



# KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

**October 6, 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:** Bill Forstner, Town Attorney; Gary McConkey, Town Manager; Seth Lawless, Assistant Town Manager; Suzanne Yeatts, Town Clerk; Mike Frangos, Planning Director; Jeff Triezenberg, Planner II; Keith Gifford, Engineering Supervisor; Tracy Pedigo, Public Works Director; Jay Johnson, Grounds Maintenance Supervisor; Ren Wiles, Finance Director; David Simmons, Interim Police Chief; Ricky Todd, Public Safety Officer.

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

**WELCOME**

Welcome by Mayor Killen.

**INVOCATION**

Invocation by Mayor Pro Tem Chalk.

**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

September 17, 2008

**...Motion by Councilor Poirier to approve the minutes of September 17, 2008. Motion seconded by Councilor Gleason and carried unanimously.**

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

Introduction of Grounds Maintenance Supervisor Jay Johnson

Public Works Director Tracy Pedigo introduced new employee Jay Johnson and Mayor Killen welcomed Mr. Johnson and presented him with a Town pin.

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 Roberson commented on citizens in Widewaters who expressed concern about the curfew not being enforced.

Mayor Killen responded encouraging citizens to call the Public Safety Department directly with any concerns as the curfew is still in place.

ITEM V. CONSENT AGENDA

A. Gross Receipts Tax on Heavy Equipment Rentals  
RES #08-10-06-001

**Adopt Resolution #08-10-06-001 imposing a gross receipts tax on heavy equipment in lieu of property tax.**

B. Records Retention Schedule  
RES #08-10-06-002

**Adopt Resolution #08-10-06-002 adopting the Municipal Records Retention and Disposition Schedule**

**issued by the North Carolina Department of Cultural Resources.**

- C. Surplus Vehicles  
RES #08-10-06-003  
**Adopt Resolution #08-10-06-003 declaring certain property surplus.**
  
- D. Budget Amendment #0906 Electric Gross Receipts Tax  
**Adopt BA #0906 transferring \$445,947 to the General Capital Reserve Fund.**

**...Motion by Councilor Eddins to adopt the Consent Agenda. Motion seconded by Mayor Pro Tem Chalk 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. Lynnwood Road – Order to Abandon  
Certain Portions of Right-of-Way

Public hearing opened at 7:06 p.m.

Engineer Keith Gifford presented staff's request to abandon public right-of-way in areas that Lynnwood Road no longer exists due to the realignment in conjunction with the construction of Hinton Oaks Boulevard. Mr. Gifford explained that the abandoned property would be divided among adjoining property owners who have been properly notified. The order to close will be presented once the right-of-way plats are complete.

No one approached.

**...Motion by Mayor Pro Tem Chalk to close the public hearing at 7:11 p.m. Motion seconded by Councilor Poirier and carried unanimously.**

B. ZMA-7-08 – ETJ Expansion Area

Public hearing opened at 7:12 p.m.

Jeff Triezenberg, Planner II, presented a zoning map amendment to rezone approximately 4,400 acres in the Town's newly extended ETJ. Mr. Triezenberg explained the properties are being re-zoned from Wake County zones to Town of Knightdale zones in accordance with the Town's Comprehensive Plan. Mr. Triezenberg reported 763 parcels to be re-zoned and reviewed 5 non-conforming uses that are not being recommended to be zoned conforming. Mr. Triezenberg added he has received approximately 62 phone calls related to ETJ re-zoning matters and 2 of those inquiries resulted in amendments to staff's original zoning designations.

Staff recommended allowing for public comment and closing the public hearing referring the item to the Land Use Review Board's October 13, 2008 meeting.

Mr. Triezenberg answered questions from Council regarding non-conforming properties.

Linda Price, 1900 Old Crews Road, representing Price's Auto Parts, expressed concern that her property is non-conforming due to Wake County's improper zoning. Ms. Price suggested now would be the perfect time to correct the zoning with Knightdale.

Mayor Pro Tem Chalk suggested Ms. Price speak with Planning staff to see what options she may have.

Kathy Yoho, 1220 Tommies Drive, asked for clarification of RR1 zoning designation.

Billy Myrick, 3120 Hodge Road, agreed with the zoning recommendation for his property and asked that staff be user friendly in explaining changes and consider when establishing fees that permit costs are passed onto homeowners. Tom Oxholm, 6721 Knightdale Blvd., representing Wake Stone, spoke in favor of staff's zoning recommendations.

Ms. Privette, 9021 Buffalo Road, asked about the difference between R30 and GR8 zoning.

George Newsome, Jr., 8917 Buffalo Road, expressed concern about traffic, new construction, and the lack of a community center in the Buffalo Road vicinity.

No one else approached.

**...Motion by Councilor Roberson to close the public hearing at 7:59 p.m. and to refer ZMA-7-08 to the October 13, 2008 Land Use Review Board meeting. Motion seconded by Councilor Eddins and carried unanimously.**

Meeting recessed at 8:00 p.m. and resumed at 8:07 p.m.

ITEM VII SET PUBLIC HEARINGS

ITEM VIII. TOWN ATTORNEY

Nothing at this time.

ITEM IX. OLD BUSINESS

A. Lynnwood Road Project Estimate

Public Works Director Tracy Pedigo noted that the pavement condition survey identified Lynnwood Road as the worst possible condition. Mr. Pedigo provided cost estimates from Volkert & Associates, Inc. for Lynnwood Road improvements based on breaking the project into two sections: 1) from the roundabout to Lynnwood Estates, 5,225 feet, \$472,830; 2) from the end of the curb at Lynnwood Estates to Hodge Road, 1,700 feet, \$121,620. Since refurbishment of Lynnwood Road is included in the CIP, staff recommended approval to proceed with design, drawings, and specifications on both sections with contract development, bidding process, and contract award for the second section.

**...Motion by Mayor Pro Tem Chalk to authorize the Town Manager to proceed with contract and specification development of Lynnwood Road and refurbishment contract award of the second section of Lynnwood Road as proposed. Motion seconded by Councilor Poirier and carried unanimously.**

B. JDH Progress Update – Poole Road Lift Station

Planning Director Mike Frangos reported visiting the site late this afternoon and found substantial progress has been made.

Mayor Killen added that a completion date of October 29, 2008 was noted in a recent letter from Blackmon and asked staff to continue to report on this item until the project is complete.

David Menaker, Holly Homes LLC, 7633 Poole Road, disagreed that substantial progress has been made and reminded Council of the tax base his project will bring to Knightdale.

C. AN-7-08 Hinton-Gower Annexation  
ORD #08-10-06-001

Planner Jeff Triezenberg reported that the public hearing was held September 2, 2008 for this annexation regarding approximately 15.5 acres west of Hodge Road between Towler Road and Poole Road and noted it would be a satellite annexation. Mr. Triezenberg stated that the property would be subject to the water allocation policy if the ordinance were adopted at this time.

Property owner Jerry Gower stated he has an offer from an assisted living group but cannot confirm the offer without verifying whether that use would be allowed.

Mayor Killen responded that based on advice from the town attorney, Council would prefer completing a developer agreement before taking action on annexation.

D. ZMA-6-08 Hinton-Gower Land  
ORD #08-10-06-002

No discussion or action.

ITEM X. NEW BUSINESS

None at this time.

ITEM XI. OTHER BUSINESS

None at this time.

ITEM XII. COMMITTEE REPORTS

A. Planning and Engineering

Councilor Gleason reported the Planning and Engineering Committee will meet next Monday before the Land Use Review Board meeting.

B. Budget

No report.

C. Public Safety

Councilor Eddins reported the following from the Public Safety Committee meeting held earlier tonight:

Speeding on Star Ruby Drive –

Staff was instructed to make a recommendation to Council at the first meeting in November in response to a citizen request.

Police division staffing –

Discussion of the need to make one of the temporary detective positions permanent with no affect on the budget; Discussion of considering making the second temporary investigative position permanent and the need to fill the vacancy that would leave on patrol – Staff will consider affect on budget and make a recommendation at a November meeting on the second temporary position.

Joint community watch initiative discussion will be presented at first meeting in November.

Councilor Roberson exited at 8:31 p.m. and returned at 8:34 p.m.

**...Motion by Councilor Eddins from the Public Safety Committee to make the drug detective position a permanent position. Motion carried unanimously.**

D. Nominating

No report.

E. Liaison Reports

No report.

Mayor Killen reported Council attending a joint meeting with the school board to request offering the same programs to children in eastern Wake County as in other parts of the county.

Assistant Town Manager Seth Lawless announced the assessment center is scheduled tentatively for October 30, 2008 to interview finalists for the Public Safety Director/Police Chief position.

Assistant Manager Lawless reported receiving a good response to the citizen survey and encouraged residents to complete a survey if they have not already.

Mayor Killen mentioned the Strategic Planning Retreat scheduled for November 7, 2008.

ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

**...Motion by Mayor Pro Tem Chalk to enter closed session at 8:38 p.m. for approval of closed session minutes. Motion seconded by Councilor Poirier and carried unanimously.**

Approval of Closed Session Minutes

**...Motion by Councilor Eddins to exit closed session at 8:42 p.m. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.**

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 8:43 p.m. Motion seconded by Councilor Poirier and carried unanimously.**

  
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Mayor Russell B. Killen

  
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Town Clerk Suzanne M. Yeatts