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# Apex Town Council Meeting

Tuesday, February 18, 2020

Jacques K. Gilbert, Mayor  
Nicole L. Dozier, Mayor Pro Tempore  
Brett D. Gantt, Audra M. Killingsworth, Cheryl F. Stallings,  
and Terry Mahaffey, Council Members  
Drew Havens, Town Manager  
Shawn Purvis, Assistant Town Manager  
Marty Stone, 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, February 18, 2020, at 6:00 PM will be held in the Council Chamber of Apex Town Hall, 73 Hunter Street. The meeting will adjourn when all business is concluded or at 10:00 PM, whichever comes first.

## COMMENCEMENT

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Call to Order : Invocation : Pledge of Allegiance

## PRESENTATIONS

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[PR1](#) Mayor Gilbert

Presentation of Women's History Month Proclamation

## CONSENT AGENDA

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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](#) Donna Hosch, Town Clerk

Motion to approve Minutes of the January 7, 2020 Regular Town Council Meeting and the January 21, 2020 Regular Council Meeting

[CN2](#) Dianne Khin, Director of Planning and Community Development

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing on the Question of Annexation – Apex Town Council's intent to annex Ronald and Linda Padgett (single-family) property containing 2.70 acres located at 7101 Beaver Trail, Annexation #684 into the Town's corporate limits.

[CN3](#) Shawn Purvis, Assistant Town Manager

Motion to approve the Cosponsored Special Event Permit request for 2020 St. Patrick's Day NC State Pipes and Drums at Salem Street Pub on March 17, 2020

[CN4](#) Vance Holloman, Finance Director

Motion to approve contract for audit services for the fiscal year ending June 30, 2020

## REGULAR MEETING AGENDA

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Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Agenda prior to taking action

## PUBLIC FORUM

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Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address an item that appears as a Public Hearing 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

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[PH1](#) Dianne Khin, Planning and Community Development Director

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to Doug Behan & Sohini Sengupta property containing 2.208 acres located at 7617 Reams Court, Annexation #671 into the Town's corporate limits.

[PH2](#) Shelly Mayo, Planner II

Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation – Apex Town Council's intent to annex Henry Steven Kastelberg, Carol B. Heelan Irrevocable Trust c/o George Heelan, Edward and Deborah Peart and Jerfi and Lisa Cicin (Heelan PUD) property containing 141.732 acres located at 0, 8824 and 8829 Humie Olive Road and 3108 and 3120 Olive Farm Road, Annexation #676 into the Town's corporate limits.

**Heelan PUD Conditional Zoning #19CZ21 associated with this annexation was tabled at the February 10, 2020 Planning Board meeting. Therefore, neither the rezoning nor the annexation can be heard at the February 18, 2020 Town Council meeting. The public hearing for the**

**annexation at Town Council will need to be re-advertised if and when the project moves forward in the future.**

[PH3](#) Shelly Mayo, Planner II

Public Hearing and possible motion on Rezoning Application #19CZ21 Heelan PUD. The applicant, Jason Barron for Morningstar Law Group, seeks to rezone approximately 141.73 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 8824 & 8829 New Hope Farm Road, 3108 & 3120 Olive Farm Road, and 0 Humie Olive Road.

**The Heelan PUD Conditional Zoning #19CZ21 was tabled at the February 10, 2020 Planning Board meeting. Therefore, this rezoning cannot be heard at the February 18, 2020 Town Council meeting. Public hearings for both Planning Board and Town Council will need to be re-advertised if and when the project moves forward in the future.**

[PH4](#) Shelly Mayo, Planner II

Public Hearing and possible motion on Rezoning Application #19CZ25 Jenks and Wimberly Mixed Use PUD. The applicant, Taylor Morrison of the Carolinas, Inc., seeks to rezone approximately 14.68 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 1533 Wimberly Road and 7912, 8000, and 8016 Jenks Road.

[PH5](#) Vance Holloman, Finance Director

Public Hearing and possible motion to approve a Resolution approving in principle, solely for purposes of meeting the requirements of the Internal Revenue Code and for the Bonds to be Issued by the Public Finance Authority to Thales Academy, the issuance of up to \$40,000,000 in Educational Facilities Revenue Bonds (the "Bonds") by the Authority which in no way obligates the Town for repayment of said bonds or creates any liability to the Town.

## OLD BUSINESS

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## UNFINISHED BUSINESS

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[UB1](#) Drew Havens, Town Manager

Discussion and possible motion adopt Ordinance 2020-0218-09 to repeal Section 14-28 of the Town of Apex Code of Ordinances.

NEW BUSINESS

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CLOSED SESSION

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WORK SESSION

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ADJOURNMENT

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