on the
28 cost estimate.

29 There being no further business, Council Member Wilson made a motion to adjourn. Motion was
30 seconded by Council Member Dayvault and approved by unanimous vote.

31 The meeting adjourned at 7:55 PM on Tuesday, July 30, 2019.
32
33
34

35 _____
Milton D. Hinnant, Mayor

36
37 _____
38 Bridgette Bell, MMC, NCCMC
39 City Clerk

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
August 12, 2019**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, August 12, 2019, at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Roger Haas
Van Rowell
Dianne Berry
Doug Wilson
Tom Kincaid

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Absent

City Attorney: Walter M. Safrit

Staff Present:	Irene Sacks	Zac Gordon
	Jason May	Annette Privette Keller
	Eric Davis	Wilmer Melton
	Sherry Gordon	Tony Eury
	David Jordon	

Visitors: Mark Spitzer

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. Council Member Rowell led a moment of silent prayer and the Pledge of Allegiance.

ADOPTION OF AGENDA:

Council Member Kincaid made a motion to approve the agenda. Motion was seconded by Council Member Berry and approved by unanimous vote.

1 **APPROVAL/CORRECTION OF MINUTES:**

2 Mayor Pro tem Haas made a motion to approve the July 08, 2019 meeting minutes. Motion was
3 seconded by Council Member Dayvault and approved by unanimous vote.
4

5 **CONSENT AGENDA:**

6 Mayor Pro tem Haas made a motion to approve the revised Consent Agenda. Motion was seconded
7 by Council Member Berry and approved by unanimous vote.
8

9 Cabarrus/Iredell/Rowan HOME Consortium Grant Program Budget Ordinance FY2019-20
10 (Sherry Gordon, Community Development Program Administrator) (Copy included as Exhibit A)
11

12 Community Development Block Grant (CDBG) Grant Program Budget Ordinance FY 2019-20
13 (Sherry Gordon, Community Development Program Administrator) (Copy included as Exhibit B)
14

15 Urgent Repair Program (URP19) Program Budget Ordinance (Sherry Gordon, Community
16 Development Program Administrator) (Copy included as Exhibit C)
17

18 The City of Kannapolis and the North Carolina Department of Transportation Third Supplemental
19 Agreement – Irish Buffalo Creek Greenway Transportation Improvement Project C-5161 (Wilmer
20 Melton, III - Director of Public Works) (Copy included as Exhibit D)
21

22 **BUSINESS AGENDA:**

23 **Downtown Visual Enhancements (Annette Privette Keller, Communications Director and**
24 **Buzz Bizzell, Bizzell Design) (Copy included as Exhibit E)**

25 Identify and Art and Graphic design for new West Avenue entertainment district.
26

27 Mrs. Privette Keller introduced Buzz Bizzell of Bizzell Design and explained the purpose of the
28 presentation is to identity and art graphic designs for the new West Avenue entertainment district.
29 Staff has been working getting the construction for the downtown streetscape and linear park. Now
30 is the time to look at the visual aspect and create an identity. Downtown will be a hub for economic
31 development for jobs and a place for people to want to live, work and play.
32

33 The decorative regulatory and wayfinding sign package for downtown was presented to City
34 Council a few months ago. Those signs are under fabrication now with installation before the
35 completion of the Streetscape/Linear Park. One final piece of this project to complete is a series
36 of visual enhancements to certain buildings, downtown storefronts and blank walls downtown.
37 Staff will present these enhancements at the meeting. Also included with this presentation is a
38 short-term plan for public art downtown as well the plan for information boards to be located in
39 several places downtown.
40

41 The parking design is part of Phase 3 and ready to be put in place when the times comes. As part
42 of Mr. Bizzell's power point presentation, included renditions of the West Avenue round a bout.
43 Iconic images in the forms of murals and sculpture create memorable spaces transforming empty
44 buildings into imaginative places. "Pinstripe Alley" sets the mood for the thousands of people
45 lining up to get into the stadium. This vintage style baseball image offers an economical way to
46 create anticipation without giving away future names of the stadium and the team. On the north

1 side is where the historic section of Kannapolis meets, making it valuable and unique. By adding,
2 “Hello Ya’ll” Kannapolis USA to the building side façade in painting lettering, creates a unique
3 selfie wall. The pump house will house the restrooms, but also will serve as a connection to the
4 water works and water fountains. Wall murals will have quotes from authors of children books.
5 Mrs. Privette Keller explained there would be an interactive informational area near the old
6 downtown restrooms. While the buildings are vacant, will have storefront window graphics
7 displaying nostalgic baseball images, projected marketing, illustrating new downtown projects or
8 just general information about downtown. The downtown Kannapolis streetscape will have a
9 variety of artful elements such as decorative light columns and a grand fountain, but there is still
10 a place for public art in downtown Kannapolis that will engage the community and enhance the
11 pedestrian experience. Dr. Harold Cook, a Kannapolis native, left a gift to the City to be used for
12 public art. He worked several research roles for UNC-CH. His doctorates were in public health
13 and philosophy. His research concentrated on helping understand how people respond to therapies
14 after traumatic injuries, specially burns, and therapies/treatments for people who suffer from
15 arthritis. Before his death, he was excited to see the opening of the NCRC. His family would like
16 to see the gift used for a sculpture that everyone could enjoy in the downtown area. She shared
17 three pieces of art that the Cook family likes. Artist Tom Risser is interested in donating a piece
18 of art, if the City would purchase of art.

19
20 Following general discussion, Mayor Hinnant thanked Mr. Bizzell’s for the presentation.

21
22 **CITY MANAGER REPORT:** No Report

23
24 **CITY COUNCIL COMMENTS:**

25 Council Member Dayvault commented Parks & Recreation Director, Gary Mills for a great concert
26 season.

27
28 Council Member Kincaid commented on the successful National Night Out.

29
30 **SPEAKERS FROM THE FLOOR:**

31 Mark Spitzer complemented City Council and Gary Mills on the summer concert series and for
32 offering big city amenities in a small town.

33
34 **CLOSED SESSION:**

35 Mayor Pro tem Haas made a motion to go into closed session pursuant to G.S. 143.318.11 (a) (3)
36 for consulting with an attorney in order to preserve the attorney-client privilege, G.S. 143.318.11
37 (a) (4) for discussing matters related to the location or expansion of industries or businesses in the
38 area. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

39
40 Council went into closed session at 6:35 PM.

41
42 Council Member Wilson made a motion to come of out closed session. Motion was seconded by
43 Council Member Dayvault and approved by unanimous vote.

44
45 Deputy City Manager Smith discussed possible SEV task dates for Council and Department Heads.

1 Council resumed regular session at 8:30 PM.

2
3 There being no further business, Council Member Wilson a motion to adjourn. Motion was
4 seconded by Council Member Berry and approved by unanimous vote.

5 The meeting adjourned at 8:30 PM on Monday, August 12, 2019.
6
7
8

9 _____
10 Milton D. Hinnant, Mayor
11

12 _____
13 Bridgette Bell, MMC, NCCMC
14 City Clerk

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
August 26, 2019**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, August 26, 2019 at 6:00p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Roger Haas
Van Rowell
Diane Berry
Doug Wilson
Ryan Dayvault

Council Members Absent: Tom Kincaid

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Attorney: Walter M. Safrit

Acting City Clerk: Pam Scaggs

Staff Present: Wilmer Melton Trent Marlow
Laura Evans Gary Mills
Irene Sacks Annette Privette Keller
Eric Davis Tony Eury
Jason May David Jordon
Terry Clanton Zac Gordon
Rick Barnhardt

Visitors Present: Donna Carpenter Shuntale Whitesell
Sara Bair Sophia Wilkerson
Zachary Erwin Darrell Jackson
Bobbi Hague Philip Belfield
Tyler Jameson Robert Kirk
M.G. Carter Addul Ali
C.J. Loftis Mark Spitzer
Nathan Garrid

CALL TO ORDER AND WELCOME

Mayor Hinnant called the meeting to order and welcomed those in attendance. A moment of silent prayer and the Pledge of Allegiance was led by Mayor Pro tem Haas.

1 **ADOPTION OF AGENDA**

2 Mayor Hinnant suggested that Council revise the agenda by removing the Closed Session. Mayor Pro tem
3 Haas made a motion to approve the revised agenda as suggested by Mayor Hinnant which was seconded
4 by Council Member Rowell and approved by unanimous vote.
5

6 **BUSINESS AGENDA:**

7 **Cabarrus County Convention & Visitors Bureau (CVB) Presentation (Donna Carpenter –**
8 **President/CEO) (Copy included as Exhibit A)**

9 Donna Carpenter of the Cabarrus County Convention & Visitors Bureau (CVB) gave a presentation stating
10 that the CVB's primary objective is to promote and market Cabarrus County as a visitor destination. Ms.
11 Carpenter highlighted the reasons that tourism is important for Cabarrus County citing the creation of jobs
12 and local revenue that had been generated in 2018 which resulted in a \$493 annual tax savings for residents.
13 She talked about resources for local businesses and stakeholders (cabcocvb.com), recent media coverage
14 and the importance of making connections between the community and industry providers. Ms. Carpenter
15 noted that the CVB provides quarterly destination training so that local stakeholders are educated on what
16 Cabarrus County has to offer visitors. She provided a copy of the *Cabarrus Destination & Motorsports*
17 *Guide* to the Council and noted that the guide is for both residents and visitors. Ms. Carpenter noted that in
18 addition to the guide, an app (*Visit Cabarrus*) is also available. She concluded her presentation and made
19 herself available for questions.

20 Mayor Pro tem Haas asked Ms. Carpenter to introduce staff which accompanied her to the meeting. She
21 introduced Shuntale Whitesell, Executive Assistant, and Sara Bair, Partnership Department.

22 Council Member Dayvault indicated that the Dale Trail should be highlighted and advertised with the CVB
23 along with everything else that Kannapolis has to offer. Ms. Carpenter agreed and stated that beacon
24 technology would be a great way to mark the Dale Trail.

25 Mayor Hinnant thanked Ms. Carpenter for her presentation and expressed his appreciation for partnership
26 with CVB.

27 No action was required. Presentation only.

28 **Establishment of Kannapolis Athletics Program (Eddie Smith – Deputy City Manager and Gary**
29 **Mills – Director of Parks and Recreation) (Copy included as Exhibit B and Exhibit C)**

30 Deputy City Manager, Eddie Smith reviewed previous budget conversations regarding hiring staff to create
31 an athletics program for the City and discussions with other community associations and other organizations
32 that offered sports programs. He indicated that as a result of those conversations as well as conversations
33 with staff and Kannapolis City Schools for the use of their facilities, the best approach is to begin with a
34 fall basketball program. Mr. Smith stated that Cabarrus County is completing the design and printing of
35 informational flyers and will include the City's athletics program if Council approves the program. He
36 added that negotiating with the City of Concord and Cabarrus County Schools will allow for the facilitation
37 of a county-wide program where the rules, fees and sports programs will be the same and provide children
38 the opportunity to participate in a program that may be closer to where they live. Mr. Smith stressed that
39 the City's sports program will not preclude sports programs offered by other organizations, but that priority
40 use of the facilities will be given to the City of Kannapolis and City of Concord. He noted that that plan is
41 to start with basketball in the fall and then offer soccer in the spring or possibly "diamond sports" (baseball,
42 softball). Mr. Smith provided draft copies of the athletic registration form as well as a scholarship form for
43 those children who may not be able to afford to participate in an athletic program to City Council and
44 directed attention to Gary Mills, Parks and Recreation Director, to offer any additional information he
45 thought was needed.
46

1 Mr. Mills indicated that Parks & Recreation would like to mirror the City of Concord Program and begin
2 registration for the basketball program on September 1, 2019. He added that the City of Concord offers a
3 3-4-year-old instructional league and that the City of Kannapolis is discussing whether that program should
4 be offered as well. Mr. Mills provided an overview of the registration, team selection, practice and game
5 process stating that Cabarrus County has indicated that they will continue to facilitate the program until
6 January 2020 but then would like for City of Concord and the City of Kannapolis to begin facilitating the
7 county-wide program.
8

9 City Manager, Mike Legg asked Mr. Mills to talk about the scholarship program. Mr. Mills stated that a
10 previous scholarship policy was based on the availability of free or reduced lunches offered through the
11 school but since the City now offers free lunches to every student, the policy follows the North Carolina
12 Department of Health & Human Services which identifies need based on income levels versus household
13 size and that the scholarship offered will be a 50 - 75% reduction in registration fees after documentation
14 has been provided showing need and eligibility for the scholarship.
15

16 Council Member Rowell asked if the scholarship policy mirrors those policies offered by other
17 municipalities and asked if it should be the same? Mr. Mills responded that the policy will be the same as
18 offered by the City of Concord.
19

20 Council Member Dayvault asked why the City wouldn't offer a 100% scholarship? Mr. Mills replied that
21 there should be a nominal fee so that there is parental "buy-in" into the program and provided an example
22 of a 100% scholarship being awarded to a child who doesn't show up because there is no vested interest in
23 the program.
24

25 Mayor Pro tem Haas asked about business sponsorship opportunities, tax-deductible donations and creating
26 a scholarship foundation? Mr. Mills agreed and indicated that staff is working on creating a foundation.
27 Council Member Haas also suggested that churches be included since they have a strong program but aren't
28 organized.
29

30 Mayor Hinnant stressed the importance of making sure that every child that wants to participate in a sports
31 program can participate regardless of income as well as maintaining the existing partnership with the
32 Kannapolis YMCA and of having conversations with existing organized sports programs. Mayor Hinnant
33 also suggested that "free play" be included in the City's sports program so that those children who don't
34 participate in a team sport can still utilize use of facilities.
35

36 Mr. Smith reminded Council that there is an expectation of the City to help maintain field and facilities
37 used for the sports program and that future budget needs should be considered.
38

39 Following general discussion, Mayor Pro tem Haas made the motion to authorize staff to begin negotiating
40 an inter-local agreement with the City of Concord and Cabarrus County to facilitate a County-wide program
41 for a youth sports program collaboration. The motion was seconded by Council Member Wilson and
42 approved by unanimous vote.
43

44 Council Member Wilson made the motion to authorize staff to immediately begin establishing a youth
45 basketball program which was seconded by Council Member Dayvault and approved by unanimous vote.
46

47 Council Member Wilson made the motion to adopt a budget amendment to transfer \$115,140.00 for the
48 athletic program from City Council Contingency to the Parks and Recreation Budget which was seconded
49 by Council Member Dayvault and approved by unanimous vote.
50

1 Mr. Smith asked Council to also approve the registration form and scholarship application that he
2 distributed to Council.

3
4 Mayor Pro tem Haas made the motion to approve the Youth Athletics Registration Form and Scholarship
5 application which was seconded by Council Member Berry and approved by unanimous vote.
6

7 **Budget Amendment 20-02; Downtown Infrastructure Project (Eric Davis – Finance Director) (Copy**
8 **included as Exhibit D)**

9 Mr. Davis indicated that Budget Amendment 20-02 is needed to cover unexpected costs, which resulted
10 from a water main break (\$595,000) and impacts from poor soil conditions (\$487,000). He indicated that
11 \$595,000 from water and sewer fund cash reserves can be appropriated to cover the cost of the water main
12 break and that earned interest from the Bond proceeds of \$487,000 can be appropriated to cover the cost of
13 poor soil conditions.
14

15 Council Member Dayvault made the motion to approve Budget Amendment 20-02 amending the
16 Downtown Infrastructure Project revenues and expenses which was seconded by Council Member Rowell
17 and approved by unanimous vote.
18

19 **CITY MANAGER REPORT:**

20 Mr. Legg asked Council to mark calendars for the grand opening of the downtown revitalization on October
21 10, 2019. He added that the Parks and Recreation department will be offering two different tours to the
22 public. One will include a \$5 per person fee, presentation, lunch, walking tour and a Q/A session on October
23 14, 24, and 29, 2019 for groups of 5-15 people while the other tour will include a presentation, walking tour
24 and a Q/A session but no lunch, also for groups of 5-15 people. The dates for the second option will begin
25 October 15, 2019 and run through early December 2019. He provided a draft copy of the information
26 (included as Exhibit D) which Mr. Smith indicated will be left at various locations in the City.
27

28 **CITY COUNCIL COMMENTS:**

29 Council Member Dayvault indicated that he had a discussion with a resident from the Brantley Estates
30 neighborhood and asked that Council revisit the possibility of extending water and sewer facilities to the
31 end of Lane Street.
32

33 **SPEAKERS FROM THE FLOOR:**

34 CJ Loftis, 1110 Highway 153, China Grove, NC, stated that he thinks it is a great idea for the City to sponsor
35 public sports and that he has been involved in several sports programs over the years. Mr. Loftis expressed
36 concern that an organized sports program which requires a participation fee and paid staff will exclude
37 those kids are who looking for an outlet or an adult who will be available to them as a mentor because of
38 the time constraints of city employees. Mayor Hinnant agreed with Mr. Loftis and encouraged him to
39 contact Mr. Mills to discuss the best way to incorporate mentoring into the athletic program and thanked
40 Mr. Loftis for his time and concern.
41

42 **GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney client**
43 **privilege; G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion**
44 **of industries or businesses in the area and G.S. 143-318.11 (a) (6) for the purpose of**
45 **discussing personnel matters**
46

47 No closed session was held.
48

49 There being no further business, Council Member Rowell made a motion to adjourn. Council Member
50 Wilson seconded the motion which was approved by unanimous vote.

1
2 The meeting adjourned at 6:52 PM on Monday August 26, 2019.
3
4
5

6
7 _____
8 Milton D. Hinnant, Mayor
9

10
11 _____
Pam Scaggs, Acting City Clerk



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Eric Davis, Finance Director
TITLE Ordinance amending the budget to carryover
funds FY2019

A. Action Requested by City Council

Motion to approve a Budget Amendment appropriating funds from Fiscal Year 2019 to 2020

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Budget amendment #20-05 brings over funds from fiscal year 2019 budget to the 2020 budget. Since the money was not expended in fiscal year 2019 this budget amendment appropriates the funds in fiscal year 2020. The budget amendment will allow the projects to be completed.

D. Fiscal Considerations

The budget amendment appropriates funds from fiscal year 2019 to fiscal year 2020 budget.

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. Motion to approve Budget Ordinance.
2. Do not approve Ordinance.
3. Table action to a future meeting.

ATTACHMENTS:

File Name

 Budget_Amendment_20-05.pdf

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020
Amendment # 20-05**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 14th day of October 2019, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 is hereby adopted:

SECTION I - General Fund

Expenditures:

Increase Planning Contracted Services Expenditure: 14000-48610	\$121,800
---	-----------

Revenues:

Increase Appropriated Fund Balance Revenue: 19900-39900	\$121,800
--	-----------

SECTION II - Stormwater Fund

Expenditures:

Increase Contracted Services Expenditure: 40000-48000	\$30,000
--	----------

Revenues:

Increase Appropriated Fund Balance Revenue: 49900-39900	\$30,000
--	----------

This ordinance is approved and adopted this 14th day of October, 2019.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, NCCMC, MMC
City Clerk



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Gary Mills, Parks and Rec. Director
TITLE Budget Amendment for West Avenue decorations

A. Action Requested by City Council

Motion to adopt budget amendment to purchase decorations for West Avenue.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

With the opening of West Avenue and the linear parks in downtown Kannapolis, it is the desire to decorate the corridor for Christmas and throughout the year. This year we would like to decorate the 56 pole lights with lighted garland, decorate the 30+ smaller trees with strings of lights, and add lighted white grapevine balls to the 17 oak trees on West Avenue (see attached image as an example). The grapevine balls will likely be added to the oak trees at the beginning of next year to be in place for the spring opening of the SEV. The lights in the oak trees are intended to be left in the trees year round. The estimated cost of the materials and labor is \$63,000. There is a budget amendment attached transferring money from contingency to the downtown grounds division line item to proceed with this purchase.

D. Fiscal Considerations

Approve budget amendment transferring \$63,000 from contingency funds to downtown buildings and grounds fund.

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
--

- 1 . **Motion to adopt the budget amendment for West Avenue decorations (Recommended)**
2. Take no action.
3. Defer action to a future meeting.

ATTACHMENTS:

File Name

- ☐ Budget_Amendment_20-06.pdf
- ☐ Grapevine_lighted_balls.jpg

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2019
AND ENDING JUNE 30, 2020
Budget Amendment #20-06**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 14th day of October, 2019, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 is hereby adopted:

SECTION I -	Decrease Contingency	
	Expenditures 10000-51320	\$ 63,000
SECTION II -	Increase Downtown Fund	
	Repair and Maintenance: Buildings & Grounds	
	Expenditures: 80000-44350	\$ 63,000

This ordinance is approved and adopted this 14th day of October, 2019.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, NCCMC, MMC
City Clerk





**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, Director of Public Works
TITLE Sole source purchase of Mueller Systems
Advanced Metering Infrastructure

A. Action Requested by City Council

Motion to approve the sole source purchase of Mueller Systems Advanced Metering Infrastructure, in the amount of \$153,150.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

In 2013, The City of Kannapolis upgraded our water metering system to Mueller Systems' Advanced Metering Infrastructure (AMI). At present, we have approximately 20,000 meters throughout the system communicating with repeaters and 26 collectors. Since the initial implementation upgrades to the collectors have been made by Mueller Systems providing enhanced reliability and network stability. The sole source purchase of the new V4 collectors is being requested because once a water system decides to use an automated metering solution you are unable to communicate across devices as each system is proprietary.

D. Fiscal Considerations

The cost to upgrade the V4 collectors is \$153,150 proposed to be funded from the Water & Sewer Fund debt service line item. A total of \$843,250 was budgeted in the Water & Sewer Fund for debt service assuming two payments during FY20 for various projects. However, due to the timing, we will receive LGC approval for Revenue Bond issuance. We will only have one payment due as opposed to the projected two payments included in the budget allowing us to fund the improvements from this line item.

E. Policy Issues

City Council approval is required for sole source purchases.

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. **Motion to approve the sole source purchase of Mueller Systems Advanced Metering Infrastructure, in the amount of \$153,150. (Recommended)**
2. Take no action.
3. Table action to a future meeting.

ATTACHMENTS:

File Name

📎 AMI_System_Upgrade_Quotation.pdf



SALES QUOTATION

Phone: (800) 423-1323
Website: www.MuellerSystems.com
Attention: Wilmer Melton
Phone: (704) 920-4300
Email: wmelton@cityofkannapolis.com

Company Address:

1401 Bethpage Rd
Kannapolis, NC, 28081

Prepared For:

Kannapolis (NC), City of
Account #: 94133200

End User:

Kannapolis (NC), City of

Created Date: 03/14/2019
Quote #: Q-23505
Quote Expires: 03/31/2020

Terms are located at:

www.MuellerSystems.com/Support

ARO: "A" & Stock items 30 Days.
Project items Stock to 120 days
unless specified in contract

Currency Type: USD

Prepared by:

Rossie Manning

Comments & Consideration

\$50 minimum order, \$75 non-box quantity

Should you have any questions, please do not hesitate to contact Rossie-Manning

Quote Line Items

PART #	DESCRIPTION	UNITS	SALE PRICE	EXTENDED NET
LABOR-REPEATER2	DC XR ON STREET SIGN	24	100.00	2,400.00
LABOR-COLLECTOR5	UTILITY ASSET	9	2,450.00	22,050.00
MSW-NODE4-DC	MINODE4 REPEATER-DC POLE MNT	26	850.00	22,100.00
LABOR-COLLECTOR1	UTILITY OWNED TANK	2	3,800.00	7,600.00
MS-MNC-V4-AC-AT3	MINET COLLECTOR,V4,AC,ATT,C3	3	6,600.00	19,800.00
MS-MNC-V4-AC-AT3	MINET COLLECTOR,V4,AC,ATT,C3	12	6,600.00	79,200.00
TOTAL:				USD 153,150.00



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, III - Director of Public Works
TITLE West 1st Street - Street Renaming

A. Action Requested by City Council

Motion to rename West 1st Street as Laureate Way from Main Street to Research Campus Drive.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Staff has reviewed the existing section of West 1st Street from Main Street to Research Campus Drive and in conjunction with the Downtown Improvements recommends that West 1st Street be renamed as Laureate Way from Main Street to Research Campus Drive connecting with the roadway currently named as Laureate Way. A map has been included that indicates the section of road that will be affected in the renaming process.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. **Motion to rename West 1st Street as Laureate Way from Main Street to Research Campus Drive (Recommended).**
2. Do not rename.
3. Table action to a future meeting.

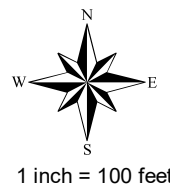
ATTACHMENTS:

File Name

W._1st_Street_Map.pdf



DISCLAIMER: This map is prepared from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data from various federal, state, and local agencies. Maps and associated information must be accepted and used by the recipient with the understanding that the primary information sources should be consulted for verification of the information contained on these maps. As such, the City of Kannapolis provides no warranties, expressed or implied, concerning the accuracy, completeness or reliability, or suitability of this data. Furthermore, the City of Kannapolis assumes no liability whatsoever associated with the use or misuse of such data.





**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Jason May, Assistant to the City Manager
TITLE Cabarrus County EDC Presentation

A. Action Requested by City Council

No action is requested. This item is for informational purposes only.

B. Required Votes to Pass Required Action

Presentation Only, no action required

C. Background

Robert J. "Robby" Carney Jr., Executive Director of Cabarrus Economic Development Corp, will be presenting information to council on the current, past and future activities of the EDC

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

None

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Zachary D. Gordon, AICP, Planning Director
TITLE TA 2019-06: Text Amendment to Allow Mobile Food Vending in CC, C-1 and C-2 Zoning Districts

A. Action Requested by City Council

Conduct a Public Hearing and consider adoption of text amendment TA 2019-06

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Staff is proposing to amend Article 4, Table 4.6-1, Article 5, Supplemental Use Regulation, and Appendix A to allow for mobile food vending as a permitted use in the CC (Center City), C-1(Light Commercial and Office), and C-2 (General Business) zoning districts with standards. This text amendment proposes to:

1. Permit the use within the CC, C-1, and C-2 districts Delete Mobile Food Vending Service from 5.22.2.8, delete Section 5.22.3.4 and add standards in Article 5.38 of the UDO (see attached for reference)
2. Amend the definition for mobile food vending in Appendix A

NOTE: Currently, mobile food vending is only permitted in the C-1 and C-2 zoning districts, as temporary uses.

D. Fiscal Considerations

None

E. Policy Issues

The proposed text amendment to the UDO is **attached** and shown as **additions and deletions**:

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

The City Council may choose to approve or deny the text amendment as presented. City Council may also add, delete, or change any of the language as proposed.

Based on the foregoing analysis, staff recommends **approval** of the proposed text amendments to **Article 4, Table 4.6-1, Article 5, and Appendix A** of the Unified Development Ordinance.

THE FOLLOWING ACTIONS ARE REQUIRED TO APPROVE TA-2019-06:

1. Resolution to Adopt a Statement of Consistency for TA 2019-06
Consider
2. Approve an Ordinance to amend Article 4, Table 4.6-1, Article 5, and Appendix A of the Unified Development Ordinance.

THE FOLLOWING ARE ALTERNATE ACTIONS TO THE APPROVAL OF TA-2019-06:

1. Take no action.
2. Refer TA-2019-06 back to the Planning and Zoning Commission with recommendations.
3. Table action to a future meeting

ATTACHMENTS:

File Name

- ☐ Text_Amend_Application.pdf
- ☐ Proposed_UDO_changes_Article_4__Article_5__and_Appendix_A.pdf
- ☐ TA-2019-06_-_City_Council_Statement_of_Consistency.pdf
- ☐ TA_2019-06_-_Ordinance_to_Amend_Text_of_UDO.pdf
- ☐ Public_Notice_Ad.pdf
- ☐ 2_Proposed_UDO_changes_Article_4__Article_5__and_Appendix_A.pdf



Planning and Zoning Commission and Board of Adjustment
General Application Form
(Not for Site Plan Review Submittals)

Type of Action Requested (Check One):

Variance	_____	SIA Application	_____
Conditional Use Permit	_____	Nonconformity Adjustment	_____
Subdivision Exception	_____	Watershed Boundary Modification	_____
Zoning Text Amendment	<input checked="" type="checkbox"/>	Zoning Map Amendment	_____
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: Zachary D. Gordon, AICP Owner: _____
Planning Director

Address: 401 Laureate Way Address: _____

Kannapolis, NC 28081

Telephone: 704-920-4355 Telephone: _____

Email: zgordon@kannapolisnc.gov Email: _____

Legal relationship of applicant to property owner: N/A

Property Location/Address: N/A

Tax Parcel Number: N/A Zoning District: N/A Acreage of Site: N/A

Zachary D. Gordon _____
Applicant Name (Print) Property Owner Name (Print)

[Signature] July 10, 2019 _____
Applicant Signature & Date Property Owner Signature & Date

The agenda deadline is the first day of the month preceding the month of the meeting. To be considered for placement on the next meeting agenda, the signed application, application fee, and five (5) copies of any required site plans for staff review must be submitted by the deadline. However, to remain on the next meeting agenda, fifteen (15) copies of such plans, determined by staff to conform to all ordinance standards, must be submitted at least ten (10) days before the meeting date. All fees are nonrefundable and help to cover administrative and notification costs.

For Staff Use Only:

Filing Fee: _____ Receipt # _____

Application No.: _____ Date Submitted (Complete): _____



CITY OF KANNAPOLIS

**AN APPLICATION TO AMEND THE TEXT OF
THE UNIFIED DEVELOPMENT ORDINANCE**

I Zachary D. Gordon, AICP, hereby make application for an amendment to the following section(s) of the Unified Development Ordinance:

Article 4, Table 4.6-1, Appendix A, Article 5

In the space provided below, or on a separate sheet, present your requested text for the Ordinance provisions in question:

See attached Staff Report

State your reasons for amending the text of the Ordinance:

See attached Staff Report



Signature of applicant

Fee: Please refer to fee schedule to determine applicable fees. All fees are nonrefundable and help to cover administrative and notification costs.

TABLE 4.6-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS

* All uses permitted in the CC, CD, and I-1 Districts are subject to supplemental design regulations in Article 11 of this Ordinance.

