



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

February 4, 2008

The Knightdale Town Council met at 7:00 p.m. at Knightdale Town Hall, 950 Steeple Square Court, Knightdale, NC.

PRESENT: Mayor Russell Killen; Mayor Pro Tem Mike Chalk; Councilors Jeff Eddins, Terry Gleason, Tim Poirier, and James Roberson.

ABSENT: No one.

Staff Members Present: Clyde Holt, III, Town Attorney; Gary McConkey, Town Manager; Seth Lawless, Assistant Town Manager; Suzanne Yeatts, Town Clerk; Mike Frangos, Planning Director; Jeff Triezenberg, Planner II; Ren Wiles, Finance Director; Tim Guffey, Fire Chief; Ricky Pope, Police Chief; Keith Gifford, Town Engineer; Tracy Pedigo, Public Works Director.

Meeting called to order by Mayor Killen at 7:03 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Councilor Gleason.

ITEM I. ADOPTION OF AGENDA

...Motion by Councilor Eddins to adopt the agenda. Motion seconded by Councilor Gleason and carried unanimously.

ITEM II. APPROVAL OF MINUTES

January 16, 2008

...Motion by Councilor Poirier to approve the minutes of January 16, 2008. Motion seconded by Councilor Eddins and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

Habitat for Humanity of Wake County

Woody Yates, Executive Director/CEO of Wake County Habitat for Humanity, presented the organization's mission and explained how their building program works. Mr. Yates announced Habitat's plans to build six single family homes in the Mingo Creek subdivision.

ITEM IV. PUBLIC

Anyone may speak on an issue not included on tonight's agenda. Before speaking, please state your name and address.

A. Open to the Public

Gary Brown, 106 Bridgedale Court, and Paula Gavasto, 418 Mingocrest Drive, asked what action they could take to deem a property a nuisance.

Town Attorney Clyde Holt advised the residents to report any issues to the Police Chief who would be responsible for investigating and reporting to Council.

Mayor Killen instructed the Police Chief to report on this issue at the next meeting under new business so adequate time would be allowed for discussion.

John Allen, 805 Beddingfield Drive, expressed concerns over the traffic impact analysis for the Village Park Commons development. Mr. Allen requested a report from Council at the next meeting in response to his concerns.

Erich Rakestraw, 615 Jumping Frog Lane, voiced his concern about the safety of children playing on the street along Sternwheel Way when the Village Park Commons development is complete.

Mayor Killen stated he believes what Council approved is appropriate and after much discussion he would like to put the issue behind us and move on.

Discussion among Council regarding Village Park Commons.

Mayor Killen instructed the Planning Director to schedule a meeting on this issue.

Candy Allen, 805 Beddingfield Drive, addressed Council to clarify that her husband, John Allen, spoke as a concerned citizen and does not represent a group nor is he a member of CARE.

Sue Conroy, 201 Pine Forest Trail, requested equipment be added at Mingo Creek Park for younger children as well as making the entrance more accessible.

Mayor Killen instructed the Parks and Recreation Director to research the requests for Mingo Creek Park.

Mayor Pro Tem Chalk stated that a tot lot has been designed and he will ask the Parks and Recreation Director to show the plans to Ms. Conroy.

B. Report on Citizen Inquiries

None at this time.

ITEM V. CONSENT AGENDA

A. Property Tax Adjustments - November

Accept tax report for the month of November 2007 as presented by the Wake County Board of Commissioners.

B. Budget Amendment #0805 – Unemployment Insurance

Adopt Budget Amendment #0805 to reimburse the NC Employment Security Commission for unemployment benefits paid to former town employees.

C. Budget Amendment #0806 – Infrastructure Reimbursements
Adopt Budget Amendment #0806 to reclassify a budgeted amount no longer needed and to adjust the amount to be transferred to the general fund for reimbursement payment.

D. Financing Agreement for Fire Station 2

RES #08-02-04-004

Adopt Resolution #08-02-04-004 authorizing the filing of an application for approval of a financing agreement for Fire Station 2.

...Motion by Mayor Pro Tem Chalk to adopt the Consent Agenda. Motion seconded by Councilor Poirier and carried unanimously.

ITEM VI. ACTIONS REQUIRING PUBLIC HEARINGS

When speaking during a public hearing, please state your name and address clearly before speaking. Please designate a spokesperson for large groups. If you anticipate speaking tonight, please print your name and address on the form located on the entry table. If the Mayor announces that the hearing is a quasi-judicial public hearing, all speakers must be administered an oath by the Town Attorney. Everyone must speak from the podium to assure an accurate record of testimony.

ZMA-2-08 Duke Realty Corporation

Public hearing opened at 8:02 p.m.

Jeff Triezenberg, Planner II, presented a zoning map amendment to rezone a 78.8 acre parcel located south of US Highway 64/264 and east of Hodge Road. Mr. Triezenberg identified the applicant as Duke Realty Corporation and the property owner as Roxie W. Myrick.

Mr. Triezenberg recommended closing the public hearing after allowing an opportunity for public comment and referring ZMA-2-08 to the Land Use Review Board's February 11, 2008 meeting.

No one approached.

...Motion by Councilor Gleason to close the public hearing at 8:10 p.m. and to refer ZMA-2-08 to the February 11, 2008 Land Use Review Board meeting. Motion seconded by Councilor Eddins and carried unanimously.

ITEM VII SET PUBLIC HEARINGS

A. AN-2-08 Duke Realty Annexation
RES #08-02-04-001

Planner II Jeff Triezenberg reported receiving a request from three of the four property owners to withdraw the voluntary annexation petition. Mr. Triezenberg noted he expects the request for voluntary annexation will be resubmitted including only one of the four properties.

B. AN-3-08 Wake Stone Commercial Annexation
RES #08-02-04-002

Jeff Triezenberg, Planner II, presented the voluntary annexation petition from the owners of approximately 0.13 acres directly east of Old Montague Lane and north of Knightdale Boulevard. Mr. Triezenberg noted the sufficiency of the petition has been investigated and asked Council to adopt a resolution setting the public hearing for February 20, 2008.

...Motion by Mayor Pro Tem Chalk to approve Resolution #08-02-04-002 setting the date of a public hearing for Wake Stone Commercial Annexation as February 20, 2008. Motion seconded by Councilor Eddins and carried unanimously.

C. Road and Drainage Project Fee Ordinance
RES #08-02-04-003

Planning Director Mike Frangos presented a resolution to set the public hearing date for the proposed Road and Drainage Project Fee Ordinance being prepared by the Town Attorney.

...Motion by Councilor Gleason to approve Resolution #08-02-04-003 setting the date of a public hearing for the Road and Drainage Project Fee Ordinance as February 20, 2008. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

D. Proposed Grant to Owens and Minor, Inc.

Assistant Town Manager Seth Lawless presented a request to set a public hearing for a proposed grant to Owens and Minor, Inc.

...Motion by Mayor Pro Tem Chalk to set the date of a public hearing for a proposed grant to Owens and Minor, Inc. as March 3, 2008. Motion seconded by Councilor Gleason and carried unanimously.

ITEM VIII. TOWN ATTORNEY

Town Attorney Clyde Holt reported a request he received from BRC Knightdale, LLC for a zoning text amendment in response to the UDO amendment adopted in December related to vinyl siding. Mr. Holt recommended authorizing the petition and setting a public hearing on this matter.

...Motion by Councilor Eddins to set the date of a public hearing for the zoning text amendment request by BRC Knightdale, LLC as March 3, 2008. Motion seconded by Councilor Roberson and carried unanimously.

ITEM IX. OLD BUSINESS

A. ZMA-1-08 Elevation Baptist Church
ORD #08-02-04-001

Planner II Jeff Triezenberg presented the zoning map amendment request to rezone 54.96 acres south of Knightdale Boulevard and east of Marks Creek Road from Manufacturing and Industrial (MI) and Residential Mixed Use (RMX) to Neighborhood Mixed Use (NMX). Mr. Triezenberg noted the Land Use Review Board's written statement regarding plan consistency and recommendation to approve ZMA-1-08.

Mr. Triezenberg presented staff's recommendation to adopt the statement of consistency and reasonableness of action followed by a motion to approve ZMA-1-08 and to adopt ORD #08-02-04-001.

Council discussed requiring additional buffering.

Town Attorney Holt suggested making the additional buffering requirement part of the consistency statement.

Pat Murphy, 2224 Marks Creek Road, voiced concern over any future widening of or improvements to Marks Creek Road that would affect her property. Ms. Murphy questioned whether there is an alternative for ingress and egress for the church's development.

Council instructed staff to research alternatives.

Stephen Morgan, LURB Chairman, expressed his concern over traffic but noted the proposed use is not inconsistent with surrounding uses.

...Motion by Councilor Poirier to adopt the amended statement of plan consistency and reasonableness of action to include that the re-zoning is compliant with the comprehensive plan as long as additional buffers between proposed and existing development are added, to approve ZMA-1-08, and to adopt Ordinance #08-02-04-001. Motion seconded by Councilor Gleason and carried unanimously.

B. ZTA-2-08 Manufacturing and Industrial
Development Regulations
ORD #08-02-04-002

Jeff Triezenberg, Planner II, presented the zoning text amendment regarding manufacturing and industrial development regulations and noted two changes since the item was presented at a public hearing in January.

Councilor Roberson exited at 8:52 p.m. and returned at 8:55 p.m.

Mr. Triezenberg reported the LURB's recommended approval and asked Council to adopt the statement of plan consistency

and reasonableness of action followed by a motion to approve ZTA-2-08 and adopt ORD #08-02-04-002.

...Motion by Mayor Pro Tem Chalk to adopt the statement of plan consistency and reasonableness of action and to approve ZTA-2-08 and adopt ORD #08-02-04-002. Motion seconded by Councilor Eddins and carried unanimously.

ITEM X. NEW BUSINESS

A. Laurens Way 4-Way Stop
ORD #08-02-04-003

Public Works Director Tracy Pedigo reported his findings after researching the request for a 4-way stop at the intersection of Laurens Way and Stanway Drive. Mr. Pedigo recommended a 4-way stop at the intersection of Laurens Way and Tallula Lane instead of Stanway Drive in order to maintain consistency in stop signs along Laurens Way.

Council instructed staff to solicit comments from residents on installing speed cushions to help regulate speed near the Laurens Way and Stanway Drive intersection.

...Motion by Councilor Gleason to adopt Ordinance #08-02-04-003 authorizing a 4-way stop at the intersection of Laurens Way and Tallula Lane. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

Councilor Eddins exited at 9:07 p.m. and returned at 9:09 p.m.

B. Noise Ordinance Amendment
ORD #08-02-04-004

Town Engineer Keith Gifford presented an ordinance to amend Chapter 84 of the Town code in reference to construction hours. Mr. Gifford's recommendation was to allow construction between the hours of 7 a.m. and 7 p.m. Monday through Saturday and between 12 noon and 7 p.m. on Sunday.

...Motion by Mayor Pro Tem Chalk to table the proposed Noise Ordinance Amendment until the February 20,

2008 meeting. Motion seconded by Councilor Eddins and carried unanimously.

C. Proposed Economic Development Incentive Policy

...Motion by Councilor Poirier to table the proposed Economic Development Incentive Policy until the February 20, 2008 meeting. Motion seconded by Councilor Gleason and carried unanimously.

D. Status of Public Works Department

Postponed to the February 20, 2008 meeting

ITEM XI. OTHER BUSINESS

Nothing at this time.

ITEM XII. COMMITTEE REPORTS

A. Planning and Engineering

B. Budget

C. Public Safety

Councilor Eddins reported the new fire station on Hodge Road will be staffed with six new firefighters providing two firefighters per shift.

D. Nominating

E. Liaison Reports

Mayor Killen requested standing meeting dates for all committees.

Mayor Killen reported there have been several meetings among the Mayors of eastern Wake County to discuss water issues and stated we need to continue to encourage citizens to conserve water.

Mayor Killen spoke about the Eastern Wake Gang Prevention Partnership and suggested each municipality designate a Council Member to serve on the steering committee to be formed.

Town Manager Gary McConkey reported speaking with the Raleigh City Manager in reference to Wilmar Golf Course. Mr. McConkey was told that the owners of the course are interested in selling the property to the City of Raleigh. The City wants our official position on this and Mr. McConkey suggested pursuing a possible trade with Raleigh.

Council instructed staff to pursue a trade with the City of Raleigh.

ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS


...Motion by Councilor Eddins to enter closed session at 9:33 p.m. to discuss pending litigation. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

Discussion of pending litigation.

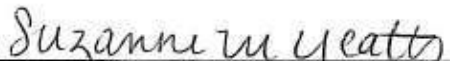
...Motion by Councilor Eddins to exit closed session at 9:56 p.m. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

ITEM XIV. ADJOURNMENT

...Motion by Councilor Eddins to adjourn at 9:57 p.m. Motion seconded by Councilor Poirier and carried unanimously.



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts