



## APEX TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 6, 2016

Lance Olive, Mayor  
Nicole L. Dozier, Mayor Pro Tempore  
Eugene J. Schulze, William S. Jensen, Denise C. Wilkie,  
and Wesley M. Moyer, Council Members  
Drew Havens, Town Manager  
Timothy L. Donnelly, Assistant Town Manager  
Donna B. Hosch, CMC, NCCMC, Town Clerk  
Laurie L. Hohe, Town Attorney

The Regular Meeting of the Apex Town Council  
scheduled for Tuesday, September 6, 2016, 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 Eugene J. Schulze, Denise C. Wilkie, and Wesley M. Moyer  
Also in attendance were Town Manager Drew Havens, Assistant Town Manager Tim Donnelly,  
Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe  
Absent was Council Member William S. Jensen

Mayor Olive recognized and welcomed some of our Chinese friends who live in Apex. He stated Jennie (one of the guests) and her friends keep in touch via an app on their phones. Pictures were taken of the guests and the Mayor.

### COMMENCEMENT

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

### PRESENTATIONS

**Presentation 01 : Jeff McCauley, Chief Financial Officer, Greenville Utilities Commission**

**Presentation of the Government Finance Officers Association's (GFOA's) Award for Excellence in Financial Reporting to Vance Holloman, Finance Officer, and Suzanne Parmentier, Accounting and Budget Manager**

Mr. McCauley gave a brief history on the purpose of the Commission and what Apex has done in order to receive this Award a total of 22 consecutive years. Mr. McCauley stated this reflects commitment to professionalism, hours of hard work, dedication, and leadership from Council. Less than 5% of

municipalities achieve this pinnacle in reporting, Mr. McCauley hoping that Apex would serve as an example for others. He presented the award to Mr. Holloman and Ms. Parmentier.

Mr. Holloman thanked Mr. McCauley for coming. He is one of only two or three in the State who can make this presentation. Mr. Holloman noted that this would not have happened without Ms. Parmentier's hard work. He thanked Council for their efforts. Mayor Olive stated he was proud of the Town's spending wisely and spending on the things that matter.

**Presentation 02 : Shannon Flaherty, Apex Chamber of Commerce**

**Presentation by Shannon Flaherty, Executive Director of the Apex Chamber of Commerce, to give the Council an update on Chamber happenings and how the community groups and events have benefitted from the use of the Chamber**

Ms. Flaherty thanked Council for its support of the Chamber. She stated the mission of the Chamber and outlined the projects in which they're involved and the events they present. Ms. Flaherty talked a bit about upcoming events. She noted that local folks use the Chamber building, and they have a great collaboration with these groups. The building also serves as the visitor's center for Apex. Over 300 people have stopped by to inquire about the community, many planning to relocate here. Ms. Flaherty stated that she and her board of directors would be more than happy to do what they can to help the town.

## CONSENT AGENDA

- Consent 01 Minutes of the August 16, 2016 Regular Council Meeting
- Consent 02 Transfer of Lot 289 Plots C & D to Patrice B. Helton
- Consent 03 Transfer of Lot 181 Plots C & D to Jacquelyn Marie Livesay
- Consent 04 Statement of the Town Council and Ordinance for Rezoning Case #15CZ33, McAdams Company/ Bobby Joe and Mary H Stroup, James and Catherine Stroup, Charles E. Tunstall Family Trust, Tony and Judy Sears, Fahey Family Farm LLC., petitioners for the property located at 1908, 1928, 1820 Old US 1 Hwy, and 2420, 0, and 2517 Kelly Road
- Consent 05 Statement of the Town Council and Ordinance for Rezoning Case #16CZ06 Dan Ryan Builders/ James Kelly & Brian Griffith, petitioners for the property located at 1921 and 1929 Holt Road, and 0 and 6786 Old Jenks Road
- Consent 06 Statement of the Town Council and Ordinance for Rezoning Case #16CZ20, Jeff Roach, petitioner for the property located 740 S. Salem Street
- Consent 07 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 David and Barbara Yates, Kenneth and Carla Markham and for William L. Yates Heirs (Gayle Y. Reid, P.O.A.) (Green Level Estates) property containing 18.22 acres located on Green Level West Road, Annexation #580 into the Town's corporate limits

- Consent 08 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 County of Wake, Attorney Scott W. Warren (South Wake Landfill) property containing 137.680 acres located at 6000 Old Smithfield Road, Annexation #582, into the Town’s corporate limits
- Consent 09 Set Public Hearing for the September 20, 2016 Town Council Meeting regarding various amendments to the Unified Development Ordinance regarding the Veridea Project
- Consent 10 Cooperative Purchasing Agreement (CPA) between the Town and Wake County concerning Disaster Debris Removal Services and related CPAs and Master Services Agreements with Phillips & Jordan and Crowder Gulf
- Consent 11 Additional street closures and an exemption to the noise ordinance for Apex Music Festival (formerly Apex Jazzfest)
- Consent 12 Establishment of the Tree Citizen Advisory Panel (TreeCap) and authorization for the Mayor to make appointments, subject to Council affirmation, in accordance with the TreeCap description document
- Consent 13 Budget amendment for Pleasant Park project fund and to amend Withers and Ravenel’s contract by \$15,000 to cover transportation study costs

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE CONSENT AGENDA. COUNCIL MEMBER MOYER MADE THE MOTION; COUNCIL MEMBER DOZIER SECONDED THE MOTION.  
THE MOTION CARRIED BY A 4-0 VOTE.

## REGULAR MEETING AGENDA

Council Member Moyer requested a Closed Session to consult with the Town Attorney.

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE REGULAR AGENDA WITH THE ADDITION OF A CLOSED SESSION.  
COUNCIL MEMBER SCHULZE MADE THE MOTION; COUNCIL MEMBER WILKIE SECONDED THE MOTION.  
THE MOTION CARRIED BY A 4-0 VOTE.

## PUBLIC FORUM

No one wished to speak during Public Forum.

## PUBLIC HEARINGS

Public Hearing 01 : Amanda Bunce, Senior Planner

Public Hearing and various amendments to the Unified Development Ordinance

Staff oriented Council to the amendments.

Mayor Olive declared the Public Hearing open.

Jeff Roach, Peak Engineering Design, asked for clarification from staff on item 4, which he received. He expressed concern about parking related to item 8.

Mayor Olive declared the Public Hearing closed.

Staff clarified Mr. Roach's concern over parking as well as answering questions from Council. Stemming from this, item 4 was adjusted.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER SCHULZE MADE THE MOTION TO APPROVE THE AMENDMENTS WITH AN ADJUSTMENT TO ITEM 4; 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

There were no New Business items for consideration.

## CLOSED SESSION

Added Closed Session 01: to consult with the Town Attorney

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

MAYOR OLIVE CALLED FOR A MOTION TO RETURN TO OPEN SESSION. COUNCIL MEMBER SCHULZE  
MADE THE MOTION; COUNCIL MEMBER MOYER SECONDED THE MOTION.  
THE MOTION CARRIED BY A 4-0 VOTE.

## WORK SESSION

There were no Work Session items for consideration

## ADJOURNMENT

With there being no further business,

MAYOR OLIVE ADJOURNED THE MEETING.

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Donna B. Hosch, CMC, NCCMC  
Town Clerk

ATTEST:

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Lance Olive  
Mayor