



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

January 5, 2009

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; Chris Hills, Interim Planning Director; Ren Wiles, Finance Director; Fred Boone, Town Engineer; Tim Guffey, Fire Chief; Tracy Pedigo, Public Works Director; Jeff Triezenberg, Planner II; Ken Tyndall, Ordinance Enforcement Officer.

Meeting called to order by Mayor Killen at 7:00 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

December 17, 2008

...Motion by Councilor Gleason to approve the minutes of December 17, 2008. Motion seconded by Councilor Eddins and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS & AWARDS

Introduction of Town Engineer Fred Boone

Assistant Town Manager Seth Lawless introduced Town Engineer Fred Boone and Mayor Killen 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

Mayor Pro Tem Chalk reported concerns regarding stray cats along Robertson Street.

Assistant Town Manager Seth Lawless responded that staff would address the issue with Wake County Animal Control.

Councilor Roberson inquired about standing water on the tennis courts downtown and requested sweepers be made available.

Assistant Manager Lawless noted that staff has accepted a proposal to have the courts repaired and will provide sweepers.

ITEM V. CONSENT AGENDA

A. 2009 Meeting Schedules

Adopt meeting schedules for 2009.

B. Budget Amendment #0909 – Engineering Department

Adopt Budget Amendment #0909 establishing a separate Engineering department.

C. Safe Routes to School Grant

RES #09-01-05-001

Adopt Resolution #09-01-05-001 declaring Knightdale's support of the Safe Routes to School grant application.

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

Mayor Killen commented that the Safe Routes to School Grant adopted on the Consent Agenda will make the community more pedestrian friendly and commended the Planning and Engineering Committee for their work on this grant.

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. Knightdale Boulevard Sewer Extension Project
Preliminary Assessment Roll
RES #09-01-05-002

Public hearing opened at 7:09 p.m.

Ren Wiles, Finance Director, presented a resolution confirming the assessment roll and levying assessments for the sewer extension to five lots along and in the vicinity of Knightdale Boulevard.

Alex Catenis, 1308 Camille Court, Raleigh, NC, representing Knightdale Tire, inquired about terms of the assessment.

Assistant Manager Seth Lawless responded that the interest rate is set by statute therefore it may be beneficial for owners to borrow the money at a lower rate to pay the assessment.

Tom Oxholm of Wake Stone Corporation asked when the first payment would be due from property owners.

Town Attorney Clyde Holt noted the first installment would be due 60 days following confirmation.

No one else approached.

Public hearing closed at 7:22 p.m.

...Motion by Councilor Eddins to adopt Resolution #09-01-05-002 with the following amendments:

Payments may be made in full without interest on or prior to March 6, 2009;

The first installment of 1/5 of the total amount is due March 6, 2009;

Any unpaid balances after March 6, 2009 will accrue interest at 8%

Motion seconded by Councilor Roberson and carried unanimously.

B. Minimum Housing Ordinance
ORD #09-01-05-001

Public hearing opened at 7:23 p.m.

Interim Planning Director Chris Hills reviewed the proposed amendment to Chapter 93-A of the Town Code. Mr. Hills explained that the amendment is intended to address minimum housing code violations within the corporate limits above and beyond the current standards by allowing currently occupied structures that are unfit for human habitation to be addressed. The ordinance would also serve as reference for the Residential Rental Occupancy Permit Ordinance. Mr. Hills noted the Town's Ordinance Enforcement Officer will be primarily responsible for actively investigating and addressing citizen complaints of minimum housing violations.

No one approached.

...Motion by Councilor Roberson to close the public hearing at 7:29 p.m. and to adopt Ordinance #09-01-

05-001. Motion seconded by Councilor Poirier and carried unanimously.

C. Elevation Baptist Church Utility Allocation Agreement

Public hearing opened at 7:30 p.m.

Town Attorney Clyde Holt presented the proposed Utility Allocation Agreement with Elevation Baptist Church noting that it covers only the first phase of construction and that future phases have not been provided for review at this time. Mr. Holt added that the anticipated construction is scheduled to begin during 2009 with the intent to occupy the initial construction in 2010.

Benn Brewington, of Parker Poe Adams & Bernstein, LLP, 150 Fayetteville Street, Raleigh, NC, reported that the church is ready to execute the proposed agreement.

Mayor Killen disclosed that both he and Mr. Brewington are partners at the same law firm.

C.S. Williams, 104 East Merlin Drive, Knightdale, expressed concern about where sewer lines would be located and the potential for flooding in low lying areas near Marks Creek Road where he owns property.

No one else approached.

Public hearing closed at 7:39 p.m.

...Motion by Councilor Poirier to approve the Elevation Baptist Church Utility Allocation Agreement. Motion seconded by Councilor Gleason and carried unanimously.

D. Hinton-Gower Utility Allocation Agreement

Public hearing opened at 7:40 p.m.

Town Attorney Clyde Holt presented the proposed Utility Allocation Agreement with Jerry Gower Construction Company, Inc. and noted the final agreement will be presented for signature after revisions are made to remove specific structure values that are included in the presented document.

No one approached.

Public hearing closed at 7:43 p.m.

...Motion by Councilor Gleason to approve the Hinton-Gower Utility Allocation Agreement. Motion seconded by Councilor Eddins and carried unanimously.

Councilor Eddins exited at 7:44 p.m. and returned at 7:46 p.m.

E. ZTA-1-09 Digital Submittals, Radio Towers, and Technical Amendments

Public hearing opened at 7:44 p.m.

Jeff Triezenberg, Planner II, presented a zoning text amendment related to Stealth Wireless Telecommunication Facilities, requiring digital submittals of several development plans as called for in Chapter 16, and various technical amendments concerning the definitions of certain terms and clarifying steps in the development process.

Mayor Pro Tem Chalk requested staff verify that the proposed 90 foot height limit for amateur radio antennae is acceptable with the appropriate radio association.

No one approached.

...Motion by Councilor Gleason to close the public hearing at 7:56 p.m. and to refer ZTA-1-09 to the January 12, 2009 Land Use Review Board meeting. Motion seconded by Councilor Poirier and carried unanimously.

F. ZTA-2-09 General Infrastructure Design Guideline Amendments

Public hearing opened at 7:57 p.m.

Planner Jeff Triezenberg presented a zoning text amendment related to street cross-sections and the placement of various required items within the public right-of-way.

Council discussed sidewalk requirements.

No one approached.

...Motion by Councilor Eddins to close the public hearing at 8:34 p.m. and to refer ZTA-2-09 to the January 12, 2009 Land Use Review Board meeting. Motion seconded by Councilor Roberson and carried unanimously.

ITEM VII. SET PUBLIC HEARINGS

None at this time.

ITEM VIII. TOWN ATTORNEY

Nothing at this time.

ITEM IX. OLD BUSINESS

A. Riverview Commons Pump Station Update

Interim Planning Director Chris Hills gave an update on the progress of the lift station stating that as of today it appears the contractors have installed the electrical connections and the generator. Mr. Hills noted the pump station is not yet operational and has not been accepted by the City of Raleigh.

B. AN-7-08 Hinton-Gower Annexation
ORD #09-01-05-002

Planner Jeff Triezenberg reported the Town's receipt of a voluntary annexation petition from the owners of approximately 15.53 acres west of Hodge Road between Towler Road and Poole Road. Mr. Triezenberg noted the certification of the sufficiency of the application and asked Council to approve the annexation by adopting Ordinance #09-01-05-002.

...Motion by Councilor Eddins to approve the annexation by adopting Ordinance #09-01-05-002. Motion seconded by Councilor Gleason and carried unanimously.

C. ZMA-6-08 Hinton-Gower Zoning Map Amendment
ORD #09-01-05-003

Planner Jeff Triezenberg presented a zoning map amendment to rezone approximately 15.53 acres located west of Hodge Road between Towler Road and Poole Road to Neighborhood Mixed Use (NMX).

Mr. Triezenberg asked for the Town Attorney's opinion on the language in the ordinance since the recent rezoning of the property with the ETJ expansion and it was determined acceptable as presented.

...Motion by Councilor Gleason to adopt the statement of plan consistency and reasonableness of action, approve ZMA-6-08 and adopt Ordinance #09-01-05-003. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

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 is scheduled to meet next week.

B. Budget

No report.

C. Public Safety

Councilor Eddins reported the committee's proposal to move two of the red light cameras from the intersection of Maplewood Drive and Knightdale Boulevard and the intersection of Forestville Road and Smithfield Road to the intersection of Widewaters Parkway and Knightdale Boulevard in the east/west direction.

...Motion by Councilor Eddins from the Public Safety Committee to allow two hour parking on one side of the street near the intersection of Laurens Way and Parkside Commons Drive. Motion carried unanimously.

D. Nominating

No report.


E. Liaison Reports

No report.

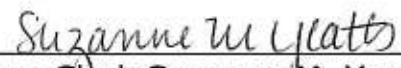
ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 8:48 p.m.
Motion seconded by Councilor Poirier and carried
unanimously.**



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts