



SPECIAL TOWN COUNCIL MEETING

Monday, February 1, 2021 at 6:00 PM

~~Council Chamber at Apex Town Hall, 73 Hunter Street~~

THIS WAS A VIRTUAL MEETING

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Audra M. Killingsworth, Brett D. Gantt, Terry Mahaffey, and Cheryl F. Stallings. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch, Town Attorney Laurie L. Hohe, and Deputy Town Clerk Tesa Silver.

COMMENCEMENT

Mayor Gilbert called the meeting to order and called roll call for attendance.

PRESENTATIONS

There were no Presentations to be made.

CONSENT AGENDA

There were no Consent Agenda items.

REGULAR MEETING AGENDA

There were no Regular Meeting Agenda items.

PUBLIC FORUM

There were no Public Forum comments.

PUBLIC HEARINGS

PH8 Shannon Cox, Long Range Planning Manager and Sarah Kirk, HR&A Advisors
Public hearing and possible motion regarding adoption of the *Town of Apex Affordable Housing Plan*.

Staff did not receive any new substantive comments in regards to the draft Affordable Housing Plan. The comments that were received were general questions from the public, support in favor of the plan, and concerns over the location of the affordable housing homes.

Mayor Pro Tem Dozier made a motion to adopt the original Affordable Housing Plan; Council Member Killingsworth seconded the motion.

Mayor Pro Tem Dozier clarified that the plan is not a mandate, but a plan that has incorporated the achieved visions and principles that Council established, that is consistent with Fair Housing Laws, and was developed by professionals including Town Staff, consultants, and advisors.

Council Member Gantt made a motion to amend the motion to accept the wording recommended by the Planning Board and Staff. After brief discussion by Council, the motion died due to lack of a second.

The motion carried by a 5-0 vote by roll call.

PH1 Joanna Helms, Economic Development Director
Public hearing to consider and receive public input on providing an economic development incentive for "Project Delta" in accordance with the Town's policy (Development Investment Grant).

Staff provided a brief review. There were no additional comments submitted.

Council Member Mahaffey made the motion to approve the economic development incentive for "Project Delta;

Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote by roll call.

PH2 Joanna Helms, Economic Development Director
Public hearing to consider and receive public input on providing financial assistance for Small Business Support initiatives during Winter 2021 and beyond to offset hardships created by the COVID-19 pandemic.

Staff provided updates on the initiatives. Fewer parking spaces will be utilized in Parking to Dining phase 2, and the additional 35 water barriers may not need to be

purchased. Surveys were sent out to businesses for Winter on Salem and the businesses expressed interest in holding the event in Spring and not closing the street to allow for more thru traffic. After feedback from area business, the department recommended not pursuing the micro-loan program. The estimated cost for the initiatives without the micro-loan program is \$45,000.

Council Member Stallings made the motion to approve the initiatives with the updated changes; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote by roll call.

PH3 Dianne Khin, Director of Planning and Community Development

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Peak City Partners, LLC (1200 James Street) property containing 4.777 acres located at 1200 James Street, Annexation #699 into the Town's corporate limits.

Staff provided a brief overview of the annexation. There were no additional comments submitted. Staff recommended approval of the Annexation.

Council Member Mahaffey made the motion to approve; Council Member Killingsworth seconded. The motion carried by a 5-0 vote by roll call.

PH4 Sarah Van Every, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #20CZ11 Roberts Road Properties PUD. The applicant, Justin Michela, seeks to rezone approximately 10.54 acres located at 7517 Roberts Road, 2310 Pollard Place, and 2000 Cabin Cove Road (PINs 0733059045, 0733049734, 0733049444) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Gantt made the motion to approve; Council Member Killingsworth seconded the motion.

Staff clarified information on a potential walking path connecting to Roberts Road and the route for construction traffic. Council expressed concern with growth and development and schools being at capacity. Council determined a meeting with all stakeholders would be advantageous to discuss school capacity moving forward.

The motion carried by a 4-1 vote by roll call. Mayor Pro Tem Dozier and Council Members Gantt, Killingsworth, and Mahaffey voted in the affirmative; Council Member Stallings voted against.

PH5 Sarah Van Every, Senior Planner

Public hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Yumeewarra Farm Assembly property containing 18.737 acres located at 0, 0, and 8633 Humie Olive Road, Annexation #702 into the Town's corporate limits.

AND

PH6 Sarah Van Every, Senior Planner

Public Hearing and possible motion to approve Rezoning Application #20CZ13 Yumeewarra Farm Assembly and Ordinance. The applicant, Bill Zahn, Humie Olive Associates, seeks to rezone approximately 18.737 acres located at 0 & 8633 Humie Olive Road (PINs 0711805090, 0710897972, 0710993712) from Wake County Residential-40W (R-40W) to Low Density Residential-Conditional Zoning (LD-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Gantt made the motion to approve; Council Member Killingsworth seconded. The motion carried by a 4-1 vote by roll call. Mayor Pro Tem Dozier, and Council Members Gantt, Killingsworth, and Mahaffey voted in the affirmative; Council Member Stallings voted against.

PH7 Lauren Staudenmaier, Planner I

Public Hearing and possible motion to approve Rezoning Application #20CZ15 Smithfield Road Collision Center. The applicant, Spencer B. Terry III, P.E, Carolina Land Development Group, Inc., seeks to rezone approximately 3.86 acres for the properties located at 5920 & 0 Old Smithfield Road (portion of PIN 0740649391 and portion of PIN 0740649679), from Rural Residential (RR) and High Density Single-Family Residential (HDSF) to Light Industrial-Conditional Zoning (LI-CZ).

Staff provided a brief overview. There were no additional comments submitted.

Council Member Killingsworth made the motion to approve; Mayor Pro Tem Dozier seconded. The motion carried by a 5-0 vote by roll call.

PH9 Amanda Bunce, Current Planning Manager
Public Hearing and possible motion regarding amendments to the Unified Development Ordinance related to the deadline for the submittal of requested quarterly receipts for businesses that serve alcohol for on-premise consumption.

Staff recommend to pull this item from consideration.

OLD BUSINESS

There were no Old Business items to discuss.

UNFINISHED BUSINESS

There were no Unfinished Business items to discuss.

NEW BUSINESS

There were no New Business items to discuss.

PRESENTATION BY TOWN MANAGER

There were no presentations.

CLOSED SESSION

CS1 Mayor Jacques Gilbert
Possible motion to go into Closed Session to discuss personnel matters

Mayor Gilbert called for a motion to go into Closed Session. Council Member Killingsworth made the motion; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote by roll call.

With no Objection from Council, Mayor Gilbert called for to return to Open Session.

Council Member Killingsworth made the motion to approve the appointment of Ralph Clark as Interim Town Manager; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote by roll call.

WORK SESSION

There were no work sessions.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the meeting.

Tesa Silver CMC, NCCMC
Deputy Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor