



# **REVISED AGENDA** | REGULAR TOWN COUNCIL MEETING

January 09, 2024 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-Tempore: Edward Gray

Council Members: Brett D. Gantt; Audra Killingsworth; Terry Mahaffey; Arno Zegerman

Interim Town Manager: Shawn Purvis

Assistant Town Managers: Demetria John and Marty Stone

Town Clerk: Allen Coleman | 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 2024 Town Council Meeting Calendar Amendments**

*Allen Coleman, Town Clerk*

### **CN2 Agreement - Badger Meter, Inc. - New Water Meters - Meter System Upgrade Project**

*Michael Deaton, P.E., Director, Water Resources Department*

### **CN3 Agreement - North Carolina Department of Transportation (NCDOT) and Town of Apex - Extend Completion Date for Apex Peakway Project**

*Russell Dalton, P.E., Traffic Engineering Manager, Transportation and Infra. Dev. Dept.*

### **CN4 Annexation No. 745 - The Preserve at Holt - 5.367 acres**

*Allen Coleman, Town Clerk*

### **CN5 REVISED Appointment(s) - Board of Adjustment**

*Allen Coleman, Town Clerk*

### **CN6 Capital Project Ordinance Amendment No. 2024-10 - GoApex Bus Stop Improvements (Four Locations) and Sidewalk Connection Project**

*Jenna Shouse, Senior Long-Range Planner, Planning Department*

### **CN7 Council Meeting Minutes - Various**

*Allen Coleman, Town Clerk*

**CN8 Human Resources (HR) Policy Updates - Town's Personnel Policies**

*Karen Spurlin, Assistant Director, Human Resources Department*

**CN9 Ordinance - Authorizing Creation of and Establishing Procedures for the Petty Cash and Cash Change Funds**

*Antwan Morrison, Director, Finance Department*

**CN10 Resolution - Amendment to Designated Deputy Finance Officers**

*Antwan Morrison, Director, Finance Director*

**CN11 Rezoning Case No. 23CZ16 - Friendship Station Sec 3 PUD Amendment - Statement and Ordinance**

*Liz Loftin, Senior Planner, Planning Department*

**CN12 Speed Limit Revision - North Carolina Department of Transportation (NCDOT) - Olive Chapel Road between New Hill Olive Chapel Road and Apex Peakway, 45mph**

*Russell Dalton, P.E., Traffic Engineering Manager, Transportation and Infra. Dev. Dept.*

**CN13 Tax Report - November 2023**

*Allen Coleman, Town Clerk*

## **PRESENTATIONS**

**PR1 Fiscal Year 2023 Audit - Annual Comprehensive Financial Report (ACFR)**

*Antwan Morrison, Director, Finance Department*

**PR2 Proclamation - Honoring the Legacy of Dr. Martin Luther King Jr. 2024**

*Jacques K. Gilbert, Mayor*

**PR3 Proclamation - Human Trafficking Prevention Month - January 2024**

*Jacques K. Gilbert, Mayor*

## **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 Fiscal Year 2024-2025 Annual Operating Budget - First Public Hearing**

*Amanda Grogan, Director, Budget and Performance Management Department*

### **PH2 Unified Development Ordinance Amendments - January 2024**

*Amanda Bunce, Current Planning Manager, Planning Department*

## **NEW BUSINESS**

## **UPDATES BY INTERIM TOWN MANAGER**

## **CLOSED SESSION**

Council will enter into closed session pursuant to:

### **CS1 Steve Adams, Real Estate/Utilities Acquisition Specialist**

#### **NCGS § 143-318.11(a)(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 v. Town of Apex**

#### **NCGS §143-318.11(a)(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."*

### **CS3 Laurie Hohe, Town Attorney**

**RE: Town of Apex v. CJS Assemblage LLC**

#### **NCGS §143-318.11(a)(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."*

**CS4 Councilmember Terry Mahaffey**

**NCGS §143-318.11(a)(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."*

**CS5 ADDED Councilmember Arno Zegerman**

**NCGS §143-318.11(a)(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."*

**ADJOURNMENT**