



AGENDA | REGULAR TOWN COUNCIL MEETING

October 11, 2022 at 6:00 PM

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Audra Killingworth

Council Members: Brett D. Gantt; Cheryl F. Stallings; Terry Mahaffey; Edward Gray

Town Manager: Catherine Crosby | Deputy Town Manager: Shawn Purvis | Assistant Town Manager: Marty Stone

Town Clerk: Allen Coleman, CMC, NCCCC | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

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:

CN1 Affordable Housing Project - Broadstone Walk - Revise Loan Lien Position

Christopher "C.J." Valenzuela, Housing Program Manager, Planning and Community Dev.

CN2 Budget Ordinance Amendment No. 7 - Electric Operations Facility Equipment Repairs/Replacement

Amanda Grogan, Director, Budget and Performance Management

CN3 Budget Ordinance Amendment No. 8 - Affordable Housing Loans - Broadstone Walk

Shawn Purvis, Deputy Town Manager (as interim Finance Director)

CN4 Construction Contract Award/Budget Ordinance Amendment No. 6 - MLB Construction Services LLC - Mason Street Building

Daniel Edwards, Senior Capital Projects Manager

CN5 Resolution Supporting Abandonment of a Portion of Walden Road

Russell Dalton, Traffic Engineering Manager, Transportation and Infrastructure

CN6 Rezoning Case No. 22CZ07 Chapel Ridge North PUD - Set Public Hearing

Shelly Mayo, Planner II, Planning and Community Development

CN7 Rezoning Case No. 22CZ09 Utleigh Farms PUD - Set Public Hearing

Lauren Staudenmaier, Planner II, Planning and Community Development

CN8 Rezoning Case No. 22CZ13 - 2021 N Salem St PUD - Set Public Hearing

Sarah Van Every, Senior Planner, Planning and Community Development

CN9 Rezoning Case No. 22CZ16 - 1039 Irongate Drive - Statement and Ordinance

Lauren Staudenmaier, Planner II, Planning and Community Development

CN10 Street Tree Maintenance Agreement - Depot 499 Owners Association

John Mullis, Director, Public Works

CN11 Tax Report - August 2022

Allen Coleman, Town Clerk, Town Clerk's Office

CN12 Unified Development Ordinance (UDO) Amendments - September 2022

Amanda Bunce, Current Planning Manager, Planning and Community Development

PRESENTATIONS

PR1 Proclamation - Fire Prevention Week - October 9 through 15, 2022

Jacques K. Gilbert, Mayor, and Tim Herman, Fire Chief (sponsor)

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings 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

PH1 Annexation No. 703 - Haddock Properties - 1.989 acres

Dianne Khin, Director, Planning and Community Development

**PH2 Bicycle and Pedestrian System Plan Map Amendment - Proposed Facility Type Changes
- Richardson Road**

Jenna Shouse, Senior Long Range Planner

NEW BUSINESS - None

UPDATES BY TOWN MANAGER

CLOSED SESSION

Council will enter into closed session pursuant to:

CS1 Steve Adams, Utility Acquisition Specialist

NCGS §143-318.11 (5):

"To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract."

CS2 Brian Meyer, Deputy Town Attorney

Re: ExperienceOne Homes, LLC vs. Town of Apex

NCGS §143-318.11 (3):

"To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged."

CS3 Laurie Hohe, Town Attorney

NCGS §143-318.11 (6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS4 Jacques K. Gilbert, Mayor, and Audra Killingsworth, Mayor Pro-Tempore

NCGS §143-318.11 (6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

ADJOURNMENT