



Apex Town Council Meeting

Tuesday, December 5, 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, December 5, 2017, at 7:00 p.m. will be held in the Council Chamber of Apex Town Hall, 73 Hunter Street.

COMMENCEMENT

Call to Order : Invocation : Pledge of Allegiance

PRESENTATIONS

[Presentation 01](#)

Mayor Lance Olive

Mayor Olive will read the Arbor Day Proclamation which will be displayed at Town Hall

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 an agreement with NCDMV for Town of Apex to access NCDMV records for employment purposes

[Consent 02](#) Motion to approve an amendment to Section 2 - 27 of the Apex Code of Ordinances regarding the schedule of regular meetings and to direct the staff to ensure that every two years, at its Organizational Meeting, the Town Council reviews and adopts a schedule of meetings that avoids conflicts with holidays and town election days

[Consent 03](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #17CZ23, Stuart Jones, Jones & Cnossen Engineering, PLLC, for the owners, David and Constance Cronk, petitioners for the property located at 1920 and 1928 Kelly Road

[Consent 04](#) Motion to set Public Hearing for the December 05, 2017 Town Council Meeting regarding Rezoning Application #17CZ24 (Vineyard Station). The applicants, Vineyard Development,

LLC and Brookfield Properties, LLC seek to rezone approximately 1.8 acres located at 750 Laura Duncan Road from Planned Commercial (PC) and Office & Institutional (O&I) to Planned Commercial-Conditional Zoning (PC-CZ)

[Consent 05](#) Motion to approve set Public Hearing for the December 19, 2017 Town Council Meeting regarding various amendments to the Unified Development Ordinance

[Consent 06](#) Motion to set a Public Hearing for Tuesday, December 19, 2017 at 7:00 pm to receive citizen input regarding the formulation of the Fiscal Year 2018-2019 Annual Budget

[Consent 07](#) Motion to approve Cemetery Lot 302, Plots A and B to be transferred into the names of Gerald D. and Gayle C. Woods, Plot C to Jimmy W. Woods, Plot D to Karen R. Swayze, and Plots E and F to Shelia Hearn

[Consent 08](#) Motion to approve Minutes of the November 21, 2017 Regular Council Meeting

[Consent 09](#) Motion to approve Encroachment Agreement and to authorize the Town Manager to execute the same for private storm drain easements and private curb easements to encroach upon a portion of the Public Utility Easements

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

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address an item that appears as a Public Hearing scheduled on the Regular Agenda. The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group. Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

[Public Hearing 01](#)

Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 2017 Regular Council Meeting.

Public Hearing and possible motion to adopt an Ordinance 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

[Public Hearing 02](#)

Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 2017 Regular Council Meeting.

Public Hearing and possible motion to adopt an Ordinance 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.

[Public Hearing 03](#)

Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 2017 Regular Council Meeting.

Public Hearing and possible motion to adopt an Ordinance 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.

OLD BUSINESS

There are no Old Business items for consideration

UNFINISHED BUSINESS

There are no Unfinished Business items for consideration

CLOSED SESSION

There are no Closed Session items for consideration

WORK SESSION

There are no Work Session items for consideration

Ten Minute Recess

ORGANIZATIONAL PROCEEDINGS OF THE APEX TOWN COUNCIL

RECOGNITION OF OUTGOING COUNCIL MEMBERS

Council Member Eugene J. Schulze

Mayor Olive will present Council Member Schulze with a plaque of appreciation from the citizens of Apex. Council Member Schulze will retire his Council seat.

Council Member Denise C. Wilkie

Mayor Olive will present Council Member Wilkie with a plaque of appreciation from the citizens of Apex. Council Member Wilkie will retire her Council seat.

ADMINISTERING OF OATHS

Nicole L. Dozier

Donna B. Hosch, MMC, Apex Town Clerk, will administer the Oath of Office to Ms. Dozier. Council Member Dozier will take her seat on the dais.

Audra Killingsworth

Sam Hamadani, District Court Judge, will administer the Oath of Office to Ms. Killingsworth. Council Member Killingsworth will take her seat on the dais.

Brett Gantt

Lance Olive, Mayor of the Town of Apex, will administer the Oath of Office to Mr. Gantt. Council Member Gantt will take his seat on the dais.

SELECTION OF MAYOR PRO TEMPORE BY COUNCIL

Mayor Olive will state the duties of Mayor Pro Tempore and open the floor for nominations for this position.

Donna B. Hosch, MMC, Apex Town Clerk, will administer the Oath of Office to the Mayor Pro Tempore.

APPOINTMENTS TO STANDING COMMITTEES AND OF LIAISONS BY MAYOR

Mayor Olive will appoint the following Standing Committees and Liaisons:

Committees

Parks, Recreation, and Cultural Resources Committee

Economic Development Committee

Environmental Committee

Finance Committee

Personnel Committee

Planning Committee

Liaisons

Apex Chamber of Commerce

Downtown Business Association

Triangle J Council of Governments

Executive Board of CAMPO

NEW BUSINESS

[New Business 01](#)

Drew Havens, Town Manager

Possible motion to approve the schedule of meetings for 2018 and 2019 in accordance with Section 2 - 27 of the Apex Code of Ordinances as amended

ADJOURNMENT

Visitors are invited to retire to the lobby for a reception honoring the Town Council