



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

August 20, 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; Ren Wiles, Finance Director; Tracy Pedigo, Public Works Director; David Simmons, Interim Police Chief; Tim Guffey, Fire Chief; Tina Cheek, Parks and Recreation Director.

Meeting called to order by Mayor Killen at 7:00 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Mayor Killen.

ITEM I. ADOPTION OF AGENDA

...Motion by Councilor Gleason to move Consent Agenda Item B - 2nd Reading of ORD #08-08-04-004 regarding ZTA-9-08 Exceeding Parking Ratio Maximums to Old Business Item B. Motion carried unanimously.

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

ITEM II. APPROVAL OF MINUTES

August 4, 2008

...Motion by Councilor Eddins to approve the minutes of August 4, 2008. Motion seconded by Councilor Poirier and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

Recognition of Summer Interns:

Matthew Barrett
Wenjun "Susan" Chen
Ian Dunne
Melissa Joseph
David Lee
Tyler Lopes
Jennifer Moore
Jackie Saupaugh
Anne Strickland
Hayley Thornton
Ryan Trimble
Megan Young

Mayor Killen thanked the interns for their service and Town Manager Gary McConkey showed a short video clip of work they have done this summer.

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

None at this time.

ITEM V. CONSENT AGENDA

Property Tax Adjustments - June

Approve June 2008 Property Tax report as presented by the Wake County Board of Commissioners.

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

None at this time.

ITEM VII SET PUBLIC HEARINGS

None at this time.

ITEM VIII. TOWN ATTORNEY

Nothing at this time.

ITEM IX. OLD BUSINESS

A. Discussion of JDH Sewer Improvements

Councilor Gleason asked to be recused from the JDH Sewer Improvements discussion.

...Motion by Mayor Pro Tem Chalk to recuse Councilor Gleason from the discussion of JDH Sewer Improvements. Motion seconded by Councilor Poirier and carried unanimously.

Councilor Gleason exited at 7:10 p.m.

Assistant Manager Seth Lawless explained the Town has agreements with two developers requiring related infrastructure improvements. Holly Homes, LLC is the developer for Poplar Creek Village subdivision and is unable to record a plat until sewer infrastructure is completed by JDH Riverview Commons, LLC. The Town has received a request from the Poplar Creek Village developer to amend their agreement to provide additional credits for utility work and to require a performance bond or letter of credit securing the completion of work by JDH.

David Menaker, Holly Homes LLC, 7633 Poole Road, Knightdale, spoke about letter he sent to Council asking for an amendment to their development agreement.

Town Attorney Clyde Holt advised the Town would need permission from the City of Raleigh to amend the agreement and suggested asking staff to work with the City of Raleigh and make a recommendation.

Council agreed and Mayor Killen instructed staff to work with the City of Raleigh and make a recommendation to Council on amending the agreement.

Jason Barron, K&L Gates, LLP, 4350 Lassiter at North Hills, Raleigh, explained JDH River View Commons project status noting the project has been delayed due to revisions required by the City of Raleigh as well as not receiving payments from adjacent property owners who have agreed to share the cost of the water and sewer lines.

Assistant Manager Lawless responded the City of Raleigh confirmed only needing a commitment from JDH on how they intend to provide potable water before signing off on the plans.

Councilor Eddins asked Mr. Barron how far behind schedule JDH is on the project.

Mr. Barron responded they are about a week off schedule.

Attorney Holt asked Mr. Barron about request he made earlier for cost information that he received no response for.

Mr. Barron responded that he requested that information from his client but has not received it yet and apologized for not responding to the request.

Attorney Ken Edwards, 5909 Falls of Neuse Road, Raleigh, representing Holly Homes developers, asked Council to consider stringent timelines in enforcing the agreement with JDH noting the specific delays in the project over the last two years. Mr. Edwards also asked the Town to amend the agreement with Holly Homes to allow credits for unexpected off-site improvements.

Town Attorney Holt responded the agreement with JDH requires a written notice allowing a thirty day period to remedy any default and it would not be appropriate to take action at this time. Mr. Holt encouraged attorneys representing both developers to work together to try to resolve the issue.

Mr. Edwards noted there is no reimbursement agreement between Holly Homes and JDH.

Mr. Barron responded that there has been an exchange of e-mails between Mr. Menaker and JDH regarding the terms of an agreement between the two developers.

Mr. Menaker addressed Council urging them to take action on the matter immediately.

Mayor Killen responded instructing staff to monitor the JDH schedule and report to Council immediately if deadlines are not met.

Council also instructed staff to give a weekly update on the progress of the JDH project.

Councilor Gleason returned at 8:22 p.m.

- B. 2nd Reading of ORD #08-08-04-004
Regarding ZTA-9-08 Exceeding Parking Ratio Maximums

...Motion by Councilor Eddins to table 2nd Reading of ORD #08-08-04-004 Regarding ZTA-9-08 Exceeding Parking Ratio Maximums until the September 2, 2008 meeting. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

ITEM X. NEW BUSINESS

A. Strategic Planning Training Session

Public Works Director Tracy Pedigo introduced Dr. David Rendall of Rendall & Associates to discuss strategic planning.

Councilor Eddins exited at 8:58 p.m. and returned at 9:01 p.m.

Mr. Rendall presented Council with steps to assist them in strategic planning for the Town.

Mayor Killen thanked Mr. Rendall for his time and noted the importance of strategic planning.

B. Police Chief Recruitment Process Discussion

Assistant Town Manager Seth Lawless recommended using an assessment center approach to select our next Public Safety Director/Police Chief and gave an overview of the process. Mr. Lawless asked for Council approval to proceed in this manner.

Council agreed and directed staff to proceed with the assessment center approach to recruit a Public Safety Director/Police Chief.

ITEM XI. OTHER BUSINESS

Mayor Killen reminded Council of the upcoming NCLM conference in October and requested setting aside time to work on strategic planning if everyone planned to attend.

Mayor Pro Tem Chalk and Councilor Eddins responded they would not be able to attend the October conference due to previous commitments.

Council discussed holding a strategic planning retreat in early November and Mayor Killen asked Council members to respond to the Town Clerk before the next Council meeting.

ITEM XII. COMMITTEE REPORTS

A. Planning and Engineering
No report.

- B. Budget
No report.
- C. Public Safety
No report.
- D. Nominating
No report.
- E. Liaison Reports
No report.

ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 9:48 p.m.
Motion seconded by Councilor Poirier and carried
unanimously.**



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts