



REGULAR TOWN COUNCIL MEETING

February 22, 2022 at 6:00 PM

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Audra Killingworth

Council Members: Brett D. Gantt; Cheryl F. Stallings; Terry Mahaffey; Edward Gray

Town Manager: Catherine Crosby | Assistant Town Managers: Shawn Purvis and Marty Stone

Deputy Town Clerk: Tesa Silver | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Audra M. Killingsworth, and Council Members Brett D. Gantt, Terry Mahaffey, Cheryl F. Stallings and Edward Gray. Also in attendance were Town Manager Catherine Crosby, Assistant Town Managers Shawn Purvis and Marty Stone, Deputy Town Clerk Tesa Silver, and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Gilbert called the meeting to order, welcomed everyone in attendance, gave an invocation, and led the pledge.

CONSENT AGENDA

- CN1 Tesa Silver, Deputy Town Clerk
Minutes of the February 08, 2022 Regular Town Council Meeting.
- CN2 Tesa Silver, Deputy Town Clerk
Apex Tax Report dated January 1, 2022
- CN3 Sarah Van Every, Senior Planner
Set Public Hearing for the March 8, 2022 Town Council meeting regarding Rezoning Application #21CZ14 Holland Road Mixed Use Assembly PUD. The applicant, Jeff Roach, Peak Engineering and Design, LLC., seeks to rezone approximately 28.68 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 2236 Old US 1 Hwy; 1001 & 1004, & 1005 Red Cardinal Lane; 3104 & 3116 Holland Road; 7528 Humie Olive Road.

- CN4 Resolution authorizing financing by the Housing Authority of the County of Wake in the form of a multifamily housing revenue bond to the affordable housing project located within the corporate limits of the Town of Apex known as Broadstone Walk.
- CN5 Adam Stephenson, Transportation Engineering Manager
Budget Ordinance Amendment no. 14 related to rehabilitating pavements at Town facilities (Wastewater Treatment Plant, Fire Station 2, and the Depot).
- CN6 Megan Pendell, Sustainability Coordinator
Apex EarthFest site use and parking lot closure.
- CN7 Marty Stone, Assistant Town Manager
Encroachment agreement between the Town and property owner Taylor Morrison of Carolinas, Inc. to install a driveway that will encroach 56 square feet (SF) onto the Town’s Public Drainage Easement and authorize the Town Manager to execute the same.
- CN8 Mary Beth Manville, Human Resources Director
Four part-time benefited positions (3 FTEs) for Parks, Recreation and Cultural Resources, two full-time positions (2 FTEs) for Human Resources, fourteen positions (14 FTEs) for the Fire Department, and associated Budget Ordinance Amendment no. 16.
- CN9 Laurie Hohe, Town Attorney
Ordinance amendment to Section 2-61 of the Code of Ordinances, removing reference to the environmental committee.
- CN10 Shawn Purvis, Assistant Town Manager / Erika Sacco, IT Director
Authorize the Town Manager to execute the Service of Work Agreement with our current consulting partner Panorama for the 311 Citizen Engagement project evaluation and approve corresponding Budget Ordinance Amendment No. 15
- CN11 Shawn Purvis, Assistant Town Manager and Dianne Khin, Planning and Community Development Director
Ordinance Amending Section 13-62 of Chapter 13, Article IV “Transient and Mobile Food Vendors”, of the Town of Apex Code of Ordinances

Mayor Gilbert stated that there was an item that needed to be added to the Consent Agenda, a Resolution authorizing the purchase of certain property investments.

Mayor Gilbert called for a motion to approve the Consent Agenda.

Mayor Pro Tem Killingsworth made the motion;

Council Member Mahaffey seconded.

The motion carried by a 5-0 roll call vote.

PRESENTATIONS

There were no Presentations.

REGULAR MEETING AGENDA

Mayor Gilbert for a motion to approve the Regular Meeting Agenda.

Council Member Stallings made the motion;

Council Member Gray seconded.

The motion carried by a 5-0 roll call vote.

PUBLIC FORUM

There were no Public Forum comments.

PUBLIC HEARINGS

PH1 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation - Apex Town Council's intent to annex The William T. Mills Testamentary Trust-David G. Mills, Trustee [Wake County EMS Main] property containing 5.40 acres located at 0 Apex Barbecue Road, Annexation #721 into the Town's corporate limits.

Staff oriented Council to the site. The minor site plan has been approved and the applicant is seeking annexation to being construction and to gain access to Town water and sewer.

Mayor Gilbert declared the Public Hearing opened. With no comments, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion.

Council Member Stallings made the motion to approve the annexation;

Council Member Gantt seconded.

The motion carried 5-0.

PH2 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation - Apex Town Council's intent to annex Bruce L. Thomas property containing 1.13± acres located at 7700 Humie Olive Road, Annexation #725 into the Town's corporate limits.

Staff oriented Council to the site. The property single family home and they are seeking annexation to access Town utilities. Planning staff recommended approval.

Mayor Gilbert declared the Public Hearing opened. With no comments, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion.

Mayor Pro Tem Killingsworth made the motion to approve the annexation;

Council Member Gray seconded.

The motion carried 5-0.

PH3 Shelly Mayo, Planner II

Ordinance on the Question of Annexation - Apex Town Council's intent to annex Stanley Martin Homes (Williams Grove) property containing 63.224 acres located at 4525 Green Level West Road, Annexation #724 into the Town's corporate limits.

AND

PH4 Shelly Mayo, Planner II

Rezoning Application #21CZ30 Williams Farm PUD Amendment and Ordinance. The applicant, Jessie Hardesty for McAdams Co., seeks to rezone approximately 1.304 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 4525 Green Level West Road.

Staff oriented Council to the site. The applicant is seeking to add an additional 1.304 acres to the site. By adding the additional acres the applicant will be able to meet a previously set condition to fix a less than favorable road. A neighborhood meeting was held, and Planning Staff and the Planning Board recommended approval.

Mayor Gilbert declared the Public Hearing opened. With no comments, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion.

Council Member Mahaffey made the motion to approve the rezoning and annexation;

Council Member Gantt seconded;

The motion carried 5-0.

PH5 Amanda Bunce, Current Planning Manager

Various amendments to the Unified Development Ordinance (UDO).

Staff oriented council to the amendments. Planning Staff and the Planning Board recommend approval of the amendments.

Mayor Gilbert declared the Public Hearing opened. With no comments, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion.

Council Member Stallings made the motion to approve the various amendments;

Council Member Mahaffey seconded.

The motion carried 5-0.

OLD BUSINESS

There were no Old Business Items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business Items for consideration.

NEW BUSINESS

UPDATES BY TOWN MANAGER

Town Manager Crosby stated that Friday at the Halle Cultural Arts Center, a reception would be held to celebrate the Closing of the Black History Month Exhibit by Charlton Cole. On Saturday, February 26, 2022 the Apex Consolidated School Marker will be unveiled. Town Manager Crosby encourage all residents to participate. The Town is still seeking women owned and women led businesses in the Town to showcase for Women's History Month. Nominations are still being accepted for ThinkApex. The Town resident newsletter will kick off in April and when issued monthly. Town Manager Crosby stated that the Town has hired Linda Jones as the Diversity Equity and Inclusion Director, Linda Jones.

CLOSED SESSION

There was no Closed Session.

WORK SESSION

There was no Work Session.

ADJOURNMENT

With no further business and with no objections from Council, Mayor Gilbert adjourned the meeting.

Tesa Silver, Deputy Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor