

KINGS MOUNTAIN The Herald

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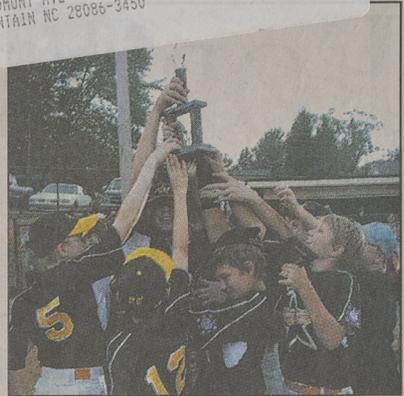
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Kim Dixie Youth all-stars win district, begin play in state tournament Saturday



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ELECTION 2007 Races for At-Large, Ward 5 develop

GARY STEWART
gstewart@kingsmountainherald.com

Races developed for City Council during the past week, but the mayor's and four ward seats are still uncontested as Friday's 12 noon filing deadline approaches.

And, in Grover, only one person has filed for mayor and incumbent Jackie Bennett has filed for one of the two available council seats.

Incumbent Houston Corn and local insurance agent Ric Francis filed for a Kings Mountain At-Large seat, joining Dean Spears, who had filed the previous week in a race for two seats. Incumbent Keith Miller filed for re-election in Ward 5 and has opposition from former At-Large commissioner Rick Moore, who filed last week.

Others who have filed but do not have opposition yet are incumbents Howard Shipp in Ward 1, Mike Butler in Ward 2, Jerry Mullinax in Ward 3, Rodney Gordon in Ward 4, and Mayor Rick Murphrey.

Francis is seeking his first election to City Council. He said his top priority is to "give the citizens a voice in how the city's being run."

Francis said Council also needs to "re-visit the city water and sewer system. Water pipes are getting old and sewer lines have roots growing in them which is giving the city a lot of problems."

Horn said completing the new water line from Moss Lake to town and continuing to bring new jobs to the area are his top priorities.

"We have a five-year plan to complete the water line, and that's one of the biggest things I'll be working on," Corn said. "And we need to bring more jobs to town. We've been lucky the last couple of years getting new plants in here and that has really helped a lot. That keeps down the tax rate for everybody else."

Miller also listed the water line as one of his priorities, See Filing, 2A

BEACH BLAST



JIMMY CARPENTER PHOTO
This is just part of the huge crowd that attended last year's Beach Blast. This year's event is scheduled for Saturday from 10 a.m.-10 p.m. at the gazebo at Patriots Park, located on the corner of Railroad Avenue and West Gold Street.

Music, games, contests highlight Saturday's event at Patriots Park

EMILY WEAVER
eweaver@kingsmountainherald.com

High gas prices preventing you from traveling to the beach this summer? Then let the music take you there.

Beach music, performed by three popular groups in Patriots Park on Saturday, July 21, will help transform the downtown park into a concert get-a-way at the beach. The city of Kings Mountain is hosting the 8th annual BeachBlast at the park from 10 a.m.-10 p.m. There will be sand, water games, concessions, and music. The only thing missing, of course, will be the ocean, but there will be plenty of opportunities to get wet in the new Rotary Club splash pad at the park.

The county's largest sand pile at BeachBlast offers the perfect opportunity to build the county's largest sandcastle or to dig for "pirate treasures" with friends. Will any contestant dare to wear an itty-bitsy-teenie-weenie-yellow-polka-dot bikini in the "Teenie Weenie Bikini Contest" (ages 6 and under)?

According to KM Special Events Director Ellis Noell, other BeachBlast events include: rides on the Little Blue Choo-Choo through the downtown area, "Water Wars" (with two battle stations using giant slingshots to propel water balloons across from one tower to the other), and a "Watermelon Eatin' Contest."

But perhaps the best part of BeachBlast, every year, is the music. "This is a tribute to a unique style of music in the Carolinas. Beach music evolved from early rhythm and blues music of the 50's and is still extremely popular today, especially as dance music for those who like to Shag," Noell said.

"The dance floor will be open to all who want to practice the Shag and enjoy first class entertainment," he added.

The Rickey Godfrey Band, winner of the "Blues Album of the Year" and "Group Album of the Year" and "Group of the Year" at last year's Carolinas Beach Music Awards, will be singing its hit songs from 1 p.m.-4 p.m. Two of their songs are currently climbing the Beach Music 45's Smokin 45 Chart: "Hotel Happiness" and "She's the one I Love."

From 4 p.m.-7 p.m., The O'Kaysions will take the stage of the gazebo to share their hits with the crowd. The group soared to fame in 1968 with its hit song "Girl Watcher." According to the band's website, "Wayne Pittman, original member and manager of The O'Kaysions, has continued The O'Kaysions audience appeal by performing favorite selections from the 60's to the 90's throughout the Southeast." Other recordings include, "Love Machine" and "Little Miss Flirt."

Jim Quick & The Coastline Band will take the stage last from 7-10 p.m. According to coastlineband.com, "An eclectic blend of soul, blues, and rock has produced the sound known as Coastline. From hard driving Carolina back beats, to Georgia southern rock, from Cajun inspired grooves, to Texas and Delta blues; Coastline truly defines the sound of historical Southern music." Some of its recordings include, "Jumpin' the Jetty," "Mississippi Mud," and "Be Young, Be Foolish, Be Happy."

Noell said that there will be a variety of food vendors at this family fun day in the sun. The public is encouraged to take folding chairs. BeachBlast is free and open to the public.

The Kings Mountain Herald is media sponsor of the event.

CARROLL VS. CITY OF KM

Court reverses city's rezoning of Carroll property on North Piedmont City to seek another hearing

GARY STEWART
gstewart@kingsmountainherald.com

Superior Court Timothy L. Patti has reversed the City of Kings Mountain's rezoning of property owned by Glenn Carroll at 605 North Piedmont Avenue, but the city is requesting another hearing on the matter.

The property which includes a house on approximately two acres located across Walker Street from First Wesleyan Church, was rezoned General Business by City Council on September 27, 2005, with Councilman Houston Corn casting the lone no vote. Robert Bazzle filed a request on October 17, 2005 to rezone the property R-8. On January 31, 2006 City Council, with several new members on board, voted 6-1 to rezone it R-8. Jerry Mullinax cast the lone no vote.

Respondents in the suit include Mayor Rick Murphrey and Councilmen Dean Spears, Howard Shipp, Houston Corn and Jerry Mullinax, all of whom were a part of both zoning decisions, and Councilmen Mike Butler, Rodney Gordon and Keith Miller, who were elected in November 2006 and were members of the board when the zoning was changed to R-8 in January 2006.

In his findings of fact, among other things, Judge Patti noted that: - There was no appeal or petition filed for judicial review of the September 27, 2005 zoning;

- The zoning ordinance for the City makes no specific provision for an appeal from a zoning decision; therefore, the proper procedure is for a Petition for Review and for a Writ of Certiorari;

- That the record before City Council contained no evidence that Robert Bazzle was a resident or property owner of the city;

- The record before City Council contained no evidence that, at the time of the January 31, 2006 rezoning public hearing, there had been a substantial change in condition or circumstances to the area since the September 27, 2005 zoning.

Based upon the findings of fact, the Court concluded, among other things that:

- The City improperly considered Robert Bazzle's rezoning petition in violation of the KM Zoning Ordinance by not requiring evidence that Robert Bazzle owned property or resided in the jurisdiction; "therefore, the zoning is null and void;"

- The city improperly considered Bazzle's rezoning petition, thereby circumventing the proper appeals process from the Sept. 27, 2005 zoning decision; "therefore, the rezoning is null and void;"

- That since there was no evidence presented at the time of the January 31, 2006 rezoning to the effect that there had been a substantial change in condition or circumstance in the area since the Sept. 27, 2005 rezoning, the actions of the city in rezoning the property from GB to R-8 were arbitrary and capricious; "therefore, the rezoning is null and void;"

- The city's January 31, 2006 decision to rezone the property from GB to R-8 was based upon undocumented concerns of increased traffic, thereby making the actions of the city "arbitrary and capricious and the rezoning null and void."

In his motion for a new hearing, City Attorney Mickey Corry filed a Writ of Certiorari and also stated that the judgment granted relief "contrary to the facts, which did and do exist in this case." Corry said Monday that Bazzle is a resident of the city of Kings Mountain.

If the city's motions are denied the city could appeal Judge Patti's decision to the NC Court of Appeals, and Corry said he may even go ahead and file the appeal within the next 30 days. If filed, it could be See Carroll, 3A

School Board to meet Monday at KM High

EMILY WEAVER
eweaver@kingsmountainherald.com

Cleveland County Schools Board of Education will be visiting Kings Mountain for a campus tour and board meeting in the KMHS media center on Monday, July 23.

School board members will be touring the KMHS grounds at 5:30 p.m., looking especially at the new Business & Industry Technologies building which is set to open to students this August. At 7 p.m., the members will reconvene in the media center for their regular bi-monthly Board of Education meeting.

As of Tuesday morning, the following items were on the agenda for the meeting:

Update, including plans and possible changes to the instructional center

Title I plan up for approval

Child Nutrition will be presenting bids for approval

Purchase orders for K-5 science kits will be up for approval

Assistant Superintendent for Operations Jon Yarbro will be presenting his first capital projects report to the board



EMILY WEAVER/HERALD
Dozens of people came out to enjoy KM Family YMCA's first ever Dive-In Movie and enjoyed splashing their feet to "Happy Feet."

Dive-In

YMCA offers first-ever swimming, movie event

EMILY WEAVER
eweaver@kingsmountainherald.com

The Kings Mountain Family YMCA invited a crowd of up to 75 people to dive in to the fun of a dive-in movie on last Tuesday.

Staff members had 75 tickets on sale for the first-ever movie splash at the Y, leading up to the event. By Tuesday night, all of the tickets were sold. Members and non-members alike purchased tickets and enjoyed the show. This was open to everyone, said KM-YMCA Aquatics Coordinator Craig Gosnell.

"The Dive-In movie was fantastic," he added. "Everyone that I talked to enjoyed the night."

He said that he had asked his staff to get See Dive-In, 2A