



Apex Town Council Meeting

Tuesday, November 7, 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 7, 2017, 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 David Hughes, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe

COMMENCEMENT

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

PRESENTATIONS

Presentation 01 : Roy Jones, CEO of ElectriCities of North Carolina

Roy Jones, the CEO of ElectriCities of North Carolina, presented a resolution from their Board of Directors honoring the Town for 100 years of electric utility service

Mr. Jones, invited Town staff members Jared Harris, Ben Lannon, Daniel Lund, Rodney Smith, Ken Weatherman, Jon Rose, Emily Woody, and Phillip Barnes to stand with him. He thanked the team for what they do for the town. He read the resolution adopted by his Board of Directors and presented it to Mr. Smith. Mr. Smith thanked the town for the opportunity to do what they do, and he recognized the hard work of his staff. Hopefully, we will continue into the second century providing the same level of service.

Presentation 02 : Mayor Lance Olive

Presentation of the Apex Geographic Information Services Day Proclamation to Steve Nelson, GIS Administrator

Mayor Olive read the proclamation and presented it to Steve Nelson. Mr. Nelson stated GIS Day would be promoted in Apex, this being a time for staff to rise up and be recognized for their efforts.

CONSENT AGENDA

- Consent 01 Minutes of the Regular Town Council Meeting of October 17, 2017
- Consent 02 Resolution authorizing the completion of the sale of the Town owned property
- Consent 03 Design contract for the Town of Apex Community Center Expansion/Senior Center with Smith Sinnett Architecture, P.A.
- Consent 04 Statement of the Town Council for Rezoning Case #17CZ18 (Gracewood PUD), Community Properties, Inc., petitioners for the property located at 0, 0, 0 Old US Hwy 1, 0 Horton Road, and 4316 Old US 1 Hwy
- Consent 05 Statement of the Town Council and Ordinance for Rezoning Case #17CZ19 (Horton Park PUD), Jeff Roach, Peak Engineering & Design / MFW Investments, Trinity Apex North 100 LLC, Fred Cash, Dwight Wright, Loomis Horton, Jr. Heirs, Mary Horton, Merion Investments Properties, LLC, petitioners for the property located at 5100, 5101, 5125, & 5220 Jessie Drive; 0 Dezola Street; 8140 & 8308 Smith Road
- Consent 06 Statement of the Town Council and Ordinance for Rezoning Case #17CZ21 (Sweetwater PUD Amendment), Mark Ashness, CE Group/ExperienceOne Homes; KEP Apex, LLC; American Eagle Construction, LLC; Elm Street Builders, LLC; Hearthstone Luxury Homes, LLC; L&K Properties of NC, LLC; LIG Management, LLC; Standard Pacific of the Carolinas, LLC; Statement Custom Homes, LLC; Sweetwater Property Owners Association, Inc.; Upright Builders, Inc.; Amuel & Amie Feuer; Mark & Kathleen Rowe, petitioners for the property located at Brown Velvet Lane; Bryant Pond Lane; Core Banks Street; Gloriosa Street; Goliath Lane; Hasse Avenue; Lanasa Lane; Little Gem Lane; Lowland Street; Olive Chapel Road; Poultney Aly; Richardson Road; Timken Forest Drive; and 64 HWY W
- Consent 07 Set the Public Hearing for the November 21, 2017 Town Council Meeting regarding Rezoning Case #17CZ23. The applicant, David and Constance Cronk, seeks to rezone approximately ±13.86 acres, for the properties located at 1920 and 1928 Kelly Road, from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-CZ).
- Consent 08 Set the Public Hearing for the November 21, 2017 Town Council Meeting regarding various amendments to the Unified Development Ordinance
- Consent 09 Set Public Hearing for the November 21, 2017 Town Council Meeting regarding amendments to the Unified Development Ordinance related to Veridea
- Consent 10 Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the Unified Development Ordinance (UDO) Amendments of October 17, 2017 related to buffers
- Consent 11 Easement to the Town of Cary and authorization for the Town Manager to execute the same for public waterline easements on Town of Apex owned property
- Consent 12 Encroachment Agreement and authorization for the Town Manager to execute the same for a segmented retaining to encroach upon a portion of a 30ft Public Drainage Easement
- Consent 13 Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing 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
- Consent 14 Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing 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

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

REGULAR MEETING AGENDA

Mayor Olive stated that the Town Attorney wished for Item 02 of Closed Session, a personnel matter, to be deferred until the November 21, 2017 meeting.

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE REGULAR AGENDA. COUNCIL MEMBER SCHULZE MADE THE MOTION WITH THE STATED MODIFICATION; COUNCIL MEMBER WILKIE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

PUBLIC FORUM

Paul Stam, representing the contractor for Public Station #5, read a statement on behalf of his client regarding the progress of work at the Station.

PUBLIC HEARINGS

Public Hearing 01 :_Amanda Bunce, Planning Manager

Pending Council action, this Public Hearing will be readvertised to be heard at the November 21, 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 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.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER SCHULZE MADE THE MOTION TO APPROVE THIS ITEM TO BE HEARD AT THE NOVEMBER 21, 2017 COUNCIL MEETING; COUNCIL MEMBER JENSEN SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

There were no New Business items for consideration.

CLOSED SESSION

Closed Session to consult with the Town Attorney

MAYOR OLIVE CALLED FOR A MOTION TO GO INTO CLOSED SESSION. COUNCIL MEMBER JENSEN
MADE THE MOTION; COUNCIL MEMBER WILKIE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

MAYOR OLIVE CALLED FOR A RETURN TO OPEN SESSION WITH NO OBJECTION FROM COUNCIL.

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, MMC, NCCMC
Town Clerk

ATTEST:

Lance Olive
Mayor