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# Apex Town Council Meeting

Tuesday, November 7, 2017

Lance Olive, Mayor  
Nicole L. Dozier, Mayor Pro Tempore  
William S. Jensen, Eugene J. Schulze, Denise C. Wilkie,  
and Wesley M. Moyer, 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, November 7, 2017, 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](#)

**Roy Jones, CEO of ElectriCities of North Carolina**

Roy Jones, the CEO of ElectriCities of North Carolina, will present a resolution from their Board of Directors honoring the Town for 100 years of electric utility service

### [Presentation 02](#)

**Mayor Lance Olive**

Presentation of the Apex Geographic Information Services Day Proclamation to Steve Nelson, GIS Administrator

## **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 October 17, 2017

[Consent 02](#) Motion to adopt a Resolution authorizing the completion of the sale of the Town owned property

- [Consent 03](#) Motion to approve a design contract for the Town of Apex Community Center Expansion/Senior Center with Smith Sinnett Architecture, P.A.
- [Consent 04](#) Motion to approve Statement of the Town Council for Rezoning Case #17CZ18 (Gracewood PUD), Community Properties, Inc., petitioners for the property located at 0, 0, 0 Old US Hwy 1, 0 Horton Road, and 4316 Old US 1 Hwy
- [Consent 05](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #17CZ19 (Horton Park PUD), Jeff Roach, Peak Engineering & Design / MFW Investments, Trinity Apex North 100 LLC, Fred Cash, Dwight Wright, Loomis Horton, Jr. Heirs, Mary Horton, Merion Investments Properties, LLC, petitioners for the property located at 5100, 5101, 5125, & 5220 Jessie Drive; 0 Dezola Street; 8140 & 8308 Smith Road
- [Consent 06](#) Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #17CZ21 (Sweetwater PUD Amendment), Mark Ashness, CE Group/ExperienceOne Homes; KEP Apex, LLC; American Eagle Construction, LLC; Elm Street Builders, LLC; Hearthstone Luxury Homes, LLC; L&K Properties of NC, LLC; LIG Management, LLC; Standard Pacific of the Carolinas, LLC; Statement Custom Homes, LLC; Sweetwater Property Owners Association, Inc.; Upright Builders, Inc.; Amuel & Amie Feuer; Mark & Kathleen Rowe, petitioners for the property located at Brown Velvet Lane; Bryant Pond Lane; Core Banks Street; Gloriosa Street; Goliath Lane; Hasse Avenue; Lanasa Lane; Little Gem Lane; Lowland Street; Olive Chapel Road; Poultney Aly; Richardson Road; Timken Forest Drive; and 64 HWY W
- [Consent 07](#) Motion to set the Public Hearing for the November 21, 2017 Town Council Meeting regarding Rezoning Case #17CZ23. The applicant, David and Constance Cronk, seek to rezone approximately ±13.86 acres, for the properties located at 1920 and 1928 Kelly Road, from Rural Residential (RR) to Medium Density Residential-Conditional Zoning (MD-CZ).
- [Consent 08](#) Motion to set the Public Hearing for the November 21, 2017 Town Council Meeting regarding various amendments to the Unified Development Ordinance
- [Consent 09](#) Motion to set Public Hearing for the November 21, 2017 Town Council Meeting regarding amendments to the Unified Development Ordinance related to Veridea
- [Consent 10](#) Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the Unified Development Ordinance (UDO) Amendments of October 17, 2017 related to buffers
- [Consent 11](#) Motion to approve the granting of an easement to the Town of Cary and to authorize the Town Manager to execute the same for public waterline easements on Town of Apex owned property

[Consent 12](#) Motion to approve Encroachment Agreement and to authorize the Town Manager to execute the same for a segmented retaining to encroach upon a portion of a 30ft Public Drainage Easement

[Consent 13](#) 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 Westford WEH, LP (Westford PUD) property containing 101.131 acres located at 0 Jenks Road, 2812, 2900 & 3300 US 64 Hwy West, Annexation #612 into the Town’s corporate limits

[Consent 14](#) 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 Western Wake Ventures, LLC (Deer Creek Area 3) property containing 0.218 acres located at south of US 64 Hwy along a portion of New Hill Olive Chapel Road, Annexation #616, into the Town’s corporate limits

## **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](#)

Dianne Khin, Planning Director

*Pending Council action, this Public Hearing will be readvertised to be heard at the November 21, 2017 Regular Council Meeting*

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council’s intent to annex Crossroads Holdings, LLC (Crossroads Ford) property containing 21.85 acres

located at the southwest quadrant of the intersection of US 64 Hwy and N. Salem Street, Annexation #615 into the Town's corporate limits.

### **OLD BUSINESS**

There are no Old Business items for consideration

### **UNFINISHED BUSINESS**

There are no Unfinished Business items for consideration

### **NEW BUSINESS**

There are no New Business items for consideration

### **CLOSED SESSION**

Possible motion to go into Closed Session (1) to consult with the Town Attorney, and (2) to discuss a personnel matter

### **WORK SESSION**

There are no Work Session items for consideration

### **ADJOURNMENT**