P - Permitted Use

S - Permitted Use with Supplemental Regulations in Article 5 and/or Article 11 (see "§ 0.00" for reference)

C - Conditional Use

(-) Prohibited Use

ZONING DISTRICTS

USE	NAICS	AG	RE	RL	RM-1	RM-2	RV	RC	B-1	O-I	CC*	C-1	C-2	CD-R^	CD*	I-1*	I-2
Equestrian Boarding & Riding Arenas, Commercial	81291, 71131	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Equipment Rental & Leasing (with indoor storage)	53321, 5324	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Equipment Rental & Leasing (with outdoor storage)(§ 11.1)	53231, 5324	-	-	-	-	-	-	-	-	-	-	-	P/S	-	(24)P/S	P/S	-
Electronics & Appliance Rental	53221	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Electronics, Camera & Appliance Stores	443	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Electronic Gaming Operations (§ 5.31)(23)	-	-	-	-	-	-	-	-	-	-	-	-	C/S	-	-	P/S	P/S
Farmer's Market	44523	P	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-
Fitness & Recreational Sports Centers (2)	713490	-	-	-	-	-	-	-	C	-	P	P	P	-	P	P	-
Florist	4531	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Formal Wear & Costume Rental	53222	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Furniture & Home Furnishings	442	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Furniture/Party Supply/Sporting Goods Rental	53229	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Game Preserves	7114	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Merchandise Stores (less than 25,000 sq. ft.)	452	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Gift, Novelty & Souvenir Stores	45322	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Grocery/Food Stores (excl. convenience stores)	4451, 4452	-	-	-	-	-	-	-	C	-	P	P	P	-	P	-	-
Heavy Truck, RV, and Semi-Trailer Leasing (1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Hobby, Toy & Game Stores	45112	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Hotel, Motels & Extended Stay Lodging Facilities	72111	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Ice Vending Operations	-	-	-	-	-	-	-	-	-	-	-	-	P/S	-	-	P/S	P/S
Jewelry, Luggage and Leather Goods	4483	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Lawn & Garden Supply (with outdoor storage) (§ 11.1)	4442	-	-	-	-	-	-	-	-	-	-	-	P/S	-	P/S	P/S	-
Lawn & Garden Supply (with no outdoor storage)	4442	-	-	-	-	-	-	-	P	-	P	P	P	-	P	P	-
Liquor Sales (ABC stores)	4453	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-
LP Gas & Heating Oil Dealers	45431	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Manufactured Home Sales (§ 5.23)	45393	-	-	-	-	-	-	-	-	-	-	-	P/S	-	-	-	-
Micro-brewery (25§5.37)	-	-	-	-	-	-	-	-	-	-	P/S	-	P/S	-	-	-	-
Miniature Golf course	713990	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-
Mini-warehousing/Self-storage Leasing (§ 5.15)(15)	53113	-	-	-	-	-	-	-	-	-	-	-	C/S	-	-	C/S	C/S
Mobile Food Vending (§ 5.38)		-	-	-	-	-	-	-	-	-	P/S	P/S	P/S	-	-	-	-
Motion Picture Theaters (excl. drive-in)	512131	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-
Motion Picture Theaters, drive-in	512132	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-
Motorcycle, Boat & RV Dealers, New & Used	4412	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
Musical Instrument & Supplies	45114	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Nurseries	44422	P	-	-	-	-	-	-	-	-	-	C	P	-	P	-	-
Office Supplies & Stationery Stores	45321	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Parking Lots & Structures, Commercial	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P
Pawnshops (subject to NCGS, Chapter 91A)	522298	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-	-
Pet & Pet Supply Stores	45391	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Pharmacies, Health & Personal Care Stores	446	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-

5.22.2.8. PERIOD OF TIME BETWEEN PERMITS.

Temporary Use Type	Per Location				Section of UDO
	Min. Permit Length	Time Between Expiration	Max. Time Allowed Per year	Permit Required	
Agriculture Products, Non-Residential	180 days	NA	180 days**	Yes	5.22.3.2
Agriculture Products, Residential	7 days	NA	180 days**	Yes	5.22.3.2
Amusement Enterprises	21 days	90 days *	21 days**	Yes	5.22.5
Fireworks Stands	45 days	90 days *	45 days**	Yes	5.22.3.1
Mobile Food Vending Service	30 days	Renewable	90 days	Yes	5.22.3.5
Promotional Activities	7 days	1 day*	21 days	Yes	5.22.7
Contractors Office, Equipment, Sheds	30 days	NA	12 months	Yes	5.22.4.1
Real Estate Office, Trailer	6 months	Renewable	12 months	Yes	5.22.4.2
Real Estate Office, Model Home	6 months	Renewable	12 months	Yes	5.22.4.3
Single Family, Temporary Structure	12 months	NA	12 months**	Yes	5.22.4.4
Religious Events, Offsite	30 days	Renewable	60 days	Yes	5.22.6
Religious Events, Onsite	NA	NA	NA	No	5.22.9.1
Sidewalk Vendors	90 days	90 days *	90 days**	Yes	5.22.3.4
Special Events and Activities	NA	NA	NA	No	5.22.9.2
Yard Sales	2 days	Renewable	8 days	Yes	5.22.8

*The period of time between an expired Temporary Use Permit on a parcel and application for another Temporary Use Permit on the same parcel per fiscal year (July 1st to June 30th).

**Even if at any time the temporary use does not occupy the permitted site, the noted day/month limit shall not be extended

5.22.3. TEMPORARY RETAIL SALES USES.

5.22.3.1. Fireworks Stand. Limited to only non-residential zones ⁽²⁾. A maximum of one (1) structure, not to exceed 120 square feet in area, shall be allowed. The structure must be portable and completely removed at the end of the permit period.

5.22.3.2 Seasonal Sale of Agricultural Products. (including Christmas Trees). ⁽²⁾A maximum of one (1) building/display booth shall be allowed and may cover a maximum of 400 square feet in non-residential districts. The ⁽¹⁾building/display booth must be portable and completely removed at the end of the period. A maximum display area of 100 square feet shall be allowed in residential districts. Such residential sales are limited to selling excess vegetables and fruits incidental to the residence. Residential seasonal sales shall be limited to the daylight hours.

5.22.3.3. Sidewalk Vendors ⁽²⁾Limited non-residential outdoor sales (sidewalk vendors) may receive a temporary use permit if the sales activities are incidental to the primary use, the sales activity is conducted with property owner permission and the display area is located in the C-1 or C-2 zoning districts. The display area shall not extend beyond the sidewalk or concrete apron entrance of the building, nor encroach into a public right-of-way. If the private sidewalk or pedestrian way in front of the building is used for display of merchandise, a minimum width of four (4) feet must remain unobstructed for pedestrian use. ⁽²⁾Temporary sales activities are prohibited on vacant property and from vehicles.

~~**5.22.3.4 ⁽²⁾Mobile Food Vending Service.** The sale of food or beverages from a mobile food vending unit shall only be permitted in the C-1 or C-2 zoning districts on occupied lots. Mobile food vending services are prohibited on vacant properties. The mobile food vending service shall not be located in any required setback, any sight distance triangle, or required buffer. Trash receptacles must be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste. Such receptacle shall be located no more than 10 feet from the mobile food vendor. The vendor is responsible for removing all trash, litter, and refuse from the site at the end of each business day. The hours of operation shall be between 8:00am and~~

~~9:00pm. The mobile food vending service shall provide one (1) parking space per 250 square feet of the mobile food vending unit. The mobile food vending service shall not be located in any minimum required parking spaces for other businesses on the site. There shall be a minimum of 400 feet of separation from any other mobile food vending service. These restrictions shall not be applicable to special events recognized by the City where mobile food vendors are permitted or non-profit fundraising events of five (5) days or less. ⁽²⁾A zoning compliance permit must be placed in the front window of the mobile food vendor vehicle or trailer while in use.~~

5.22.4. REAL ESTATE DEVELOPMENT AND CONSTRUCTION-RELATED TEMPORARY USES.

5.22.4.1. ⁽¹⁾Contractors Office and Equipment / Storage Sheds. Accessory to a Construction Project (Residential and/or non-residential) Placement of such a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one (1) year as and if approved by the Administrator. A construction trailer may be used for a contractor's office and/or for the contractor's storage of equipment and/or materials. All temporary buildings and trailers shall be completely removed from the site within thirty (30) days of issuance of either a Certificate of Occupancy on the last permitted Residential unit and/or completion of the Non-Residential construction project which has been issued a Certificate of Occupancy.

5.22.4.2. ⁽¹⁾Real Estate Office in a Construction or a Temporary Modular Unit.

Temporary structures, such as a construction trailer(s) and/or temporary modular unit(s) may be used as a real estate sales office, promotion and management office in any new construction project for the sale and promotion of properties within that project and/or its future phases only. Such a temporary use shall be allowed in all zoning districts, ⁽²⁾if approved by the Administrator. A real estate office may not contain sleeping or cooking accommodations unless located in a model dwelling.

5.22.4.3. Real Estate Office in a Model Home.

Accessory to Construction of a New Residential Development, ⁽²⁾if approved by the Administrator.

(1) City Council approved 12/12/2005

(2) TA-2009-02 - City Council approved /5/11/2009

5.38 MOBILE FOOD VENDING

5.38.1 APPLICABILITY.

The provisions of this Section shall apply to any mobile food vending as defined in Appendix A and allowed in Table 4.6-1 (See Article 4) subject to the provisions below.

5.38.2 Permit Requirement.

5.38.2.1 A mobile food vendor, or the property owner, on which mobile food vending will be placed shall obtain a zoning clearance permit. Permits must be posted in a visible location on the mobile food vending unit.

5.38.2.2 The property owner will be issued a notice of violation if no permit has been issued for the location. However, the mobile food vendor will be cited if located on a property without property owner approval.

5.38.2.3 A permit shall be valid for one calendar year and must be renewed on an annual basis.

5.38.2.4 All applicable local and state regulations, including, but not limited to, Health Department, Environmental Health, and Environmental Protection, shall be met.

5.38.3 Site Criteria

5.38.3.1 No mobile food vending unit shall be located in any required setback, sight distance triangle, or required buffer, nor shall any drive aisle, loading/service area, pedestrian walkway, emergency access, or fire lane be impeded.

5.38.3.2 Trash receptacles must be provided by the property owner, or designee, for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such trash receptacles shall be located no more than 10 feet from the mobile food vending unit. The property owner, or designee, is responsible for removing all trash, litter, and refuse from the site at the end of each business day.

5.38.3.3 No mobile food vending unit shall operate as a drive-thru service.

5.38.3.4 In all districts where food trucks are allowed, the mobile food vending unit shall provide one (1) parking space per 250 square feet of the mobile food vending unit. Mobile food vending units located in the Center City (CC) district are exempt from this regulation.

5.38.3.5 Any sidewalk encroachment shall require permit approval from the Public Works Department.

5.38.3.6 Mobile food vending units are required to returned to their associated commissary at the end of each business day.

5.38.3.7 These restrictions shall not be applicable to special events recognized by the City where mobile food vending is permitted or non-profit events of five (5) days or less.

MINOR THOROUGHFARE - A Minor Thoroughfare as designated on the Cabarrus-South Rowan MPO Thoroughfare Plan.

MITIGATION - The minimization of impacts to existing vegetation and wildlife habitat as a result of development in the resource area, and that lost vegetation and wildlife habitat are restored or recreated.

MIXED USE DWELLING - See BUILDING, MIXED USE

MIXED USE DEVELOPMENT OR MIXED-USE PROJECT - A proposed development that includes primary non-residential and primary residential uses on the same development site.

MOBILE FOOD VENDING SERVICE – A service establishment operated from a licensed and moveable vehicle (with or without an attached trailer), a portable vending cart, or mobile food stand that sells food and/or drink processed or prepared on-site to walk-up customers.

MOBILE HOME - A single-family dwelling, factory built and factory-assembled residence which does not comply with the National Manufactured Homes Construction Safety and Standards Act (42 U.S.C. § 5401, 1978, as amended) or the State Building Code.

MODERATE INCOME HOUSING - Housing reserved for occupancy or ownership by persons or households whose annual gross income does not exceed one hundred percent (100%) of the area median household gross income for households of the same size in the Charlotte metropolitan statistical area, as defined by the U.S. Department of Housing and Urban Development in 24 C.F.R., Part 813.

MODULAR HOME - A dwelling unit constructed in accordance with the standards set forth in the State Building Code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home may consist of one or more sections transported to the site in a manner similar to a mobile home or manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site.

MOTEL - A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not mobile home parks or travel trailer parks.

MOTOR HOME - A vehicular-designed unit built on, or permanently attached to, a self-propelled vehicle chassis, van, or chassis cab, which is an integral part of the complete vehicle, to provide temporary living quarters for recreational, camping, or travel use.

MOTOR VEHICLE - See VEHICLE, MOTOR

MOTOR VEHICLE REPAIR SHOP - See AUTOMOBILE REPAIR SHOP

MOTORSPORTS COMPLEX - A facility consisting of a racetrack, seating, concession areas, suites, and parking facilities, with accessory offices, residences, and/or retail facilities, and which is utilized primarily for the hosting of automobile racing events.

MULTI-FAMILY DWELLING - A structure arranged, designed, and intended to be the residence of more than one family, with each family having independent cooking and bathing facilities.

MULTIPLE DWELLING - See APARTMENT HOUSE

MUNICIPALITY - An incorporated city or town.

MUNICIPAL STREET - A street or highway accepted by the City and which is not a State Highway. (Source: 19A NCAC § 20.0404).

**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO
TEXT AMENDMENT TA-2019-06**

WHEREAS, Section 160A-383 (2013) of the North Carolina General Statutes specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

WHEREAS, the text amendment to **Article 4, Zoning Districts and Dimensional Regulation, Table 4.6-1, Principal Uses Permitted in Zoning Districts, Article 5, Supplemental Use Regulations, and Appendix A, Definitions** of the Unified Development Ordinance (UDO) to allow mobile food vending as a permitted use in the CC (Center City), C-1 (Light Commercial and Office) and C-2 (General Business) zoning districts, is consistent with policy 5.1.4 Support Small Businesses and policy 5.6.1 Facilitate Development of Urban Centers, of the *Move Kannapolis Forward 2030 Comprehensive Plan*, because it helps foster small business investment and economic development in mixed-use corridors and the urban core; and

WHEREAS, the Planning and Zoning Commission, after consideration at its September 4, 2019 meeting, recommended City Council adoption of TA-2019-06, as submitted by the Planning Department staff; and

WHEREAS, the City Council conducted a Public Hearing on October 14, 2019 for consideration of text amendment Case# TA-2019-06, as recommended by the Planning and Zoning Commission;

NOW, THEREFORE BE IT RESOLVED that the City Council finds the text amendment as represented in Case TA-2019-06 consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for adoption based on consideration of the application materials, information presented at the Public Hearing, and the recommendation provided by the Planning and Zoning Commission.

