



| REGULAR TOWN COUNCIL MEETING

December 14, 2021 at 6:00 PM
Council Chambers - Apex Town Hall, 73 Hunter Street

Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier
Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey
Town Manager: Catherine Crosby | Assistant Town Managers: Shawn Purvis and Marty Stone
Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Mayor Gilbert called the meeting to order and recognized the elected officials in attendance, the Honorable Judge Ashley Dunston and the Honorable Judge James Gates. Mayor Gilbert recognized the tragedy in Kentucky and asked for a moment of silence. Supervisor in the Town's Water Department Pastor Thomas Johnson gave the Invocation, and Mayor Gilbert led the Pledge of Allegiance.

PRESENTATIONS

PR1 Vance Holloman

Presentation of the Results of the Audit of the Town's Financial Statements for the 2021 Fiscal Year by Ms. April Adams, CPA Partner, Audit Services of Cherry Bekaert LLP.

Staff stated this was the new firm selected to perform the Town's audit. Ms. Adams presented the actions, results, and required communications of the audit. She explained the internal controls, significant audit areas, key highlights, financial results, and summary. Ms. Adams stated this was a clean audit and that staff had done a good job. Responding to Council, she talked about benchmark metrics.

CONSENT AGENDA

CN1 Lauren Staudenmaier, Planner II

Statement of the Town Council for Rezoning Case #21CZ21 Beaugard Place at Weddington, AG Wimberly LLC., petitioner, for the property located at 0 Wimberly Road (PIN 0723249888).

CN2 Lauren Staudenmaier, Planner II

Statement of the Town Council and Ordinance for Rezoning Case #21CZ22 Old Ivey Road Residential, Rangeet Agarwala, Estates at White Oak LLC., petitioner, for the properties located at 1516 Old Ivey Road and 7620 McQueens Road (PINs 0722890666 & 0722893526).

CN3 Sarah Van Every, Senior Planner

Statement of the Town Council and Ordinance for Rezoning Case #21CZ23 Scotts Ridge Office and Veterinary Hospital, Kethamakka & Emmadi Properties, LLC., petitioners, for the properties located at 0 & 6633 Apex Barbecue Road (PINs 0731487012 & 0731475977).

CN4 Shelly Mayo, Planner II

Statement of the Town Council and Ordinance for Rezoning Case #21CZ25 Villages of Apex PUD Amendment. The petitioner is Curteis Calhoun with Enclave Holdings, LLC for the property located at 0 Laura Duncan Road.

CN5 Liz Loftin, Senior Planner

Set Public Hearing for the January 11, 2022 Town Council meeting regarding Rezoning Application #21CZ19 1016 N. Salem Street. The applicant, Courtney Landoll, WithersRavenel, seeks to rezone approximately .426 acres from Residential Agricultural (RA) to Medium Density Residential-Conditional Zoning (MD-CZ). The proposed rezoning is located at 1016 N. Salem Street.

CN6 Shelly Mayo, Planner II

Set the Public Hearing for the January 11, 2022 Town Council meeting regarding Rezoning Application #21CZ20 3075 Lufkin Road. The applicant, Al Goodrich of Wigeon Capital, LLC, seeks to rezone approximately 3.08 acres from Planned Commercial-Conditional Use (PC-CU #94CU21 & #98CU14) and Planned Commercial (PC) to Light Industrial-Conditional Zoning (LI-CZ). The proposed rezoning is located at 3075 Lufkin Road.

CN7 Amanda Bunce, Current Planning Manager

Set the Public Hearing for the January 11, 2022 Town Council meeting regarding various amendments to the Unified Development Ordinance (UDO).

CN8 Marty Stone, Assistant Town Manager

Encroachment agreement between the Town and property owners Abhishek Monhanty and spouse Lipsa Sarangi to install a fence that will encroach 35 S.F. onto the Town's 20' Public Storm Drainage Easement and authorize the Town Manager to execute the same.

CN9 Dennis Brown, Construction Project Manager

Lease with NC SECU for an ATM located in the new Mason Street parking lot adjacent to the Community Center and authorization for the Town Manager to sign the lease.

CN10 Russell Dalton, Traffic Engineering Manager

Temporary closure of Dropsied Drive to through traffic between Amberlight Road and Doe Blossom Lane and establish a signed detour route along Antler View Drive beginning December 28, 2021 and ending October 1, 2022 for the purpose of constructing curb and sidewalk and for activities related to the Triangle Math and Science Academy site construction.

CN11 Donna Hosch, Town Clerk

Apex Tax Report dated November 5, 2021.

CN12 Donna Hosch, Town Clerk

Minutes of November 11, 2021 Regular Council Meeting

CN13 Shawn Purvis, Assistant Town Manager

Set a Public Hearing for Tuesday, January 11, 2022 at 6:00 pm to receive citizen input regarding the formulation of the Fiscal Year 2022-2023 Annual Budget

CN14 Steve Maynard Purchasing & Contracts Manager

Report of award of contract to Wesco Distribution for purchase of lantern light fixture and photocells.

CN15 Joanna Helms, Director

Amendment to the Lease Agreement between Town of Apex and the Apex Chamber of Commerce.

CN16 Mary Beth Manville, Human Resources Director

Revisions to the Town's Position Authorization List, reflecting 3 additional FTEs for the Fire Department.

CN17 Mary Beth Manville, Human Resources Director

Revisions to the Town's Personnel Policies to reflect the same protected classes as covered under the Town's adopted Non-Discrimination Ordinance.

Mayor Gilbert called for a motion to adopt the Consent Agenda. Council Member Killingsworth made the motion; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

REGULAR MEETING AGENDA

Mayor Gilbert called for a motion to adopt the Regular Agenda. Council Member Gantt made the motion; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

PUBLIC FORUM

No one wished to speak during Public Forum.

PUBLIC HEARINGS

PH1 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation - Apex Town Council's intent to annex Belinda Woodard Harris property containing 1.97 acres located at 2924 Evans Road, Annexation #713 into the Town's corporate limits.

Staff oriented Council to the site.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to approve the Ordinance; Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

PH2 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation - Apex Town Council's intent to annex Matthew & Michelle Michela and Justin & Maryann Michela (Hudson Landing) property containing 10.54 acres located at 7517 Roberts Road, 2310 Pollard Place, & 2000 Cabin Cove Road, Annexation #718 into the Town's corporate limits.

Staff oriented Council to the site.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the Ordinance; Council Member Dozier 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.

NEW BUSINESS

NB1 Donna Hosch, Town Clerk

Recognition of retiring Mayor Pro Tem Nicole L. Dozier

Mayor Gilbert called upon those who would like to speak and honor Mayor Pro Tem Nicole Dozier. Fire Chief Keith McGee presented words of thanks, especially as Mayor Pro Tem (MPT) Dozier helped him navigate the legislative process. He spoke about her friendship, dedication to staff, and her many years of service. He presented her with a Chief's coin.

Human Resources Director Mary Beth Manville presented a lovely bouquet of flowers and talked about how it has been a pleasure to work with MPT Dozier. She talked about those initiatives and policies that were led by MPT Dozier in support of staff. She thanked MPT for all she has done to enhance the life and work of staff.

Larry Harris stated his sadness at MPT Dozier's departure, stating those things she has done for the Friendship Community in particular. Her efforts would not go unnoticed. Mr. Harris stated that MPT Dozier could retire from her Council seat but that she could not retire from being so nice.

Tina Sherman expressed her gratefulness for MPT Dozier's service to the Town, to all she has done for Apex citizens and the State, noting that MPT Dozier has been a gift to the community.

Pastor Thomas Johnson prayed a special and moving prayer for MPT Dozier and her family. The Praise Team celebrated MPT Dozier with two selections of song and glory.

Council Members Cheryl Stallings, Brett Gantt, Audra Killingsworth, and Terry Mahaffey presented words of honor and appreciation to MPT Dozier. They expressed their appreciation for her leadership, mentorship, and wanting to do things in the right way. She has been the voice on Council for the community for many years. We are in a better place because of her leadership.

Mayor Gilbert praised MPT Dozier for being an encourager, a leader, a negotiator, a mentor. He spoke about the amazing things which MPT Dozier has done for the employees and the impact she's made on the community. He talked about MPT Dozier's initiatives: Think Apex which will carry on and how

we made history in Apex for MPT Dozier's push for recognition of the Juneteenth holiday. Her most notable initiative was the Senior Center which will provide our seniors with a facility to maintain and improve their health.

Mayor Gilbert then read and presented MPT Dozier with the Order of the Long Leaf Pine from Governor Roy Cooper for the State of North Carolina.

Mayor Gilbert called for MPT Dozier's husband, James Dozier, to come forward. He presented him with an award for being "The Real Mayor Pro Tem" who has stood with his wife through her eight years of service. He also presented him with a gift card to enjoy a night on the town with his family.

Town Clerk Donna Hosch presented MPT Dozier with an engraved crystal vase with yellow roses to express the Town's appreciation for her service. She read the engraving.

MPT Dozier spoke about her beginning this venture, speaking about her learning and growing from each Council Member and staff, what it has meant to be a council member, and what she felt was the right way in which to serve. She spoke about diversity, equity, and inclusion being a part of what we do and how these needs to blended these into policy making. MPT Dozier presented Mayor Gilbert with the remaining funds from her campaign to start a fund for older adults - tagged as SeniorITY (I Thank You) - to help those with transportation issues or programs which need to be paid and which may cause a barrier for some seniors.

MPT Dozier talked about her efforts to help the youth of the community and how Think Apex will be expanded to honor these young people. She spoke about affordable housing and how she wanted to have a Think Apex house working with Habitat. More details on this house would follow. MPT Dozier appreciated the way council cared and honored each other's voices and how much she appreciated each and every council member. She spoke about staff and the efforts done to ensure Apex is a recognized great community. MPT Dozier read a quote from Poet Laureate Gorman. She thanked everyone for the last eight years and expressed how much she thanked God for everyone.

Before being escorted to her seat in the audience by Fire Marshall David Dillon, Mayor Gilbert left the audience with two of MPT Dozier's quotes: "Wait, I'm speaking" and "What are the main takeaways". Mayor Gilbert then had MPT Dozier DROP THE MIC!

UPDATES BY TOWN MANAGER

There were no updates by the Town Manager.

CLOSED SESSION

There were no Closed Session items for consideration.

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

Mayor Gilbert recessed the Regular Meeting Sine Die.

ORGANIZAITONAL PROCEEDINGS

After a brief recess, Mayor Gilbert reconvened the meeting to begin the organizational proceedings.

Administering of Oaths

Audra Killingsworth, surrounded by her immediate family, was sworn in as a Council Member by the Honorable Judge Ashleigh Parker Dunston. Council Member Killingsworth thanked her family and her supporters, and stated that she was grateful for her family and supporters.

Brett Gantt, surrounded by his immediate family, was sworn in as a Council Member by Mayor Jacques K. Gilbert. Council Member Gantt thanked the voters and stated that it is an honor to be serving on the Town Council. He thanked the staff for all the work they do and stated that he is excited and looking forward to serving four more years to impact Apex in a positive way.

Edward Gray, surrounded by his immediate family, was sworn in as a Council Member by the Honorable James E. Gates. Council Member Gray thanked Kevin Creech, Jackie Jones, those who helped with his campaign, his friend, his parents, and his wife and daughter. He spoke about the importance of giving everyone a voice.

Selection of Mayor Pro Tempore

Mayor Gilbert stated the duties of Mayor Pro Tempore according to Town Ordinances. Mayor Gilbert called for a nomination.

Council Member Stallings nominated and made the motion to appoint Council Member Killingsworth as Mayor Pro Tempore;

Council Member Gray seconded the motion.

The motion carried by a 5-0 vote.

Council Member Killingsworth was sworn in a Mayor Pro Tempore by the Honorable Judge Ashleigh Parker Dunston.

Mayor Pro Tem Killingsworth stated that she is looking forward to experience, is excited to serve in the role, and thanked Council for their support.

Appointment of Standing Committees and Liaisons

Mayor Gilbert made the following appointments:

Committees:

Economic Development-Mayor Gilbert, Chair; Council Member Stallings

Finance-Council Member Mahaffey, Chair; Council Member Gray

Housing Advisory-Mayor Pro Tem Killingsworth

Personnel-Mayor Gilbert, Chair; Mayor Pro Tem Killingsworth

Planning-Council Member Gantt, Chair; Council Member Mahaffey

Liaisons:

Apex Chamber of Commerce-Council Member Mahaffey, Primary; Mayor Gilbert, Alternate

Triangle J Council of Governments-Council Member Gantt, Primary; Council Member Gray, Alternate

Parks and Recreation Advisory Commission-Mayor Gilbert, Primary Council Member Stallings, Alternate

Environmental Advisory Board-Council Member Stallings, Primary Council Member Gantt, Alternate

Executive Board of CAMPO-Mayor Gilbert, Primary; Council Member Mahaffey, Alternate

Apex Downtown Business Association-Mayor Pro Tem Killingsworth, Primary; Council Member Stallings Alternate

A recommendation was provided to disband the Environmental Committee.

Council Member Gantt made the motion to dissolve the Environmental Committee;

Mayor Pro Tem Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

Calendar of Town Council Meetings for 2022 and 2023

Mayor Gilbert presented the recommended calendar of meetings for 2022 and 2023.

Mayor Pro Tem Killingsworth made the motion
to adopt the recommend calendars;
Council Member Stallings seconded the motion.
The motion carried by a 5-0 vote.

ADJOURNMENT

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

Tesa Silver, CMC, Deputy Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor