



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

May 4, 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/HR Director; Chris Hills, Planning Director; Fred Boone, Town Engineer; Jeff Triezenberg, Planner II; Ren Wiles, Finance Director; Tracy Pedigo, Public Works Director; Shawn Brown, Public Safety Director.

Meeting called to order by Mayor Killen at 7:01 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Councilor Eddins.

ITEM I. ADOPTION OF AGENDA

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

ITEM II. APPROVAL OF MINUTES

April 15, 2009

Motion by Councilor Poirier to approve the minutes of April 15, 2009. Motion seconded by Councilor Gleason and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS, AWARDS

Youth Gang Awareness Proclamation

Rita Suiter, representing Wake County Gang Prevention Partnership, thanked Council for supporting the program.

...Motion by Councilor Eddins to proclaim May 2009 as "Youth Gang Awareness and Prevention Month". Motion seconded by Councilor Poirier and carried unanimously.

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 reported recurring gang activity along Laurens Way.

Councilor Eddins noted the Public Safety Committee's discussion of this matter and reported that Chief Brown has an action plan to address the issue.

ITEM V. CONSENT AGENDA

A. Property Tax Adjustments – February 2009

Approve February 2009 Property Tax report as presented by the Wake County Board of Commissioners.

B. Budget Amendment #0919

Capital Projects and Improvements

Adopt Budget Amendment #0919 refining budgeted amounts in the General Capital Project and Improvement Fund.

C. Comprehensive Land Use Plan Update Committee Meeting Schedule

Adopt Comprehensive Land Use Plan Update Committee Meeting Schedule for 2009.

...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.

Councilor Gleason and Councilor Eddins requested being recused from the Holly Homes, LLC public hearings.

...Motion by Mayor Pro Tem Chalk to recuse Councilor Eddins and Councilor Gleason from the Holly Homes, LLC public hearings. Motion seconded by Councilor Poirier and carried unanimously.

- A. Holly Homes, LLC
Fee in Lieu of Assessment – Sewer
RES #09-05-04-001

Public hearing opened at 7:08 p.m.

Jeff Triezenberg, Planner II, reviewed the resolution and recommended adoption of the resolution after allowing for public comment.

David Menaker, 7633 Poole Road, Knightdale, representing Holly Homes asked Council to consider basing the assessment on taps rather than acreage. Mr. Menaker also expressed concern over Councilor Eddins being recused.

Staff answered questions from Council regarding methods of calculation of the assessment.

No one else approached.

Public hearing closed at 7:16 p.m.

...Motion by Councilor Poirier to adopt Resolution #09-05-04-001. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

- B. Holly Homes, LLC
Fee in Lieu of Assessment – Water
RES #09-05-04-002

Public hearing opened at 7:17 p.m.

Planner Jeff Triezenberg reviewed the resolution and recommended adoption of the resolution after allowing for public comment.

David Menaker, 7633 Poole Road, Knightdale, representing Holly Homes asked that Council base the assessment on water usage rather than acreage.

After Council and staff discussion of assessment methods, Mayor Killen offered revisiting the assessment method at Mr. Menaker's request.

Mr. Menaker agreed to continue to work with staff regarding alternative methods of assessment.

No one else approached.

...Motion by Mayor Pro Tem Chalk to table the item and continue the public hearing until the May 20, 2009 Town Council meeting. Motion seconded by Councilor Poirier and carried unanimously.

- C. Amended Poplar Creek Village Subdivision
Reimbursement Agreement

Public hearing opened at 7:38 p.m.

Town Attorney Clyde Holt reviewed the revised reimbursement agreement for Poplar Creek Village Subdivision and suggested holding the public hearing open to allow the property owner time to discuss with staff before taking action.

No one else approached.

...Motion by Councilor Poirier to table the matter and continue the public hearing until the May 20, 2009 Town Council meeting. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

Councilor Gleason and Councilor Eddins returned at 7:42 p.m.

- D. JDH Riverview Commons Holdings, LLC
Fee in Lieu of Assessment – Sewer
RES #09-05-04-003

Public hearing opened at 7:43 p.m.

Planner Jeff Triezenberg reviewed the resolution and recommended adoption of the resolution after allowing for public comment.

No one approached.

Public hearing closed at 7:45 p.m.

...Motion by Mayor Pro Tem Chalk to adopt Resolution #09-05-04-003. Motion seconded by Councilor Eddins and carried unanimously.

- E. JDH Riverview Commons Holdings, LLC
Fee in Lieu of Assessment – Water
RES #09-05-04-004

Public hearing opened at 7:46 p.m.

Planner Jeff Triezenberg reviewed the resolution and recommended adoption of the resolution after allowing for public comment.