Adopted this the 14th Day of October 2019;

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, NCCMC, MMC
City Clerk



**AN ORDINANCE TO AMEND TEXT OF THE UNIFIED DEVELOPMENT
ORDINANCE, ARTICLE 4, ZONING DISTRICTS AND DIMENSIONAL
REGULATION, TABLE 4.6-1, PRINCIPAL USES PERMITTED IN ZONING
DISTRICTS, ARTICLE 5, SUPPLEMENTAL USE REGULATIONS, AND
APPENDIX A, DEFINITIONS, WITH REGARD TO MOBILE FOOD VENDING
CASE # TA-2019-06**

WHEREAS, per Section 3.8 of the Kannapolis Unified Development Ordinance (“UDO”), the City Council has final authority on zoning text amendments; and

WHEREAS, per Section 3.8 of the UDO, the Planning and Zoning Commission, at its regular meeting on September 4, 2019, recommended City Council approval of a text amendment amending Article 4, Zoning Districts and Dimensional Regulation, Table 4.6-1, Principal Uses Permitted in Zoning Districts, Article 5, Supplemental Use Regulations, and Appendix A, Definitions with regard to mobile food vending; and

WHEREAS, City Council conducted a public hearing on October 14, 2019 to consider amendments to the above-reference Articles of the UDO; and

WHEREAS, the proposed text amendment is consistent with the City of Kannapolis *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, as detailed in the “Resolution to Adopt a Statement of Consistency” for Case # TA-2019-06;

NOW, THEREFORE, BE IT ORDAINED, by the Kannapolis City Council that the above-referenced Articles of the UDO be amended as follows:

The proposed text amendment to the UDO is attached as Exhibit A and shown as additions and ~~deletions~~:

ADOPTED this the 14th Day of October 2019:

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000600866

Client: KANNAPOLIS,CITY OF
Phone: 7049204300

Payer: KANNAPOLIS,CITY OF
Phone: 7049204300

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEETS
KANNAPOLIS NC 28081

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEET
KANNAPOLIS NC 28081

Sales Rep **Accnt Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMAIL: byow@kannapolisnc.gov

Total Amount \$490.12
Payment Amount \$490.12

Amount Due	\$0.00	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>PO Number:</u>
		0	0	1	
Tax Amount:	0.00				
Payment Meth:	Credit - Debit Card				

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000600866-01	CLS Liner	2 X 37 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2
Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Hall			
<u>Run Dates</u> 10/ 4/2019, 10/11/2019			

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
NCC Online	C-Announcements	General-Spec Notice	2
Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Hall			
<u>Run Dates</u> 10/ 4/2019, 10/11/2019			

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYHALLLAUREATECENTER401LAUREATEWAYKANNAPOLISNC28081CITYCOUNCILMEETINGMONDAYOCTOBER142019AT600PM



NOTICE OF PUBLIC HEARING
Kannapolis City Hall
Laureate Center
401 Laureate Way, Kannapolis, NC 28081
City Council Meeting
Monday, October 14, 2019 at 6:00 pm

Text Amendment - TA-2019-06 - Public hearing to consider a text amendment to Article 4, Table 4.6-1, Article 5, and Appendix A of the Unified Development Ordinance (UDO) to allow Food Trucks as a permitted use in the C-1 (Light Commercial), C-2 (General Commercial) and CC (City Center) Districts, with specific standards.

If you have questions or concerns regarding these cases, please contact the City of Kannapolis Planning Department at 704-920-4350.

Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf (1-800-735-8262). The meeting facility is accessible to people with disabilities. To request special accommodations in advance, contact the City's ADA Coordinator at 704-920-4302 or email tcline@kannapolisnc.gov.

Publish: October 4, 11, 2019.

Exhibit A

TABLE 4.6-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS

* All uses permitted in the CC, CD, and I-1 Districts are subject to supplemental design regulations in Article 11 of this Ordinance.

P - Permitted Use

S - Permitted Use with Supplemental Regulations in Article 5 and/or Article 11 (see "§ 0.00" for reference)

C - Conditional Use

(-) Prohibited Use

ZONING DISTRICTS

USE	NAICS	AG	RE	RL	RM-1	RM-2	RV	RC	B-1	O-I	CC*	C-1	C-2	CD-R^	CD*	I-1*	I-2
Equestrian Boarding & Riding Arenas, Commercial	81291, 71131	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Equipment Rental & Leasing (with indoor storage)	53321, 5324	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Equipment Rental & Leasing (with outdoor storage)(§ 11.1)	53231, 5324	-	-	-	-	-	-	-	-	-	-	-	P/S	-	(24)P/S	P/S	-
Electronics & Appliance Rental	53221	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Electronics, Camera & Appliance Stores	443	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Electronic Gaming Operations (§ 5.31)(23)	-	-	-	-	-	-	-	-	-	-	-	-	C/S	-	-	P/S	P/S
Farmer's Market	44523	P	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-
Fitness & Recreational Sports Centers (2)	713490	-	-	-	-	-	-	-	C	-	P	P	P	-	P	P	-
Florist	4531	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Formal Wear & Costume Rental	53222	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Furniture & Home Furnishings	442	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Furniture/Party Supply/Sporting Goods Rental	53229	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Game Preserves	7114	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Merchandise Stores (less than 25,000 sq. ft.)	452	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Gift, Novelty & Souvenir Stores	45322	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Grocery/Food Stores (excl. convenience stores)	4451, 4452	-	-	-	-	-	-	-	C	-	P	P	P	-	P	-	-
Heavy Truck, RV, and Semi-Trailer Leasing (1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Hobby, Toy & Game Stores	45112	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Hotel, Motels & Extended Stay Lodging Facilities	72111	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-
Ice Vending Operations	-	-	-	-	-	-	-	-	-	-	-	-	P/S	-	-	P/S	P/S
Jewelry, Luggage and Leather Goods	4483	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Lawn & Garden Supply (with outdoor storage) (§ 11.1)	4442	-	-	-	-	-	-	-	-	-	-	-	P/S	-	P/S	P/S	-
Lawn & Garden Supply (with no outdoor storage)	4442	-	-	-	-	-	-	-	P	-	P	P	P	-	P	P	-
Liquor Sales (ABC stores)	4453	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-
LP Gas & Heating Oil Dealers	45431	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Manufactured Home Sales (§ 5.23)	45393	-	-	-	-	-	-	-	-	-	-	-	P/S	-	-	-	-
Micro-brewery (25§5.37)	-	-	-	-	-	-	-	-	-	-	P/S	-	P/S	-	-	-	-
Miniature Golf course	713990	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-
Mini-warehousing/Self-storage Leasing (§ 5.15)(15)	53113	-	-	-	-	-	-	-	-	-	-	-	C/S	-	-	C/S	C/S
Mobile Food Vending (§ 5.38)		-	-	-	-	-	-	-	-	-	P/S	P/S	P/S	-	-	-	-
Motion Picture Theaters (excl. drive-in)	512131	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-
Motion Picture Theaters, drive-in	512132	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-
Motorcycle, Boat & RV Dealers, New & Used	4412	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
Musical Instrument & Supplies	45114	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Nurseries	44422	P	-	-	-	-	-	-	-	-	-	C	P	-	P	-	-
Office Supplies & Stationery Stores	45321	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-
Parking Lots & Structures, Commercial	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P
Pawnshops (subject to NCGS, Chapter 91A)	522298	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-	-
Pet & Pet Supply Stores	45391	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
Pharmacies, Health & Personal Care Stores	446	-	-	-	-	-	-	-	P	-	P	P	P	-	P	-	-

5.22.2.8. PERIOD OF TIME BETWEEN PERMITS.

Temporary Use Type	Per Location				Section of UDO
	Min. Permit Length	Time Between Expiration	Max. Time Allowed Per year	Permit Required	
Agriculture Products, Non-Residential	180 days	NA	180 days**	Yes	5.22.3.2
Agriculture Products, Residential	7 days	NA	180 days**	Yes	5.22.3.2
Amusement Enterprises	21 days	90 days *	21 days**	Yes	5.22.5
Fireworks Stands	45 days	90 days *	45 days**	Yes	5.22.3.1
Mobile Food Vending Service	30 days	Renewable	90 days	Yes	5.22.3.5
Promotional Activities	7 days	1 day*	21 days	Yes	5.22.7
Contractors Office, Equipment, Sheds	30 days	NA	12 months	Yes	5.22.4.1
Real Estate Office, Trailer	6 months	Renewable	12 months	Yes	5.22.4.2
Real Estate Office, Model Home	6 months	Renewable	12 months	Yes	5.22.4.3
Single Family, Temporary Structure	12 months	NA	12 months**	Yes	5.22.4.4
Religious Events, Offsite	30 days	Renewable	60 days	Yes	5.22.6
Religious Events, Onsite	NA	NA	NA	No	5.22.9.1
Sidewalk Vendors	90 days	90 days *	90 days**	Yes	5.22.3.4
Special Events and Activities	NA	NA	NA	No	5.22.9.2
Yard Sales	2 days	Renewable	8 days	Yes	5.22.8

*The period of time between an expired Temporary Use Permit on a parcel and application for another Temporary Use Permit on the same parcel per fiscal year (July 1st to June 30th).

**Even if at any time the temporary use does not occupy the permitted site, the noted day/month limit shall not be extended

5.22.3. TEMPORARY RETAIL SALES USES.

5.22.3.1. Fireworks Stand. Limited to only non-residential zones ⁽²⁾. A maximum of one (1) structure, not to exceed 120 square feet in area, shall be allowed. The structure must be portable and completely removed at the end of the permit period.

5.22.3.2 Seasonal Sale of Agricultural Products. (including Christmas Trees). ⁽²⁾A maximum of one (1) building/display booth shall be allowed and may cover a maximum of 400 square feet in non-residential districts. The ⁽¹⁾building/display booth must be portable and completely removed at the end of the period. A maximum display area of 100 square feet shall be allowed in residential districts. Such residential sales are limited to selling excess vegetables and fruits incidental to the residence. Residential seasonal sales shall be limited to the daylight hours.

5.22.3.3. Sidewalk Vendors ⁽²⁾Limited non-residential outdoor sales (sidewalk vendors) may receive a temporary use permit if the sales activities are incidental to the primary use, the sales activity is conducted with property owner permission and the display area is located in the C-1 or C-2 zoning districts. The display area shall not extend beyond the sidewalk or concrete apron entrance of the building, nor encroach into a public right-of-way. If the private sidewalk or pedestrian way in front of the building is used for display of merchandise, a minimum width of four (4) feet must remain unobstructed for pedestrian use. ⁽²⁾Temporary sales activities are prohibited on vacant property and from vehicles.

~~**5.22.3.4 ⁽²⁾Mobile Food Vending Service.** The sale of food or beverages from a mobile food vending unit shall only be permitted in the C-1 or C-2 zoning districts on occupied lots. Mobile food vending services are prohibited on vacant properties. The mobile food vending service shall not be located in any required setback, any sight distance triangle, or required buffer. Trash receptacles must be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste. Such receptacle shall be located no more than 10 feet from the mobile food vendor. The vendor is responsible for removing all trash, litter, and refuse from the site at the end of each business day. The hours of operation shall be between 8:00am and~~

~~9:00pm. The mobile food vending service shall provide one (1) parking space per 250 square feet of the mobile food vending unit. The mobile food vending service shall not be located in any minimum required parking spaces for other businesses on the site. There shall be a minimum of 400 feet of separation from any other mobile food vending service. These restrictions shall not be applicable to special events recognized by the City where mobile food vendors are permitted or non-profit fundraising events of five (5) days or less. ⁽²⁾A zoning compliance permit must be placed in the front window of the mobile food vendor vehicle or trailer while in use.~~

5.22.4. REAL ESTATE DEVELOPMENT AND CONSTRUCTION-RELATED TEMPORARY USES.

5.22.4.1. ⁽¹⁾Contractors Office and Equipment / Storage Sheds. Accessory to a Construction Project (Residential and/or non-residential) Placement of such a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one (1) year as and if approved by the Administrator. A construction trailer may be used for a contractor's office and/or for the contractor's storage of equipment and/or materials. All temporary buildings and trailers shall be completely removed from the site within thirty (30) days of issuance of either a Certificate of Occupancy on the last permitted Residential unit and/or completion of the Non-Residential construction project which has been issued a Certificate of Occupancy.

5.22.4.2. ⁽¹⁾Real Estate Office in a Construction or a Temporary Modular Unit.

Temporary structures, such as a construction trailer(s) and/or temporary modular unit(s) may be used as a real estate sales office, promotion and management office in any new construction project for the sale and promotion of properties within that project and/or its future phases only. Such a temporary use shall be allowed in all zoning districts, ⁽²⁾if approved by the Administrator. A real estate office may not contain sleeping or cooking accommodations unless located in a model dwelling.

5.22.4.3. Real Estate Office in a Model Home.

Accessory to Construction of a New Residential Development, ⁽²⁾if approved by the Administrator.

(1) City Council approved 12/12/2005

(2) TA-2009-02 - City Council approved /5/11/2009

5.38 MOBILE FOOD VENDING

5.38.1 APPLICABILITY.

The provisions of this Section shall apply to any mobile food vending as defined in Appendix A and allowed in Table 4.6-1 (See Article 4) subject to the provisions below.

5.38.2 Permit Requirement.

5.38.2.1 A mobile food vendor, or the property owner, on which mobile food vending will be placed shall obtain a zoning clearance permit. Permits must be posted in a visible location on the mobile food vending unit.

5.38.2.2 The property owner will be issued a notice of violation if no permit has been issued for the location. However, the mobile food vendor will be cited if located on a property without property owner approval.

5.38.2.3 A permit shall be valid for one calendar year and must be renewed on an annual basis.

5.38.2.4 All applicable local and state regulations, including, but not limited to, Health Department, Environmental Health, and Environmental Protection, shall be met.

5.38.3 Site Criteria

5.38.3.1 No mobile food vending unit shall be located in any required setback, sight distance triangle, or required buffer, nor shall any drive aisle, loading/service area, pedestrian walkway, emergency access, or fire lane be impeded.

5.38.3.2 Trash receptacles must be provided by the property owner, or designee, for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such trash receptacles shall be located no more than 10 feet from the mobile food vending unit. The property owner, or designee, is responsible for removing all trash, litter, and refuse from the site at the end of each business day.

5.38.3.3 No mobile food vending unit shall operate as a drive-thru service.

5.38.3.4 In all districts where food trucks are allowed, the mobile food vending unit shall provide one (1) parking space per 250 square feet of the mobile food vending unit. Mobile food vending units located in the Center City (CC) district are exempt from this regulation.

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MODULAR HOME - A dwelling unit constructed in accordance with the standards set forth in the State Building Code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home may consist of one or more sections transported to the site in a manner similar to a mobile home or manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site.

MOTEL - A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not mobile home parks or travel trailer parks.

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MOTOR VEHICLE - See VEHICLE, MOTOR

MOTOR VEHICLE REPAIR SHOP - See AUTOMOBILE REPAIR SHOP

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MULTIPLE DWELLING - See APARTMENT HOUSE

MUNICIPALITY - An incorporated city or town.

MUNICIPAL STREET - A street or highway accepted by the City and which is not a State Highway. (Source: 19A NCAC § 20.0404).



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton III, Director of Public Works
TITLE I-85 Exit 63 Water and Sewer Presentation

A. Action Requested by City Council

Presentation only, no action required.

B. Required Votes to Pass Required Action

Presentation Only, no action required

C. Background

A brief presentation will be provided to City Council regarding the existing Water and Sewer services available to the area around I-85 Exit 63, including the Brantley Estate property and the Lane Street baseball stadium property.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

None

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
October 14, 2019
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE Closed Session

A. Action Requested by City Council

GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney client privilege; G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area and G.S. 143-318.11 (a) (6) for the purpose of discussing personnel matters. (Mayor Pro tem Haas)

Motion to Adjourn Meeting

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

ATTACHMENTS:

File Name

No Attachments Available