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# Apex Town Council Meeting

Tuesday, November 21, 2017

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  
David Hughes, Assistant Town Manager  
Shawn Purvis, Assistant Town Manager  
Donna B. Hosch, MMC, NCCMC, Town Clerk  
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council scheduled for Tuesday, November 21, 2017, at 7:00 p.m. will be held in the Council Chamber of Apex Town Hall, 73 Hunter Street. The meeting will adjourn when all business is concluded or at 11:00 p.m., whichever comes first.

## COMMENCEMENT

Call to Order : Invocation by Father J. William Long, Pastor, St. Andrew the Apostle Roman Catholic Church : Pledge of Allegiance

## PRESENTATIONS

### [Presentation 01](#)

Mayor Lance Olive

Reading of Proclamation to deem Saturday, November 25, 2017 as "Small Business Saturday" in the Town of Apex

### [Presentation 02](#)

Keith Joyce, Joyce and Company, Independent Auditor

Presentation of June 30, 2017 audit report from Joyce and Company

## CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items:

[Consent 01](#) Motion to approve Minutes of the Regular Town Council Meeting of November 7, 2017

[Consent 02](#) Motion to approve the Apex Tax Report dated 10/13/2017

[Consent 03](#) Motion to appoint members to serve on the Public Art Committee and Tunstall House Task Force

- [Consent 04](#) Motion to Capital Project Ordinance Amendment No. 2018-4 to appropriate funds for the design of the Town of Apex Community Center Expansion/Senior Center by Smith Sinnett Architecture, P.A. and also to appropriate an additional \$50,000 for other work on the project
- [Consent 05](#) Motion to appoint Shawn Purvis as our First Alternate Commissioner for the North Carolina Eastern Municipal Power Agency
- [Consent 06](#) Motion to approve a professional services agreement with VHB Engineering NC, P.C. in the amount of \$982,484.54 for Phase 3 of the grade separated design of the Apex Peakway at CSX Railroad/South Salem Street and authorize the Town Manager to execute same
- [Consent 07](#) Motion to formally approve the Swift Creek Land Management Plan Interlocal Agreement between and among the Town of Apex, Town of Cary, Town of Garner, City of Raleigh and Wake County and to approve the first amendment to such Plan
- [Consent 08](#) Motion to approve a contract with CEI / Alford Leasing for the lease of multifunction equipment and the corresponding Budget Amendment 11 and to authorize the Town Manager to execute the contract
- [Consent 09](#) Motion to approve Budget Amendment 12 for the purchase of ExecuTime Enterprise Workforce Management software, equipment, related training and set up costs
- [Consent 10](#) Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council’s intent to annex Capital Properties of Raleigh II, LLC (Center Street Station) property containing 7.896 acres located at 1100 Center Street, Annexation #614, into the Town’s corporate limits
- [Consent 11](#) Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council’s intent to annex Merquiades Cespedes (single-family home) property containing .99 acres located at 7824 Green Level Church Road, Annexation #618 into the Town’s corporate limits
- [Consent 12](#) Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council’s intent to annex Richard & Anne Casper, Larry & Dorothea Gardner, Glenn & Christine Rinne, Michael Ferrari, Sharon Heaton, Michael & Joy Wilkes and William & Virginia Ott (Linden Master Subdivision Plan) property containing 87.233 acres located at 1600,1612,1617,1632, 1641 & 1645 Pricewood Lane, Annexation #620 into the Town’s corporate limits

## **REGULAR MEETING AGENDA**

Mayor Olive will call for additional Agenda items from Council or Staff and set the Agenda prior to taking action

## **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 each month

## **PUBLIC HEARINGS**

### [Public Hearing 01](#)

**Sarah Rayfield, Senior Planner**

Public Hearing and possible motion on rezoning application #17CZ23 to rezone approximately 13.86± acres located at 1920 and 1928 Kelly Road from Rural Residential (RR) to Medium Density Residential - Conditional Zoning (MD-CZ)

### [Public Hearing 02](#)

**Dianne Khin, Planning Director**

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex Westford WEH, LP (Westford PUD) property containing 101.131 acres located at 0 Jenks Road, 2812, 2900 & 3300 US 64 Hwy West, Annexation #612 into the Town's corporate limits

### [Public Hearing 03](#)

**Dianne Khin, Planning Director**

Public Hearing and possible motion possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex Crossroads Holdings, LLC (Crossroads Ford) property containing 21.85 acres located at the southwest quadrant of the intersection of US 64 Hwy and N. Salem Street, Annexation #615 into the Town's corporate limits

### [Public Hearing 04](#)

**Dianne Khin, Planning Director**

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex Western Wake Ventures, LLC (Deer Creek Area 3) property containing 0.218 acres located at south of US 64 Hwy along a portion of New Hill Olive Chapel Road, Annexation #616, into the Town's corporate limits

[Public Hearing 05 – Quasi-Judicial](#)

**Shelly Mayo, Planner II**

Quasi-Judicial Public Hearing and possible motion regarding an application for a Special Use Permit (#17SUP05) for the East Williams Street Cell Tower located at 1501 East Williams Street

[Public Hearing 06](#)

**Amanda Bunce, Planning Manager**

Public Hearing and possible motion regarding amendments to the Unified Development Ordinance related to the Sustainable Development-Conditional Zoning District

[Public Hearing 07](#)

**Amanda Bunce, Planning Manager**

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance

**OLD BUSINESS**

There are no Old Business items for consideration

**UNFINISHED BUSINESS**

There are no Unfinished Business items for consideration

**NEW BUSINESS**

[New Business 01](#)

**Drew Havens, Town Manager**

Possible motion to accept conveyance and title of land adjacent to our Tingen Road water tower at no cost to the Town

[New Business 02](#)

**Shelly Mayo, Planner II**

Possible motion to approve the Townes at Westford Master Subdivision Plan located at 2812, 2900 & 3300 US 64 Hwy West containing ±55.76 acres and 315 townhomes

[New Business 03](#)

Council Member Moyer

Discussion regarding sidewalk obstructions caused by placement of chairs along Salem Street prior to the Apex Christmas Parade

**CLOSED SESSION**

Possible motion to go into Closed Session (1) to consult with the Town Attorney privately to preserve the attorney-client privilege, and (2) to discuss a personnel matter

**WORK SESSION**

There are no Work Session items for consideration

**ADJOURNMENT**