No one approached.

Public hearing closed at 7:47 p.m.

...Motion by Councilor Poirier to adopt Resolution #09-05-04-004. Motion seconded by Mayor Pro Tem Chalk 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

Town Engineer Fred Boone reported that the punch list on the gravity sewer portion of the collection system has been completed and the punch list for the pump station/force main has been created with the major item to be completed being an impeller reduction to get the system within performance specifications. Mr. Boone added that there has been progress on the easement dedication, but it has not yet been recorded and because of these outstanding issues the project has not yet been accepted by the City of Raleigh.

Town Attorney Clyde Holt added he is working with the property owner regarding the easement issue.

B. ZMA-1-09 MHOD Amendments
ORD #09-05-04-001

Planner Jeff Triezenberg reviewed the zoning map amendment rezoning approximately 56.67 acres across the Town's extraterritorial jurisdiction and recommended adopting the statement of plan consistency and reasonableness of action, approving ZMA-1-09 and adopting Ordinance #09-05-04-001.

Mayor Pro Tem Chalk expressed concern over having to replace a single wide with a double wide as discussed at the previous meeting.

Mayor Killen recommended the Planning and Engineering Committee discuss the replacement home issue further.

...Motion by Councilor Gleason to adopt statement of plan consistency and reasonableness of action, approve ZMA-1-09 and adopt Ordinance #09-05-04-001. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

C. ZTA-3-09 Maximum Sign Area, Fencing Clarifications and LURB Terms of Appointment
ORD #09-05-04-002

Planner Jeff Triezenberg reviewed the zoning text amendment related to signage amendments, fence clarifications, and Land Use Review Board terms noting one modification regarding full terms and recommended adopting the statement of plan consistency and

reasonableness of action, approving ZTA-3-09 and adopting Ordinance #09-05-04-002.

...Motion by Councilor Roberson to adopt statement of plan consistency and reasonableness of action, approve ZTA-3-09 and adopt Ordinance #09-05-04-002. Motion seconded by Councilor Gleason and carried unanimously.

D. ZTA-4-09 Deed of Easement Dedication
ORD #09-05-04-003

Planner Jeff Triezenberg reviewed the zoning text amendment related to requiring public utility/stormwater easements to be recorded by deed as in addition to the existing requirement of plat dedication noting one wording modification and recommended adopting the statement of plan consistency and reasonableness of action, approving ZTA-4-09 and adopting Ordinance #09-05-04-003.

...Motion by Councilor Eddins to adopt statement of plan consistency and reasonableness of action, approve ZTA-4-09 and adopt Ordinance #09-05-04-003. Motion seconded by Councilor Roberson and carried unanimously.

ITEM X. NEW BUSINESS

Support of LRUSA to SRUSA Conversion
RES #09-05-04-005

Planner Jeff Triezenberg explained the request to ask Wake County to amend its land use plan designating the remaining long range urban service area to short range. Mr. Triezenberg noted this would elevate the Town's comments in the review process with Wake County and presented a map showing affected areas.

...Motion by Mayor Pro Tem Chalk to adopt Resolution #09-05-04-005 and forward to the Wake County Planning Board. Motion seconded by Councilor Poirier and carried unanimously.

ITEM XI. OTHER BUSINESS

Mayor Killen thanked the Public Works Department for new carpet in Council Chambers.

ITEM XII. COMMITTEE REPORTS

A. Planning and Engineering

B. Budget

Mayor Pro Tem Chalk noted the committee is currently meeting prior to each Council meeting and announced there will be a special called meeting Monday, May 11, 2009 at 5:00 p.m. to continue to review proposed budget requests.

C. Public Safety

Councilor Eddins reported the committee is about a month away from adopting a barking dog ordinance enforceable by the police department; discussion of action to be taken to mitigate gang problems in certain areas of town.

D. Nominating

E. Liaison Reports

Mayor Pro Tem Chalk noted the first Comprehensive Land Use Plan Update Committee meeting will be held this Thursday night.

Mayor Killen encouraged everyone to attend the Springfest Wellness celebration to be held downtown Saturday morning.

Assistant Manager Seth Lawless reminded citizens this week is spring clean up week and anything other than hazardous waste would be collected including yard waste.

Councilor Roberson noted that Delta Sigma Theta Sorority will host a free HIV testing and syphilis screening from 10 a.m. to 3 p.m. June 13, 2009 at Wal-mart.

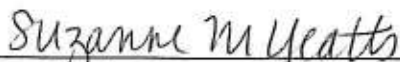
ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

**...Motion by Councilor Eddins to adjourn at 8:09 p.m.
Motion seconded by Councilor Poirier and carried
unanimously.**



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts