



AGENDA | REGULAR TOWN COUNCIL MEETING

May 24, 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 | Assistant Town Managers: Shawn Purvis and Marty Stone

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

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

Oath of Office - Town Clerk Allen Coleman

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 Allen Coleman, Town Clerk

Motion to approve the minutes of the May 10, 2022 meeting of the Regular Town Council Meeting as submitted by the Interim Town Clerk Julie A. Reid.

CN2 Linda Graham Jones, Director of Diversity, Equity, and Inclusion

Motion to adopt an ordinance amendment to Chapter 3 of the Town Code, adopt a resolution permitting application of the Wake County Nondiscrimination Ordinance within the Town corporate limits, approve an Interlocal Agreement with Wake County outlining party responsibilities in enforcing the County Nondiscrimination Ordinance, approve an addendum to the Interlocal Agreement specific to Apex, and authorizing the Town Manager to execute the Interlocal Agreement and Addendum.

CN3 Shawn Purvis, Assistant Town Manager

Motion to approve Budget Ordinance Amendment No. 20 to allocate funds to complete renovations of Town facilities.

- CN4 Amanda Bunce, Current Planning Manager
Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of May 10, 2022 related to the Downtown Festival District and associated amendments.
- CN5 Amanda Bunce, Current Planning Manager
Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the various Unified Development Ordinance (UDO) Amendments of May 10, 2022.
- CN6 Shelly Mayo, Planner II
Motion to approve Statement of the Town Council and Ordinance for Rezoning Case #21CZ29 North Salem Station PUD. Ana Wadsworth with The Wooten Company is the petitioner for the properties located at 0 Candun Dr., 0 Laura Duncan Rd., and 0 N. Salem St.
- CN7 Colleen Merays, Downtown & Small Business Development Coordinator
Motion to adopt ordinances modifying Town Code Section 14-14 as to the Parking Lot at 112 Saunders Street closed for a Special Event(s) during Peak City Pig Fest on July 22-23, 2023.
- CN8 Michael Deaton, P.E., Director
Motion to approve a 3-year Master Services Agreement with Ellington Contractors, Inc., dba Intragrade and to authorize the Town Manager to execute the agreement on behalf of the Town.
- CN9 Michael Deaton, P.E., Director
Motion to approve a 3-year Master Services Agreement with Griffin Sales, Inc., dba Rodders and Jets Supply Co., and to authorize the Town Manager to execute the agreement on behalf of the Town.
- CN10 Michael Deaton, P.E., Director
Motion to approve a 3-year Master Services Agreement with Sanford Electrical Contractors, Inc. and to authorize the Town Manager to execute the agreement on behalf of the Town
- CN11 Marty Stone, Assistant Town Manager
Motion to approve an encroachment agreement between the Town and property owner Peak Hotels, LLC to install a private domestic backflow preventer and vault that will encroach 34 square feet, a private fire protection backflow preventer and vault that will encroach 51 square feet, and a private fire department connection that will encroach 1 square foot into the Public Utility Easement and authorize the Town Manager to execute the same.

CN12 Marty Stone, Assistant Town Manager

Motion to approve an encroachment agreement between the Town and property owner Raghavender Rao Pale and spouse Vanditha Goudi to install a fence that will encroach 407 square feet onto the Public Drainage Easement and authorize the Town Manager to execute the same.

CN13 Russell Dalton, Traffic Engineering Manager

Motion to approve an Ordinance amending Section 20-163 subsection (b)(2), reserving the first ten (10) parking spaces on the south side of Hunter Street east of Grand Central Station for a GoApex bus stop and layover area on Monday through Saturday between the hours of 5:30 a.m. and 10:15 p.m. when designated by signs indicating said reservation.

PRESENTATIONS

PR1 Apex Middle School Student Equity Team

School Discipline Reform Presentation

PR2 Mayor and Council

Presentation of Apex Latino Arts Festival Proclamation

PR3 Mayor and Council

Presentation of Asian American And Pacific Islander Heritage Month Proclamation

PR4 Mayor and Council

Presentation of Juneteenth Day Proclamation

PR5 Mayor and Council

Presentation Of National Gun Violence Awareness Day Proclamation

PR6 Russell H. Dalton, PE, Traffic Engineering Manager

Town Council to receive an update on the Vision Zero traffic safety program from staff summarizing public outreach, advertising an upcoming public event scheduled June 25th, and preparing for release of the Draft Action Plan.

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 Shawn Purvis, Assistant Town Manager
Public Hearing to receive citizen input on the Fiscal Year 2022-2023 Annual Budget including proposed economic development expenditures
- PH2 Dianne Khin, Director of Planning and Community Development
Public hearing and possible motion to adopt an Ordinance on the Question of Annexation- Apex Town Council's intent to annex the Peak 360, LLC property containing 7.6631 acres located at 7825 and 7809 Jenks Road, Annexation #732 into the Town's corporate limits.
- PH3 Lauren Staudenmaier, Planner II
Public Hearing and possible motion to approve Rezoning Application #21CZ31 Sears Property PUD. The applicant, Jeff Roach, Peak Engineering and Design, LLC., seeks to rezone approximately 26.218 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 0 & 2108 Old US 1 Highway.
- PH4 Sarah Van Every, Senior Planner
Public hearing and possible motion to adopt an Ordinance on the Question of Annexation- Apex Town Council's intent to annex the R. Michael Strickland Trustee of Family Trust property containing 13.541 acres located at 8200 Jenks Road, Annexation #727 into the Town's corporate limits.

AND

- PH5 Sarah Van Every, Senior Planner
Public Hearing and possible motion to approve Rezoning Application #22CZ01 Arden at Summit Pines PUD. The applicant, Collier Marsh, FC Apex, LLC., seeks to rezone approximately 11.74 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).
- PH6 Dianne Khin, Director of Planning and Community Development
Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance (UDO).

OLD BUSINESS

UNFINISHED BUSINESS

- UB1 Lauren Staudenmaier, Planner II
Continued from the April 26th Town Council Meeting.

Possible motion to approve Rezoning Application #21CZ26 Humie Olive Commercial. The applicant, Jeff Roach, Peak Engineering & Design PLLC., seeks to rezone approximately 7.69 acres from Rural Residential (RR) to Neighborhood Business-Conditional Zoning (B1-CZ). The proposed rezoning is located at 0 & 7525 Humie Olive Road.

NEW BUSINESS

NB1 Vance Holloman, Finance Director

A possible motion to approve a Resolution authorizing the filing of an application with the Local Government Commission (LGC) to approve the extension of a bond order.

UPDATES BY TOWN MANAGER

CLOSED SESSION

CS1 Laurie Hohe, Town Attorney

Possible motion to go into closed session pursuant to NCGS 143-318.11(a)(3) to preserve attorney-client privilege.

CS2 Steve Adams, Real Estates & Public Utilities

Possible motion to go into closed session pursuant to NCGS 143-318.11(a)(5) to discuss the Town's negotiating position to the acquisition of real property

WORK SESSION

ADJOURNMENT