

DRAFT MINUTES

1 **TOWN OF APEX**
2 **REGULAR TOWN COUNCIL MEETING**
3 **TUESDAY, APRIL 14, 2026**
4 **6:00 PM**
5

6 The Apex Town Council met for a Regular Town Council Meeting on
7 Tuesday, April 14th, 2026 at 6:00 PM in the Council Chambers at Apex Town
8 Hall, located at 73 Hunter Street in Apex, North Carolina.
9

10 This meeting was open to the public. Members of the public were able to attend this
11 meeting in-person or watch online via the livestream on the Town's YouTube Channel.
12

13 The recording of this meeting can be viewed
14 Here: <https://www.youtube.com/watch?v=mbz0Cy3TSDc&t=4708s>
15

16 **[ATTENDANCE]**

17 Elected Body

18 Mayor Jacques K. Gilbert (presiding)
19 Mayor Pro-Tempore Terry Mahaffey
20 Councilmember Ed Gray
21 Councilmember Arno Zegerman
22 Councilmember Sue Mu
23 Councilmember Shane Reese
24

25 Town Staff

26 Town Manager Randy Vosburg
27 Deputy Town Manager Shawn Purvis
28 Assistant Town Manager Marty Stone
29 Assistant Town Manager Demetria John
30 Town Attorney Laurie Hohe
31 Town Clerk Allen Coleman

32 All other staff members will be identified appropriately below
33

34 **[COMMENCEMENT, INVOCATION, AND PLEDGE OF ALLEGIANCE]**

35

36 **Mayor Gilbert** called the meeting to order at **6:00 p.m.** and led everyone in
37 the Pledge of Allegiance. He then read the diversity statement and a statement to

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1 recognize Yom HaShoah, observed as Holocaust Remembrance Day, and asked for all
2 to join in a moment of silence.

3 4 [ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY]

5
6 **Mayor Gilbert** asked for any announcements and petitions by the governing
7 body.

- 8 - **Mayor Pro-Tempore Mahaffey** - Reported to the public and the Council that a
9 member of the Wake County Board of Elections contacted him after noticing
10 that the Council's legislative agenda included discussion of moving to even-
11 year elections. In response, he coordinated with staff and the Board of
12 Elections to arrange a presentation at the Council's second meeting in May, the
13 Board of Elections director and a board member will attend to give a
14 presentation of the proposed change covering its implications.
- 15 - **Councilmember Gray** - Encouraged residents to participate in an upcoming
16 public hearing on the town budget, emphasizing the need for community input
17 especially given tighter funding from state and federal sources. He noted that
18 the initial budget proposal is coming soon but stressed that public feedback is
19 still important. He also reminded everyone to keep in mind and honor service
20 members and their families, recognizing their sacrifices.
- 21 - **Councilmember Zegerman** - Shared his recent volunteer work with Habitat
22 for Humanity, highlighting ongoing affordable housing efforts in Wake County
23 and looked forward to bringing more projects back to Apex. He gave an
24 update on CSX train engines, saying he has asked the company to follow its
25 policy of turning engines off at night when temperatures are warm enough,
26 which could reduce noise for residents. He acknowledged the large number of
27 qualified applicants for town advisory boards and expressed appreciation for
28 community volunteers.
- 29 - **Councilmember Mu** - Announced progress on forming a "Peak Resilience and
30 WellBeing Task Force" along with Wake County Commissioner Cheryl Stallings,
31 focused on mental health, especially among youth. She explained the initiative
32 was inspired by concerns from parents and will include professionals and
33 diverse community representatives and this is volunteer based and highlighted
34 concerning mental health statistics and recent local losses to stress urgency.
35 She invited residents to get involved and shared upcoming dates for the first
36 meeting (April 23rd) and workshop (May 29th). She invited volunteers to ask
37 her for details.

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- 1 - **Councilmember Reese** - Announced several upcoming community events,
2 including a Chamber of Commerce economic forum (5-7 p.m. at the senior
3 center) and EarthFest on Saturday, April 25th (12-4 p.m. at Town Hall campus).
4 He also proposed exploring budget initiatives, which included expanding the
5 Launch Apex program (high demand, limited spots), Growing the Plant the
6 Peak program (tree planting initiative) and creating new efforts like "Plant the
7 Peakway" and "Plant the Parks" to support sustainability and reforestation.
- 8 - **Mayor Gilbert** - He shared a lighthearted note about participating in a 100-
9 meter race after being challenged by the Holly Springs mayor, joking that he's
10 still feeling the effects—but noted that Apex won. He highlighted a major local
11 achievement that Andi Navarro became the first woman from Apex drafted into
12 the WNBA, selected 28th overall by the Atlanta Dream. He congratulated her
13 and recognized the moment as historic for the Apex community.

[ADOPTION OF THE MEETING AGENDA]

14
15
16
17 **Mayor Gilbert** noted that Town staff requested removal of and updates to the
18 following items:

- 19
20 • **Removal of Consent Agenda Item #14:** Memorandum of Understanding
21 between the Town of Apex and North Carolina Children's Health, Inc.
- 22 • **Removal of Presentation #5:** Automated License Plate Reader (LPR) Program
23 Update
- 24 • **Updated Regular Meeting Agenda Item #1:** Resolution establishing the Peak
25 Resilience and Well-Being Task Force (updated resolution and member list)

26
27 A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro-**
28 **Tempore Mahaffey** to set the Regular Meeting Agenda with the removal of Consent
29 Item 14 and Presentation 5, and the updates to Regular Meeting Agenda Item 1.

30
31 **VOTE: UNANIMOUS (5-0)**

[CONSENT AGENDA]

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33
34
35 **Mayor Gilbert** said that as previously noted, Town staff requested removal of
36 Consent Agenda Item #14 - Memorandum of Understanding between Town of Apex
37 and Norther Carolina Children's Health Incorporated and asked if there were any

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1 other recommended changes.

2

3 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
4 **Councilmember Zegerman**, to approve the Consent Agenda with the removal of
5 Consent Item 14.

6

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

8

9

10 **CN1 Agreement - Central Pines Regional Council (CPRC) - Solid Waste**
11 **Consortium - April 14, 2026 through June 30, 2026 (CONT-2026-036)**

12 Council approved a Memorandum of Agreement (MOA) between Central Pines
13 Regional Council (CPRC) and Town of Apex, effective April 14, 2026 through June 30,
14 2026, for the purpose of participating in the Solid Waste Consortium and to authorize
15 the Town Manager, or their designee, to execute the agreement on behalf of the
16 Town.

17 **CN2 Agreement - Standard Services Agreement (SSA) - Interactive Playgrounds**
18 **Inc. - Inflatables at Fireworks Frenzy Event July 03, 2026 (CONT-2026-037)**

19 Council approved a Standard Services Agreement (SSA) between Interactive
20 Playgrounds Inc. and Town of Apex, for inflatables at the Fireworks Frenzy event on
21 July 3, 2026, and to authorize the Town Manager, or their designee, to execute on
22 behalf of the Town.

23

24 **CN3 Agreement - Standard Services Agreement - Marjorie Strauss Frink -**
25 **Murder Mystery Dinner and Show - August 20, 2026 (CONT-2026-038)**

26 Council approved a Standard Services Agreement (SSA) between Marjorie Strauss
27 Fink dba It's A Mystery and Town of Apex, for a Murder Mystery Dinner and Show on
28 August 20, 2026, and to authorize the Town Manager, or their designee, to execute
29 on behalf of the Town.

30

31 **CN4 Agreement and Resolution - Land Exchange AR Custom Homes LLC - 2428**
32 **Old US 1 Highway - Subdividing Lot Correction (CONT-2026-039)**

33 Council adopted a Resolution approving a Land Exchange Agreement between the
34 Town of Apex and AR Custom Homes, LLC, for adjacent properties on Old US Hwy 1
35 (Buckhorn Township), and authorize the Town Manager, or their designee, to execute
36 the agreement on behalf of the Town of Apex.

37

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1 **CN5 Agreement Multi-Year - Vision NC, LLC - Flow Data Collection for**
2 **Wastewater Modeling and Master Planning - through June 30, 2027 (CONT-**
3 **2026-040)**

4 Council approved a Standard Services Agreement (SSA) with Vision NC, LLC, and
5 Town of Apex, for flow data collection to support sewer modeling and master
6 planning, effective through April 30, 2027, and to authorize the Town Manager, or
7 their designee, to execute on behalf of the Town.

8

9 **CN6 Agreement Ratification - Cintas - Restock Workplace Safety Supplies and**
10 **Maintenance of Safety Equipment - through June 30, 2026 (CONT-2026-041)**

11 Council approved an Agreement Ratification between Cintas Corporation and the
12 Town of Apex, to restock workplace safety supplies and perform maintenance of
13 safety equipment, effective through June 30, 2026, and to authorize the Town
14 Manager, or their designee, to execute on behalf of the Town.

15

16 **CN7 Annexation No. 807 - 8905 Castleberry Road - 3.35 acres (Associated**
17 **Rezoning 26CZ01) - 3.35 acres (RES-2026-028) (RES-2026-029) (OTHER-2026-**
18 **048)**

19 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
20 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
21 Resolution Setting the Date of a Public Hearing for April 28, 2026, on the Question of
22 Annexation - Apex Town Council's intent to annex 3.35 acres, located at 8905
23 Castleberry Road (PIN 0713-71-9698 and PIN 0713-71-9580), Annexation No. 807,
24 into the Town Corporate limits.

25

26 **CN8 Annexation No. 822 - 3100 Olive Chapel Road (Associated Rezoning**
27 **25CZ22) - 4.5509 acres (RES-2026-030) (RES-2026-031) (OTHER-2026-049)**

28 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
29 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
30 Resolution Setting the Date of a Public Hearing for April 28, 2026, on the Question of
31 Annexation - Apex Town Council's intent to annex 4.5509 acres, located at 3100 Olive
32 Chapel Road (PIN 0712-90-5851), Annexation No. 822, into the Town Corporate limits.

33

34 **CN9 Annexation No. 824 - 8204 Stephenson Road - 0.754 acres (RES-2026-032)**
35 **(RES-2026-033) (OTHER-2026-050)**

36 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
37 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
38 Resolution Setting the Date of a Public Hearing for April 28, 2026, on the Question of

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1 Annexation - Apex Town Council's intent to annex 0.754 acres, located at 824
2 Stephenson Road (PIN 0750-88-3839), Annexation No. 824, into the Town Corporate
3 limits.

4

5 **CN10 Annexation No. 826 - Veridea ETJ - 119.59 acres (RES-2026-034) (RES-**
6 **2026-035) (OTHER-2026-051)**

7 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
8 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
9 Resolution Setting the Date of a Public Hearing for April 28, 2026, on the Question of
10 Annexation - Apex Town Council's intent to annex 119.59 acres, Annexation No. 826,
11 into the Town Corporate limits.

12

13 **CN11 Annexation No. 827 - 1217 Twin Creek Road - 5 acres (RES-2026-036)**
14 **(RES-2026-037) (OTHER-2026-052)**

15 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
16 Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a
17 Resolution Setting the Date of a Public Hearing for April 28, 2026, on the Question of
18 Annexation - Apex Town Council's intent to annex 5 acres, located at 1217 Twin Creek
19 Road, Annexation No. 827, into the Town Corporate limits.

20

21 **CN12 Council Meeting Minutes - Various**

22 Council approved Meeting Minutes from the following meetings:

- 23 • March 17, 2026 - Regular Town Council Work Session Meeting Minutes
- 24 • March 24, 2026 - Regular Town Council Meeting Minutes

25

26 **CN13 Fee-In-Lieu - Estates at Old Raleigh Road - Master Subdivision Plan (MSP) -**
27 **\$4,325.07/per unit**

28 Council approved a Fee-In-Lieu (FIL) of land dedication in the amount of \$4,325.07
29 per unit for the Estates at Old Raleigh Master Subdivision.

30

31 ~~**CN14 ITEM REMOVED - Memorandum of Understanding (MOU) between North**~~
32 ~~**Carolina Children's Health Inc. (dba NC Children's Hospital) and the Town of**~~
33 ~~**Apex - Memorialize Expectations through Completion of Project**~~

34 Item removed from Consent Agenda per Council vote

35

36 **CN15 Peak City Land Trust - Appointment of Organizing Board of Directors**
37 **(PLCY-2026-007)**

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1 Council appointed Terry Mahaffey, Alaina Money Garman, Martha Rodgers, Jacob
2 Rogers, and an appointee to be designated by Wake County to the initial Board of
3 Directors of the Peak City Land Trust nonprofit organization, and if Wake County
4 elects not to designate an appointee, said appointee will be made by the Board of
5 Directors in accordance with the Peak City Land Trust Bylaws.

CN16 Tax Report - February 2026 (OTHER-2026-053)

8 Council approved the Apex Tax Report dated March 16, 2026.

CN17 Town Council Rules of Procedure Amendment - Order of Business (PLCY-2026-008)

12 Council adopted an amendment to the Apex Town Council's Rules of Procedures to
13 reorder the meeting agenda to dispatch with public business efficiently.

[TOWN COUNCIL COMMITTEE REPORTS]

19 **Mayor Gilbert** asked Mayor Pro-Tempore Mahaffey, Finance Committee Chair,
20 to provide a status report on the Ad-Hoc Finance Committee Meeting.

TC1 Ad-Hoc Finance Committee Meeting Held Thursday, April 09, 2026

24 **Mayor Pro-Tempore Mahaffey** said he and Councilmember Gray met with to
25 receive a high-level update about the Town's financial position as well as the
26 economic environment as Apex moves into the budget season. He said that in
27 general, growth is slowing even faster than had previously been forecasted, property
28 tax revenue is forecasted to be up about 3.4- 3.5% which is down from the initial
29 estimates and down dramatically from 5 or 6 years ago when it was 10-15% year-over-
30 year, and at the same time there is increased expenditure pressures with the
31 increased insurance costs and retirement costs greatly exceeding inflation. He said
32 that the budget proposal will be released on Thursday.

[TOWN MANAGER'S REPORT]

36 **Town Manager Vosburg** provided the following updates:

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- 1 • **EarthFest Event:** Confirmed for Saturday, April 25, from 12:00–4:00 p.m. at
2 Town Hall campus and includes a wide range of activities with details available
3 online.
- 4 • **Love Local Showcase:** Scheduled for Sunday, April 26, from 11:00 a.m.–5:00
5 p.m., featuring local businesses in the downtown area with promotions,
6 samples, and merchandise.
- 7 • **Cultural Arts Events:**
 - 8 ○ **On the Steps Concert Series** (featuring Shaina Tucker): Upcoming
9 evening concert with limited tickets available.
 - 10 ○ **Senior Showcase:** Performances on April 18 and 19 at 3:00 p.m.,
11 featuring local residents (55+); free tickets available by request.
- 12 • **Electric Meter Replacement Project:** Approximately 14,000 meters replaced,
13 with over 16,000 remaining; project is nearing the halfway point and
14 progressing on schedule for completion in the fall with minimal issues.
- 15 • **Proclamations / Recognition Weeks:**
 - 16 ○ **North Carolina Line Workers Appreciation Week**
 - 17 ○ **Public Safety Telecommunicators Week**

18 **Town Manager Vosburg** expressed appreciation for staff contributions, with a
19 related video to be released and turned it back to Council for the two proclamations.

20 **TM1 Proclamation - Apex Electric Line Worker Appreciation Day - Friday, April** 21 **17, 2026 (PRO-2026-016)**

22
23 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation
24 for Apex Electric Line Worker Appreciation Day 2026, and invited Emily Woody, Jon
25 Rose, Marty Stone and other Electric Utilities Department team members to receive
26 the proclamation and take pictures. He gave special recognition to Director Kathy
27 Moyer who is watching online.

28 29 **TM2 Proclamation - Public Safety Telecommunicator Week - Sunday, April 12 -** 30 **Saturday, April 18, 2026 (PRO-2026-017)**

31
32 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation
33 for Public Safety Telecommunicator Week and invited Demetria John, Assistant Town
34 Manager, Jim Neuhaus, Communication Manager, Shawn Williams, Supervisor, Jerica
35 Cole and Kylie Rhodes, Patricia Warlow, Joel Ward, Piper York, Wayne Faber and Chief
36 Ron Johansen to receive the proclamation and take pictures.

