



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

March 19, 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; Ricky Pope, Police Chief; Keith Gifford, Town Engineer; Tim Guffey, Fire Chief; Ren Wiles, Finance Director.

Meeting called to order by Mayor Killen at 7:06 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Councilor Roberson.

ITEM I. ADOPTION OF AGENDA

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

ITEM II. APPROVAL OF MINUTES

March 3, 2008

...Motion by Councilor Poirier to approve the minutes of March 3, 2008. Motion seconded by Councilor Gleason and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

None at this time.

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

No one approached.

B. Report on Citizen Inquiries

Councilor Poirier reported receiving several inquiries regarding red light cameras and asked if we could possibly eliminate some of the cameras since the volume of traffic on Knightdale Boulevard has decreased.

Town Manager Gary McConkey responded that staff will review the contract.

Mayor Killen reported various questions he received about the garbage disposal ban and noted his request for improved communication between the City of Raleigh and local towns before decisions are made that affect our citizens.

ITEM V. CONSENT AGENDA

A. Habitat for Humanity Grant

Approve refund of building permit and associated fees in the amount of \$1,746 for 6 homes in the Mingo Creek Subdivision.

- B. Closed Session Minutes
RES #08-03-19-001
Adopt Resolution #08-03-19-001 to establish procedures for opening closed session minutes.

- C. Committee Meeting Schedule
Approve Committee Meeting Schedule for April – December 2008.

- D. Disbursement of Utility Funds Policy Revision
Approve revised Council Policy for Disbursement of Utility Funds.

- E. Budget Amendment #0808 Mid-Year Adjustments
Adopt BA#0808 as presented.

...Motion by Councilor Eddins to adopt the Consent Agenda. Motion seconded by Councilor Gleason 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.

Fee in Lieu of Assessment
Crosstie Street Extension

Public hearing opened at 7:11 p.m.

Clyde Holt, Town Attorney, gave an overview of the need for a public hearing to consider the engineering and construction costs associated with the Crosstie Street extension and to determine the fee in lieu of assessment as set forth in the resolution of November 6, 2006. Mr. Holt noted the property owners have been informed and the public hearing has been properly advertised.

Keith Gifford, Town Engineer, reported the total engineering and construction costs for the property as \$334,341 and verified the numbers are satisfactory in his opinion.

No one else approached.

Public hearing closed at 7:17 p.m.

...Motion by Councilor Gleason to fix the fee in lieu under Resolution #06-11-06-001 at \$334,341. Motion seconded by Councilor Poirier and carried unanimously.

ITEM VII SET PUBLIC HEARINGS

None at this time.

ITEM VIII. TOWN ATTORNEY

Town Attorney Clyde Holt reported on the Berkshire Park project off of Smithfield Road stating the developer's request that a preliminary grading permit be authorized to allow site work to begin prior to the issuance of building permits. With the expectation of an acceptable developer's agreement available for Council's consideration at the April 7, 2008 meeting, Mr. Holt recommended that Council allow the developer to begin site work by authorizing staff to issue a temporary permit.

Mike Frangos, Planning Director, answered questions regarding street improvements to be made which are included in the Utility Allocation Agreement draft.

...Motion by Mayor Pro Tem Chalk to authorize staff to issue a temporary grading permit authorizing site work on the property known as PIN #1754-26-7968. Motion seconded by Councilor Gleason and carried unanimously.

ITEM IX. OLD BUSINESS

A. Noise Ordinance
ORD #08-03-19-001

Town Engineer Keith Gifford presented an amendment to Chapter 84 of the Town Code limiting the hours of construction within 500 feet of an existing residential dwelling

to 7 a.m. to 7 p.m. Monday through Saturday, and 12 noon to 7 p.m. on Sunday. Mr. Gifford noted that citizens working on their own property would be exempt from this ordinance.

Town Attorney Clyde Holt suggested changing the wording of the ordinance related to the citizens working on their own property to residents working on their personal dwelling.

Councilor Roberson suggested limiting construction hours on Sundays from 12 noon to 5 p.m.

Paula Gavasto, 418 Mingocrest Drive, expressed concern over the lack of enforcement of the noise ordinance and consideration for people who work during the week and want to rest on weekends.

Police Chief Ricky Pope reported that staff is in the process of pursuing civil citations for violating this ordinance.

...Motion by Councilor Poirier to adopt Ordinance #08-03-19-001 with revision of wording for residents working on their own dwelling. Motion seconded by Councilor Gleason and opposed by Councilor Roberson and carried with a 4 to 1 vote.

B. Roadway & Drainage Project Fee Ordinance
ORD #08-03-19-002

Town Attorney Clyde Holt explained the intent of this ordinance is to provide the Town with another option for recovering the cost of construction of, or improvements to, public roadways and drainage installations.

...Motion by Councilor Roberson to adopt Ordinance #08-03-19-002 for Road and Drainage Project Fees. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

C. ZTA-4-08 Tree Protection Amendments
ORD #08-03-19-003

Planning Director Mike Frangos reviewed the zoning text amendment request to amend the Environmental Protection and Landscaping chapters in relation to clearing, grading, and

tree protection and noted the changes made since the public hearing was held.

Mr. Frangos reported the Land Use Review Board's unanimous recommendation for approval and requested a motion to adopt the statement of plan consistency and reasonableness of action followed by a motion to approve ZTA-4-08 and adopt Ordinance #08-03-19-003.

...Motion by Councilor Gleason to adopt the statement of plan consistency and reasonableness of action. Motion seconded by Councilor Eddins and carried unanimously.

...Motion by Councilor Gleason to approve ZTA-4-08 and adopt Ordinance #08-03-19-003. Motion seconded by Councilor Eddins and carried unanimously.

ITEM X. NEW BUSINESS

None at this time.

ITEM XI. OTHER BUSINESS

Councilor Eddins reported a beaver dam across from Carrington Woods subdivision and instructed staff to contact NCDOT regarding the matter.

Paula Gavasto, 418 Mingocrest Drive, asked about unsightly property on Mingocrest Drive.

Staff was instructed to clean up and seed the property and explore options for connecting the sidewalk and walking path.

Mayor Killen reported brown water in Magnolia Place subdivision and asked staff to look into.

ITEM XII. COMMITTEE REPORTS

- A. Planning and Engineering
- B. Budget

Mayor Pro Tem Chalk and Councilor Poirier reported ongoing budget work.

- C. Public Safety
- D. Nominating
- E. Liaison Reports

Mayor Killen reported discussions of various projects at a recent CAMPO meeting and a lack of funding from NCDOT for many projects in the area.

Councilor Eddins mentioned attending a Wake County Economic Development meeting where the proposed airport was discussed. Councilor Eddins reported the top two sites for the airport are in Wendell and Zebulon.

Mayor Pro Tem Chalk asked Council to encourage Wendell Commissioners to support the airport project because it would benefit all of eastern Wake County.

Assistant Manager Seth Lawless announced the upcoming bid opening for Mingo Bluff fire station.

Assistant Manager Lawless also reported the roll out recycle bins for the recycling pilot project will be distributed in the next couple of weeks.

ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 8:11 p.m.
Motion seconded by Councilor Poirier and carried
unanimously.**



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts