



APEX TOWN COUNCIL MEETING

TUESDAY, OCTOBER 18, 2016

Lance Olive, Mayor
Nicole L. Dozier, Mayor Pro Tempore
William S. Jensen, Eugene J. Schulze, Denise C. Wilkie,
and Wesley M. Moyer, Council Members
Drew Havens, Town Manager
Timothy L. Donnelly, Assistant Town Manager
David Hughes, Assistant Town Manager
Donna B. Hosch, CMC, NCCMC, Town Clerk
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council scheduled for Tuesday, October 18, 2016, at 7:00 p.m. was held in the Council Chamber of Apex Town Hall, 73 Hunter Street

In attendance were Mayor Lance Olive, Mayor Pro Tem Nicole L. Dozier, and Council Members William S. Jensen, Eugene J. Schulze, Denise C. Wilkie, and Wesley M. Moyer. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Tim Donnelly, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Olive called the meeting to order, Council Member Wilkie gave the Invocation, and Mayor Olive led the Pledge of Allegiance.

PRESENTATIONS

Presentation 01: Mayor Lance Olive

Presentation of Proclamation to Doug Smith, Unit Commander, Capital City Young Marines; Commanding Officer, 1st Battalion 2nd NC, recognizing Red Ribbon Week

Mayor Olive read the Proclamation and presented it to Mr. Doug Smith and Mr. Jude Smith, the latter being a Young Marine. Mr. Doug Smith gave an explanation of what Red Ribbon Week is all about – educating young school children on avoiding the use of drugs and alcohol.

CONSENT AGENDA

- Consent 01 Minutes of the September 29, 2016 Town Hall Meeting and the Regular Council Meeting of October 4, 2016
- Consent 02 Apex Tax Report dated 09/06/2016
- Consent 03 Capital Project Ordinance Amendment to adjust the ordinance passed by the Town Council at its October 4, 2016 meeting establishing the budget for the Middle Creek Greenway in the Recreation Capital Project Fund
- Consent 04 Encroachment Agreements for the described properties to install a concrete drive and sidewalk over a TOA 20-foot sanitary sewer easement: 2812 Bladen Lakes Cove – Lot 326 Parkside at Bella Casa Phase 10B, 2816 Bladen Lakes Cove – Lot 325 Parkside at Bella Casa Phase 10B, and 2817 Bladen Lakes Cove – Lot 324 Parkside at Bella Casa Phase 10B
- Consent 05 Amendments to the Development Fee Schedule
- Consent 06 Piggybacking onto the 911 telephone system contract
- Consent 07 Statement of the Town Council and Ordinance for Rezoning Case #16CZ22 (2500 Creekside Landing Drive), Isabel Mattox, Mattox Law Firm/Todd Copeland, Apex CP II, LLC, petitioners for the property located at 2500 Creekside Landing Drive
- Consent 08 Budget ordinance amendment to appropriate insurance proceeds which have been received by the Town for the replacement of a pickup truck used by the Fire Department
- Consent 09 Statement of the Town Council for denial of Rezoning Case #16CZ17 (Villages of Apex PUD Amendment), Jones & Crossen Engineering/NC II LTD Partnership, North Carolina Office I, LP & True Homes, petitioners for the property located at 1960 Apex Peakway, 56 Hunter Street
- Consent 10 Statement of the Town Council for denial of Rezoning Case #16CZ18 (Old Mill Village PUD Amendment), Jones & Crossen Engineering/Apex First Development, LLC, petitioners for the property located at 400 & 450 N. Mason Street
- Consent 11 Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the Unified Development Ordinance (UDO) Amendments of September 20, 2016

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE CONSENT AGENDA. COUNCIL MEMBER SCHULZE MADE THE MOTION; COUNCIL MEMBER MOYER SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

REGULAR MEETING AGENDA

Council Member Moyer requested the addition of a New Business item to discuss what we might do to help in aiding those affected by Hurricane Matthew.

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE REGULAR AGENDA WITH THE REQUESTED ADDITION TO NEW BUSINESS. COUNCIL MEMBER SCHULZE MADE THE MOTION;
COUNCIL MEMBER MOYER SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

PUBLIC FORUM

In accordance with North Carolina General Statute 160A-81.1, the Apex Town Council will hold Public Forum during the first Regular Council Meeting of the month

PUBLIC HEARINGS

Public Hearing 01 : Liz Loftin, Planner

Public Hearing and rezoning application #16CZ24 (Goldenview PUD) to rezone 3.49± acres located at 210 and 250 James Street from Residential Agricultural (RA) to Planned Unit Development-Conditional Zoning (PUD-CZ)

Staff oriented Council to the site. The Parks and Recreation Commission recommended a fee in lieu and a dedicated public greenway easement allowing access to the Big Branch Greenway to the south. Planning staff recommended approval with an additional condition.

Jeff Roach, Peak Engineering Design, representing the applicant, stated they were before Council previously. They did as Council asked and added more property to the project and added a wood screen fence. UDO requirements have been met, and they have worked with Parks and Recreation to make a greenway connection. Houses will be single family detached and run in the \$280/\$290,000 and up range.

Mayor Olive declared the Public Hearing open.

Darcy Holley stated this project is adjacent to and abuts her property. She was representing her Home Owners Association, the President of the Association was in attendance, and they are all in support of the project.

Mayor Olive declared the Public Hearing closed.

Council stated she appreciated Mr. Roach doing as Council had asked and connecting further with neighbors.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER WILKIE MADE THE MOTION TO APPROVE THE REZONING; COUNCIL MEMBER SCHULZE SECONDED THE MOTION.

Council expressed concern about subdivisions without a link to non-residential, although this was not a bad development.

THE MOTION CARRIED BY A 5-0 VOTE.

Public Hearing 02 : Amanda Bunce, Senior Planner

Public Hearing and rezoning application #16CZ27 (7904 Humie Olive Road) to rezone 2.0± acres located at 7904 Humie Olive Road from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-CZ)

Staff oriented Council to the site. A neighborhood meeting was held. Planning staff and the Planning Board recommended approval.

Stuart Jones, Jones and Clossen Engineering, on behalf of the developers, stated they wished to place duplexes on the property and presented the benefits of and the market potential for these units. Responding to Council, Mr. Jones talked about the developer's history with duplexes in other parts of the country.

Mayor Olive declared the Public Hearing open. With no one wishing to speak, Mayor Olive declared the Public Hearing closed.

Council stated she receives communications frequently with concern about dangerous traffic in the area. There is no bus service to schools. She felt it a great project but one she could not support at this point. There was conversation about cross walks and sidewalks.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER WILKIE MADE THE MOTION TO APPROVE THE REZONING; COUNCIL MEMBER SCHULZE SECONDED THE MOTION.

Council stated he was concerned with our continuing to add subdivisions. He agreed with Council that this type of housing near a school would be a good thing. However, he understood the concern about traffic. Council stated she's asked for Wake County to walk the area at 6 a.m. to see what they thought about the kids getting a bus.

COUNCIL MEMBERS WILKIE, SCHULZE, AND JENSEN VOTED IN THE AFFIRMATIVE; COUNCIL MEMBERS DOZIER AND MOYER VOTED IN THE NEGATIVE.
THE MOTION CARRIED BY A 3-2 VOTE.

Council stated this was a great product, but he was concerned about what's going on out there. Council stated the other subdivisions have added to the problem of traffic. The Mayor stated he's also been concerned about student/pedestrian safety, and he's spoken with the Town Manager about this. The Mayor stated the traffic safety units and SRO's are taking notes, adding that we definitely want safe crossing areas. The school is close and walkable, and hopefully this will be cause to add more sidewalks. There was discussion about others involved in this conversation.

Public Hearing 03 : Dianne Khin, Planning Director

Public Hearing and amendments to the 2030 Land Use Map based on the results of the 2035 Economic Study completed by Kimley-Horn and/or recommendations from the Town Council Planning Committee

Staff stated amendments to the map have been made based on the study done by Kimley Horne. She oriented Council to the amendments to the nodes. The Planning Board recommended approval of Set 1 of the study.

Mayor Olive declared the Public Hearing open. With no one wishing to speak, Mayor Olive declared the Public Hearing closed.

Council discussed buffers between the railroad tracks and residences, being in favor of Set 2, not going along with the recommendation of the study, rezonings, why the Planning Committee went the route of Set 2, densities, striping to allow for options, and being prepared for providing employment prospects. Council stated he would want to see this go back to the Planning Committee for consideration of alternate striping.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER JENSEN MADE THE MOTION TO APPROVE SET 2,
AND FOR THE 17 ACRE PARCEL TO THE NORTH TO BE STRIPED SO AS TO ALSO INCLUDE OFFICE;
COUNCIL MEMBER SCHULZE SECONDED THE MOTION.

Discussion ensued and Council was in agreement to vote on this issue this evening and then to revisit it at a later date.

COUNCIL MEMBERS JENSEN, SCHLZE, DOZIER, AND MOYER VOTED IN THE AFFIRMATIVE;
COUNCIL MEMBER WILKIE VOTED IN THE NEATIVE.
THE MOTION CARRIED BY A 4-1 VOTE.

The Mayor spoke briefly about the preservation for future growth and our planning well for this.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

ADDED New Business 01 : Council Member Wesley Moyer

Hurricane Relief Efforts

Council stated he had spoken with private businesses regarding donations to the hurricane-affected areas. Recovery Logistics is collecting donations and will be taking them to Lumberton. Council talked about putting an effort together, with little staff involvement. Maybe collecting on campus with a UHaul truck and drops-ins at the fire departments.

Council asked if staff could promote this on social media. The Mayor stated what they really want are cleaning supplies. Recovery Logistics would pay for the truck and someone to manage it from 10:00 a.m. to 4:00 p.m. Council, if it wished, could ride in the truck to deliver the products. The Mayor would like to see this opened up to Robinson County as a whole, Council having no objection. Council was informed as to where people could go for things like medications because their paperwork was lost.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER MOYER MADE THE MOTION TO MOVE FORWARD
WITH PROVIDING DROP SPOTS, MEDIA COVERAGE, AND BASIC SUPPORT;
COUNCIL MEMBER DOZIER SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

CLOSED SESSION

There were no Closed Session items for consideration.

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

With there being no further business,

MAYOR OLIVE ADJOURNED THE MEETING.

Donna B. Hosch, CMC, NCCMC
Town Clerk

ATTEST: _____
Lance Olive, Mayor