



Apex Town Council Meeting

Tuesday, February 5, 2019

Lance Olive, Mayor
Nicole L. Dozier, Mayor Pro Tempore
William S. Jensen, Wesley M. Moyer, Audra M. Killingsworth, and
Brett D. Gantt, 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, February 5, 2019, 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 : Pledge of Allegiance

PRESENTATIONS

[Presentation 01](#)

Beth Bordeaux, Executive Director, Western Wake Crisis Ministries

Ms. Bordeaux will provide Council with an update on the impact WWCM is making in our community, their outcomes from 2018, and what they are seeing as needs for 2019

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 January 15, 2019 and the Joint Conversational Meeting with Holly Springs on January 29, 2019

[Consent 02](#) Motion to approve reconveyance of cemetery plots from Todd King to the Town in the amount of \$3,600

[Consent 03](#) Motion to approve a construction contract and authorization for the Town Manager to execute same for Microsurfacing Project (R-19-1), bid alternate A

[Consent 04](#) Motion to approve contract for audit services for the fiscal year ending June 30, 2019

- [Consent 05](#) Motion to approve Resolution of Intent for the closing of a right-of-way (ROW) on Wilcon Way, a cul-de-sac located on the south side of Energy Drive, and to call for a Public Hearing at the March 5, 2019 Council Meeting
- [Consent 06](#) Motion to approve and authorization for Town Manager to execute design agreement contract with Davis Kane Architects for pre-design study for the Renovation of and possible addition to Fire Station 1 located at 210 N. Salem Street
- [Consent 07](#) Motion to approve Utility Construction Agreement for Project Number R-2635A, I540 Section A between North Carolina Department of Transportation and the Town and authorization for the Town Manager to execute the Agreement on behalf of the Town. Also to approve Capital Project Ordinance Amendment 2019-6 to appropriate additional funds for the project.
- [Consent 08](#) Motion to approve an updated Interlocal Agreement between Apex, Cary, and Chatham County for service to Chatham County to continue to access their Jordan Lake water supply allocation via the Cary/Apex Jordan Lake intake facility and associated Resolution and authorization for the Town Manager to execute the Agreement on behalf of the Town of Apex
- [Consent 09](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #16CZ32, Trinity Apex PUD, Page Two Holdings, LLC and Rodessa, LLC petitioners for the property located at 0 and 1709 E. Williams Street
- [Consent 10](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #18CZ29, Courtyard on Holt PUD, EPCON Communities/Jason Barron, Morningstar Law Group petitioners for the property located at 305 & 313 Catlette Street; 0, 1345, 1313, & 1337 Holt Road
- [Consent 11](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #18CZ32 Old Mill Village Lot 1 PUD, Apex First Development, LLC, petitioners for the property located on 400 & 450 North Mason Street
- [Consent 12](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #18CZ33, Jeffrey & Lindy Morris, petitioners for the property located on 7800 Secluded Acres Road
- [Consent 13](#) Motion to approve a construction contract with Southern Solar Systems and authorization for Town Manager to execute same for installation of Solar PV panels on Town of Apex buildings
- [Consent 14](#) Motion to set Public Hearing for the February 19, 2019 Town Council meeting regarding various amendments to the Unified Development Ordinance

- [Consent 15](#) Motion to approve license agreement between the Town of Apex and Wake County to establish the framework from which Wake County EMS will continue to house an ambulance in the Fire Administration building located at 315 W. Williams Street
- [Consent 16](#) Motion to set the Public Hearing for the February 19, 2019 Town Council Meeting regarding Rezoning Case #18CZ30. The applicant, Cozy Homes, LLC, seeks to rezone approximately ±4.12 acres, for the properties located at 7808 & 7824 Stephenson Road, from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-CZ).
- [Consent 17](#) 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 Empire Estate, LLC (Stop-n-Go) property containing .73 acres located at the southeast quadrant of the intersection of NC 55 Bypass and E. Williams Street, Annexation #649 into the Town's corporate limits
- [Consent 18](#) 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 MFW Investments, LLC, (Colby Crossing) property containing 7.578 acres located along a portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651 into the Town's corporate limits
- [Consent 19](#) Motion to approve a 3-year term Master Service Agreement with Enviro-master Services and authorize Town Manager to execute agreement. Enviro-master Services is a “Deep Cleaning Restroom Hygiene and Sanitization Services” company to be used on an individual request to clean a restroom beyond normal custodial cleanings/capabilities.
- [Consent 20](#) Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO) Amendments of January 15, 2019
- [Consent 21](#) Motion to approve contract and allow Town Manager to execute same for Building Automation System upgrade for all HVAC-controlled buildings operated by Town. The Town's Building Automation System (BAS) is the system that controls the HVAC system for all buildings within the town. Currently, the town uses the legacy “Insight Workstation” which has been in existence since 1998. This new update to the “Desigo CC Workstation” will be required to operate our HVAC system in the future.
- [Consent 22](#) Motion to approve 3-year term Master Service Agreement with Siemens Industry, Inc and authorize Town Manager to execute the agreement. Master Service Agreement will cover

work with HVAC repairs, Mechanic, Automation, Energy, Fire, Security, Electrical Specialists, and Monitoring.

[Consent 23](#) Motion to approve the surplus of Aries camera sewer equipment with an estimated value of \$80,000

[Consent 24](#) Motion to set a Public Hearing to consider and receive public input on providing an economic development incentive for Project Protein in accordance with the Town's policy (Development Investment Grant)

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](#)

Shannon Cox, Long Range Planning Manager and Allison Fluit, Kimley Horn and Associates

Public Hearing and possible motion regarding Advance Apex: The 2045 Transportation Plan and Advance Apex: The 2045 Land Use Map Update

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](#)

Council Member Bill Jensen

Possible motion to adopt the Resolution Endorsing the Goals of Achieving 100% Clean Energy by 2050

[New Business 02](#)

Council Member Bill Jensen

Possible motion to adopt the Resolution Supporting the Goals of the Paris Climate Change Agreement

CLOSED SESSION

Closed Sessions

Joanna Helms, Economic Development Director and Laurie Hohe, Town Attorney

Possible motion to go into Closed Session (1) to discuss the location or expansion of business or industry in the Town of Apex, and (2) to meet with the Town Attorney to discuss the handling of the matter of Upright Builders v. Town of Apex

WORK SESSION

There are no Work Session items for consideration

ADJOURNMENT