

MINUTES



REGULAR TOWN COUNCIL MEETING

September 13, 2022 at 6:00 PM

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Audra Killingworth

Council Members: Brett D. Gantt; Cheryl F. Stallings; Terry Mahaffey; Edward Gray

Town Manager: Catherine Crosby | Deputy Town Manager: Shawn Purvis | Assistant Town Manager: Marty Stone

Town Clerk: Allen Coleman, CMC, NCCCC | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

Mayor Jacques K. Gilbert called the meeting to order at 6:00 PM, welcomed those in attendance, and offered the Town's diversity statement.

Dr. Kishore Trivedi, Priest, with The Hindu Society of North Carolina offered the invocation.

CONSENT AGENDA

CN1 Appointments - Planning Board - REMOVED

Allen Coleman, Town Clerk

CN2 Appointment to North Carolina Eastern Municipal Power Agency (NCEMPA) Board of Commissioners - Eric Neumann

Shawn Purvis, Deputy Town Manager

CN3 Budget Ordinance Amendment No. 4 - Retiree Cost of Living (COL) Supplement

Amanda Grogan, Director of Budget and Performance Management

CN4 Budget Ordinance Amendment No. 5 - Property Acquisition

Shawn Purvis, Deputy Town Manager (as Interim Finance Director)

CN5 Council Meeting Minutes - May/June 2022

Allen Coleman, Town Clerk

CN6 Encroachment Agreement - NCDOT - American Tobacco Trail

Michael S. Deaton, PE, Director of Water Resources

CN7 Grant Contract - North Carolina Land and Water Fund Reimbursement Grant

Jessica Bolin, P.E., Stormwater Engineering Manager

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CN8 Jenks Road Veterinarian - Fee-in-Lieu (FIL)

Michael S. Deaton, PE, Director of Water Resources

CN9 Memorandum of Understanding (MOU) between Triangle J Council of Governments (TJCOG) and the Town of Apex - Clean Water Education Partnership (CWEP)

Jessica Bolin, P.E., Stormwater Engineering Manager

CN10 Memorandum of Understanding (MOU) between Triangle J Council of Governments (TJ-COG) and Town of Apex - Solarize the Triangle Program

Amanda Grogan, Director of Budget and Performance Management

CN11 Resolution - Delegation of Authority to Accept Donations

Shawn Purvis, Deputy Town Manager

CN12 Rezoning Case No. 22CZ10 Calyx Senior Living (KOBRA PUD Amendment) - Statement and Ordinance

Liz Loftin, Senior Planner

CN13 Rezoning Case No. 22CZ15 CarSpace Apex - Statement and Ordinance

Amanda Bunce, Current Planning Manager

CN14 Rezoning Case No. 22CZ16 1039 Irongate Drive- Set Public Hearing

Lauren Staudenmaier, Planner II

CN15 Rezoning Case No. 21CZ17 Ten Ten Business Park - Set Public Hearing

Sarah Van Every, Senior Planner

CN16 Tax Report - July 2022

Allen Coleman, Town Clerk

CN17 Unified Development Ordinance (UDO) Amendments Statement - August 2022

Dianne Khin, Director of Planning and Community Development

CN18 Unified Development Ordinance Amendments - September 2022 - Set Public Hearing

Amanda Bunce, Current Planning Manager

A motion was made by Councilmember Brett Gantt, seconded by Mayor Pro-Tempore Audra Killingsworth, to approve the Consent agenda as presented.

VOTE: UNANIMOUS (5-0)

PRESENTATIONS - None

REGULAR MEETING AGENDA

A motion was made by Councilmember Ed Gray, seconded by Councilmember Cheryl Stallings, to set the regular meeting agenda.

VOTE: UNANIMOUS (5-0)

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PUBLIC FORUM

The following individuals spoke during the public forum portion:

- **Russell Carpiceto - 1201 Dunn Ridge Lane - off the Peakway**
 - Traffic Issues on the Peakway near this intersection, requesting a speed limit change and additional signage
- **Elizabeth Stitt - 3113 Friendship Road, Apex, NC**
 - Budget Request for FY2024 to fund and build Turn lanes on old Highway US 1 and Friendship Road intersection

PUBLIC HEARINGS

PH1 **Bicycle and Pedestrian System Plan Map Amendment - Proposed Bike Lanes - Laura Duncan Road**

Jenna Shouse, Senior Long Range Planner

Staff provided a presentation and no one signed up to speak.

A motion was made by Mayor Pro-Tempore Audra Killingsworth, seconded by Councilmember Cheryl Stallings, to amend the Bicycle and Pedestrian System Map to add proposed bicycle lanes along Laura Duncan Road between Old Apex Road and the Town of Apex boundary with the Town of Cary.

VOTE: UNANIMOUS (5-0)

PH2 **Ordinance Amendment for Article I of Chapter 10**

Brian Meyer, Deputy Town Attorney, and Senior Zoning Compliance Officers Mark Siburt and Trevor Johnson

Staff provided a presentation.

Elizabeth Ray Stitt - 3113 Friendship Road, Apex spoke during the public hearing.

A motion was made by Councilmember Ed Gray, seconded by Councilmember Terry Mahaffey, to adopt an ordinance amendment to Chapter 10, Article I of the Town Code of Ordinances.

VOTE: UNANIMOUS (5-0)

OLD BUSINESS

OB1 **Town's Strategic Plan Framework - Adoption**

Shawn Purvis, Deputy Town Manager

Staff provided a presentation.

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A motion was made by Councilmember Cheryl Stallings, seconded by Mayor Pro-Tempore Audra Killingsworth, to approve the Town's Strategic Plan Framework for the Apex Strategic Plan 2022 and adopt a Resolution titled "Resolution of Apex Town Council Adopting the Apex Strategic Plan".

VOTE: UNANIMOUS (5-0)

UNFINISHED BUSINESS

UB1 Rezoning Case No. 22CZ06 Yellowbridge PUD

Lauren Staudenmaier, Planner II

Staff provided a presentation.

A motion was made by Councilmember Ed Gray, seconded by Councilmember Brett Gantt, to approve Rezoning Application #22CZ06 Yellowbridge PUD to rezone approximately 48.24 acres from rural residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 2813 and 2817 US 64 Highway West.

VOTE: 4-1 with Councilmember Terry Mahaffey dissenting

NOTE: During the July 26, 2022 meeting, Council conducted a public hearing on the following items and continued the final vote until the September 13, 2022 meeting:

- Transportation Plan Amendments - Chapel Ridge Road
- Rezoning Case No. 22CZ07 Chapel Ridge North PUD

Due to a change in the application, these items will not be heard on September 13, 2022. New public hearing notices will be advertised at a later date.

NEW BUSINESS

UPDATES BY TOWN MANAGER

Town Manager, Catherine Crosby, provided an update on various projects and events in the Town.

ADJOURNMENT

Mayor Gilbert announced the meeting adjourned at 7:26p.m.