



Apex Town Council Meeting Tuesday, December 5, 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
Audra M. Killingsworth and Brett D. Gantt,
Incoming 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, December 5, 2017, 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 William S. Jensen, Eugene J. Schulze, Denise C. Wilkie, and Wesley M. Moyer

Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch, and Town Attorney Laurie L. Hohe and Incoming Council Members Audra M. Killingsworth and Brett D. Gantt

COMMENCEMENT

Mayor Olive called the meeting to order, J.C. Knowles gave the Invocation and led the Pledge of Allegiance. Mayor Olive recognized former Mayor of Apex Keith Weatherly, former Apex Council Member Mike Jones, and Wake County Commissioner and now Chair Jessica Holmes who were in attendance.

PRESENTATIONS

Presentation 01 : Mayor Lance Olive

Mayor Olive recognized David Wood, Halle Cultural Arts Center Manager, and read the Arbor Day Proclamation which will be displayed at Town Hall. It was presented to Mr. Wood.

CONSENT AGENDA

Consent 01 Agreement with NCDMV for Town of Apex to access NCDMV records for employment purposes

Consent 02 Amendment to Section 2 - 27 of the Apex Code of Ordinances regarding the schedule of regular meetings and to direct the staff to ensure that every two years, at its Organizational Meeting, the Town Council reviews and adopts a schedule of meetings that avoids conflicts with holidays and town election days

- Consent 03 Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #17CZ23, Stuart Jones, Jones & Cnossen Engineering, PLLC, for the owners, David and Constance Cronk, petitioners for the property located at 1920 and 1928 Kelly Road
- Consent 04 Set Public Hearing for the December 05, 2017 Town Council Meeting regarding Rezoning Application #17CZ24 (Vineyard Station). The applicants, Vineyard Development, LLC and Brookfield Properties, LLC seek to rezone approximately 1.8 acres located at 750 Laura Duncan Road from Planned Commercial (PC) and Office & Institutional (O&I) to Planned Commercial-Conditional Zoning (PC-CZ)
- Consent 05 Set Public Hearing for the December 19, 2017 Town Council Meeting regarding various amendments to the Unified Development Ordinance
- Consent 06 Set a Public Hearing for Tuesday, December 19, 2017 at 7:00 pm to receive citizen input regarding the formulation of the Fiscal Year 2018-2019 Annual Budget
- Consent 07 Cemetery Lot 302, Plots A and B transferred into the names of Gerald D. and Gayle C. Woods, Plot C to Jimmy W. Woods, Plot D to Karen R. Swayze, and Plots E and F to Shelia Hearn
- Consent 08 Minutes of the November 21, 2017 Regular Council Meeting
- Consent 09 Encroachment Agreement and authorization for the Town Manager to execute the same for private storm drain easements and private curb easements to encroach upon a portion of the Public Utility Easements

Mayor Olive stated there was a correction to a date in Consent 04.

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE CONSENT AGENDA. COUNCIL MEMBER SCHULZE MADE THE MOTION WITH THE CORRECTION AS STATED; COUNCIL MEMBER WILKIE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

REGULAR MEETING AGENDA

MAYOR OLIVE CALLED FOR A MOTION TO APPROVE THE REGULAR MEETING AGENDA. COUNCIL MEMBER SCHULZE MADE THE MOTION; COUNCIL MEMBER WILKIE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

PUBLIC FORUM

Steve Swamp of Westwinds subdivision thanked Council for all that they have done. While he and Council did not always agree, Council was always respected. Mr. Swamp thanked Council Members Schulze and Wilkie for their service to the Town.

JC Knowles, Apex Ambassador, on behalf of the Apex citizens, thanked Council Members Schulze and Wilkie for their service to the Town. Because of their efforts, we became a number one town in America. Mr. Knowles asked them to go with our love and expressed best wishes in their future endeavors.

PUBLIC HEARINGS

Public Hearing 01 : Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 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 Capital Properties of Raleigh II, LLC (Center Street Station) property containing 7.896 acres located at 1100 Center Street, Annexation #614, into the Town's corporate limits

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER WILKIE MADE THE MOTION TO RESET THIS
PUBLIC HEARING TO DECEMBER 19, 2017; COUNCIL MEMBER DOZIER SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

Public Hearing 02 : Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 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 Merquiades Cespedes (single-family home) property containing .99 acres located at 7824 Green Level Church Road, Annexation #618 into the Town's corporate limits.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER WILKIE MADE THE MOTION TO RESET THIS
PUBLIC HEARING TO DECEMBER 19, 2017; COUNCIL MEMBER SCHULZE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

Public Hearing 03 : Dianne Khin, Planning Director

Pending Council action, this Public Hearing will be re-advertised to be heard at the December 19, 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 Richard & Anne Casper, Larry & Dorothea Gardner, Glenn & Christine Rinne, Michael Ferrari, Sharon Heaton, Michael & Joy Wilkes and William & Virginia Ott (Linden Master Subdivision Plan) property containing 87.233 acres located at 1600,1612,1617,1632, 1641 & 1645 Pricewood Lane, Annexation #620 into the Town's corporate limits.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER SCHULZE MADE THE MOTION TO RESET THIS
PUBLIC HEARING TO DECEMBER 19, 2017; COUNCIL MEMBER WILKIE SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

OLD BUSINESS

There were no Old Business items for consideration.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

CLOSED SESSION

There were no Closed Session items for consideration.

WORK SESSION

There were no Work Session items for consideration.

Mayor Olive called for a ten minute recess.

ORGANIZATIONAL PROCEEDINGS OF THE APEX TOWN COUNCIL

RECOGNITION OF OUTGOING COUNCIL MEMBERS

Eugene J. Schulze

Mayor Olive presented Council Member Schulze with a plaque of appreciation from the citizens of Apex. Council Member Schulze reflected on his 16 years serving Apex, stating that it had been awesome to serve on Council. He thanked those who helped him to get to serve, including Town staff and former mayors and council members. Apex is a special place, Council Member Schulze stated. He'd met a lot of great people, Apex becoming the number one town where everyone puts their heart and soul into making a difference. He spoke about how much he appreciated the support and love of his family.

Council Member Schulze retired his seat on the dais.

Denise C. Wilkie

Mayor Olive presented Council Member Wilkie with a plaque of appreciation from the citizens of Apex. Council Member Wilkie stated she was moving on to bigger things in another town. She thanked the citizens for the privilege to be able to serve, stating this was a phenomenal experience. Council Member

Wilkie thanked the Town staff, noting that they don't really know how wonderful they are. She thanked Town Manager Havens for all his assistance and helping her to stay on task, she thanked the various Boards who do their work without getting paid which made her job a whole lot easier, she thanked Greg Coley. Council Member Wilkie stated she was a big fan of Parks and Recreation Director John Brown and Police Captain Jacques Gilbert. She noted how much she appreciated her daughter and husband.

ADMINISTERING OF OATHS

Nicole L. Dozier

Donna B. Hosch, MMC, Apex Town Clerk, administered the Oath of Office to Ms. Dozier, her husband and daughter standing with her. Council Member Dozier took her seat on the dais. She stated it is exciting to live in Apex because of citizen engagement. She thanked her supporters new and old. She thanked her family, specially her husband, James. She stated this is a great town in which to serve and that we have a Mayor with a big hat and a big heart.

Audra Killingsworth

Sam Hamadani, District Court Judge, administered the Oath of Office to Ms. Killingsworth, her husband standing with her. Council Member Killingsworth took her seat on the dais. She thanked her husband, Matt, who had helped her quite a bit through this process as well as her four children and many friends.

Brett Gantt

Lance Olive, Mayor of the Town of Apex, administered the Oath of Office to Mr. Gantt. Council Member Gantt took his seat on the dais. He thanked his wife, Allison, who was his childhood sweetheart, for all her support.

SELECTION OF MAYOR PRO TEMPORE BY COUNCIL

Mayor Olive stated the duties of Mayor Pro Tempore and opened the floor for nominations for this position.

COUNCIL MEMBER JENSEN MADE THE MOTION TO APPOINT COUNCIL MEMBER DOZIER TO THIS POSITION, STATING THE GREAT JOB SHE'S DONE THE PAST TWO YEARS. THE COUNCIL WAS UNANIMOUS IN THEIR AGREEMENT.
COUNCIL MEMBER DOZIER ACCEPTED THE POSITION.

Donna B. Hosch, MMC, Apex Town Clerk, administered the Oath of Office to the Mayor Pro Tempore.

APPOINTMENTS TO STANDING COMMITTEES AND OF LIAISONS BY MAYOR

Mayor Olive appointed the following Standing Committees and Liaisons:

Committees

Parks, Recreation, and Cultural Resources Committee – Moyer, Chairman; Killingsworth, Member
Economic Development Committee – Jensen, Chairman; Olive, Member
Environmental Committee – Dozier, Chairman; Gantt, Member
Finance Committee – Olive, Chair; Killingsworth, Member
Personnel Committee – Dozier, Chairman; Moyer, Member
Planning Committee – Jensen, Chairman; Gantt, Member

Liaisons

Apex Chamber of Commerce – Olive, Primary; Dozier, Alternate
Downtown Business Association – Moyer, Primary; Killingsworth, Alternate
Triangle J Council of Governments – Gantt, Primary; Killingsworth, Alternate
Executive Board of CAMPO – Olive, Primary; Jensen, Alternate

NEW BUSINESS

New Business 01 : Drew Havens, Town Manager

Possible motion to approve the schedule of meetings for 2018 and 2019 in accordance with Section 2 – 27 of the Apex Code of Ordinances as amended

Staff stated approval came from previous Council for this amendment and that the newly seated Council needed to carry it out. There was discussion regarding the dates surrounding the July 4th holiday, Council stating that she liked to take time off from her job during that time and that cancelling the first meeting of July would be a gift for staff.

Consensus of Council was to move the first meeting in January 2018 to January 3rd and to move the first meeting in January 2019 to January 3rd and to cancel the first meetings in July in 2018 and 2019.

MAYOR OLIVE CALLED FOR A MOTION. COUNCIL MEMBER KILLINGSWORTH MADE THE MOTION TO APPROVE
THE CALENDAR DATES FOR THE NEXT TWO YEARS WITH THE ABOVE MODIFICATIONS;
COUNCIL MEMBER GANTT SECONDED THE MOTION.
THE MOTION CARRIED BY A 5-0 VOTE.

ADJOURNMENT

With there being no further business, Mayor Olive adjourned the meeting.

Donna B. Hosch, MMC, NCCMC
Town Clerk

ATTEST:

Lance Olive
Mayor

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