

**DRAFT MINUTES**

**TOWN OF APEX  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, NOVEMBER 12, 2024  
6:00 PM**

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, November 12th, 2024 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town’s YouTube Channel. The recording of this meeting can be viewed here:

<https://www.youtube.com/watch?v=OH2-WL-2B3A>

**[ATTENDANCE]**

Elected Body

- Mayor Jacques K. Gilbert (presiding)
- Mayor Pro Tempore Ed Gray
- Councilmember Audra Killingsworth
- Councilmember Terry Mahaffey
- Councilmember Brett Gantt
- Councilmember Arno Zegerman

Town Staff

- Town Manager Randy Vosburg
  - Deputy Town Manager Shawn Purvis
  - Assistant Town Manager Marty Stone
  - Assistant Town Manager Demetria John
  - Town Attorney Laurie Hohe
  - Town Clerk Allen Coleman
- All other staff members will be identified appropriately below

**[COMMENCEMENT]**

**Mayor Gilbert** called the meeting to order at 6:00 p.m. and welcomed all who were in attendance and watching.

**Mayor Gilbert** then took a moment of silence for the invocation, and asked people to think about the things they are grateful for. He then led those in attendance in the Pledge of Allegiance. He acknowledged the Apex Youth Council and thanked them for being at the meeting.

1 **[CONSENT AGENDA]**

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3 **Town Clerk Coleman** noted that there was a request from staff to move Consent Item  
4 6 to New Business item 4.

5 A **motion** was made by **Mayor Pro Tempore Gray**, seconded by **Councilmember**  
6 **Gantt**, to approve the Consent Agenda, with Consent Item 6 moved to New Business as New  
7 Business Item 4.

8 **VOTE: UNANIMOUS (5-0)**

9 **CN1 2025 Town Council Meeting Calendar Adoption (including Council**  
10 **Committees) (REF: OTHER-2024-114)**

11 Council voted to adopt the Town Council meeting schedule for calendar year 2025.

12 **CN2 Agreement - Installment Purchase Agreement (IPA) and Resolution - Equipment**  
13 **and Vehicles (REF: CONT-2024-334 AND RES-2024-055)**

14 Council voted to approve an Installment Purchase Agreement (IPA) between PNC Bank,  
15 National Association and the Town of Apex, with an interest rate of 3.58% for a four (4) year  
16 term; and, to adopt a Resolution Authorizing the Execution and Delivery of An Installment  
17 Financing Contract to Finance the Acquisition of Certain Vehicles and Equipment.

18 **CN3 Agreement - North Carolina Department of Transportation (NCDOT) - Municipal**  
19 **Reimbursement Agreement for Right-of-Way (ROW) Mowing Fiscal Year 2024-**  
20 **25 (REF: CONT-2024-335)**

21 Council voted to approve a Maintenance Agreement - Mowing between North Carolina  
22 Department of Transportation (NCDOT) and the Town of Apex, effective for five (5) years  
23 from the date of full execution, for the Town of Apex to assume mowing responsibilities on  
24 the selected NCDOT roads and receive reimbursement payment from the NCDOT at the rate  
25 identified in the agreement, and to authorize the Town Manager, or their designee, to  
26 execute on behalf of the Town.

27 **CN4 Agreement - North Carolina Department of Transportation (NCDOT)**  
28 **Supplemental Agreement for Additional Federal Funds - Lake Pine Drive**  
29 **Project (REF: CONT-2024-336)**

30 Council voted to approve a Supplemental Agreement between North Carolina Department  
31 of Transportation (NCDOT) and the Town of Apex, authorizing an additional \$341,633 in  
32 federal funds for the U-5537 Lake Pine Drive Improvements project, requiring 20% local  
33 matching funds, for final reimbursement and to close-out the project, and to authorize the  
34 Town Manager, or their designee, to execute the agreement on behalf of the Town.

35 **CN5 Annexation No. 791 - Enderline Property - 308 Thorn Hollow Drive - 1.1018**  
36 **acres (REF: RES-2024-056, RES-2024-057, AND OTHER-2024-115)**

37 Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition  
38 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a  
39 Resolution Setting the Date of a Public Hearing for December 10, 2024, on the Question of

1 Annexation - Apex Town Council's intent to annex 1.1018 acres, known as Enderline  
2 Property, located at 308 Thorn Hollow Drive, Annexation No. 791, into the Town Corporate  
3 limits.

4 **CN6 Construction Contract Award - Landmark Structures - 1.5 MG Elevated Water**  
5 **Storage Tank - Pleasant Park - Budget Ordinance Amendment No. 5 - Capital**  
6 **Project Ordinance Amendments No. 2025-3 and No. 2025-4**

7 Council voted to award a construction contract, in substantial form, to Landmark Structures  
8 for the construction of the Pleasant Park 1.5 MG Elevated Water Tank project, authorize the  
9 Town Attorney and Town Manager to make minor modifications to the contract not affecting  
10 the construction schedule or cost, authorize the Town Manager, or their designee, to execute  
11 the contract on behalf of the Town and approve corresponding Budget Ordinance  
12 Amendment No. 5 and Capital Project Ordinance Amendments No 2025-3 and No. 2025-4.

13 **CN7 Council Meeting Minutes - Various**

14 Council voted to approve, as submitted, Meeting Minutes from the following meetings:  
15 October 8, 2024 - Regular Town Council Meeting Minutes  
16 October 15, 2024 - Town Council Work Session Minutes  
17 October 22, 2024 - Regular Town Council Meeting Minutes

18 **CN8 Ordinance Amendment Chapter 20 - Traffic, Article VIII. Parking, Sub-Section 20-**  
19 **164(44) Olive Chapel Road No Parking (REF: ORD-2024-082)**

20 Council voted to approve an Ordinance amending the Town's Code of Ordinances, Chapter  
21 20, Article VIII. - Parking, Sub-Section 164 - No Parking Zones to include the addition of  
22 subsection (44) prohibiting parking on the north side of Olive Chapel Road from Homestead  
23 Park Drive to a point 300 feet west and south side of Olive Chapel Road from Brierridge Drive  
24 to a point 200 feet east.

25 **CN9 Rezoning Case No. 24CZ14 - Broadstone PUD Amendment - Statement and**  
26 **Ordinance (REF: ORD-2024-083)**

27 Council voted to approve the Statement of the Town Council and Ordinance for Rezoning  
28 Application No. 24CZ14, Angel Management, Inc, petitioner, for the property located at 0  
29 South Hughes Street (PIN 0741557469).

30 **CN10 Surplus Badge and Service Weapon - Retired Chief of Police Jason Armstrong**

31 Council voted to declare one badge and service weapon (Glock Model 26, 9mm handgun,  
32 Serial Number AECP429) as surplus property, set the purchase price for \$1.00, and award  
33 these items to retired Apex Police Chief Jason Armstrong.

34 **CN11 Tax Report - September 2024 (REF: OTHER-2024-116)**

35 Council voted to approve the Apex Tax Report dated October 3, 2024.

36 **CN12 Zoning Compliance Penalty Waiver - 1000 Winding Creek Road**

37 Council voted to waive the civil penalty of \$4,450.00 issued to Mr. Andrew Prusik for violation  
38 of Sections 4.1.2 and 4.2.2 (Use Regulations) of the Town Unified Development Ordinance  
39 (UDO).

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42 **[PRESENTATIONS]**

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**PR1 Apex Public School Foundation - Quarterly Peak S.T.A.R. Awards - 1<sup>st</sup> Quarter School Year 2024-25**

**Councilmember Mahaffey** said that would be giving out the Peak S.T.A.R Award. He said it's a quarterly award where the Town of Apex is partnered with Apex Public School Foundation (APSF) to recognize a staff member, teacher or Administrator. He invited Barb Conroy from the Apex Public School Foundation to talk more about the foundation and the award being presented.

**Ms. Conroy** said that APSF supports the 19 Wake County schools with an Apex mailing address, currently 3 High School, 5 Middle Schools and 11 Elementary schools, and that would increase next year. She said the primary program, the Teacher Grant program, funds teacher proposals that promote student engagement through innovative and creative programs. She said that volunteers are currently reviewing applications from this year and will award the funds in early 2025. She said that every Tuesday the ASPF celebrates exceptional educators, Administrators, and staff members in the Apex area schools, then the honorees are eligible for the quarterly Peak Star Award. She announced Courtney Maready, a Special Education teacher at Olive Chapel Elementary School, as the Peak Star recipient. She congratulated Ms. Maready and invited her up to receive the proclamation and take pictures.

**Ms. Maready** thanked the Council, Mayor, and Olive Chapel Elementary Principal Erin May. She said that she has two life goals, one to leave people feeling loved and seen and the second one is to always say the hard things. She said she can't flourish without being planted in good soil, and her family and school provide that.

**Principal May** said that Ms. Maready is an amazing teacher and exceptional educator and she is proud to work with her. She thanked the Council for recognizing Ms. Maready.

**Mayor Gilbert** congratulated Ms. Maready and thanked Principal May and Ms. Conroy.

**PR2 Proclamation - Small Business Saturday 2024 - November 30, 2024 (REF: PRO-2024-034)**

**Mayor Gilbert**, along with the rest of Town Council, read the Proclamation for Small Business. He invited Colleen Merays and other members from the Economic Development team up to accept the Proclamation and take a picture.

**Ayesha Sanders**, of the NC Readiness Hub in Downtown Apex, thanked the Mayor, Barbara Belicic, and Colleen Merays. She said she loves encouraging other small businesses. She thanked the officers for keeping them safe Downtown.

**PR3 Dorcas Ministries and Western Wake Crisis Ministry Merger Update**

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**Mayor Gilbert** introduced Dr. Atoya Hodges, Executive Director, Western Wake Crisis Ministry and Andre Anthony, Chief Executive Officer, Dorcas Ministries to give a presentation.

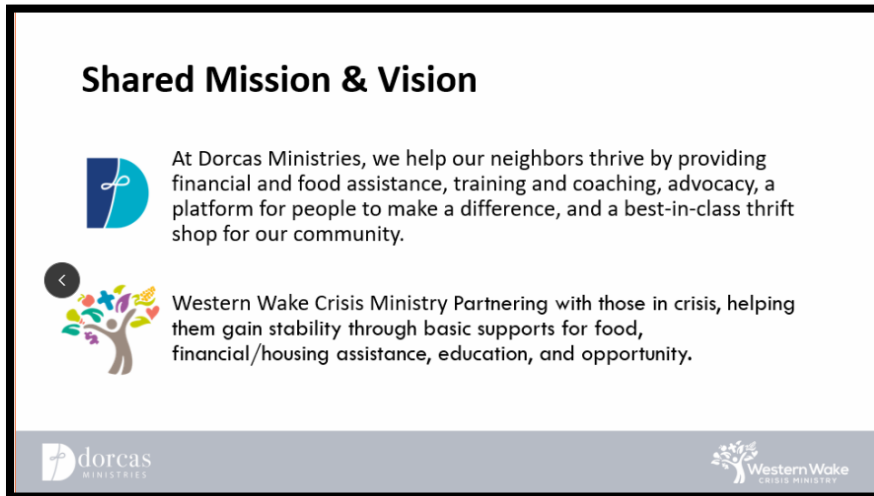
**Mr. Anthony** thanked the Town Council. He spoke about the collaborative partnerships between Dorcas and Wester Way Crisis Ministry. He shared the shared mission and vision keeping people in their homes and providing food. He and Dr. Hodge gave the following presentation:

**[SLIDE 1]**



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**[SLIDE 2]**



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**[SLIDE 3]**

## Similar History and Humble Beginnings

Founded in 1968 by Margaret Keller with support from local churches in response to a need in the community

Initial focus was education for low-income families

Grew to expand services including financial assistance, the Dorcas Pantry, workforce development, advocacy, Dorcas Thrift Shop

Founded in 1983 by Antoinette Clark with support from local churches in response to a need in the community

Initial focus was basic crisis assistance

Grew to expand financial services and open a food pantry



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**[SLIDE 4]**

## The Why

*Combined efforts and expanded services will better serve the community!*

The merger will:

- Strengthen our capacity to address the growing needs of food security, housing stabilization, workforce development and emergency assistance in the community.
- Help provide seamless delivery of enhanced services across the region and help more people in our communities.



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**[SLIDE 5]**

## Everybody Wins!

The merger provides:

- Potential to expand and enhance services with the addition of revenue source (second Thrift Shop)
- Shared infrastructure (Marketing/Communication, Philanthropy, Volunteer and Staff Management, Operations, Client Services and Advocacy), which creates an even more robust and comprehensive approach to community support while streamlining resources, ultimately contributing to a better-served community



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**[SLIDE 6]**



1           **Mr. Anthony** said that until this was determined that they would do business as usual.  
2 He said that they have to be careful navigating the change so they do not cause confusion in  
3 the community and that they would spend time thinking about this change.

4           **Mayor Gilbert** asked Mr. Anthony to highlight some of the ways that the Town of Cary  
5 has partnered with Dorcas over the years.

6           **Mr. Anthony** said that Dorcas has been the Social Services Agency for the Town of  
7 Cary. He said that they administer the utilities assistance program, a scholarship program the  
8 with Cary Parks and Rec, and now Dorcas has recently officially partnered with Cary to be the  
9 lead agency for people facing housing instability issues. He said that the capacity building  
10 side is \$500,000 this year, \$550,000 next year, \$600,000 the following year, and then there is  
11 another \$800,000 that was approved by Cary Town Council as a seed fund for people that  
12 may need to be re-located.

13           **Mayor Gilbert** said that he would encourage everyone to visit the Thrift Store and  
14 thanked them for the presentation.

15           **Mr. Anthony** said that their property has become a hub for Social Services and non-  
16 profits in Cary. He said they would be looking at replicating that in Apex.

17           **Mayor Gilbert** thanked them again, and moved the meeting on to the Regular  
18 Meeting Agenda.

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21 **[REGULAR MEETING AGENDA]**

22           **Mayor Gilbert** set the Regular Agenda and asked if there were any recommendation  
23 meeting changes at this time.

24           A **motion** was made by **Councilmember Zegerman**, seconded by Mayor Pro  
25 **Councilmember Killingsworth** to approve the Regular Meeting Agenda with the addition of  
26 New Business Item 4.

27 **VOTE: UNANIMOUS (5-0)**

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29 **[PUBLIC FORUM]**

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31           **Mayor Gilbert** opened the Public Forum and invited the first speaker up.

32           First to speak was **Dawn Cozzolino** of 3632 Bosco Road:

33           “Good evening, Town Council. So, I'm wondering why, after several meetings and  
34 emails, I presented the traffic crash reports and the traffic volume data for the New Hill  
35 Friendship Community, a rural community in Wake County, and nobody's reached out to me.



1 I was acknowledged for it, but nobody's reached out to me to have a conversation, and I  
2 think it's really critical for safety and project Vision Zero. Can I ask that you respond to me and  
3 set up a time even to meet with me to discuss? How can you, as a Council, approve  
4 developments when you don't consider traffic impact studies or crashes, or when you and  
5 your staff don't even visit sites, like physically go out to sites, walk the parcels? I don't know  
6 how you can... I can't understand how you can run a city effectively when you look at a two-  
7 dimensional map or you're at a desk. So, I want to present to you this is indicative of our  
8 community. This is an English riding bridle, and you've probably seen the shows Yellowstone  
9 and all the TV shows, and everybody thinks the bit, which is this metal piece here, and the  
10 reins are what control a horse. Well, it's far from the truth, actually. It's not that, it is harmony,  
11 it is connection, it's working with the horse. Those are the things, and that harmony is what  
12 gives the skills of the rider as well as the skills to work with the horse and the horse wants to  
13 work together. And what I see in what's happening with the Apex government is rather the  
14 thing that everybody thinks as you pull on the reins and you control the horse like this and  
15 that is the eminent domain that is going on with the Western Big Branch and Force Main in  
16 our area, which is for private development, right? It's for-profit companies, and there's other  
17 better ways and diverse ideas that we've provided to you in hopes that you would choose  
18 those different options. They do have the same positive impact of sewer and water  
19 infrastructure, they just happen to be on the south side of US Highway 1, and there's already  
20 a power line under there, so it's ripe for that type of development, and I'm sure much  
21 cheaper than the route you're going. So, I just want to ask that you consider that and consider  
22 that not just plugging or rushing housing because we need it, but thinking through what's  
23 needed, because this is how the whole city comes together. Thank you very much."

24 **Mayor Gilbert** thanked Ms. Cozzolino and called the next speaker.

25 Next speaker was **Theresa Potter** of 106 Shining Star Court:

26 "I think we can all agree that the utilities issue has become extremely frustrating. In my  
27 house, I've lived in Apex for 12 years. It's my husband, myself, and my son who left for the  
28 Marines in April. So, the difference between last year and this year is astounding because I no  
29 longer have a teenager who leaves lights on and that kind of thing. First and foremost, any  
30 and all of the staff that I've interacted with in the past in person have been great, large item  
31 removal, landscape removal, one electric issue years ago, everything was great. In my case  
32 with utilities. In July, we paid the June amount. In August, we paid \$300. In September, we  
33 paid \$153 because it made sense, the bill came showing \$153. In October, the bill showed a  
34 measurable, outrageous increase. Now, November is still almost three times more. So, mind  
35 you, this is a 1400 square foot ranch, it's not a two-story house. My bill right now for two  
36 months is \$671.79. When I called the Town, I left a voicemail. It cut me off at 30 seconds, so I  
37 couldn't leave my name and number because I didn't know it was going to cut me off. In the  
38 second voicemail, I left a message, and it took three weeks to get a call back. Then I got two  
39 additional calls after that asking if I had been contacted. They told me I was going to be

1 contacted by the billing department, but that didn't happen. So, they also need a system of  
2 notes where, "Hey, we contacted her already, this is where we're at, we need to follow up."  
3 So, I was told that one bill was doubled, but the electricity, water, and sewer were double, but  
4 the yard waste, garbage, recycling, and stormwater were not double. So, how can it be a  
5 double bill and the service period of the last bill was actually off, so that makes it even more  
6 suspicious. I know there are benefits of using the Town for our utilities, however, we, the  
7 consumers, are captive to the town and the services you provide. That means we are also  
8 captive to the customer service you are providing, and I think all of us were expecting more  
9 from a town that is clearly growing that should be prepared for things like this. None of us  
10 blame the staff for the cyber-attack, but we do expect the Town to have a plan in place when  
11 issues arise. We expect great customer service, we expect an explanation, and the leaders'  
12 ability to problem-solve, have transparency with the people, and implement a plan is the key  
13 and we are lacking in some of these areas. I did see the latest video, and I think we are  
14 headed in a good direction, but we need to see the results and I think maybe the third party  
15 coming in to do the investigation may be what we all need because we need to see our bills  
16 detailed out with an explanation of what's going on, and we need transparency from our  
17 leaders. Thank you."

18 **Mayor Gilbert** thanked the speaker and called the next speaker.

19 Next speaker was **Jack Roelofs** of 1404 Grappenhall Drive:

20 "Good evening, Mr. Mayor, and esteemed Council. I'm here tonight representing  
21 White Hall Manor, which is Grappenhall at the Peakway, and the recent traffic measures that  
22 have been implemented there. We've had the shutdown of Peakway and the deviation of  
23 traffic through Grappenhall and into Towhee I know at least two of the council members have  
24 firsthand experience of what it's like right there. To give a clearer picture of what's happening  
25 on the ground and where our concerns lie, I think a little bit of data would be useful here. So,  
26 the closure occurred yesterday, and today between 4:40 and 5:03 p.m., we had 59 cars  
27 entering the intersection of Towhee and Applethorn. For illustration, let's say this intersection  
28 is where Peakway and Olive Chapel meet, but there's no door there right now, as Peakway is  
29 blocked off. We have no through-traffic signs at Olive Chapel and Grappenhall, but people  
30 can still go through if they consider themselves local traffic and when they get to this point  
31 and they can't go any further, there is a deviation allowed to go onto Towhee, there isn't  
32 much signage there, and this intersection at Towhee is where we're seeing a lot of issues.  
33 Between 4:40 and 5:03 p.m., 59 cars came through there, 23 of which ran or rolled through  
34 or ignored the stop sign, California stops I don't believe this is legal in North Carolina. Apex  
35 PD pulled over three vehicles between 5:00 and 5:30 p.m. for running the stop sign.  
36 Through-traffic is using cul-de-sacs for high-speed turnarounds, now this is a neighborhood  
37 full of children. I have two kids, and there are four other members of my neighborhood that  
38 are right there, here with me, we all have children there, we have high-speed turnarounds,  
39 and stop signs are being ignored and this is only the first day, so there are a few things that

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1 we want to be able to talk about here, one, we have a lot of instances of speeding. The speed  
2 limit is 25 mph, and while there are new speed tracking signs, they are not active so they're  
3 decorative only at this point, so we would like to see some more of that. We do have the  
4 speed bumps that were newly installed, and we definitely appreciate that a lot, however, that  
5 is doing limited good for being able to legitimately slow down this traffic. The impact should  
6 be pretty obvious, right now this is just the second day and now is when habits are going to  
7 be created for those using this as a throughway. So right now we have the opportunity to do  
8 something about this, I definitely appreciate the police officers that were there and made the  
9 pullovers, but just with this small snapshot of data we can see that this is not going to be  
10 sufficient, so we do have a couple of suggestions but overall the impact that we're trying to  
11 avoid here is we don't want to see any injuries, definitely don't want to see any fatalities, so in  
12 line with your Vision Zero, we would like to see a couple things changed up here. I'd like to  
13 see new locations for the no through traffic, I think having that at the intersection of Peakway  
14 and Towhee would be pretty useful and make sure that is just local traffic only, because it is  
15 easy to lose sight of it when you're coming through Olive Chapel and Grappenhall, and now  
16 you find that you have a choice here, you're going to probably be irritated, frustrated this is a  
17 new traffic pattern and now you're going to take it out on roads that you don't know and  
18 people that you are not friendly with, you don't live there. So, we've got a little bit of an issue  
19 there. So, changing the no through traffic sign, potentially Towhee and Peakway, Dogwood  
20 Drive, Brian Drive and to try to force more traffic to the 55 detour sooner. Potentially another  
21 recommendation is to close or add speed bumps on Towhee itself, since that seems to be  
22 the intersection that is proving to be more problematic at this point. Granted our data sample  
23 is relatively small and constrained but rest assured that the neighborhood will gather more  
24 and more data, I have absolutely no doubt. Another suggestion here is to lower the speed  
25 limit in Whitehall Manor from 25 to 15, I think all the residents in there would be perfectly fine  
26 with getting where they're going a little bit slower in exchange for that. Another one, we  
27 request an immediate traffic survey, there were traffic surveys done to be able to prep that  
28 but now we have a different situation, and it would be useful to have formalized data rather  
29 than just the anecdotal and crowdsourced, as useful as that may be, I know having the  
30 legitimate tooling is probably going to be useful here. Finally here, the last one that we had  
31 listed was, for the street or stop signs what would be really nice is to have the markings on  
32 the ground as well those wide bold white lines that give you an indication on the ground in  
33 case you're not paying too much of attention to the octagons and red, and again this is to try  
34 and keep in line with the Vision Zero, now we definitely appreciate any help you can give  
35 here and we will be in constant communication and hopefully, and very positive  
36 communication to be able to make this work as best as possible. I'm here for any questions  
37 over for any comments from my team no question comments from my team."

38 **Mayor Gilbert** thanked Mr. Roelofs and called the next speaker.

39 Next to speak was **Elizabeth Stitt** of 3113 Friendship Road:

1           "Mayor, Town Council, good evening, on your agenda tonight is a discussion about  
2 the Town's Legislative Agenda, so I thought I would share my and my neighbor's legislative  
3 agenda so we can keep it all in one evening. We are organizing and going to be seeking  
4 additional rights for properties in the ETJ and in the Wake County areas because we have not  
5 been able to make progress with Apex and in my conversation with other communities who  
6 are around fast growing towns they share similar concerns, so I'm very encouraged just as the  
7 State Legislature puts the breaks on putting sprinkler systems in new homes that was being  
8 proposed here that we can put some breaks on what's happening in Apex as well. So I'll give  
9 you some examples, so the sewer map that stayed up on the website for a very long time  
10 always showed the force main on the south side of US-1, so we invested in our properties and  
11 then we're blindsided by the force main being moved to the north side so we're going to ask  
12 that the maps have to be required to be updated and if there is a change to those maps there  
13 has to be a waiting period because we as property owners should not invest our money if we  
14 know it's going to be torn down. The same is for the water map, if you ask for it, is not posted  
15 on your website so I had to ask for a copy the water map the water map has not been  
16 updated in 10 years so right now it is showing water lines going down the same path as the  
17 Force Main and so again, you know it's 10 years old, if you can't update the maps for people  
18 to know how to invest in their properties then you shouldn't be allowed to do certain  
19 projects. When it came time to do the field work around the force main the Town tried to  
20 bring drilling rigs into my wet waterers, my flood plain, and that was a violation of State Law.  
21 Nobody was looking out for us, so I had to be the one to raise my hand and have them stop.  
22 We asked the town for the 401 and 404 permits for the force main, didn't get it, but I got a  
23 postcard from the US Corps of Army Engineers letting me know that guess what, that permit  
24 been submitted, so I read it and in the permit it said the Town was going to use blasting  
25 around our properties, but that is not what the Town staff had told us, so then I had to reach  
26 out to the Town staff, they did get the permit corrected, but if I had not looked out for that it  
27 would have gone through and then you could have actually blasted on our properties when it  
28 was not appropriate, you would have just said oh it was in the permit we could do that, that's  
29 what the contractors would do in that circumstance. So, we also want we also as a community  
30 want a group meeting and we're going to ask State Legislature to require towns to meet with  
31 the community and not just blow us off. Thank you."

32           **Mayor Gilbert** thanked the speaker and called the next speaker.

33           Next speaker was **Beth Bland** of 3724 Friendship Road:

34           "First, I have three things I don't know if I'll get to them all but I'm going to try and do  
35 them in order. The first thing Tom and I want to thank Mayor Gilbert for coming out to our  
36 property, finally someone from the Town Council, Mayor showed up so that they could  
37 understand our concerns about what's going on and what's going to happen to us with the  
38 Big Branch force main. It belongs on the south side of US-1 and Tom and I are still advocating  
39 to move it to the South side so I'm going to keep showing up, it needs to happen. Second

1 item very quickly my father lives in downtown Apex he's on Westmore Street he's 93 and a  
2 half years old, he lives independently, he can take care of himself, my mother passed a year  
3 ago I have very I guess age related genes as far as they lived a long time, but he was affected  
4 by the utility bills also he managed it himself, he did go down to Town Hall, found it very  
5 difficult to have a conversation through the glass. The people behind him made him  
6 uncomfortable that he was holding them up to have the conversation he needed to have so  
7 he cut it short he really didn't get the answers he needed and it's just unfortunate that this  
8 situation has been so difficult to manage. So, Mr. Vosburg, I hope you can get to a solution  
9 soon and as we've heard earlier there's a lot of people I've read a lot on Nextdoor very  
10 unhappy with what's going on. Last, it's interesting to me and many others why there is not  
11 more Community engagement at the Town Council meetings. It's also interesting how  
12 Friendship and the New Hill communities are being impacted by the growth of Apex and we  
13 feel more Community engagement is needed. So, we're going to start a dinner club on the  
14 nights when the Town Council isn't meeting on Tuesday nights, so our first we're going to  
15 hold next Tuesday November 19th at 6 o'clock at JNS pizza and we'd like to extend an  
16 invitation to the Town Council and anyone else in this room and in the community to join us  
17 and let's figure out some things and what is a better way to have a conversation than over  
18 dinner. So, thank you."

19 **Mayor Gilbert** thanked the speaker and invited the next speaker.

20 Next to speak was **Matt Speerschneider** at 109 Kylesku Court:

21 "It's kind of spontaneous tonight but I'm on the utility bill bandwagon, also full  
22 disclosure, I'm kind of relaying this this information, my fiancé pays all the bills, but she's not  
23 really happy right now to say the least. So yeah, our bill has, she knows the numbers, she's on  
24 it it's been pretty consistently too. It was \$224.00 the previous cycle, \$216.00 before that, this  
25 month it was \$471.00. I'm an electrical engineer by trade and I can't envision any type of  
26 scenario, the amount of electrons are flowing through my household, especially given that  
27 I'm usually only there during the week we're fortunate enough to have a place at the beach  
28 she's been out there, so I can't imagine how that this is doubled, more than doubled. So, we  
29 can afford to pay the bill but at the same time I think we're, you know fortunate, I get that, but  
30 hearing some of the other people, sounds like there's a problem. You don't have this many  
31 people come and bring to your attention whatever that is, someone mentioned cyberattack  
32 or something I don't know what the issue is but something's going on it doesn't make sense  
33 and I would appreciate if somebody could follow up with me get back to me with some  
34 detailed explanation of the bill yeah I left my phone number and I can leave my email."

35 **Mayor Gilbert** said that he would have staff get his contact information and follow up.

36 **Mr. Speerschneider** said thank you.

1           **Mayor Gilbert** called the next speaker.

2           Next speaker was **Alexis Kennedy** of 106 Buckhaven Court:

3           “Good evening council members today I thought I was going to continue my  
4 discussion on apartheid I wanted to talk about the new law that had passed last week in Israel  
5 our supposed Ally and democracy in the Middle East, which were with an overwhelmingly  
6 voted that children under the age of 14 can now be sent directly to prison and no longer  
7 need to be held in juvenile Penitentiary. Instead, I want to focus on one child, Hind Rajab, she  
8 was 6 years old and died many months ago. She broke the heart of the world with her cries  
9 for help to the Red Crescent on her cousin's low battery cell phone. She was the only  
10 remaining survivor in a trapped car with her dead relatives. The ambulance was given  
11 clearance to rescue her by the Israeli government which never arrived and was found a week  
12 later charred with two men's bodies no longer recognizable. Today a report was released by  
13 the Forensic Architect. Forensic Architect is a multi-disciplinary research group based out of  
14 the University of London that utilizes architectural techniques and technologies to investigate  
15 cases of State violence and violation of Human Rights around the world. The group is led by, I  
16 hope I pronounce it correctly, Yal Weisman who is actually an Israeli British Citizen, and it was  
17 his team that found 335 bullets were fired into the car that six-year-old Hind was in along with  
18 her six relatives, the investigation also found that the Israeli military had a clear view of the  
19 vehicle and could have seen the children that were trapped inside. Heyen was trapped in the  
20 car surrounded by her slain family for hours while the Red Crescent paramedics tried to reach  
21 her and when the ambulance arrived it also was fired upon, killing the paramedics attempting  
22 to rescue a dying child. I thought that since it's not being reported in the western news, I  
23 would inform my community where their \$20 billion this year alone was being sent and I  
24 thought to myself where could have this \$20 billion gone for Americans where 60% of  
25 Americans live paycheck to paycheck, 40% of Americans only control 2.5% of America's  
26 wealth and we are supplying \$20 billion to a country that has free health care, free education,  
27 and supplemented housing grants. Thank you.”

28           **Mayor Gilbert** thanked the speaker and invited the next speaker.

29           Next speaker was **Mary Lee Behar** of 1206 Applethorn Drive”

30           “I'm in White Hall Manor the community that was talked about earlier today with the  
31 road traffic deviations. I'm here with my two boys today and well, before I go on, I'll say good  
32 evening Mr. Mayor and good evening, Town Council. Thank you for all that you do for our  
33 Town I am here with my two boys and I want to reiterate some of the concerns mentioned by  
34 my neighbor. I stand Here representing myself and many neighbors who could not be here  
35 today who are very understandably angry about what's going on and concerned about safety  
36 in our neighborhood with the increased traffic. We acknowledge that the town has put in  
37 many safety measures, and we appreciate the forethought that went into that however I don't

1 think it's enough. I would say maybe every other house in our neighborhood has school aged  
2 children or younger including, like newborns, toddlers and you can talk to your kids about  
3 being careful but their kids they're going to play they're going to throw balls and ride bikes  
4 and it's just not enough, so I don't know. I would like to see some of the things that John  
5 mentioned earlier put into place like, no through traffic, maybe another stop sign or more  
6 crosswalks, more police activity and presence in the area and I think I would also be in favor  
7 of a 15-mph zone. I was thinking that if more neighbors and police start driving through the  
8 area at 15 mph hour maybe people will get discouraged from using that as a quick cut  
9 through and I think my son has something to say.

10 **Her son continued:** 'So, I was going down a cul-de-sac and I was coming out and  
11 then I saw a car coming like right in front of me and I was trying to brake and that car also  
12 braked and if the car didn't brake then I might have crashed because I was going but my  
13 brakes didn't work because they stopped the wheels but the bike just kept going and I was  
14 with my friends and one of the other ones also nearly crashed.'

15 **Ms. Behar continued:** "That was just in the first day, the kids are coming out of cul-de-  
16 sacs and it's dangerous. Thank you."

17 **Mayor Gilbert** thanked the speaker and all that was present to speak. He closed the  
18 Public Forum and moved to New Business.

19 **[NEW BUSINESS]**

20 **NB1 Development and Investment Grant Program Revisions (REF: PLCY-2024-013)**

21 Proposed Action: Discuss recommendations for revisions to the current Development and  
22 Investment Grant Policy, provide direction to staff as appropriate, and consider a possible  
23 motion to adopt the revised policy.

24 **Joanna Helms**, Director, Economic Development Department presented information  
25 about the Development and Investment Grant Program Revisions. She said that the Town  
26 adopted the first ever Development and Investment Grant policy, known as an incentive  
27 policy in 2016. She said the grant encourages location retention, expansion of business and  
28 industry by creating jobs and investment in the community. She explained the process to  
29 access the grant and that currently there are businesses that have been able to take  
30 advantage of this grant. She said that the Economic Development Committee has asked staff  
31 to revise the current policy by possibly adding a gradual incentive percentage and  
32 expanding it from three to five years. She said that they would like to be more aligned with  
33 their partners and more competitive. She said that they are proposing some minor changes  
34 in the language of eligibility and that there would be more performance measures in the  
35 development agreement, increasing to extend to 5 years at the 90% level and gradually  
36 declining over years 2, 3, 4 and 5. She said that there some scenarios comparing the

1 investment levels with sliding scales down 90%. She said that she would be glad to answer  
2 any questions.

3 **Mayor Gilbert** said that as the Chair of the Economic Development Committee this is  
4 accurate, and it is supported. He asked if Council Members would like to speak.

5 **Councilmember Zegerman** said that he agreed to align Apex with other Counties to  
6 attract businesses.

7 **Director Helms** said that this is a grant that is “after the fact”, the business is  
8 established and they then get the tax percentage back, so that there is not out of pocket  
9 expenses to the Town.

10 **Councilmember Gantt** asked if there was feedback from businesses, or were the  
11 changes initiated by the Board.

12 **Councilmember Zegerman** said that there was no feedback but with the policy being  
13 8 years old, it was time for an update.

14 **Councilmember Mahaffey** asked if this aligns Apex with the County’s policy.

15 **Director Helms** said that it was similar to Wake County and Chatham County, they are  
16 all a 5-year policy.

17 **Councilmember Zegerman** said that the difference is in percentages.

18 **Director Helms** said that is correct and, in both cases, it is a sliding scale downward.

19 **Councilmember Zegerman** said that the current scale wasn’t favorable compared to  
20 the 3-year 90% each year policy.

21 **Councilmember Mahaffey** asked if there are statutory restrictions on what this policy  
22 could be.

23 **Deputy Town Attorney Meyer** said that it is Apex’s policy, so it’s not limited. He said  
24 the only issue would be if it was favorable to one business over another, or other things like  
25 that.

26 **Councilmember Killingsworth** asked if these can be stacked with County and  
27 municipality policies by businesses coming in.

28 **Ms. Helms** said yes, they could be and that Wake County’s policy requires a local  
29 match.

30 **Mayor Gilbert** asked Ms. Helms if she feels like this is where this needs to be.

31 **Director Helms** said that she did.

32 **Mayor Pro Tempore Gray** asked if businesses had done an application under the  
33 current business would this bring in more businesses.

34 **Director Helms** said that there is an increase in projects looking into this market and  
35 we want to make sure that we are competitive with other Counties in this market.

36

37 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember**  
38 **Killingsworth** to approve Development and Investment Grant Program Revisions.

39 **VOTE: UNANIMOUS (5-0)**

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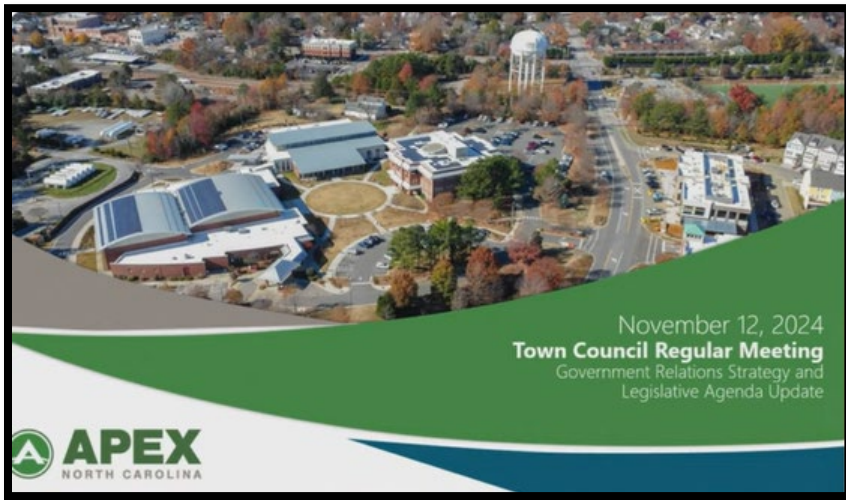
**NB2 Government Relations Strategy and Legislative Agenda Process Update**

*(continued from Town Council Strategic Planning Session on October 25, 2024)*

Proposed Action: Receive as information an update on the Town’s Government Relations Strategy and upcoming Legislative Agenda Process, and provide direction as appropriate..

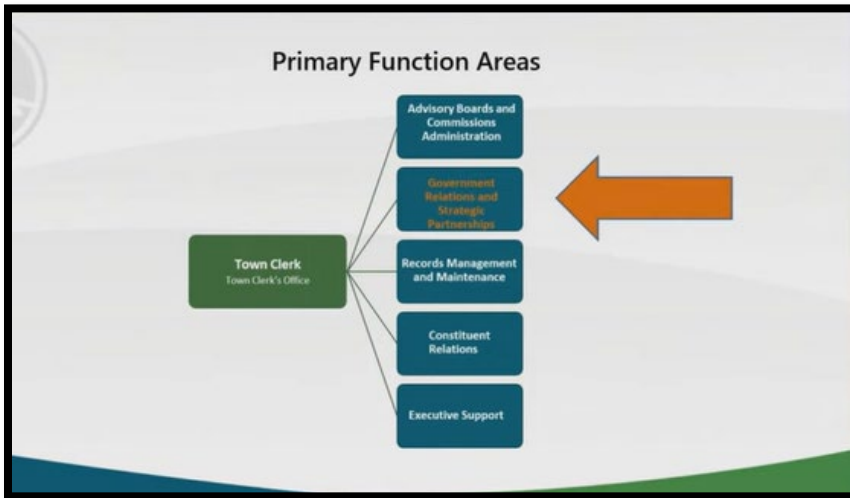
**Town Clerk Allen Coleman** gave the following presentation:

**[SLIDE 1]**



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**[SLIDE 2]**

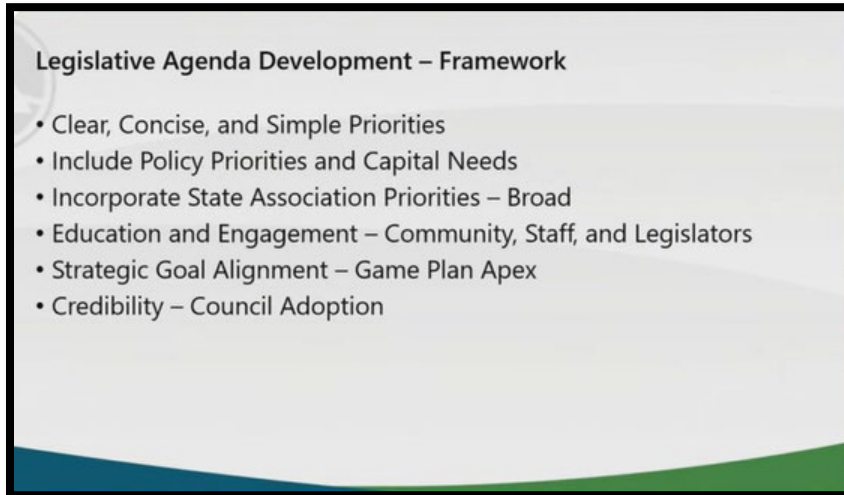


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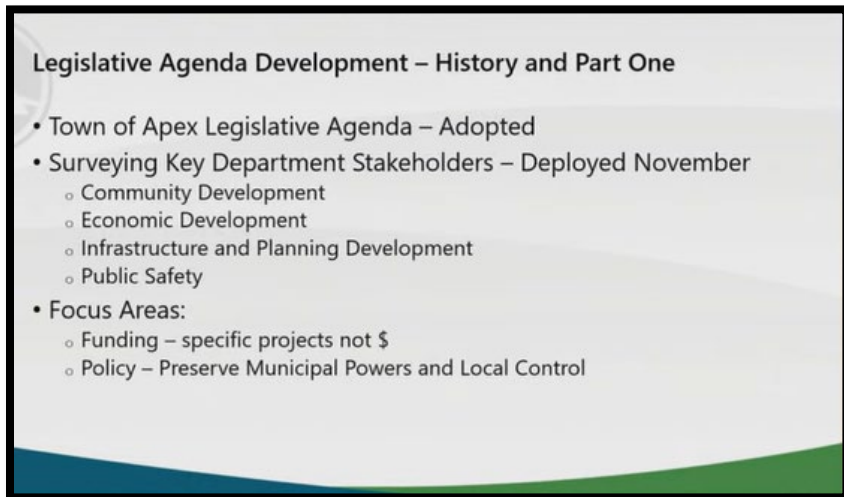
1 **[SLIDE 3]**



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3 **[SLIDE 4]**



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5 **[SLIDE 5]**



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1 **[SLIDE 6]**



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3 **[SLIDE 7]**



4  
5 **Town Clerk Coleman** asked if there were any questions.  
6 **Mayor Gilbert** thanked Town Clerk Coleman and asked if Council had any questions.  
7 **Councilmember Zegerman** asked if there was a schedule to share to be able to meet  
8 some of these objectives, and to stay ahead of the General Assembly.  
9 **Town Clerk Coleman** said that the Council retreat is in February and the goal is to  
10 survey staff and have prioritization done in December and January and then prep for the  
11 February Retreat for Council’s prioritization, with having it adopted in February or first of  
12 March.  
13 **Mayor Pro Tempore Gray** said that this is a great step and answer the “why”. He said  
14 that the Council had identified that there were opportunities that were going to neighboring  
15 municipalities that Apex wasn’t getting. He said that they wanted to create a legislative  
16 framework, so this is a part of a larger strategy. He said that the best thing is to be prepared  
17 and that is what this plan is going to do. He said he looked forward to being able to continue  
18 working on this. He thanked Town Clerk Coleman for the work that he had put into this.

1           **Councilmember Killingsworth** said that this FTE can help with coordination among  
2 state and federal representatives of Apex. She said having people in place to have things  
3 ready is wonderful and expressed her appreciation for the currently underway.

4  
5           **Mayor Gilbert** announced a ten (10) min recess at **7:22 p.m.**

6           **Mayor Gilbert** reconvened the meeting at **7:33 p.m.**

7  
8           **NB3   Rosenwald School Project Overview**

9 Proposed Action: Receive as information an update on the Rosenwald School Project in  
10 Apex.

11           **Mayor Gilbert** invited up Jeff Hastings, President, Apex Historical Society to give an  
12 overview of the Rosenwald School Project.

13           **Councilmember Mahaffey** said that in the past year and a half he has worked with  
14 some of the community members and staff to identify ways to preserve the Apex  
15 Community's Rosenwald School on Humie Olive Road. He introduced Jeff Hastings. He is  
16 hoping that everyone is supportive.

17           **Mr. Hastings** said that he is bringing a unique opportunity to the Council. He spoke  
18 on the three Boards that he is on. He said that it is because of Councilmember Mahaffey that  
19 they are at this meeting. He said about a year ago he was contacted about possibly saving  
20 the Rosenwald School. He said that they looked at several options for the potential of the  
21 building to see what could be done to save this property. He said the Rosenwald School was  
22 built as part of a project in the early 1900's to address under-funding of African-American  
23 schools in the South. He said that after the Supreme Court ruling in 1954, *Brown vs. Board of*  
24 *Education*, which declared school segregation unconstitutional, these buildings were  
25 frequently abandoned and dismantled. He said that they would like to try to add this to the  
26 list with the State Historic Preservation office. He asked Larry Harris to share more from the  
27 educational standpoint.

28           **Mr. Harris** said that he was a product of the Rosenwald School in Friendship. He gave  
29 history on the Rosenwald School. He said that this building is deteriorating, so action is  
30 needed soon to save it. He said that the Rosenwald School was an incubator for the HBCUs,  
31 and this was a large contributor to a vibrant Black middle class. He said that he is claiming  
32 that this is going to get done, and it will make the town proud. He said that he is an advocate  
33 for getting this preserved. He said that his mother wanted him to go to school, so she worked  
34 as an assistant teacher there for him to be able to go to Rosenwald. He thanked the Council  
35 for their help and support.

36           **Mr. Hastings** said that now the Apex Historical Society has agreed to help with this.  
37 He said they have been in discussion with Greater Christian Chapel Church about potentially  
38 relocating the building to their property. He said that they wouldn't want to move the  
39 building to their property and just walk away, so they are analyzing options for continued  
40 support. He said saving the building could help make it a cornerstone of the community. He  
41 said that the Panther Branch Rosenwald School was saved by a similar project in 2013. He  
42 said that the owner of the building is willing to donate the building, and it would come under

1 a Capital Preservation Easement to protect the building, then they would find a host that has  
2 the building and then work on maintaining the building. He said that they are trying to find  
3 State and Federal funding. He said that they would come back to the Council to report on  
4 what it will entail on saving the building. He said he was passion about saving this building.  
5 He passed out information on what the Panther Branch school is today.

6 **Mayor Gilbert** thanked them for being at the meeting and sharing this information.  
7 He asked Councilmember Mahaffey if he had any closing remarks.

8 **Councilmember Mahaffey** said that the vision is to preserve this historic structure to  
9 have it act as a centerpiece for the Friendship Community and highlight it as such a rich part  
10 of history. He said that this is what building a community looks like. He said the vision is to  
11 have this as a Community Center and the role of Apex is to provide the gap funding and work  
12 to secure money for these projects.

13 **Mayor Gilbert** said the project has his full support, and wanted to see it get done.

14 **Councilmember Gantt** wondered if moving it to a park would be a negative thing,  
15 since he said at a park the community could use it. He said that potentially it may not be  
16 available for the public, despite public money being used to restore it. He asked if there was  
17 a goal of public use.

18 **Councilmember Mahaffey** said the overall goal is for that to be the case. He said that  
19 public use doesn't mean publicly owned, it could be a space for rental or for education. He  
20 said that having the government own a historic asset doesn't always lead to the best results.

21 **Councilmember Gantt** said that he would hope the investment would be  
22 commiserate of the public good, and not just preservation. He said preserving this is worth  
23 some amount of money, and a bigger investment implies that people get to use it.

24 **Councilmember Mahaffey** said that they were not asking for funding at this time but  
25 he envisioned getting \$100,000.00 that is dedicated to the Town for the use of Historical  
26 Preservation, and that the idea is that money would be used to facilitate the transfer and  
27 stabilization of the project. He said he thinks at that point there would be a lot more funding  
28 sources available for the restoration of the property.

29 **Mr. Hastings** said that Panther Branch is used daily for after-school care for those who  
30 may not be able to afford other after-school care. He said that if it is not a corporately or  
31 publicly owned building then there is not so much red tape. He said that working with a  
32 Church or other organization would be a best-case scenario so that the community can help  
33 with it and maintain.

34 **Councilmember Gantt** asked if that was something that was written into the contract  
35 for the Panther Branch building.

36 **Mr. Hastings** said no, it was only written that it was brought back to the condition  
37 when it was a school.

38 **Councilmember Gantt** said when looking at other Counties that have done this type  
39 of project that had some involvement. He asked if the County had been brought into  
40 discussions.

1           **Councilmember Mahaffey** said that there had been discussions with the County and  
2 Commissioners, and they were on board. He said there is not a final plan. He said they were  
3 trying to avoid the building continuing to deteriorate.

4           **Mayor Gilbert** said that if the County did not want to participate, it not to be the  
5 reason that this does not be done.

6           **Councilmember Gantt** said that he brought this up because this seems to have been  
7 protocol in other examples

8           **Mr. Hastings** said that they are trying to get ahead of a case where the property gets  
9 purchased and development wants to come in.

10          **Councilmember Gantt** said that he just wanted to make sure that Apex is a good  
11 steward of the money.

12          **Councilmember Mahaffey** reminded Council that they have been give \$100,000  
13 which must be used for historic preservation.

14          **Councilmember Zegerman** said that Friendship Community has a deep history. He  
15 said that he is in support of this project.

16          **Mayor Gilbert** thanked Mr. Hastings, Mr. Harris, and the Branch family for sharing this  
17 information and attending.

18  
19 **NB4 Construction Contract Award - Landmark Structures - 1.5 MG Elevated Water**  
20 **Storage Tank - Pleasant Park - Budget Ordinance Amendment No. 5 - Capital**  
21 **Project Ordinance Amendments No. 2025-3 and No. 2025-4 (REF: CONT-2024-**  
22 **337, ORD-2024-085, AND ORD-2024-086)**  
23

24          **Councilmember Mahaffey** noted that this item was on the Consent Agenda originally  
25 as CN6, but was removed, and the motion would be modified not to include the Budget  
26 Amendment.

27          A **motion by Councilmember Mahaffey**, seconded by **Councilmember**  
28 **Killingsworth** to award a construction contract, in substantial form, to Landmark Structures  
29 for the construction of the Pleasant Park 1.5 MG Elevated Water Tank project, authorize the  
30 Town Attorney and Town Manager to make minor modifications to the contract not affecting  
31 the construction schedule or cost, authorize the Town Manager, or their designee, to execute  
32 the contract on behalf of the Town and approve corresponding Capital Project Ordinance  
33 Amendments No. 2025-3 and No. 2025-4.

34                   **VOTE: UNANIMOUS (5-0)**

35           **[UPDATES BY TOWN MANAGER]**  
36

37          **Town Manager Vosburg** thanked the residents that came forward from Whitehall  
38 Manor. He said that he wanted to assure the residents that the town engaged and  
39 monitoring, and as was mentioned the Apex PD is present. He said that they are looking at

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1 signage, monitoring data on speed, and possibly putting speed bumps. He said that they are  
2 also hopeful that people using this route will taper off, it may not fix the problem, but  
3 hopefully it will help. He said that they are looking for best practices and what they can do  
4 legally. He said that the next update is that there was a video that went out today on social  
5 media regarding utility billing. He said that they do not have a contract, but they have  
6 officially identified the firm Barry Dunn, McNeil, and Parker to do the billing audit. He said  
7 that they anticipate having the contract signed soon for the 3<sup>rd</sup> party review related to the  
8 Utility billing. He said that the search for the Police Department Chief is underway. He said  
9 that there will be an Open House in the Senior Center on November 19<sup>th</sup> at 5:30pm for the  
10 finalists to speak with the residents. He said due to the Holidays, residents are inquiring about  
11 the Trash, Recycling and Yard Waste schedule. He said that trash and recycling are scheduled  
12 are as usually scheduled. He said that the Yard Waste schedule will be as normal as possible,  
13 but he said that there will be some that carry over to the following week. He said the Apex  
14 Service Day will be November 22<sup>nd</sup>. He said that this will be Staff focused. He said it will be at  
15 the Dorcas thrift store, and invited staff to join.

16

17 **[CLOSED SESSION]**

18

19 A **motion** was made by **Mayor Pro Tempore Gray** and seconded by  
20 **Councilmember Gantt** to enter into close session pursuant to **NCGS §143-318.11(a)(4)**.

21

22 **VOTE: UNANIMOUS (5-0)**

23

24 Council entered into closed session at **8:10 p.m.**

25

26 **CS1 Joanna Helms, Director, Economic Development**

27

**NCGS §143-318.11(a)(4):**

28 *“To discuss matters relating to the location or expansion of industries or other businesses in*  
29 *the area served by the public body, including agreement on a tentative list of economic*  
30 *development incentives that may be offered by the public body in negotiations, or to discuss*  
31 *matters relating to military installation closure or realignment.”*

32

33 Council returned to open session at **8:28 p.m.**

34

35 **[ADJOURNMENT]**

36 **Mayor Gilbert** adjourned the meeting at **8:28 p.m.**

37

Jacques K. Gilbert  
Mayor

38

39 Allen Coleman, CMC, NCCCC  
40 Town Clerk to the Apex Town Council

41 Submitted for approval by Town Clerk Allen Coleman and approved on \_\_\_\_\_.