

TOWN OF APEX, NORTH CAROLINA

Town Council Meeting Minutes for January 19, 2010

The Regular Meeting of the Apex Town Council scheduled for Tuesday, January 19, 2010, 7:00 p.m. was held in the Council Chambers of the Apex Town Hall, 73 Hunter Street, Apex Town Campus.

Mayor Keith H. Weatherly presided over the meeting.
All Council Members were present.

Mayor:
Keith H. Weatherly



Council Members:
Bryan Gossage
Bill Jensen
Mike Jones
Lance Olive
Gene Schulze

Web site: www.apexnc.org

COMMENCEMENT

Mayor Weatherly called the meeting to order, gave the Invocation, led the Pledge of Allegiance, and extended a welcome to those in attendance.

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a Member of the Council requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Consent Agenda will be set prior to taking action on the following items.

Mayor Weatherly presented the Consent Agenda to be set prior to taking action; with no amendments, the consent agenda was set. **Action:** Council Member Schulze made the motion to approve the Consent Agenda. Council Member Jones made the second to the motion. Motion carried unanimously.

1. Minutes of January 05, 2010 Town Council meeting.
2. Minutes of January 05, 2010 Town Council Closed Session (separate cover).
3. Minutes of January 07, 2010 Personnel Committee meeting.
4. Minutes of January 14, 2010 Planning Committee meeting.
5. **Resolution No. 2010-0119- _02_** Waiver of Appraisal for Acquisition for Town of Apex FY 2009-2010 West Street Improvements Community Development Block Grant (CDBG) Program.
6. **Ordinance No. 2010- 0119- _01_** Amend Apex Town Code: Chapter 20 Article III, Removal and Disposition of Abandoned, Junked and Nuisance Motor Vehicles.
7. Authorization to execute Wake County Contract to allow Apex Fire and EMS to provide Emergency Medical Services as part of the Wake County EMS System.
8. **Resolution No. 2010-0119- _03_** Abandonment of Portions of Electric Utility Easement areas to reconfigure Utility Corridor.
9. Personnel Committee recommendation: reclassify Lead Pump Maintenance Mechanic, Salary Grade 17 to Pump Maintenance Supervisor, Salary Grade 20.
10. Personnel Committee recommendation: revise Town of Apex Personnel Policies, Article VII, Sections 2, 3 and 4: Holidays.
11. Set Town Council Annual Planning Retreat: Friday, February 26, 2010, Apex Town Hall.
12. Tax Report for Town of Apex approved and accepted by Wake County Board of Commissioners during their Regular Meeting of January 4, 2010.

End of Consent Agenda



REGULAR MEETING AGENDA

Mayor Weatherly presented the Regular Meeting Agenda to be set prior to taking action; amendments: 1) Mayor Weatherly asked to discuss town employee health plan. 2) Mayor Weatherly asked to revisit Council Committee and Liaison Appointments. 3) Manager Radford asked to include presentation on tree planting project for Apex Nature Park. **Action:** Council Member Schulze made the motion to add these items to the Regular Meeting Agenda. Council Member Jensen made the second to the motion. Motion carried unanimously. The Regular Meeting Agenda was set as amended.

PRESENTATION

Apex High Stem Club's Mary Silliman asked permission to plant donated trees within Apex Nature Park off Evans Road, and outlining project benefits; asked Town's support and assistance; also, gave update on the floating island project. **Action:** Consensus of Council to grant Stem Club permission to plant donated trees within Apex Nature Park, guided by staff and following approved guidelines, and maintained by the Town.

End of Presentation

PUBLIC HEARINGS

Presenter: Mayor Keith Weatherly

Public Hearing # 01 – Pre-Budget Public Hearing

Review: Customary public hearing in advance of preparation of proposed FY2010-2011 Annual Budget; certified public notice attached

Public Hearing was held to receive citizen input regarding formulation of Town of Apex, Fiscal Year 2010-2011 Annual Budget. Public hearing opened at 7:12 p.m. West Chatham Street property owner asked to include funds for sidewalks for Chatham Street area. No one else spoke. Public hearing closed at 7:15 p.m. FY2010-11 Budget Public Hearing is scheduled June 1, 2010; adoption of the budget scheduled June 15, 2010.

End of Public Hearing #01

Presenter: Brendie Vega, Principal Planner

Public Hearing # 02 – Rezone # 09CZ13 and Special Use Permit #09SUP03

Review: Planning Board met January 11, 2010 and unanimously recommends approval; staff recommends approval; certified public notice attached

Public hearing regarding Conditional Rezone #09CZ13, Special Use Permit #09SUP03, and Minor Site Plan for proposed telecommunications tower. American Tower Corporation, applicant, seeks to rezone from Rural Residential to Office and Institutional Conditional Zoning – and rezone original approved driveway from O&I – CZ to RR. The subject property is approximately 3.51 acres identified on Wake County Tax Maps as PIN#s 0731-32-8398 partial located at 1716 Old US 1.

Town Clerk administered oaths to: Dianne Khin, Brendie Vega and Mike Redsloff, Excell Communications, Inc. Staff presented the planning report that is attached and incorporated as a part of the minutes, and stating the initial rezone of September 15, 2009 allowed construction of a 199' monopole telecommunications tower at Kelly Road and Old US1; NCDOT did not approve the drive access location because of controlled access to NC540; applicant seeks to amend special use permit and minor site plan and proposes to move drive access location north, utilizing an existing log path; previous rezoned access road would be rezoned rural residential and new access road would be zoned office and institutional. Property owners were notified and public notice given. Plans will be added to the area where the access road is near adjacent property and at the entrance; conditions remain the same as the original rezone. Planning Board met January 11, 2010 and unanimously recommended approval; staff recommended approval.

Public hearing opened at 7:17 p.m. Mike Redsloff, Excell Communications, Inc., Garner, NC, spoke on behalf of applicant, American Tower, who supports the request; there was no new presentation on the tower; NCDOT did not approve the access road location because of the uniqueness to NC540; new access road would utilize an existing path off Old US1 and does not require removal of any trees where the initial location would have required cutting trees; all existing vegetation remains in place; access will have a locked gate. Public hearing closed at 7:20 p.m.

Action: Council Member Gossage made the motion to approve Conditional Rezone #09CZ13, Special Use Permit #09SUP03 and Minor Site Plan. Council Member Jensen made the second to the motion. Motion carried unanimously.

End of Public Hearing #02



Presenter: Brendie Vega, Principal Planner

Public Hearing # 03 – Unified Development Ordinance Amendments

Review: Planning Board met January 11, 2010 and recommends approval with corrections to Measurements Table to clearly state setbacks for Townhomes and Townhomes, detached, and for removal of redundant sentence in Amendment 5; staff recommends approval with Planning Board changes; changes have been made in the staff report; certified public notice attached

Public hearing and possible motion regarding amendments to the Unified Development Ordinance. Staff presented the planning report that is attached and incorporated as a part of the minutes.

1. Amend Section 7.5.6(B) Street Yard Trees as Mitigation Measure to correct a reference.
2. Amend Section 5 Measurements to require minimum lot widths and minimum side setbacks for single family, detached townhouses and attached townhouses.

Staff recommends single family 50 feet minimum lot width, 15 feet side yard setback in Residential Agricultural and Rural Residential Districts, same as medium density; recommends single family minimum lot width 30 feet, side yard setback 5 feet in remaining districts: high density single family, high density multi-family, mixed office, retail residential, planned development; recommends townhomes detached minimum lot width 26 feet, 3 feet side yard setback; recommends townhomes attached minimum lot width 18 feet, no less than 8 feet between units. Examples of existing homes built on various lot widths were given; problems where there were 6 feet or less between houses were noted (below 6 feet requires rated fire walls and locations of HVAC units does not allow fire departments a clear path between houses); previous amendment was approved that requires for single family 5 feet side yard setback. Example: Creekside detached townhomes minimum lot width 26 feet, 6-8 feet between homes, HOA maintained, and HVAC units set on one side or in rear and does not obstruct between units; restrictions can be placed on site plan or rezone (single family individual lots put HVAC units in various places).

Staff advised the amendment would affect Villages of Apex proposal for single family homes, 24.5 feet minimum lot width, 3 foot side yard setbacks (UDO requirement for detached townhomes, 26 feet minimum lot width with exterior maintenance and landscape by HOA; requires rear access parking and additional on street parking because of density and not required with single family). Staff is concerned with the narrow lots and recommends to the development group Planned Unit Development, minimum 30 feet lot width, 5 feet side setback; this is as small as staff would like to see without HOA exterior maintenance and on street parking (no requirement for single family rear access); detached townhomes are required to be alley loaded with additional parking in front (three feet between drives).

Staff advised, should the amendment be approved pending applications would be affected including Villages of Apex proposal for 80 lots; original approval was 40 lots with alternating 40 and 50 feet lot widths, 24.5 feet wide lots (medium density lots 50 feet width; high density single family lot widths 40 feet); PUD ordinance does not list minimum lot width and staff requests 30 feet (with staff's experience, did not anticipate smaller lots). Staff advised the development group, staff felt what was being proposed was best detached townhomes and should follow the detached townhome ordinance (HOA maintained, on street parking space, and 26 foot minimum lot width); the development group said they did not want detached townhomes, they wanted single family homes.

Staff advised this was an opportunity to amend the ordinance to require wider lot widths and would be applicable to pending applications. Staff did not know what neighboring municipalities require and stated Kits Creek lot widths were about ten feet wider than the proposed 24.5 feet lot widths and homes were six foot wider than the proposed single family homes by Villages of Apex. Noted Creekside detached townhomes are the closest to the proposed; in high density single family district, general lot width is 40 feet and most narrow approved for single family lots.

Discussion followed regarding standards for detached townhomes and single family homes; both are permitted the same; no additional supplemental standards are required for single family homes. Detached townhomes were proposed for this development and with supplemental standards to assure the product would look good, function well and would assure continued maintenance by HOA, and no difficulty with density. Parking: single family homes are required to have two off street parking spaces; detached townhomes are required to have two off street parking spaces and one striped off street parking space per unit (required rear alley with street front parking anticipated for guest parking); standard parking space 9 x 18 feet. Small Town Character Overlay District: detached homes are proposed 26 feet minimum lot width; provision is in place for regular townhomes 20 feet minimum lot width; examples were given. Staff did not have examples for the proposed Villages of Apex and noted they looked like Creekside however much longer in length with garage in back.



3. Amend Table 4.2.2 Use Table to refer to new *Supplemental Standards for Condominium and Multi-Family or apartment* and to renumber subsequent standards in the table.
4. A new Section 4.4.1(A) *Condominium* and new Section 4.4.1(G) *Multi-Family or Apartment* are inserted to add supplemental standards, and all subsections in 4.4.1 are renumbered.

Proposed amendments 3 and 4 add supplemental standards to A) Condominium G) Multi-Family or Apartment:
1) 100 or more units shall be required to have a trash compactor in lieu of dumpsters (to avoid noise, uses up parking, smell and attracting animals, less land space; noted Village Summit has 5 dumpsters). 2) one or more dumpsters or a trash compactor must provide a recycling area (meets compliance by the state) and a cardboard dumpster; both shall be screened with similar materials to the dumpster or compactor enclosure.
3) The overall enclosure design must comply with standards found in Town's *Design and Development Manual*.

5. Amend Section 8.2.8 (B)(1) *Screening Methods – Dumpsters* is amended to include recycling and to allow for composite materials to be used on gates; examples given; when practical, plants would be added, and design must comply with standards found in town's design and development manual.

Planning Board met January 11, 2010 and unanimously recommended approval with corrections to the UDO Measurements Table to clearly state setbacks for Townhomes and Townhomes detached; also recommend removal of a redundant sentence in Amendment 5; staff recommended approval with Planning Board's corrections and were made in the staff report.

Public hearing opened at 7:45 p.m. Mark Gramling, Apex First Development, stated we live in changed times and must be innovative forward thinking and adaptive with current market conditions; doesn't agree with restrictive blanket conditions with houses, lots, and setbacks and should be looked at on conditional basis and individual circumstances of the development and not conditioned that would dictate everything; detached townhomes and maintenance is because of commonality of the structure, designed as one unit and controls the maintenance; another issue is insurance for attached structures. Maintenance for detached townhomes is by a person's choice, and doesn't have commonality and is a single family home; each owner could change or fix as they choose. As far as property setbacks, they are working on language to allow cross access easements for maintenance for individual houses or townhomes where you have narrow setbacks; even where HVAC units would be every other house and without full restrictions from a fire standpoint; there are ways to deal with this without blanket ordinance, without applying objectives with innovativeness to it. The development could be affected by this if passed, if deemed retroactive; the PUD now has no restrictions.

He advised the builder who proposes the units for Villages of Apex, is builder/developer for Kits Creek; it is not designed after Kits Creek, however similar in that it is a rear loaded project, award winning high profile project, Charleston style crafted homes, comparable narrow homes on similar lots. Villages of Apex initial approval was 40 lots, and proposes lots be split, 40 more lots for total 80 lots, with minimum 24.5 feet lot width, all rear loaded and never intended to be front loaded; lots are 114 foot deep, with a 15 foot paved alley, with 40 foot easement and driveway apron in the easement portion, allowing parking on the easement (vehicles park on property, one for guests in front yard, one in garage). Staff advised this was not in the initial approval, roads were built and infrastructure in place with staff working on parking and roads; may have been different if known, with cut-outs between the curb and sidewalk. Gramling noted the roads, curbs and sidewalks were all in place and built to town standards and no different than the rest of the neighborhood.

Mayor Weatherly advised it may be in the best interest for Council to take legal advice from Attorney Fordham prior to deliberation. **Action:** Council Member Schulze made the motion to move into Closed Session to receive legal advice from the Town Attorney at 7:55 p.m. Council Member Gossage made the second to the motion. Motion carried unanimously. Minutes of Closed Session are recorded separately. **Action:** Council Member Jones made the motion to move back into Regular Session at 8:17 p.m. Council Member Schulze made the second to the motion. Motion carried unanimously.

With Council having moved back into Regular Session varying comments were made on advantages and disadvantages of trash compactor in lieu of dumpsters for Condominium, Multi-Family or Apartment: dumpsters are spread throughout, compactor maybe further distance to get too, less parking with more dumpsters, property owners should be allowed option, compactor simplifies collection process, safer when moving through lots in higher dense development with less dumpsters, compactor would be more attractive in a more dense area, more/less noise; less possible damage to asphalt; easier to maneuver truck through crowded parking, time of pick-ups, health, safer in more populated areas with less dumpsters placed assuring well lit areas. Staff supports the amendment thinking the compactor was a better solution than multiple dumpsters; some comments were more appropriate during site plan process; there are no requirements for recycling at every dumpster.



Action: Council Member Schulze made the motion for continuation of the public hearing regarding amendment 2: Section 5 *Measurements* to require minimum lot widths and minimum side setbacks for single family, detached townhouses and attached townhouses to the February 2, 2010 Council meeting. Council Member Jones made the second to the motion. Motion carried unanimously.

Action: Council Member Schulze made the motion to approve amendments as submitted 1, 3, 4, 5, with exception to amendment 4, Sec. 4.4.1 Residential Uses, delete: A) Condominium: 1) All condominium developments containing 100 or more units shall be required to have a trash compactor in lieu of dumpsters, and G) Multi-Family or Apartment 1) All multi-family or apartment developments containing 100 or more units shall be required to have a trash compactor in lieu of dumpsters. Council Member Gossage made the second to the motion. Motion carried unanimously.

End of Public Hearing # 03

Presenter: Dianne Khin, Director of Planning
Public Hearing # 04 – Annexation Petition # 447

Review: Petitioner requests annexation to connect to Town water and sewer; certified public notice attached

Public Hearing: Annexation Petition # 447: Neelkamal Corporation (Around the World Market), owner/petitioner, petitioning to annex 1.108 acres into the Town's corporate limits, and located at 2112 E. Williams Street. Staff oriented to the site with the annexation necessary to obtain water and sewer to the site and for proposed Around the World Market; site plan has been approved; construction plan pending with annexation. Public hearing opened at 8:32 p.m. No one addressed the request for annexation. Public hearing closed.

Action: Council Member Gossage made the motion to approve annexation petition # 447 by adopting an ordinance to extend the corporate limits of the town by the 1.108 acres. Council member Jensen made the second to the motion. Motion carried unanimously.

End of Public Hearing # 04

End of Public Hearings

OLD BUSINESS

Presenter: Town Manager Bruce Radford
Old Business # 01 – Sale of Hwy 64 Property

Review: Upset bid process was conducted; no upset bids were received; completion of sale is conditioned upon agreement to and execution of addendum to contract of sale which restricts use of property by future owners to ingress and egress only.

Possible motion to approve Resolution Declaring LRC Development, LLC as highest and winning bid and authorizing completion of sale of the Hwy 64 property to LRC Development, subject to LRC's Agreement to and execution of the attached Addendum to Contract of Sale.

Town Manager Bruce Radford reported the upset bid process for proposed sale of .46 acres of property owned by the Town and located on Hwy 64 was conducted and no upset bids received. Council had requested an amendment to the contract of sale which would restrict use of the property by future owners to ingress and egress only. Manager recommended completion of the sale to LRC Development, and conditioned to LRC's agreement to and execution of an addendum to the contract of sale. Discussion evolved around the uniqueness of the property, neighboring property development plans and uses and types of development, local sales and amounts received, acquiring new appraisal for the site, value of this piece of property to the neighboring property, not wanting the property to sit indefinitely, with the Manager noting the seller has a contract on the adjoining property and felt this was in the best interest of the Town to move forward with the sale and with LRC agreeing with the addendum, for \$200,000.

Action: Council Member Jones made the motion to adopt **Resolution No. 2010-0119-04** authorizing the sale of the property on Hwy 64 to LRC Development Co., LLC, for \$200,000, and conditioned on the willingness to accept and agree with the addendum on the contract of sale. Council Member Schulze made the second to the motion. Motion carried unanimously.

End of Old Business # 01



Presenter: Council Member Schulze, Chair of Personnel Committee
Old Business # 02 – Revision to Town of Apex Personnel Policy

Review: Personnel Committee met January 7, 2010 and recommends revisions to the policy.

Personnel Committee recommends revision to Town of Apex Personnel Policy, Article V. Section 7: Acceptance of Gifts and Favors. Council Member Schulze reported on the Committee's discussion regarding acceptance of gifts and favors during the January 7, 2010 Personnel Committee meeting, and recommended revisions to the policy as follows, and recommending staff provide guidance to employees, while allowing employees to accept trinkets and token gifts, with gifts of value being reported and recorded:

Article V. Section 7. Acceptance or Granting of Gifts and Favors

No employee of the Town shall accept any gift, favor, or thing of value which could appear to influence such employee in the discharge of the employee's duties, or generate the appearance of impropriety. Acceptance of any item regardless of perceived value, with the exception of token gifts and trinkets, must be reported to the department head. No preferential treatment or improper favor, service or thing of value may be conveyed or granted in the discharge of duties.

Action: Council Member Schulze made the motion to approve the revisions to the policy as stated. Council Member Gossage made the second to the motion. Motion carried unanimously.

End of Old Business # 02

Presenter: Council Member Schulze
Old Business # 03 – Planning Committee Recommendation

Review: Planning Committee met January 14, 2010 and gave favorable recommendation to providing a transparency in government program

Presentation by staff and possible motion regarding Planning Committee's recommendation to provide additional information on Town's website.

Council Member Schulze reported the Planning Committee's discussion and direction to staff to develop a transparency in government program, allowing easier website accessibility to view government information. The Town's Information Technology Director and Webmaster formulated web page content in several critical areas of interest, and demonstrated the format and content and noted items are ready to be launched on the website, and noted additional information or suggested changes will be added, and may include a financial ledger, approved Council meeting minutes, public notices expanded; staff will be able to measure the success of the web-page; all items are public record and have been previously available by contacting staff. Added suggestion: a single fixed web-cam to view Council meetings, estimated cost \$8,000, discussion regarding increase quality and archives followed and could be discussed during the retreat.

Action: Consensus of the Council was to move forward with the formulated public information webpage, and authorized staff to proceed with update to the website.

End of Old Business # 03

End of Old Business

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council.
Mayor Weatherly 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.
Your comments must be limited to 3 minutes to allow others opportunity to speak.
No one spoke during public forum.

**NEW BUSINESS**

Presenter: Town Manager Bruce Radford

New Business # 01- Request for Parade

Review: Dave Nyce will be present to present request, along with Chief of Police or his designee to express support for the parade.

Possible motion to grant request from Apex Masonic Lodge # 584 (Dave Nyce) to host a parade in Apex, June 12, 2010, 10:00 a.m. as part of their 100th anniversary celebration. Nyce ask Council to grant permission for the Masonic Lodge to host a Shriners parade in Apex, June 12, 2010, 10:00 a.m., beginning at AV Baucom School and moving down Salem Street, with hot dog lunch as part of the 100th anniversary celebration; all activities will be coordinated through Police Chief Lewis and comply with necessary requirements; Police Chief Lewis was present to express support for the parade.

Action: Council Member Gossage made the motion to allow the parade. Council Member Schulze made the second to the motion. Motion carried unanimously.

End of New Business # 01

Presenter: Mayor Keith Weatherly

New Business # 02 – Adaptive Reuse Advisory Committee

Review: Mayor Weatherly will recommend appointments and note dates of scheduled meetings; Committee will bring recommendation back to Council.

Mayor Weatherly will recommend for Council's consideration, appointments to the Adaptive Reuse Advisory Committee and ask for a volunteer from Council to serve on the Committee.

Mayor Weatherly recommended the following persons to serve on the Adaptive Reuse Advisory Committee and with Council Member Jensen volunteering to serve as the Council representative with a series of meetings held on: January 26, February 9, and February 23, 2010 at 4:00 p.m. in the Apex Town Hall; Committee will formulate a recommendation to bring forward to Council in March.

Planning Board: Sheryl Bynum

Planning Board, Real Estate Professional: Tom Colhoun

Historic District property owner, Attorney: Don Grimes

Historic District property owner, Business owner: Marshall Barnes

Business owner, President of Downtown Business Association: Mike Andreas

Historic District property owner, Real Estate Professional: Heather O'Sullivan

Historic District property owner, Historical Society: Kathy Taylor

Action: Council Member Jones made the motion to approve the recommended appointments, with Council Member Jensen as the appointee from Council. Council Member Olive made the second to the motion. Motion carried unanimously.

End of New Business # 02

Presenter: Town Manager Bruce Radford

New Business # 03- Set Work Session

Review: Economic Development Committee met and recommends a Work Session to allow more time to discuss economic development.

Possible motion to set a Work Session for Town Council to discuss Economic Development.

Action: Consensus of Council was to schedule a Work Session of the Council to discuss Economic Development, Tuesday, January 26, 2010 at 7:00 p.m., Town Hall; public notice will be given.

End of New Business # 03



Presenter: Mayor Keith Weatherly

New Business # 04 – Add-on: Employee Health Plan

Mayor Weatherly had recently found Town of Apex employee health plan covered “elective abortions”, and understood it standard in most contracts, however, asked Council consider removing “elective abortions” from employee health plan, and not when it relates to health related issues. Human Resources Director Green stated this was correct; noted codes would indicate when abortion would be health related. Town is self funded, with Blue Cross and Blue Shield as administrator over the insurance coverage; BCBS advised the revision could be made to the Town’s contract to state the insurance coverage will no longer fund elective abortions and can have the coverage revision by February 1, 2010. With a brief discussion the following action was taken.

Action: Council Member Schulze made the motion to approve the omission of elective abortions from the town employee health plan. Council Member Gossage made the second to the motion. Motion carried unanimously.

End of New Business # 04

Presenter: Mayor Keith Weatherly

New Business # 05 – Add-on: Council Committee Appointments

Mayor Weatherly stated the Town Council Appointments to committees and liaisons will be reappointed from the original appointments of December 1, 2009, as follows:

COMMITTEES

Finance Committee: Council Member Jones, Chair, with Council Member Jensen

Planning Committee: Council Member Schulze, Chair, with Council Member Olive

Personnel Committee: Council Member Gossage, Chair, with Council Member Olive

Economic Development Committee: Council Member Jensen, Chair, with Council Member Jones

LIAISONS

Apex Chamber of Commerce: Council Member Jones

Apex Fire Advisory Board: Council Member Schulze

Apex Parks, Recreation and Cultural Resources Advisory Commission: Council Member Jones

Triangle J Council of Governments: Council Member Jensen, Alternate Council Member Olive

Transportation Advisory Commission: Mayor Weatherly, Alternate: Council Member Gossage

End of New Business

CLOSED SESSION

Mayor Weatherly called for a motion to move into Closed Session at 9:15 p.m. to discuss a personnel matter.

Action: Council Member Jones made the motion to move into Closed Session. Council Member Gossage made the second to the motion. Motion carried unanimously. Minutes of Closed Session are recorded separately.

Action: Council Member Gossage made the motion to move out of Closed Session. Council Member Jones made the second to the motion. Motion carried unanimously.

ADJOURNMENT

With no further business to come before the Council, Mayor Weatherly called for a motion to adjourn at 9:25 p.m.

Action: Council Member Jones made the motion to adjourn. Council Member Olive made the second. Motion carried unanimously.

The minutes of the January 19, 2010 Council Meeting were submitted by the Town Clerk to the Town Council for their approval at the February 2, 2010 meeting.

Georgia A. Evangelist, MMC
Town Clerk, Apex, North Carolina

Keith H. Weatherly
Mayor