

1 **DRAFT MINUTES**  
2 **TOWN OF APEX**  
3 **TOWN COUNCIL WORK SESSION**  
4 **THURSDAY, DECEMBER 14, 2023**  
5 **3:30 P.M.**

6 The Apex Town Council met for a work session on Thursday, December 14, 2023 at 3:30 p.m.  
7 at the Apex Town Hall located at 73 Hunter Street in Apex North Carolina.

8 This meeting was open to the public. Members of the public were able to attend this  
9 meeting in-person or watch online via the livestream on the Town’s YouTube Channel:

10 <https://www.youtube.com/watch?v=plHF6B21Zml>

11 Elected Body

12 Mayor Jacques K. Gilbert (presiding)  
13 Mayor Pro-Tempore Ed Gray  
14 Councilmember Brett Gantt  
15 Councilmember Terry Mahaffey  
16 Councilmember Arno Zegerman  
17 Absent: Councilmember Audra Killingsworth

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19 Town Staff

20 Interim Town Manager Shawn Purvis  
21 Assistant Town Manager Demetria John  
22 Assistant Town Manager Marty Stone  
23 Town Attorney Laurie Hohe  
24 Town Clerk Allen Coleman  
25 Planning Director Dianne Khin  
26 Public Works Director John Mullis

27 All other staff members will be identified appropriately below.

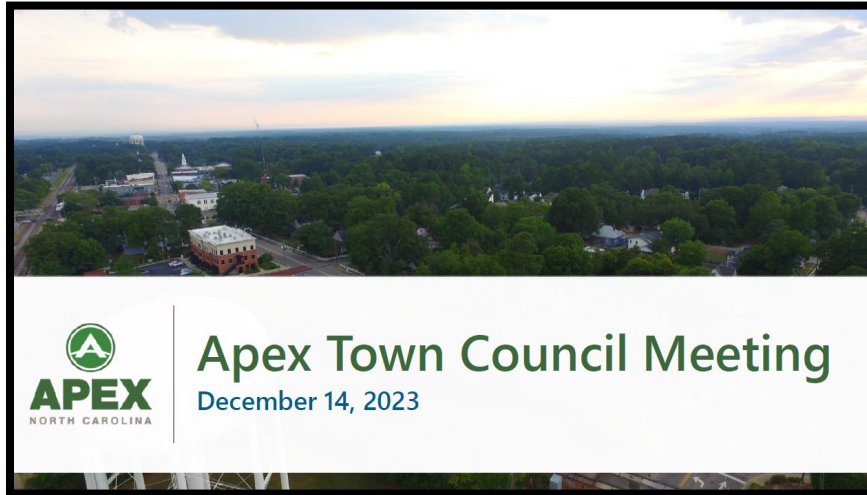
28 **[COMMENCEMENT]**  
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30 **Mayor Gilbert** called the Work Session to order, and led in a recitation of the Pledge  
31 of Allegiance.

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33 **[AGENDA ITEM NO. 1 - TEMPORARY SIGN ORDINANCE DISCUSSION]**

34 **Director Khin** gave an update on discussion of Temporary Sign Ordinance within the  
35 Town.  
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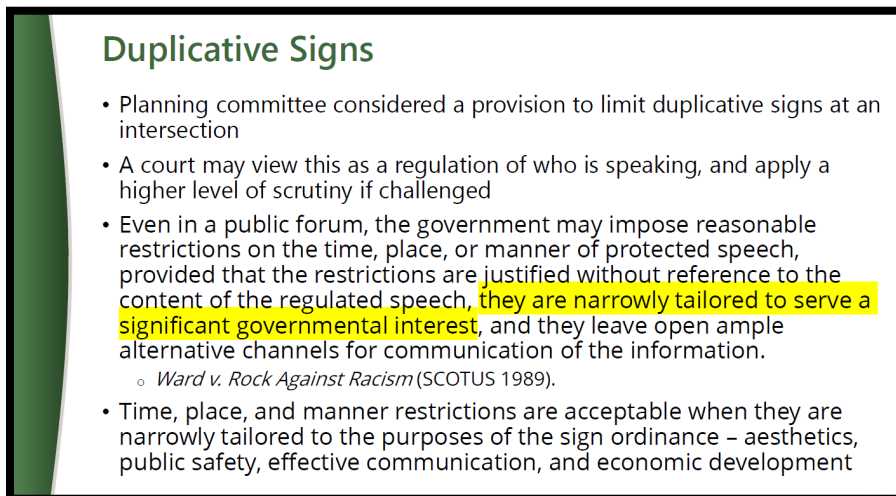
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1 [SLIDE-4]

## Sign Ordinance – Purpose Statement

The purpose of this Chapter is intended to accomplish the following objectives:

- A. To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised.
- B. To minimize distractions and view obstructions that contribute to traffic hazards and endanger public safety.
- C. To allow for adequate and effective signs while preventing visual clutter.
- D. To ensure a high standard for the design and size of signs so that they enhance the aesthetic appearance and attractiveness of the community, and create an aesthetic environment that has a positive impact on economic development.

*From Charlotte Zoning Ordinance 13.1 Purpose*

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3 [SLIDE-5]

## Temporary Sign – Definition

- **Sign, Temporary** means a sign intended for a use not permanent in nature. For the purposes of this Chapter, a sign which is intended for use of one (1) year or less shall be deemed a temporary sign.

*From Cary LDO 9.1.3 Definitions*

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5 [SLIDE-6]

## Obsolete Signs

- A sign relating to or identifying a business or activity that has not been conducted on the premises for six months or to a transpired election or event, or to a political party or non-profit organization that no longer exists.
- The structure for a sign that is not allowed under this Ordinance if such structure cannot be used for a legal use or does not comply with the height, size, or other physical requirements of the Ordinance.
- Including this provision makes enforcement more efficient.

*From Durham UDO Sec. 11.3 Prohibited Signs*

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1 [SLIDE-7]

### Governmental Signs – Exempt

- Any official or public notice or warning sign required by a valid and applicable federal, state, or local law, regulation or chapter; by a public utility company; or by order of a court of competent jurisdiction.
- Any sign located within the right-of-way or on private property that is used as a traffic control device. This includes, but is not limited to, any sign that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard, regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

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### Governmental Signs – Exempt (continued)

- Signs erected by or on behalf of a governmental or quasi-governmental agency including, but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government actions, proposed changes of land use, any proposed rezoning, or any other government speech.

*From Cary LDO Sec. 9.1.4.B Signs Exempt from Regulations*

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5 [SLIDE-9]

### Temporary Signs on Private Property

- Commercial temporary signs that are on-premise of the business advertised or doing on-premise work (e.g. construction, real estate sales, etc.) are allowed on private property provided they meet size/height requirements, are limited to a certain number per property, and are limited in time posted. Non-commercial temporary signs on non-residential property will be subject to the same rules. This is a land use/zoning regulation.
- Commercial temporary signs are not allowed off-premise of the business advertised/doing on-premise work on private or public properties. This is a land use/zoning regulation.
- Non-commercial temporary signs on residential properties are exempt from regulation.

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## Non-commercial Message Substitution

- Any sign permitted by these regulations may display or publish a non-commercial message. This includes signs that both require and do not require a permit.

*From Charlotte UDO 22.2.B Noncommercial Messages.*

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## Temporary Signs in State Rights-of-Way

- Commercial signs are not allowed in State rights-of-way.
- NCGS 136-32 allows some other types of signage in State rights-of-way:
  - Farm/agricultural
  - Political
- Enforcement would continue to be in compliance with State law.

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5 [SLIDE-12]

## Temporary Signs in Town Rights-of-Way

- Commercial signs are not allowed in Town rights-of-way.
- Non-commercial signs are currently allowed in Town rights-of-way provided they are not adjacent to Town property (e.g. parks, Town Hall Campus, etc.)
- Proposal is to continue to prohibit commercial signs, but also no longer allow non-commercial signs in **Town** rights-of-way. Farm/agricultural and political signs are still allowed by State law in **State** rights-of-way and Governmental Signs are still exempt under this proposal.

*This proposal is consistent with Town of Cary's provisions.*

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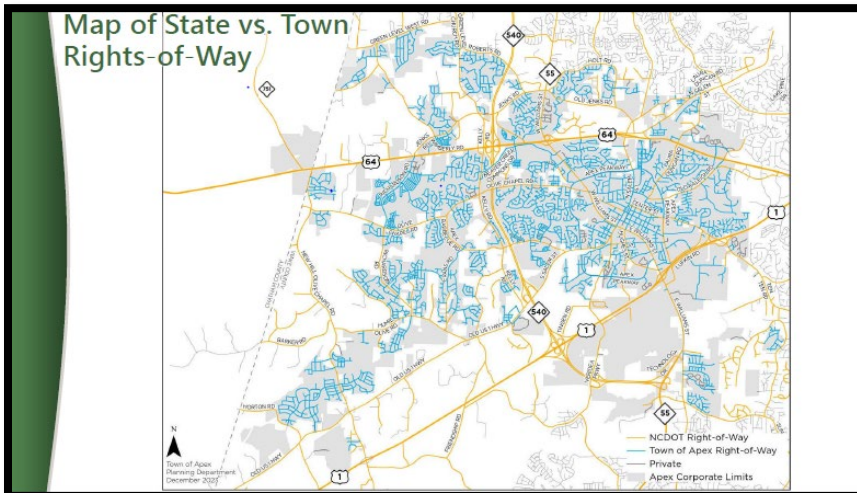
1 [SLIDE-13]

### Temporary Signs in Town Rights-of-Way (continued)

- Prohibiting all signs in Town rights-of-way would be the most efficient enforcement option.
- Prohibiting non-commercial signs in Town rights-of-way would primarily affect non-profit entities (religious organizations, civic clubs, etc.)
- If the desire is to not prohibit non-commercial signs in Town rights-of-way, an alternative proposal would be to prohibit non-commercial signs unless they are associated with a valid Temporary Use Permit.
  - Temporary Use Permits are already required for outdoor non-profit events and there is no fee for non-profit event TUPs.

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3 [SLIDE-14]

### Map of State vs. Town Rights-of-Way



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5 [SLIDE-15]

### Downtown Signs

Common exceptions to the prohibition of signs in Town rights-of-way include signs typically seen in Downtowns:

- Sandwich Board (A-frame) signs
- Projecting signs
- Suspended signs
- Awnings

1           **Councilmember Mahaffey** said what he gathered from the discussion were some of  
2 the items mentioned the town cannot do, such as regulate state rights-of-way and that's  
3 going to stay the way it is. He said what's being proposed would bring the town in line with  
4 what's similar to the Town of Cary's rules.

5           **Director Khin** said yes.

6           **Councilmember Gantt** asked where would you place a sign if a HOA is announcing  
7 an annual meeting indoors somewhere on a town road.

8           **Director Khin** said they would place it on private property on the HOA land. She said  
9 if a private citizen agrees that a sign can be placed in their yard that would be allowed.

10          **Councilmember Zegerman** asked about the use of enforcements regarding the non-  
11 commercial signs on the towns right-of-way.

12          **Director Khin** said knows there is a long history of allowing the nonprofits to have  
13 their non-commercial signs in the towns right-of-way. She said an alternative would be to  
14 associate them with a temporary use permit in order for them to legally be defensible on the  
15 right-of-way.

16          **Councilmember Zegerman** asked if it also includes advertising for Easter, Church,  
17 Mass, signs along the streets.

18          **Town Attorney Hohe** said she needed to clarify the temporary use permit that is  
19 being proposed would be to allow a sign associated with a temporary use permit not require  
20 a temporary use permit. She said an important distinction to know is a special event that is  
21 approved as part of that approval that would be assigned allowance.

22          **Mayor Pro-Tempore Gray** said all of our festivals go through our application process.

23          **Director Khin** said they would be exempt.

24          **Ms. Bunce** said they would be if the town was hosting.

25          **Director Khin** said the town has a special event policy but it's not a temporary use  
26 permit.

27          **Councilmember Zegerman** asked if someone wants to advertise a Christmas Eve  
28 Services, and it's not a special event that goes to the town they will never have to ask for an  
29 event permit and no permit would be granted. He said it's the same as saying no signs  
30 allowed.

31          **Ms. Bunce** said they could advertise on private property.

32          **Councilmember Mahaffey** said it's hard because most people want to put signs on  
33 non-town roads.

34          **Councilmember Gantt** asked about the mattress sell from Apex High School band on  
35 the Peakway in the right-of-way, which he said would not be allowed be allowed.

36          **Councilmember Mahaffey** said the place where people would want to put signs on  
37 town roads would be on the Peakway.

38          **Councilmember Gantt** said that's why the impact's lower, because the town has  
39 major state roads.

40          **Mayor Gilbert** asked about getting complaints.

1           **Director Khin** said she gets complaints all the time. She said she would like to update  
2 the rules and get it done this winter so that the rules can be in place to communicate with  
3 everyone effectively.

4           **Councilmember Mahaffey** said this is the time to make the change.

5           **Councilmember Zegerman** asked what does the sign enforcements look like.

6           **Director Khin** said there are two types of enforcements. She said one is in reaction to  
7 a complaint. She said if the sign is not compliant, those signs are picked up. She said  
8 quarterly they do sign sweeps which takes multiple days and they pick up hundreds of signs.

9           **Councilmember Zegerman** said does anyone take it back to the source.

10          **Director Khin** said she does not have the staff to do that currently and not sure if  
11 that's an allowed type of enforcement.

12          **Assistant Town Manager Stone** said they would have to prove who put the signs out.

13          **Director Khin** said it's essentially litter.

14          **Councilmember Zegerman** said if there is no enforcement of the signs then one  
15 could be written.

16          **Councilmember Mahaffey** said the enforcement would be at a cost.

17          **Councilmember Mahaffey** asked how would the signs work at intersections that  
18 cross state road and a town road.

19          **Director Khin** said the roads overlap and that's where the signs are mostly put.

20          **Councilmember Gantt** asked about the sight triangle.

21          **Director Khin** said the sign can not be taller than 30 inches and that's being written  
22 into the ordinance, that way it won't block the sight triangle. She said NCDOT allows them to  
23 be up to 42 inches but the town never pulls them out of the rights-of-way.

24          **Mayor Pro-Tempore Gray** asked about mileage the town is covering.

25          **Councilmember Gantt** said the blue on the map, which are neighborhoods.

26          **Director Khin** said it's a lot of miles but it's inside the neighborhoods.

27          **Councilmember Zegerman** said a lot of HOA has rules against signs in them.

28          **Mayor Pro-Tempore Gray** said he wants to figure out the scope.

29          **Councilmember Mahaffey** said it comes down to what is possible and said the deal  
30 with Cary is nice.

31          **Mayor Pro-Tempore Gray** said we need a purpose statement for it, so the town can  
32 explain that it is for safety and that's why it needs to be regulated.

33          **Councilmember Gantt** asked the question about temporary signs in town right of  
34 ways which still remains.

35          **Director Khin** said the proposal is not to allow the non-commercial signs in the towns-  
36 right-of way, which are currently allowed, except next to Town Campus and parks. She said  
37 this would make us more consistent with Cary. She said it's the easiest to enforce and it's  
38 legally defensible.

39          **Mayor Gilbert** asked Council to take a vote to see if Council was in consensus with  
40 the proposal from Staff.

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42          **VOTE: UNANIMOUS (4-0), with Councilmember Killingsworth absent.**



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**CLERK’s NOTE: This vote was informal and does not automatically implement the recommendations. The recommended changes will come before Council in the form of a Unified Development Ordinance (UDO) amendment.**

**Councilmember Gantt** said he wanted to acknowledge the planning staff on the Grant for the Safe Routes to Schools.

**[AGENDA ITEM NO 2 - SOLID WASTE DIVISION UPDATES]**

**Director Mullis** gave an overview of the yard waste program and the impacts it having in the Town.

**[SLIDE-1]**




**[SLIDE-2]**

**Purpose:**

Provide an overview of the town’s current yard waste program and solicit input from the Town Council on potential ordinance and operational adjustments that minimize impacts to our watershed, improve cost recovery, and enhance service delivery for residents.

**Requested Action:**

- Receive Council feedback on current ordinances and willingness to consider ordinance revisions.
- Receive Council feedback on state of current yard waste curbside collection model. Seek guidance as to potential modifications.
- Receive Council feedback and direction on exploring potential for a transfer facility to support current and future operations.




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[SLIDE-3]

## Discussion Areas

- Public Works at a Glance
  - Solid Waste Budget (FY23-24) & Fee Structure
  - Households Served and Tonnage by Type
  - Organizational Structure and Equipment Overview
  - Operations Resource Plan – Yard Waste & Bulk
- Apex Yard Waste Program
- Peer Community Information
- Local Trends – Raleigh and Holly Springs
- Why Conversation on Yard Waste?
- Strategic Plan Framework
- Stakeholder Relationships and Considerations
- Impacts and Concerns
  - Operational
- Growth in Population and Households
- Operational Challenges and Concerns
  - Community Appearance
  - Excess Yard Waste
  - Non-compliance with pre-collection requirements
  - Worker Safety
- Ordinances
- Disposal
- Challenges – Recap
- Conclusion
- Questions
- Requested Action
- Addendum



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[SLIDE-4]

## Public Works at a Glance

### FY 2023-2024 Budget – Solid Waste

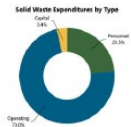
**Budget Summary**

Type	FY22-23		FY23-24		Percent Change
	Actual	Budget	Estimate	Budget	
Personnel	1,383,915	1,477,430	1,397,400	1,511,000	5.04%
Materials	4,218,915	4,400,000	4,100,000	4,200,000	0.24%
Capital	213,000	300,000	300,000	300,000	-11.20%
<b>Total</b>	<b>\$5,815,830</b>	<b>\$6,177,430</b>	<b>\$5,800,000</b>	<b>\$6,011,000</b>	<b>7.88%</b>


**Line Item Expenditures**


Line Item	FY22-23		FY23-24		Percent Change
	Actual	Budget	Estimate	Budget	
Solvents	305,522	300,000	300,000	1,000,000	3.55%
Salaries	6,000	7,500	46,800	420,000	4.00%
Part Time Salaries	60,000	60,000	82,200	17,700	17.74%
ICA	147,041	200,100	171,000	218,000	8.95%
Group Insurance	91,641	108,200	111,000	108,800	28.28%
General Retirement	40,850	48,600	48,600	55,000	20.25%
401K-General	24,280	50,600	51,200	49,900	-19.17%
Workers Comp	900	900	900	900	0.00%
Postage	11,340	10,800	10,700	11,400	5.56%
Telephone & Communication	474	500	-	2,600	4.00%
Printing	2,339	7,700	4,000	10,200	32.47%
Travel and Training	150	3,000	500	500	-81.33%
Maintenance & Repair- Building	63,304	77,528	70,500	82,400	4.28%
Maintenance & Repair- Equipment	54,448	46,000	40,000	40,000	0.00%
Maintenance & Repair- Vehicle	2,722	1,500	-	1,500	0.00%
Automotive Supplies	21,873	15,450	18,200	16,200	3.86%
Motor Fuel	126,089	124,143	150,000	133,500	7.54%
Office Supplies	945	800	200	500	-17.00%
Laboratory Supplies	96	500	200	500	0.00%
Departmental Supplies	9,454	8,100	4,500	7,200	-20.08%
Technology Hardware & Accessories	1,800	1,300	7,000	84,216	94.21%
Safety Supplies	1,100	1,100	1,100	1,100	0.00%
Miscellaneous & Special Provisions	3,019	3,200	3,200	3,200	0.00%
Community Outreach Materials	608	1,000	500	3,000	200.00%
Utilities	6,595	6,000	6,000	17,800	92.22%
Contracted Services	12,051	11,200	7,200	25,200	125.00%
Personal Protective Equipment	6,171	6,000	4,500	10,500	4.38%
Software Licenses & Maintenance	15,137	16,000	16,000	60,800	234.02%
Sanitization Services	3,812,123	4,051,900	3,650,000	4,385,500	8.39%
Electronic Recycling	392	-	-	-	-
Landfill Tipping Fees	57,202	130,000	125,000	135,000	3.85%
Deas and Subscriptions	634	800	500	3,800	375.00%
Operating Licenses & Permits	4,171	400	400	600	50.00%
Insurance - General Liability	25,344	30,000	30,200	32,500	1.52%
Capital Quality - Equipment	313,008	300,267	301,900	235,000	-21.74%
<b>Total</b>	<b>\$5,815,830</b>	<b>\$6,177,430</b>	<b>\$6,042,200</b>	<b>\$6,861,000</b>	<b>7.88%</b>

**Solid Waste Expenditures by Type**



**Solid Waste Expenditure History**





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[SLIDE-5]

# Public Works at a Glance

## Fee Structure FY 2023-2024 Budget – Solid Waste



SOLID WASTE FEES			
Yard Waste Collection	\$7.83/month	Dumpster Service	
Residential Roll-Out Cart	\$9.85/month	- 4 CY Dumpster	\$145.86/month
Commercial Roll-Out Cart	\$20.62/month	- 6 CY Dumpster	\$173.32/month
Recycling (Per Bin or Cart)	\$5.24/month	- 8 CY Dumpster	\$198.85/month
Bulk Items	\$11/each	Bulk Items - Half Load	\$22
White Goods	\$18/each	Bulk Items - Full Load	\$40

### Revenue – Yard Waste Program Portion

(Estimated) Sept 2023  
Based on 23,231 households @ \$7.83/month per household

Monthly: \$ 182,000  
Annually: \$ 2,184,000

### Description

The Solid Waste division of Public Works is responsible for all duties related to solid waste management in the Town. Its responsibilities include conducting contractor oversight, managing leaf, tree, and bulk waste collection, handling and disposing of special materials, conducting public trash collection for the Central Business District, and coordinating and completing special clean-up projects. Additionally, the division handles the regular cleaning and maintenance of Town lots and property, manages and executes relevant weather response and recovery efforts, and provides support to other operations.

### Recent Accomplishments

- Partnered with Public Works administration to provide GIS access to CityWorks for service requests.
- Cleaned yard waste transfer and disposal agreement extension with Holly Springs.
- Worked with other Town departments on Customer Service Standards project.

### Strategic Goal Activities

- Utilize data analytics to increase operational efficiency and sustainability of the Town Solid Waste Program.
- Analyze long term solutions for yard waste programming.

### FY 2023-2024 Budget Highlights

- The Solid Waste department budget increased 7.88 percent in FY23-24.
- The Solid Waste budget accounts for 4.79 percent of the General Fund budget and is equivalent to \$005 on the tax rate.
- The Town plans to spend \$95.67 per capita for Solid Waste services in FY23-24.
- Major budget changes include an increase in software licensing and a transition in uniform services.
- The budget includes \$4.39 million for contracted sanitation and recycling services.



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[SLIDE-6]

# Public Works at a Glance

## Garbage, Recycling, Yard Waste (Curbside weekly Sept 2023)

23,231 – Residential Yard Waste Accounts  
23,568 – Residential Recycling Accounts  
23,325 – Residential Garbage Accounts

70,124 – Possible collection points each week



### Tonnage Collected - Residential (annually FY 22/23)

5,120\* – Yard Waste tons collected (Avg#/stop = 8.5 lbs)  
4,818 – Recycling tons collected (Avg#/stop = 7.8 lbs)  
18,834 – Garbage tons collected (Avg#/stop = 31 lbs)  
28,772 - Residential tons collected

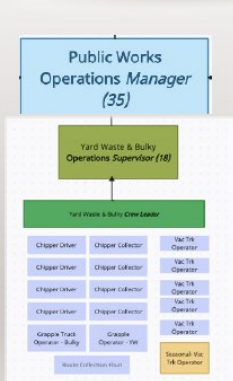
\* Yard waste collected curbside exceeds recycling in tonnage.



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[SLIDE-7]

# Organizational Structure and Equipment Overview



### Collection Equipment

Typically (4) types of collection vehicles are used to collect curbside yard waste & bulk household



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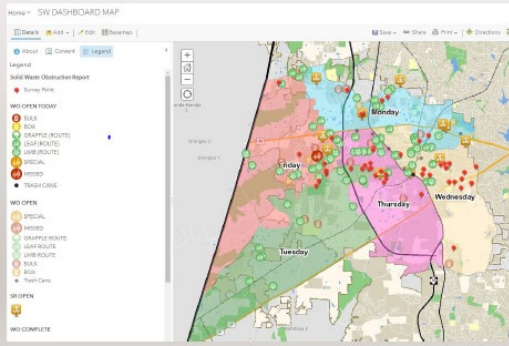
[SLIDE-8]



# Operations Resource Plan

## Yard Waste and Bulk Item Collection - Routes

Zones (M-F):	5
Resource Plan (Daily)	
Leaf Vac Trucks	5
Chipper Combo	3
Grapple Truck	2
Small Dump truck	1
Routes per day	11
Routes per week	55
Households served	23,231
Solid Waste vehicles:	16
* Includes support vehicles	
Total Miles (FY22):	147,118
Total Gallons:	38,261
Fuel Cost:	\$121,336
Avg MPG:	3.18



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[SLIDE-9]

# Apex Yard Waste Program (Weekly: non-containerized, manual collection)

## Curbside Collection Ordinances

Home » Government » Town Departments » Public Works » Garbage, Recycling & Yard Waste » Yard Waste Collection

### Yard Waste Collection

Yard waste collection is performed by the Town of Apex Public Works Department personnel for residential customers. To learn about ordinances that regulate Yard Waste collection in Apex, click [here](https://library.municode.com/nc/apex/codes/code_of_ordinances?nodeId=CHOR_C422MULTISE_ARTVIAWACO_512-1260E).  
Collection occurs weekly on the business day following garbage and recycling collection. On occasion, weekly collection is not possible, due to these reasons:

- Inclement weather (this includes periods of heavy rain, ice, or snow)
- Holidays (Yard waste collection observes the published Town of Apex [holiday calendar](#))
- High Demand (increases following a big weather event and during the loose-leaf collection season, November-February)

#### Pre-Collection Key Reminders

- Yard waste is required to be separated by type and not combined with other yard waste types
- Yard waste is to be placed at least ten (10) feet away from any storm drain
- Yard waste should not be blocked by vehicles on collection day
- Yard waste should not be placed at curbside for collection more than 48 hours in advance of the scheduled collection date

*No mention of set out volume or weight*

#### Missed Collection

Report missed collection to our customer service team one of two ways:

- Complete an [online service request form](#).
- Call Customer Service at (919) 362-8676

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[SLIDE-10]

# Apex Yard Waste Program (Weekly: non-containerized, manual collection)

## Curbside Collection Ordinances

3 Types of Trucks that may visit your street on yard waste collection day

<b>Vacuum Truck</b> <ul style="list-style-type: none"> <li>Leaves</li> <li>Grass Clippings</li> <li>Pine cones</li> <li>Pine Straw</li> <li>Woods (no dirt)</li> <li>Small Shrubbery Clippings less than 4 inches in length and less than 1 1/4 inches in diameter</li> </ul>	<ul style="list-style-type: none"> <li>Do not bag yard waste. Please make sure that leaves are placed curbside and separated from other yard waste types. Leaves mixed with other debris will not be collected due to the possibility of damaging equipment.</li> <li>Place yard waste 10 feet away from storm drains. Please separate yard waste by type.</li> <li>Dirt, soil, mulch, and rocks are NOT accepted items for yard waste collection.</li> <li>Separate any sticks / limbs, as those items can damage the vacuum equipment.</li> </ul>
<b>Chipper Truck</b> <ul style="list-style-type: none"> <li>Sticks and Limbs</li> <li>Christmas Trees (remove all lights and decorations)</li> </ul>	<ul style="list-style-type: none"> <li>Limbs must be no more than 8 feet long, and a maximum diameter of 8 inches. Please separate sticks from limbs and other yard waste types. Place limbs with the cut ends facing the same direction. <b>Extremely Rare</b></li> <li>Place Christmas trees curbside, but not in the roadway. Christmas trees are collected throughout the month of January.</li> </ul>
<b>Grapple Truck</b> <ul style="list-style-type: none"> <li>Limbs</li> </ul>	<ul style="list-style-type: none"> <li>Supports both chipping and bulk collection operations</li> </ul>

Check your schedule using our [address lookup tool](#). Please note that there may be slight delays in programming this tool with newly constructed home addresses.

← Difficult to Enforce Compliance

← Difficult to Enforce Compliance

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[SLIDE-11]

# Apex Yard Waste Program (Weekly: non-containerized, manual collection)

## Curbside Collection Ordinances

**Grass Recycling** encourages the use of mulching blades on mowing equipment. Lawn clippings usually do not need to be bagged. Recycling grass clippings can reduce your fertilizer needs, improve your soil, and does not contribute to thatch.

**Composting**  
In an effort to divert inappropriate materials from Wake County landfills, the Town of Apex encourages the use of compost bins to help residents dispose of yard waste.

**More Information**  
If you have a question regarding your collection day, or to report missed collection, contact Customer Service at (919) 362-8676.

## Yard Waste Disposal locations

- Chipped and Brush: McGill Environmental (New Hill, NC)
- Vacuumed material: Town of Holly Springs (transfer & transportation)
  - \*material transported to Earthtec in Sanford for re-use. Material mixed with contaminated soil (operational hours impacted by weather).
  - Greenway Waste – 50 Loads per month (no fee)



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2 [SLIDE-12]

# Peer Community Fee Structure

FY 2023 - 2024 Fee Structure - Peer Community Comparison (excludes Bulk)	Funding / Services (X) Monthly billing utility invoice (PP) – Annual Property taxes	Solid Waste	Recycling	Yard Waste	Total
APEX	X – YW in-house	\$9.85	\$5.24	\$7.83	\$22.92
CARY	X – YW-T-R in-house				\$22.00
FUQUAY-VARINA	X – YW-T-R in-house				\$21.00
GARNER	PP Tax –contracted	\$10.69	\$2.42	\$5.88	\$18.99
HOLLY SPRINGS	X – YW in-house	\$10.95	\$4.93	\$7.50	\$23.38
KNIGHTDALE	X – YW in-house	\$12.50	\$5.00		\$17.50
MORRISVILLE	PP Tax –contracted	\$11.30	\$6.10	\$1.34	\$18.74
RALEIGH	X – YW-T-R in-house	\$14.45	\$4.60		\$19.05
ROLESVILLE*	PP Tax –contracted	\$10.71	\$5.62	\$3.10	\$25.00
WAKE FOREST	X – YW in-house	\$13.77	\$5.47	\$2.76	\$22.00
WENDELL**	X – contracted	\$11.37	\$3.90	\$3.72	\$25.00
ZEBULON	X – YW in-house	\$11.97	\$4.46	\$8.32	\$24.75

\* Rolesville - \$3.97 Town processing fee  
\*\* Wendell - \$6.01 Town processing fee



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4 [SLIDE-13]

# Peer Communities: Collection Methods & Frequency – Yard Waste

Collection Method	Raleigh	Cary	HS Knight	Apex	Morris	FV	WF	Zebulon	Roles	Wendell
Weekly Collection		X	X	X		X	X			X
Bi-Weekly Collection	X		X		X			X	X	
Modified Schedule for Fall	X	X	X			X	X		X	X
Vacuum Truck Year Round				X						
Local Convenience Center	X	X	X							
Allows Compostable Paper Bags	X	X	X		X		X			
Allows Small Bins	X	X	X		X	X	X		X	
96 Gallon Carts	X		X							X

Peer communities are most similar in the following areas:  
Containerized Yard Waste      Non-Containerized Yard Waste  
 Apex and Zebulon allows loose yard waste.

Yard Waste fees are compulsory in that every household pays them.  
 Containerization is the most common form of collection used curbside.  
 Set out limits and weight restrictions per stop. Excess yard waste can be collected in Cary and Holly Springs for an additional fee based on per visit or volume.  
 \* Cary offers chipping service for \$ 350 per visit.  
 \* Holly Springs offers fee based collection based on volume levels ( Example- minimum rate (Level 1): \$80 per 2.5 cubic yards ).  
 Contractors (Landscape/Tree Service firms) hired to perform residential service work is responsible for removal of yard waste debris.  
 Yard waste to be placed behind the curb (not in the street or gutter ) so that debris does not interfere with traffic or drainage.



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1 **Councilmember Mahaffey** asked how does Zebulon gets rid of grass if they don't have  
2 collectors and they don't have vacuum trucks.

3 **Director Mullis** said they are processing it at the composting yard and they get it hot  
4 enough to mix.

5 **Mayor Pro-Tempore Gray** asked how does pine needles work since we basically have  
6 three fall seasons for those.

7 **Director Mullis** said they accept them currently. He said the pine needle problem is  
8 related to dirt.

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15 **[SLIDE-14]**

**Local Trends: Automation and Containerization**

June 2021: Raleigh City Council approved Yard Waste Cart project and service improvements.

July 5, 2022: City of Raleigh suspends collection of customer owned containers and provided Town issued 95 gallon yard waste carts to approximately 110,000 residents.

**Cart Details**

The City of Raleigh added adding 95-gallon yard waste carts to our residential curbside pickup service during the summer of 2022.

The bright green 95-gallon carts with wheels means:

- greater convenience and safety for you and our crews;
- much more room - carts offer three times the capacity as a standard container;
- more reliable bi-weekly pickup schedule;
- reduced carbon emissions with fewer truck runs;
- protecting the environment - reduces material sent to the landfill; and,
- more products from the City's Yard Waste Center (your yard waste is processed into mulch and compost).

The new roll cart is just like your City-issued olive-green garbage cart and blue recycling cart, only it's bigger green.

March 9, 2022: Holly Springs Town Council authorized Yard Waste model changes to include transition to 95 gallon yard waste carts and explore opening a yard waste citizens convenience center.

June 7, 2022: Holly Springs Town Council authorized sale source purchase of (3) New Way Rotopac 14 ASL refuse collection bodies and approved purchase of (3) CCC LET2-26 low entry truck chassis.

March 2022: Supply Chain issues delayed the Yard Waste cart launch by 9 months.

September 13, 2023: Holly Springs opens up Yard Waste Convenience Center. Hours are Wen through Sunday, 7am-3pm.

**KEEPING IT GREEN in Holly Springs**

Please keep it Green in Holly Springs with a new way of collecting yard waste. Every next year, your bins will receive a new yard waste cart (keeping it Green). If the cart with new design, bins, and other types of yard waste, and place the cart back at the curb on Tuesday the regular collection.

Carts help keep debris out of storm drains that empty into local water, streams, and estuaries. Benefits of your waste carts also include:

- ✓ More efficient collection
- ✓ Less pollution & dust in the spring
- ✓ Cleaner neighborhoods - healthier habitats for wildlife

Want to order additional carts or do have a need? Call support@hollyspringsnc.gov or call the Town of Holly Springs at 919.877.3311 or 919.877.3311.

March 2024: Town of Holly Springs to suspend weekly loose yard waste collection and will provide a Town issued 95 gallon yard waste cart. The Town will continue its Fee based excess collection as an enhanced service; however, residents will now have a free option to dispose of any amount of yard waste at the Holly Springs Yard Waste Convenience Center off of Rex Rd.

16 **Councilmember Zegerman** asked how big is the towns recycling container.

17 **Director Mullis** said 95 gallons, and GFL has a 65-gallon recycling and 65-gallon trash.

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19 **[SLIDE-15]**

## Why Conversation on Yard Waste?

- Alignment to Strategic Plan Framework
- Environmental & Safety Considerations
- Service Demand Model and Cost Recovery
- Aesthetics of our Communities
- Operational Challenges (related to current ordinances)
- Material Transfer and Disposal Challenges



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[SLIDE-16]

## Strategic Plan Framework

### Relationship to Yard Waste Programming



#### Mission

Provide exceptional public service that fosters opportunity for the individual and community to live, thrive, and reach their peak.

#### Vision

A community unified in the stewardship of our small-town character and natural environment, for a future where all succeed.

#### Values

Performance  
Empowerment  
Accountability  
Knowledge

#### Goal: A Welcoming Community

Create a safe and welcoming environment fostering community connections and high-quality recreational and cultural experiences supporting a sense of belonging.

##### Objectives

- Foster safe places and spaces
- Foster community connections
- Create a sense of belonging
- Encourage a healthy and active lifestyle
- Enhance communication for a more informed community

#### Goal: High Performing Government

Deliver exceptional services utilizing an engaged workforce with an emphasis on efficiency, collaboration, innovation, and inclusion.

##### Objectives

- Use resources efficiently and effectively
- Provide customer-focused service
- Attract, retain, and develop our workforce
- Promote a culture of innovation and creativity
- Maintain transparency in stewardship of public resources
- Enhance communication for a more informed workforce



#### Goal: Environmental Leadership

Commit to sustaining natural resources and environmental well-being throughout the community.

##### Objectives

- Adopt clean energy and efficiency measures
- Preserve natural resources and habitats
- Reduce environmental waste
- Proactively address climate vulnerability



#### Goal: Responsible Development

Encourage equitable and sustainable development that provides accessibility and connectivity throughout the community.

##### Objectives

- Plan for and invest in infrastructure
- Provide and promote mobility
- Support diverse housing options
- Balance impacts of growth and development



#### Goal: Economic Vitality

Improve and sustain an environment that invites and retains a diversity of residents, employment opportunities, and businesses.

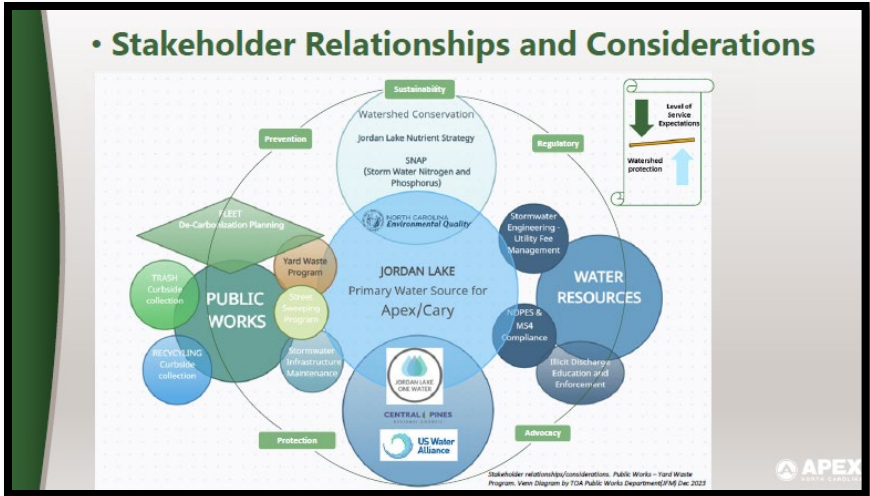
##### Objectives

- Recruit, retain, and develop businesses
- Leverage community assets to benefit businesses and residents
- Engage in placemaking
- Identify key opportunities to strengthen economic environment



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[SLIDE-17]



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2 **Assistant Town Manager Purvis** said he wants to make one thing clear. He said we are  
3 in compliance with our permits and we have National Pollutant Discharge Elimination System  
4 (NPDES) permit that allows us to do exactly what we are doing. He said we just got our permit  
5 renewed last year. He said it says material is only to be placed out 48 hours to pick up and  
6 shouldn't be out all week.

7 **Councilmember Gantt** asked is the problem that the storm drain gets clogged and the  
8 water is sitting on the road for longer and puddling up.

9 **Stormwater Field Supervisor Misciango** said when you have the organic materials  
10 flowing into the storm drains and causes a havoc in our water. He said it's more the grass than  
11 the leaves.

12 **Councilmember Zegerman** said it also ends up in the retention ponds that now need  
13 to be drained more frequently.

14 **Mr. Misciango** said there are neighborhoods that discharge directly to streams and  
15 creeks. He said the they do have a federally mandated permit called a phase two permit. He  
16 said it's a program called solicit detection elimination that mandates that the town enforce  
17 impacts where it's intentional or accidental to the storm water system. He said if anyone takes  
18 yard waste, whether its grass clippings or wooden trees, and dump it in a storm drain, the  
19 town can enforce it by making sure the resident removes it and educate them on the rules.

20 **[SLIDE-18]**



## Impacts and Concerns

### Environmental

- Jordan Lake, located in the Cape Fear River Basin, was impounded in February of 1982 and was placed on the EPA's list of impaired waters in 2002 due to nutrient over-enrichment (eutrophication).
- Jordan Lake Watershed supports 10 counties, 27 municipalities, and provides drinking water to approximately 700,000 customers.
- In 2017, conversations led to the formation of what is now called Jordan Lake One Water (JLOW) in support of watershed management while ensuring water quality of the regional resource. This has now become guidance from the U.S. EPA.
- Current yard waste program of allowing loose material curbside is not in alignment with watershed nutrient reduction best management practices.
- According to the U.S. EPA, phosphorous is one of the most troublesome pollutants in stormwater runoff and is considered the primary cause of water quality problems in our lakes, ponds, and streams.
- Municipalities located within the Jordan Lake watershed should anticipate continued efforts to reduce nutrient loading in support of Jordan Lake Rules.



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[SLIDE-18]

## Impacts and Concerns

### Clogging – Impacts Stormwater Conveyance



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[SLIDE-19]

## Impacts and Concerns

### Operational

- Stormwater conveyance - town infrastructure is increasingly being compromised, potentially leading to environmental concerns such as localize flooding and compliance with stormwater permits.
- Community appearance – Bulk yard waste randomly strewn about and placed on the street regardless of collection schedule. Residual staining nullifies street sweeping.
- Continual escalating costs and widening gap in cost recovery.
- Difficulty in communicating acceptable collection compliance and enforcement of ordinances.
- Difficulty in monitoring landscapers who bring in yard waste debris from other contracted jobs.
- Difficulty in meeting ongoing resident service delivery expectations due to excess volume per stop.
- Excess volume equates to additional costs for labor and equipment.
- Rapid residential growth requires a more sustainable yard waste collection model.



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1 **Councilmember Gantt** asked about the needs and requirements of single-family homes  
2 and apartments.

3 **Director Mullis** said the standard is if the municipality provides a trash can and recycling  
4 can, they would also have a yard waste can.

5 **Councilmember Gantt** said with City of Raleigh and Town of Holly Springs they have  
6 some bigger apartments that have big properties, would they request more cans.

7 **Director Mullis** said both municipalities went bi-weekly to collect. He said the  
8 recommendation also is to get another trash can and that's what most people would do.

9 **Assistant Town Manager Stone** said we do not collect commercial trash.

10 **Director Mullis** said that is correct, he said we do not offer that service.

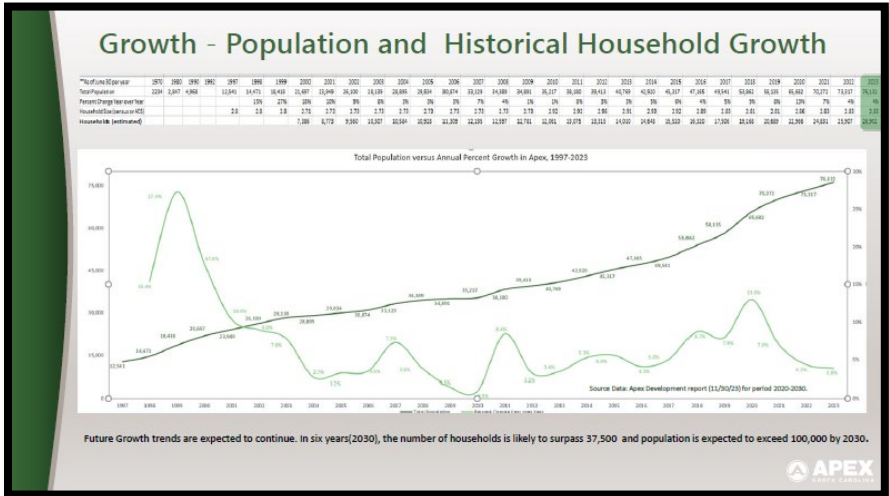
11 **Councilmember Gantt** asked if townhomes and apartments have dumpsters and yard  
12 wastes.

13 **Assistant Town Manager Stone** said townhomes do, but apartments do not. He said  
14 they handle that pickup.

15 **Mayor Gilbert** asked how hard is it for broom trucks to get around vehicles.

16 **Director Mullis** said the on-street parking is challenging.

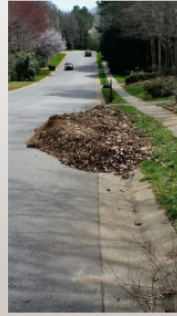
17 **[SLIDE-20]**



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19 **[SLIDE-21]**

## Operational Challenges and Concerns

- Inconsistent yard waste volume.
- Excessive amounts of yard waste with no weight or volume set out limit.
- Comingled / mixed type yard waste.
- Non-Compliant yard waste.
- Improper placement of yard waste.
- Utilizing equipment other than what it was designed for.
- Resident understanding of how to properly prepare for yard waste collection.
- Intrusion of yard waste in the roadway (motorist safety).
- Intrusion of yard waste on the sidewalk (pedestrian safety).
- Grass is not commercially desirable (due to persistent herbicides) and is becoming more difficult to dispose of.
- Uncertainty related to long-term disposal of curbside generated of yard waste.



APEX  
WASTE SERVICES

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[SLIDE-22]

## Operational Concerns

Community Appearance



APEX  
WASTE SERVICES

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[SLIDE-23]

## Operational Challenges

Excess Yard Waste – Contractor      This is not allowed anywhere in Wake County per ordinance



APEX  
WASTE SERVICES

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**Councilmember Mahaffey** said this should make people angry. He said the Apex

1 taxpayers are essentially subsidizing commercial and contractors not only for the labor but for  
2 the cleanup.

3 **[SLIDE-24]**



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**[SLIDE-25]**



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**[SLIDE-26]**

## Operational Challenges

Manual Collection – worker safety concerns



APEX

1 **Councilmember Zegerman** asked if we can chase the service and call the resident.

2 **Director Mullis** said the Town of Cary and City of Raleigh has a requirement of a 4-  
3 foot length tree. He said Council can decide to implement that if they want. He said he thinks  
4 the best way to handle this would be to offer it as a service, rather it is charged or not.

5 **Councilmember Zegerman** said we can write in our town ordinances starting with  
6 commercial and enforce proper enforcement.

7 **Councilmember Zegerman** asked who would pick up the containers.

8 **Director Mullis** said if you change your model you have to change equipment. He  
9 said GFL would be glad to bid it, but he doesn't think they would have the bandwidth.

10 **Councilmember Mahaffey** asked if there was a way to reduce costs for a majority of  
11 residents. He said lots are getting smaller and there are less waste. He said newer residents  
12 are subsidizing older, larger lots.

13 **Director Mullis** said other places offer free drop up to disposal, and an option for  
14 curbside collecting. He said there's also a task in managing the perception, and offering the  
15 residents a convenience center, or paying the town a fee to pick up excess. He said it would  
16 be normalized by volume.

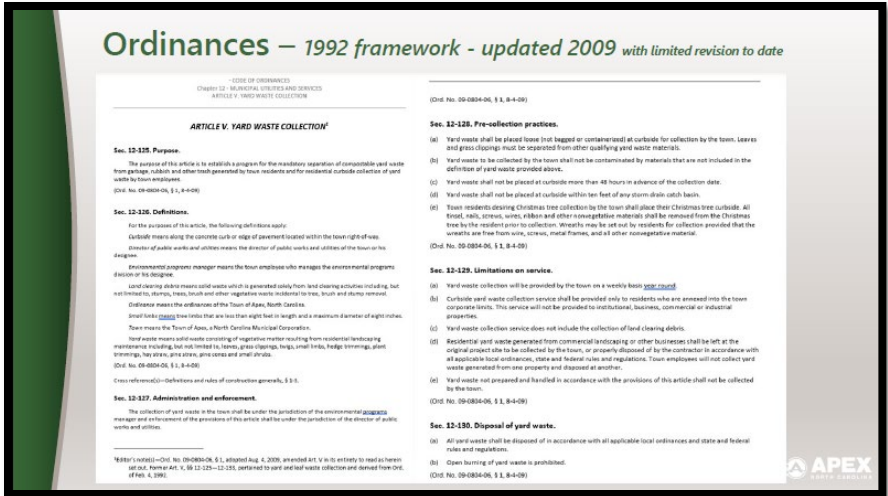
17 **Councilmember Gantt** said that seems like the service would be more for smaller  
18 lots, and there may too much for a bin for larger lots.

19 **Director Mullis** said they could get a second bin. He said the fee is the same for that  
20 cart.

21 **Councilmember Mahaffey** asked he was mostly wondering about how the base fee  
22 could be lowered. He asked about the cost recovery.

23 **Director Mullis** said he would estimate about 60% cost recovery, before factoring in  
24 the cost of equipment.

25 **[SLIDE-27]**  
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**Assistant Town Manager Stone** said in the town’s ordinance, it allows facilities who offer yard waste dumping the ability to purchase water from the town at an in-town rate without having to be annexed. He said there was an amended agreement in 2021 that changed it to 50 trucks per month. He said in the future they would eventually need to pay to remove yard waste as the town grows and space at that center is limited.

**Councilmember Zegerman** asked if that might would change based on collection method.

**Councilmember Mahaffey** said the method matters, because people may have more than others, or they could encourage reusing yard waste.

**Director Mullis** said Holly Springs gives tags for excess yard waste, and about 30% of the time instead of scheduling a time and fee for it to be picked up, the resident does not reschedule and gets rid of it themselves.

**Councilmember Zegerman** said the grass would be put in containers rather than on the curb, and people may throw it out as regular trash.

**[SLIDE-28]**

## Ordinances – 1992 framework - updated 2009 with limited revision to date

- Population in 1992 was approximately 6000.
- Household estimate in 1992 at time of ordinance adoption – 2000.
- By 2030 (6yrs), population is expected to exceed 100,000 with an estimated 37,500 households.
- Current ordinances and yard waste collection practices are difficult to manage in a growing community.
- Recent development and higher density PUD's such as Depot 499 are allowed under the APEX 2045 Land Use Plan. Minimum lot sizes of 2550 sq. ft. (.058 acres) (36 min (w)' x 85' min (l)) for single-family residential.
- Townhomes have a minimum lot width of 16 ft and depth of 65 ft. (1040 sq. ft).
- Current average residential parcel lot size within the Apex Corporate Limits is 10,469 sqft (0.24 acres). ETJ parcels are 122,517 sqft (2.8 acres). Source: TO4 GIS 12/6/23
- Modern home design in Apex has less vegetative area, resulting in a less harvestable yield of yard waste debris.




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[SLIDE-29]

## Disposal

### Short-term operational agreement

- May 26, 2021, Town of Apex received notice of termination without renewal from the sole receiver of yard waste collected from the Town of Apex. The agreement had been in place since November of 2002. Ultimately, the town was able to negotiate acceptance of 50 loads of vacuumed material per month.
- January 4, 2022, Town of Apex entered into a 6-month yard waste interlocal agreement (ILA) with the Town of Holly Springs for the use of their transfer facility and transportation of yard waste to a disposal facility.
- April 28, 2022, the ILA was extended an additional 6 months to January 3, 2023.
- February 28, 2023, the ILA was extended an additional 12 months (Feb 2024).
- Right to limit Volume
- Termination: 90 day notice

**6. Right to Limit Volume of Material Disposal**

- Holly Springs reserves the right to limit the volume of Material that it will accept from Apex on a daily, weekly, or monthly basis. Holly Springs shall provide reasonable notification to Apex of its intent to limit the volume it accepts.
- In the event that Contractor becomes unable or unwilling to accept additional truckloads of Material, Holly Springs reserves the right to suspend or terminate this Agreement.



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[SLIDE-30]

## Challenges – Recap

### Yard Waste Collection and Disposal

- Sustainability of the yard waste program
- Last large town in Wake County to have "mow it and throw it" yard waste model
- Landscapers hired can dispose yard waste on site in current program
- High non-compliant comingled yard waste piles
- Smaller piles collected manually by hand creating opportunity for injuries
- No containerization of yard waste
- Weekly service with no limits on weight or volume per household
- 8" diameter / 8' length limb limits (hard to enforce)
- No excess yard waste fees
- Current program is labor and capital intensive
- Yard Waste is allowed in the street
- Yard waste can be placed on the street not more than 48 hours prior to weekly scheduled service (difficult to enforce)
- Loss of free disposal of all yard waste at Greenway Waste (5/6/21)
- Grass clippings are not desirable (Town encourages use of mulching blades)
- No permanent transfer center to support disaster events and daily yard waste collection
- No yard waste convenience center for residents to dispose of excess waste

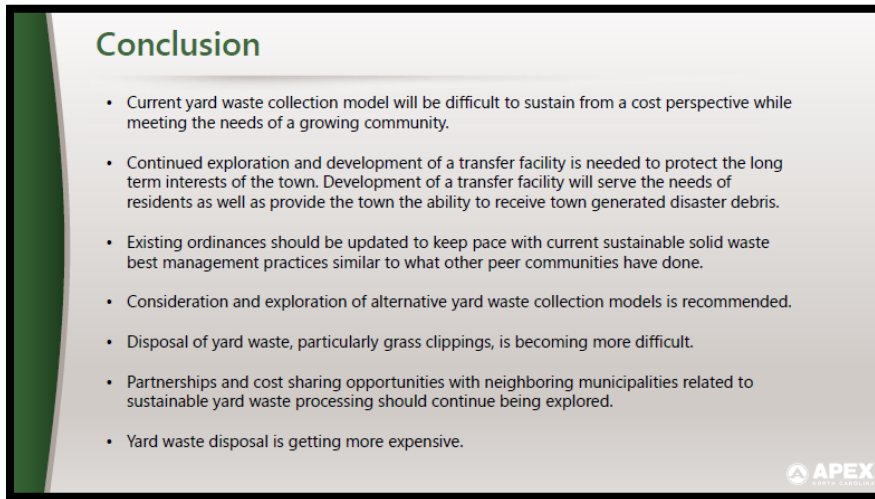


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**Councilmember Zegerman** asked about the agreement with RXR.

1 **Assistant Town Manager Stone** said they are looking at getting things permitted,  
2 and there may be something they could do to remove the waste at a cost.

3 **[SLIDE-31]**



**Conclusion**

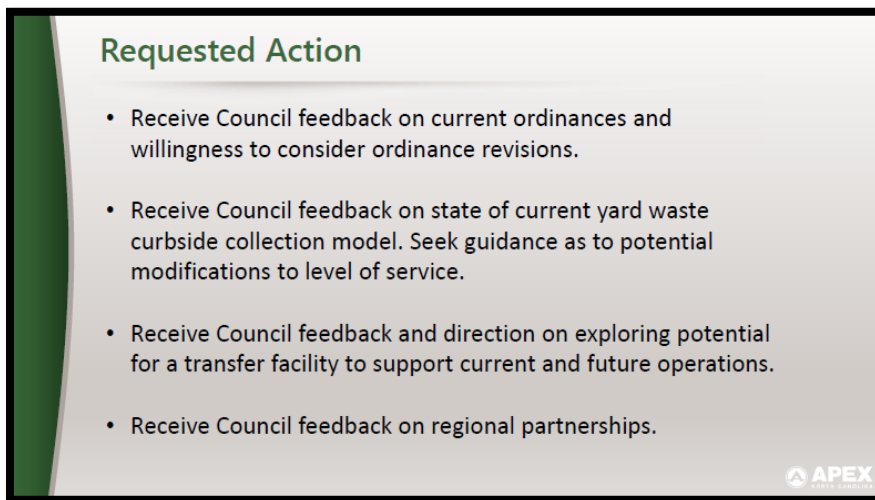
- Current yard waste collection model will be difficult to sustain from a cost perspective while meeting the needs of a growing community.
- Continued exploration and development of a transfer facility is needed to protect the long term interests of the town. Development of a transfer facility will serve the needs of residents as well as provide the town the ability to receive town generated disaster debris.
- Existing ordinances should be updated to keep pace with current sustainable solid waste best management practices similar to what other peer communities have done.
- Consideration and exploration of alternative yard waste collection models is recommended.
- Disposal of yard waste, particularly grass clippings, is becoming more difficult.
- Partnerships and cost sharing opportunities with neighboring municipalities related to sustainable yard waste processing should continue being explored.
- Yard waste disposal is getting more expensive.

APEX

4  
5 **Councilmember Mahaffey** asked if there was the possibility of an agreement with  
6 Cary or Holly Springs.

7 **Director Mullis** said that is something to look at in the future.

8 **[SLIDE-32]**



**Requested Action**

- Receive Council feedback on current ordinances and willingness to consider ordinance revisions.
- Receive Council feedback on state of current yard waste curbside collection model. Seek guidance as to potential modifications to level of service.
- Receive Council feedback and direction on exploring potential for a transfer facility to support current and future operations.
- Receive Council feedback on regional partnerships.

APEX

9  
10 **Mayor Pro Tempore Gray** asked if contractor-based pickup is what all the other areas  
11 are using.

12 **Director Mullis** said in most places, contractors take it with them after doing work. He  
13 said the ordinances in other places make that compulsory.

14 **Mayor Pro Tempore Gray** said this would be a good data point to make changes,  
15 and to help save in costs. He said he thinks these agreements need to be looked at again,  
16 since the town has modernized and grown now. He said it would take baby steps, and  
17 unlearning a town's behaviors.



1           **Councilmember Zegerman** said he would like to see an ordinance change ensuring  
2 contractors follow the yard waste rules. He said he would like to continue looking at other  
3 locations and researching the issue. He asked Director Mullis to lay out all of the options and  
4 show them a full proposal.

5           **Mayor Gilbert** asked what the timeline looked like.

6           **Councilmember Zegerman** said he would like to do it by about mid-year.

7           **Director Mullis** said they would like to have ordinances in place before growing  
8 season, so things are not put out yet. He said he also wants to determine how there can be an  
9 enforcement mechanism.

10          **Councilmember Zegerman** said he would like to look at a program where the town  
11 offers free or low-cost mulch to residents that is recycled from yard waste such as limbs.

12          **Councilmember Gantt** said he would be ready to proceed with containers as soon as  
13 tomorrow.

14          **Councilmember Zegerman** said he thinks they need to understand the economics of  
15 it better first.

16          **Director Mullis** said he is happy to provide them with a list of options to choose from.

17          **Councilmember Gantt** said to him it seems like long-term it would be cheaper.

18          **Councilmember Zegerman** said he just wanted to be sure on the costs. He said in  
19 the next 6 months they can do a lot of leg work, and they could work on the proposals and  
20 plans.

21          **Councilmember Gantt** asked how long he would want to wait after Holly Springs  
22 containerizes to get their feedback.

23          **Councilmember Zegerman** said he would want to ask them how things are going  
24 after a couple of months. He said if things can be done quicker that's good. He said they can  
25 execute once they have all the data that they need. Additionally, he asked if there was a way  
26 GFL could provide a smaller bin for yard waste, and a bigger bin for recycling.

27          **Director Mullis** said he could bring that up, but he said he does not think we should  
28 use a smaller bin for yard waste.

29          **Councilmember Zegerman** said he was concerned about having three large bins  
30 outside every home, especially smaller ones.

31          **Councilmember Gantt** said he would like to have something in the upcoming budget  
32 regarding this.

33          **Director Mullis** said they need to look at if land needs to be purchased for something  
34 like a convenience center.

35          **Councilmember Zegerman** said this is an example of a lot of unknowns in this  
36 situation. He said they may could do things in stages, but they need to plan.

37          **Director Mullis** said there is an urgency with this, because they need a place to take  
38 it. He said they are prepared to come back to them as soon as they can with some options  
39 and continue discussions.

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1 [SLIDE-33]



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3 [ADJOURNMENT]

4 **Mayor Gilbert** thanked everyone and declared the meeting adjourned at 5:19 p.m.

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7 Jacques K. Gilbert  
8 Apex, Mayor

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11 Allen Coleman, CMC, NCCCC  
12 Apex, Town Clerk

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14 Submitted for approval by Apex Town Clerk Allen Coleman.

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16 Minutes approved on \_\_\_\_\_ of \_\_\_\_\_, 2023.

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