



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

September 17, 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, 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; David Simmons, Interim Police Chief; Tim Guffey, Fire Chief; Richard Haynes, Public Safety Officer; Skip Blaylock, Firefighter.

Meeting called to order by Mayor Killen at 7:02 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Councilor Roberson.

ITEM I. ADOPTION OF AGENDA

...Motion by Councilor Poirier to adopt the agenda with the following amendment:

DELETE: Item VII – Set Public Hearing for Capital Concrete Annexation

Motion seconded by Councilor Gleason and carried unanimously.

ITEM II. APPROVAL OF MINUTES

September 2, 2008

...Motion by Mayor Pro Tem Chalk to approve the minutes of September 2, 2008. Motion seconded by Councilor Poirier and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

A. Introduction of Public Safety Officer Richard Haynes

Interim Police Chief David Simmons introduced Officer Richard Haynes and Mayor Killen welcomed Officer Haynes and presented him with a Town pin.

B. Affordable Housing Presentation

Wake County Commissioner Lindy Brown recognized Knightdale's efforts of being proactive in providing affordable housing. Commissioner Brown asked for Council's thoughts on how she can encourage other municipalities to follow Knightdale's example.

Anne Marie Maiorano, representing Wake County's Department of Housing and Community Revitalization, handed out a brochure on demographic information and commended Knightdale for its level of affordable housing.

Mayor Killen commented that he would like to see consideration for mass transit in eastern Wake County noting the challenge of building affordable housing without providing transportation.

Commissioner Brown agreed on the transportation need in eastern Wake County and plans to pursue that with the Wake County Planning Board.

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

J.H. Renfrow, 1306 Lynnwood Road, requested repairs be made to the 1300 and 1400 blocks of Lynnwood Road noting the road has deteriorated and has been a safety concern for years.

Assistant Town Manager Seth Lawless responded that the Lynnwood Road project is included in the Town's capital improvement plan and the Public Works Department is working to get proposals and estimated project costs.

Mayor Killen recognized the need for improvement along Lynnwood Road and noted that the Town may have to require a bond for the project because of the lack of funds available.

Mr. Lawless stated he would report on the time frame for providing an estimate on the project at the next Council meeting.

No one else approached.

B. Report on Citizen Inquiries

None at this time.

ITEM V. CONSENT AGENDA

A. Pancreatic Cancer Awareness Month Proclamation
Proclaim November, 2008 as Pancreatic Cancer Awareness Month.

B. Budget Amendment #0903 Planters Walk Sign
Adopt BA #0903 funding the Planters Walk sign at \$29,000.

C. Budget Amendment #0904 Red Light Camera
Adopt BA #0904 to include estimated red light camera revenue and expenditures.

- D. Budget Amendment #0905 Smithfield Road Traffic Signal
Adopt BA #0905 funding the installation of a traffic safety device at Smithfield Road and Knightdale Boulevard intersection.
- E. Property Tax Adjustments – July
Approve July 2008 Property Tax report as presented by the Wake County Board of Commissioners.
- F. Pay & Classification System Revision
Adopt Revised Pay & Classification System effective immediately classifying PSO Lieutenant position as exempt; changing the Police Chief title to Public Safety Director/Police Chief; increasing the Lead Teacher pay grade from 1 to 10.

...Motion by Councilor Poirier 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.

A. Public Safety Director/Police Chief Position Profile

Public hearing opened at 7:23 p.m.

Assistant Town Manager Seth Lawless commented on the survey responses used to develop a draft position profile for the Public Safety Director/Police Chief. Mr. Lawless noted the public hearing purpose to offer a final opportunity for comments before the position is advertised.

Councilor Eddins commented he would like to see a focus on community policing and working more closely with community watch leaders.

No one approached.

Public hearing closed at 7:30 p.m.

B. ETJ Boundary Acceptance
ORD #08-09-17-001

Public hearing opened at 7:31 p.m.

Jeff Triezenberg, Planner II, reported the unanimous approval from Wake County for Knightdale to extend its extra-territorial jurisdiction to cover approximately 4,406 additional acres. Mr. Triezenberg presented a map of the area and noted that state law allows only a one mile radius extension based on population. Mr. Triezenberg requested documentation of county meetings become a part of the minutes. *(A copy of county documentation is attached as Exhibit A)*

Mr. Triezenberg clarified this public hearing only refers to the adoption of the new ETJ boundary and not the re-zoning of the properties which will be addressed at a public hearing on October 6, 2008.

Staff recommended closing the public hearing and adopting Ordinance #08-09-17-001 after allowing public comment.

Greta Crayton, 2164 Marks Creek Road, questioned proposed boundary lines and whether property values and future planning were considered. Ms. Crayton also inquired about adequate staffing and if annexation is the next step.

Mr. Triezenberg explained that boundary lines were determined based on state law and properties that were not completely within the one mile radius could not be included. Mr. Triezenberg noted the Town's Code Enforcement Officer would patrol the entire ETJ area for compliance issues and also explained that unless residents were having septic problems and requested annexation, the Town does not plan to annex the properties in question.

Mayor Killen agreed that the Town does not intend to involuntary annex any of the properties.

Inez Croom, 2019 Marks Creek Road, expressed concerned about the proposed Elevation Baptist Church development and asked about the effect on traffic along Marks Creek Road.

Mayor Killen responded that there will be an entrance to the church on Knightdale Boulevard.

Ms. Croom asked if residents in mobile homes would be able to replace their homes in case of natural disaster and also where she would apply for permits to build a shelter or barn.

Mr. Triezenberg explained that properties zoned residential allow for manufactured homes and the Town ordinance allows for replacement of manufactured homes in case of a natural disaster.

Mayor Killen responded to Ms. Croom's permitting question advising that permits would be applied for at the Town.

Councilor Eddins requested staff be consistent in rezoning properties to ensure tax bills do not increase as a result of our rezoning.

Mayor Pro Tem Chalk added that all citizens in our ETJ have the opportunity to apply for service on the Land Use Review Board.

No one else approached.

...Motion by Councilor Gleason to close the public hearing at 7:53 p.m. and to adopt Ordinance #08-09-17-001 Extending the ETJ for the Town of Knightdale. Motion seconded by Councilor Poirier and carried unanimously.

ITEM VII SET PUBLIC HEARINGS

Capital Concrete Annexation
RES #08-09-17-001

Deleted under Item I. Adoption of Agenda.

ITEM VIII. TOWN ATTORNEY

Nothing at this time.

ITEM IX. OLD BUSINESS

A. 2nd Reading of ORD #08-08-04-004

Regarding ZTA-9-08 Exceeding Parking Ratio Maximums

Council asked staff about options if this request was not granted.

Planner Jeff Triezenberg responded that since we are dealing with expansion that is already above the maximum allowed and because of the amount by which the maximum has been exceeded, additional trees would be required and also one of two options: convert spaces exceeding maximum to porous pavement material or make storm water modifications.

Council discussed options and making a one-time exception.

Planning Director Mike Frangos noted that this is an applicant driven text amendment and initial construction was completed without approval.

Mayor Killen suggested including a sunset provision of 12/31/08 after which this ordinance would not exist.

Motion by Mayor Pro Tem Chalk to deny ZTA-9-08 due to inconsistency with the Comprehensive Plan. Motion seconded by Councilor Poirier and opposed by Councilors Roberson and Eddins. Motion for denial passed with a 3 to 2 vote.

B. JDH Progress Update – Poole Road Lift Station

Planning Director Mike Frangos reported visiting the site at 5:30 p.m. today and found there is no longer a violation of the Sediment and Erosion Control plan since the lift station has been stabilized.

Assistant Manager Seth Lawless reported speaking with Mr. Blackmon who did not provide a schedule of when site work would begin.

Jason Barron, K&L Gates, LLP, 4350 Lassiter at North Hills, Raleigh, updated Council on the status of the JDH project and provided a timeline of recent events. Mr. Barron stated that Blackmon has 48 hours to comply or their contract will be terminated and a new contractor hired.

Council discussion of a solution if JDH declared in default of their Reimbursement Agreement.

David Menaker, Holly Homes LLC, 7633 Poole Road, Knightdale, urged Council to hold JDH to the 48 hour notice reported and expressed interest in taking over site work if Blackmon is terminated.

Councilor Eddins requested an update from Mr. Barron in 48 hours.

ITEM X. NEW BUSINESS

None at this time.

ITEM XI. OTHER BUSINESS

Mayor Killen noted the Strategic planning retreat scheduled for November 7, 2008 from noon to 6:00 p.m.

All Council members confirmed attendance except Councilor Poirier who will be out of town at a convention.

Assistant Manager Seth Lawless announced that all citizens will receive a Recreation and Quality of Life Survey in the next week and encouraged everyone to complete.

Councilor Poirier requested that the proposed Hinton-Gower annexation be considered at the October 6, 2008 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.

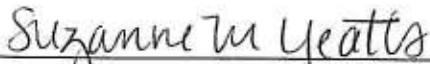
ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 8:49 p.m.
Motion seconded by Councilor Poirier and carried
unanimously.**



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts