



Apex Town Council Meeting

Thursday, January 3, 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 Thursday, January 3, 2019, at
7:00 p.m. was held in the Council Chamber
of Apex Town Hall, 73 Hunter Street

In attendance were Mayor Lance Olive and Council Members William S. Jensen,
Wesley M. Moyer, Audra M. Killingsworth, and Brett D. Gantt
Also in attendance were Town Manager Drew Havens, Assistant Town
Manager David Hughes, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe
Absent was Mayor Pro Tem Nicole L. Dozier

COMMENCEMENT

Mayor Olive called the meeting to order, asked for a moment of silent reflection, and led the Pledge of Allegiance.

PRESENTATIONS

Presentation 01 : Ken Redfoot, AIA, Designer with CRA Associates, Inc
Electric Operations Center Site and Building Design Development Plans

Mr. Redfoot introduced himself and his associate David Taylor. He stated that after a comprehensive process, the needs of the building were identified. There is a large oak tree which will remain and be showcased on the site. The layout of this efficient building was presented. Mr. Redfoot outlined how solar will be incorporated.

Questions from Council were answered related to a possible exercise space and sleeping quarters and how the sun shades would work. Mr. Redfoot stated they will move on to the next phase of the design.

CONSENT AGENDA

- Consent 01 Minutes of the December 4, 2018 and December 18, 2018 Regular Council Meetings
- Consent 02 Revisions to a policy regarding the administration of the Façade Grant program within the Central Business District
- Consent 03 Contract between Town of Apex and LexisNexis and authorization for the Town Manager to execute the agreement
- Consent 04 Master Services Agreement, valid through June 30, 2021, with KB Power Systems, LLC, and authorization for the Town Manager to execute same for miscellaneous electrical and generator repair services
- Consent 05 Reclassification of the Meter Services Supervisor position from Grade 19 to Grade 21
- Consent 06 Authorization for the Town Manager to sign a Right of Entry Permit between Wake County and the Town to allow a training exercise between Apex, Cary and Morrisville Fire Departments to be held on the Wake County owned parcel of land behind Fire Station 3 (736 Hunter Street)
- Consent 07 Standard Services Contract, valid through June 30, 2020, with Evoqua Water Technologies, LLC, and authorization for the Town Manager to execute same for supplying odor control chemicals and servicing pump station chemical tanks
- Consent 08 Termination of escrow agreement between Town of Apex and Town of Morrisville and Town of Cary and New Hill Community Center and Southern Coalition for Social Justice and authorization for the Town Manager to execute the agreement
- Consent 09 Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO) Amendments of December 18, 2018
- Consent 10 Set the Public Hearing for the January 15, 2019 Town Council meeting regarding an amendment to the 2030 Land Use Map and rezoning application #16CZ32 Trinity Apex PUD for approximately 25.5± acres located at 0 & 1709 E. Williams Street. The applicants - Page Two Holdings, LLC and Rodessa, LLC – propose to amend the 2030 Land Use Map from Medium-High Density Residential/High Density Residential to Medium-High Density Residential/High Density Residential/Office Employment/Commercial Services and to rezone the properties from Residential Agricultural (RA) to Planned Unit Development-Conditional Zoning (PUD-CZ).
- Consent 11 Set Public Hearing for the January 15, 2019 Town Council Meeting regarding Rezoning Application #18CZ32 Old Mill Village Lot 1 PUD Amendment. The applicant, Jones & Clossen Engineering, PLLC, seeks to rezone approximately 2.82 acres located at 400 & 450 N. Mason Street from Planned Unit Development-Conditional Zoning (PUD-CZ) to Planned Unit Development-Conditional Zoning (PUD-CZ) to update allowed uses and development requirements.
- Consent 12 Set Public Hearing for the January 15, 2019 Town Council Meeting regarding Rezoning Application #18CZ33 (7800 Secluded Acres Road). The applicants, Jeffrey & Lindy Morris, sought to rezone approximately 5.61 acres located at 7800 Secluded Acres Road from Rural Residential (RR) to Low Density-Conditional Zoning (LD-CZ).
- Consent 13 Set Public Hearing for the January 15, 2019 Town Council Meeting regarding various amendments to the Unified Development Ordinance
- Consent 14 Statement of the Town Council and Ordinance for Rezoning Case #18CZ31, Jones & Clossen Engineering, PLLC/ Westford Commercial WEH LP, Westford Apartments WEH LP, and Taylor Morrison of Carolinas, Inc., petitioners for the property located on 0 & 8101 Jenks Road and 2812, 2900 & 3300 US Hwy 64 West
- Consent 15 Apex Tax Report dated 11/01/2018

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE CONSENT AGENDA. COUNCIL MEMBER KILLINGSWORTH MADE THE MOTION; COUNCIL MEMBER GANTT SECONDED THE MOTION.

Council Member Moyer stated he did not fully support Consent 09.

THE MOTION CARRIED BY A 4-0 VOTE.

REGULAR MEETING AGENDA

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE REGULAR AGENDA. COUNCIL MEMBER MOYER MADE THE MOTION; COUNCIL MEMBER KILLINGSWORTH SECONDED THE MOTION.

THE MOTION CARRIED BY A 4-0 VOTE.

PUBLIC FORUM

Vinitha Panchikarla, introduced herself on behalf of Hindu Swayamsevak Sangh, a non profit and social organization, established in 1989. She gave the number of ways in which they preserve and practice Hindu ideas. One of these ways is through yoga, which is not a religious practice. Yoga has physical benefits, and Ms. Panchikarla gave a brief description of each yoga pose. She stressed that there are some individuals who cannot perform the exercises.

Ms. Panchikaria stated that from January 12th to the 27th they would be hosting a Surya Namaskar Yanga event. Council stated she has tried this type of exercise and found it a very good workout. The Mayor complimented Ms. Panchikaria on her presentation.

PUBLIC HEARINGS

Public Hearing 01 : Shannon Cox, Long Range Planning Manager

Bike Apex: The Comprehensive Bicycle Plan

Staff presented background on this Plan coming to its final form for Council consideration. There was a walkthrough of each of the chapters of the Plan, which were formulated with input from the community. The community felt this issue very important. Recommendations of the steering committee were presented. The Parks, Recreation, and Cultural Resources Commission recommended approval of the Plan as did the Planning Board.

Staff responded to questions presented by Council on electric bikes and what accommodating them would entail. The Mayor complimented staff on the Plan and the effort put into its formation.

Mayor Olive declared the Public Hearing open. With no one wishing to speak, Mayor Olive declared the Public Hearing closed.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER KILLINGSWORTH MADE THE MOTION
TO ADOPT THE PLAN; COUNCIL MEMBER MOYER SECONDED THE MOTION.
THE MOTION CARRIED BY A 4-0 VOTE.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

New Business 01 : Shannon Cox, Long Range Planning Manager, and Russell Dalton, Senior Transportation Engineer

Potential extension of Shepherds Vineyard Drive under US 64 as part of the North Carolina Department of Transportation project U-5301, US 64 Corridor Improvements

Staff gave background on this project. Shown was the proposed interchange, and staff stated the uses along Shepherds Vineyard Drive. Staff stated some of the negatives presented against the project. Wake County is in support.

Staff clarified the impact of the median in the area and answered Council questions related to connections and safety risks. Staff clarified funding of noise abatement and enhancements and projected traffic volumes. Staff was in support of the project and its recommendations were stated. Staff stated the next steps would include NCDOT meetings with the neighborhood in Shepherds Vineyard and the selection of a preferred alternative for the US 64 corridor. Staff answered several more Council questions related to traffic.

CLOSED SESSION

Closed Session 01 : Laurie Hohe, Town Attorney

Meeting with the Town Attorney concerning Upright Builders v. Town of Apex

MAYOR OLIVE CALLED FOR A MOTION TO GO INTO CLOSED SESSION. COUNCIL MEMBER JENSEN
MADE THE MOTION; COUNCIL MEMBER MOYER SECONDED THE MOTION.
THE MOTION CARRIED BY A 4-0 VOTE.

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

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

With there being no further business and with no objections from Council, Mayor Olive declared the meeting adjourned.

Donna B. Hosch, MMC, NCCMC
Town Clerk

ATTEST:

Lance Olive, Mayor