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1 **Mr. Neuhaus** recognized the telecommunicators who take all the emergency
2 calls for the Town of Apex. He gave appreciation for the Adopt a Dispatcher program
3 that was started two years ago started by Kylie Rhodes and Supervisor Jerica Cole.
4

5 **[TOWN CLERK'S REPORT]**

6
7 **Town Clerk Coleman** said as a reminder that the North Carolina General
8 Assembly will be meeting in the House tomorrow, April 15th on the property tax
9 reform and that all of the proposals on the table would impact municipalities and
10 counties significantly and would not provide immediate tax relief at this point, and
11 cautioned all to be mindful of that meeting and there will be another report at the
12 next Council meeting with updates.
13

14 **TC1 Appointments - Culture and Arts Advisory Board (CAAB)**

15
16 **Town Clerk Coleman** noted the recommendation to approve Darryl Harrien to
17 the Culture and Arts Advisory Board effective April 14th, 2026 to fill one partial term
18 expiring June 30, 2026, this position was previously occupied by Aaron Barnes.
19

20 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
21 **Councilmember Mu** to approve appointment of Darryl Harrien to the Culture and
22 Arts Advisory Board effective April 14, 2026 with the term expiring June 30, 2026.
23

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

26 **TC2 Appointments - Multimodal Transportation Advisory Board (MTAB)**

27
28 **Town Clerk Coleman** noted the recommendation to approve Jain Saket to the
29 Multimodal Transportation Advisory Board effective April 14, 2026 to fill one partial-
30 term expiring June 30, 2027, this position was previously occupied by Mark Sanioli.
31

32 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
33 **Councilmember Zegerman** to approve appointment of Jain Saket to the Multimodal
34 Transportation Advisory Board effective April 14, 2026 with term expiring June 30,
35 2027.
36

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

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1 **TC3 Appointments - Parks and Recreation Advisory Board (PRAB)**

2

3 **Town Clerk Coleman** gave the recommendation to appoint Abhishek Singh to
4 the Parks and Recreation Advisory Board, effective April 14, 2026 to fill one partial
5 term expiring June 30, 2027, this position was previously occupied by Michael
6 Kanters.

7

8 A **motion** was made by **Councilmember Zegerman** and seconded by
9 **Councilmember Gray** to approve appointment of Abhishek Singh to the Parks and
10 Recreation Advisory Board, effective April 14, 2026 with term expiring June 30, 2027.

11

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

13

14 **TC4 Appointments - Parks and Recreation Advisory Board (PRAB) - Vice-Chair**

15

16 **Town Clerk Coleman** gave the recommendation to appoint Lisa Esterrich as
17 Vice-Chair of the Parks and Recreation Advisory Board for calendar year 2026,
18 expiring December 31, 2026.

19

20 A **motion** was made by **Councilmember Gray** and seconded by
21 **Councilmember Zegerman** to approve the appointment of Lisa Esterrich as Vice-
22 Chair of the Parks and Recreation Advisory Board for calendar year 2026 with term
23 expiring December 31, 2026.

24

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

26

27

28 **[PUBLIC FORUM]**

29

30 **Mayor Gilbert** opened the Public Forum and asked the first speaker to come
31 up.

32

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

34

35 "This mirror is not a stunt, but a reflection of public concern. Public trust is at
36 risk. As the saying goes, if you want to make the world a better place, take a look at
37 yourself and make a change. From the public's perspective, government no longer
38 feels fully accountable, feels increasingly insulated from the people it serves. It was

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1 reported two weeks ago that Apex's July 2024 cyber-attack compromised the
2 personal financial data of 22,000 residents. The public was not informed for nearly 2
3 years. Why? In December, we were told this incident resulted in approximately
4 300,000 in utility underbilling. By February 2026, that figure had grown to a \$10
5 million shortfall. What changed? Where did the additional \$9.7 million come from?
6 What breakdown in controls, reporting, or oversight allowed that shift? What is being
7 done now to correct and restore public confidence? At the last Council meeting,
8 instead of clear answers, the Town Manager, Randy Vosburg, highlighted a
9 community Easter egg hunt. Meanwhile, Terry Mahaffey reports growth is slowing, yet
10 20 additional positions are still being added. All of you collectively up here represent
11 taxpayer funded compensation of approximately \$1.5 million. Across the rest of Apex,
12 there are 29 planning positions. Within a \$70.4 million compensation budget
13 supporting 796 employees. This reflects a staffing and outsourcing structure aligned
14 more with development activity than with transparent service to the public. There is a
15 widening perception gap between what residents are experiencing and what is being
16 communicated publicly. And under the North Carolina Constitution, you took an oath
17 to serve the people, not to manage perception, not to bury decisions in process, and
18 not to reduce accountability and what we're seeing is information withheld,
19 explanations limited, and decisions moving forward without accountability. This is not
20 transparency, you do not answer to shareholders, you answer to us. We are the
21 people and this government serves the people. Thank you.”

22

23 **Mayor Gilbert** thanked the speaker and invited the next speaker to come up.

24

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

26

27 “Mayor Town Council. Good evening. So, I would say based on all the applications
28 that the town received for the boards, it's a pretty good sign that we do not have
29 enough volunteer positions for the community. We are a growing community and we
30 really have not increased the number of volunteer opportunities. I've talked in the
31 past about how Raleigh has resident advisory councils. We could add those, we could
32 divide the town up into districts like Raleigh does, so that the people who want to
33 have a say in their community have an opportunity to do so. They should not have to
34 be weeded through a bunch of resumés and only one or two can get chosen. We
35 have a community that is very educated, who is very motivated and would like to have
36 a say in what is going on, but there are not enough opportunities. So, I ask you to
37 consider where you can partner with the community and allow more opportunity to
38 come in. Now you know you have different groups like the area that I represent, the

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1 data center area. We have people who want to get involved but we show up week
2 after week or meeting after meeting because there is nowhere for us to go other than
3 here. So, I ask you to give us the opportunity and create some advisory committees so
4 that anybody who wants to volunteer can volunteer, not have to be putting their
5 resume out there and saying, "Hey, choose me. Choose me." I am not within the town
6 limits and so I do not get to be chosen. We are not allowed, but I am very much
7 impacted by every decision that you guys make, your taxes and what you fund and
8 don't fund. I have no say in that, but it impacts whether I can get out of my driveway to
9 the stoplight. What is coming in? Is our community owned by local investors or is our
10 community being owned by people out of town? We need to have a greater say and
11 that is why we keep showing up over and over. It is amazing the number of times that
12 I get comments because I keep coming. They are like, "Why do you keep coming?
13 They do not listen," and I am like, "Well, I am going to keep coming because I have
14 hope that maybe at some point you will listen." And I appreciate all of you taking the
15 time to make eye contact with me because there are a couple people who do not
16 ever make eye contact. And when we take our time, we would like just to have a few
17 moments of your time back. Thank you."

18

19 **Mayor Gilbert** thanked the speaker and invited the next speaker to come up.

20

21 Next to speak was **Fran Hudson** of 5524 Rex Road:

22

23 "Mayor and Council, I submitted a public record request six months ago today.
24 This was a simple request and only included data required by North Carolina's
25 General Statute 132. Other municipalities have filled the same request in a matter of
26 days and yet, I'm still waiting for Apex after 6 months and many inquiries. On October
27 27th, Allen emailed me stating, "I anticipate this request to be fully completed slash
28 closed by the end of this week." After several unanswered inquiries, I included Randy
29 Vosburg in my December 18th email. Allen replied and said on December 23rd that
30 my emails were flagged as spam or junk and that he anticipated having an update
31 before the end of next week. Allen also stated the Town Manager does not oversee
32 the public records program and I haven't heard from Allen since. Under North
33 Carolina General Statute 16A-148, the Town Manager is the chief administrator and
34 has powers and duties that include directing and supervising the administration of all
35 departments, offices, and agencies of the city and must see that all laws of the state
36 are faithfully executed. Even more concerning, JP Parris prepared a report that in it
37 that was included in the December 9th meeting about the public records. If they're
38 still verifying this data after six months of me waiting, how could he have reported a

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1 summary on the information that I asked for? Either the Clerk had the information and
2 has refused to provide it to me, or JP's report lacks factual evidence presented for the
3 2023 and 2024 years. I even posted a comment on Terry Mahaffey's Facebook post
4 highlighting the office of the Town Clerk. Ashley Gentry actually replied to that
5 comment offering assistance, but I was not assisted. Terry, you personally reached out
6 to me by email and after my comment on your Facebook post, you offered to help
7 and I included all of you in my reply on March 13th. I also requested a time I could
8 come to the Clerk's office to see what the process of the verification is and received
9 no reply from Allen or any of you. That was included in that email. The Town Clerk
10 web page states, "The town clerk is committed to providing you with the highest
11 quality of customer service possible." I have not received the highest quality of
12 service possible. I've been ignored. I've been disregarded and the town has failed to
13 honor the oaths you swore to uphold. I challenge the town to investigate this and get
14 back to me as promptly as possible. Thank you for speaking tonight."

15
16

17 **Mayor Gilbert** thanked the speaker and invited the next speaker to come up.

18

19 Next to speak was **Barbara Collins** of 901 Norwood Lane:

20

21 "Barbara Collins, 901 Norwood Lane, Apex for 28 years, same house. So, I'm
22 not here to talk about anything other than affordable housing and I want to give you
23 my idea that I have vetted with people who told me on the one hand it was terrible
24 and on the other hand not doable and on the other hand too expensive so let me
25 answer all of those quickly. One of the big housing problems we have in Apex is that
26 we were fairly rural and houses were affordable and people like me moved into them.
27 We moved into our house because of the high schools. We wanted to be walking
28 distance and then we couldn't be redistricted. Everybody has made their choices to
29 be here. Well, 30 years later, I have nowhere to go and so, I could give up my house in
30 Apex, because wouldn't Bank of America rather have a \$700,000 loan than a bunch of
31 people who are just sitting around being old hippies and not have to pay anymore.
32 So, here's my idea, there is a vested interest through banks, insurance companies,
33 finance. It's an economic employment issue, senior housing. So, my idea is this, that
34 we find land in Apex. It has to be here. We have a plot of land. We've paid for it. It has
35 the right zoning. We're all working together, those two things done. We need a piece
36 of land that we can put seven single wide mobile homes, not tiny houses because I'm
37 not walking up those stairs and my husband is still alive. We'll never live in a tiny
38 home. Period. So, you have seven single wide, they are owned by the corporation or

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1 whatever nonprofit that owns that land. None of the single wides are owned by the
2 people who would live there. They live there and we can bring in a visiting nurse
3 every day because we have seven elderly people living there. There can be a minute
4 clinic on the property that would serve our entire community. So, where it went wrong
5 as I was pitching this to people was in single wide homes. They didn't like the idea of
6 it. It's a reminiscing about what that's meant in our community, but people are solving
7 this all over the country and it's time for us to do it too. If we had better, more
8 affordable senior housing that allowed us to stay in our community with our
9 grandchildren and our families in retirement, beautiful area, who wouldn't do it?
10 That's my question. Thank you.”

11

12

13 **Mayor Gilbert** thanked the speaker and invited the next speaker to come up.

14

15 Next to speak was **George Hogan** of 2140 Victorian Lane:

16

17 “Members of council, I spent the last two meetings talking about Flock
18 cameras, the contract, the cameras and the lack of evidence justifying them. But
19 tonight, I want to walk through the company. What is Flock? This is not a neutral
20 public safety vendor. This is a venture-backed surveillance company valued at \$7.5
21 billion. It has raised \$650 million. Its lead investors include the Founders Fund, the
22 venture firm founded by Peter Thiel, co-founder of Palantir, which holds \$900 million
23 in federal contracts, including with ICE and the U.S. military. Palantir is currently
24 building what has been described as a master database for the federal government
25 to cross-reference tax records, immigration records, and agency data. Thiel served on
26 Trump’s presidential transition team. He bankrolled JD Vance’s Senate campaign. His
27 Founders Fund partners led Trump’s Defense Department transition, and his
28 associates now hold positions in the Department of Defense and in the White House.
29 Four days ago, the current occupant of the White House posted on Truth Social
30 praising Palantir by its stock ticker to boost the stock price. This is the ecosystem
31 behind the cameras that are on our roads. As of yesterday, Axios reports that Flock is
32 raising even more capital. Flock is targeting 100 drone cities by the end of this year,
33 and it’s not slowing down, this is accelerating. I want to be direct about something. I
34 spent the last 20 years working for private equity and venture-backed companies, 10
35 of those years and currently as an Executive. I know how investor pressure works. I
36 know what a company does when it’s preparing for an IPO. It does not slow down. It
37 does not voluntarily limit data collection. It does not prioritize the interests of
38 something like Apex. When Flock rewrites its terms, expands its platform, and pushes

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1 into new cities, it's not doing it for Apex. It's doing it for the network and for returns.
2 The more you look at the company, the worse it gets. Flock's terms and conditions live
3 on its website and are incorporated into our contract with this city by reference. They
4 can be rewritten at any time without our consent. They were rewritten in December
5 2025, then again in February. What did they change? They removed "Flock does not
6 own and shall not sell customer data." The data license was made perpetual, surviving
7 contract termination. Mandatory arbitration under Georgia law was added, which
8 North Carolina statute says is void. But you voted on one set of terms, and they have
9 changed those terms. Even if you get rid of Flock now, that data is gone. All of our
10 data now belongs to Flock, Peter Thiel, and Palantir. Thank you."

11

12 **Mayor Gilbert** thanked all that spoke and closed Public Forum.

13

14 [PROCLAMATIONS/SPECIAL PRESENTATIONS]

15

16 **PR1 Proclamation - Child Abuse Prevention Month - April 2026 (PRO-2026-018)**

17

18 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation
19 for Child Abuse Prevention Month 2026. He invited up Western Wake Health and
20 Human Services Center Team Member Ms. Joselyn D. Williams, Community
21 Engagement and Outreach Manager, to receive the proclamation and take pictures.

22

23 **Ms. Williams** thanked the Mayor and Council for the recognition and for
24 continuing to build awareness.

25

26 **PR2 Proclamation - Nepal Day - Saturday, April 18, 2026 (PRO-2026-019)**

27

28 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation
29 for Nepal Day 2026. He invited Nepal Center of North Carolina Member Anju Giri and
30 other Nepali community members to receive the proclamation and take pictures.

31

32 **Ms. Giri** invited all to the Nepal event Saturday, April 18th and thanked
33 everyone for the proclamation and the recognition. She gave an overview of the
34 background about Nepal day, and said it was meant to meant to celebrate the new
35 year in Nepal.

36

37 **PR3 Proclamation - Rooted in Care for Our Community - Earth Day and Festival -** 38 **Wednesday, April 22, 2026 (PRO-2026-020)**

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1
2 **Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation
3 for Rooted in Care for Our Community - Earth Day and Festival 2026. He invited
4 Mayor Pro-Tempore Mahaffey to speak.

5
6 **Mayor Pro-Tempore Mahaffey** brought forward a resolution encouraging the
7 reduction of paper process in the Town of Apex.

9 **PR4 Resolution Encouraging the Reduction of Paper Processes (RES-2026-038)**

10
11 A **motion** was made by **Councilmember Gray** and seconded by
12 **Councilmember Mu** to adopt the Resolution Encouraging the Reduction of Paper
13 Processes.

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

15
16
17 **Mayor Gilbert** invited up Nora Skinner, Don Reeves, Njeri Moeller,
18 Environmental Advisory Board (EAB) Vice-Chair, Melissa Ripper, EAB Member, Daniel
19 Valle, EAB Member, and Sandra Villasenor, EAB Member accept the proclamation and
20 take pictures.

21 **Ms. Skinner** said that the EAB has 3 more meetings this week and thanked all
22 of the members for attending tonight. She gave an overview of EarthFest and invited
23 all to come out and activities that would be happening.

24
25 **Mayor Gilbert** said that he wanted to mention EAB member Suzanne Mason
26 who was not able to be at the meeting. He thanked all of them.

27 ~~PR5 ITEM REMOVED - Automated License Plate Reader Program Update~~

28 Item removed per Council vote

29 **PR6 Yard Waste Program Update**

30
31
32
33 **John Mullis**, Public Works Department Director, gave an update on the
34 proposed timeline for the yard waste programming, transition schedules and the
35 highlights of the ordinance changes in the following presentation:

DRAFT MINUTES

1 [SLIDE 1]



2 3 [SLIDE 2]



4 5 [SLIDE 3]

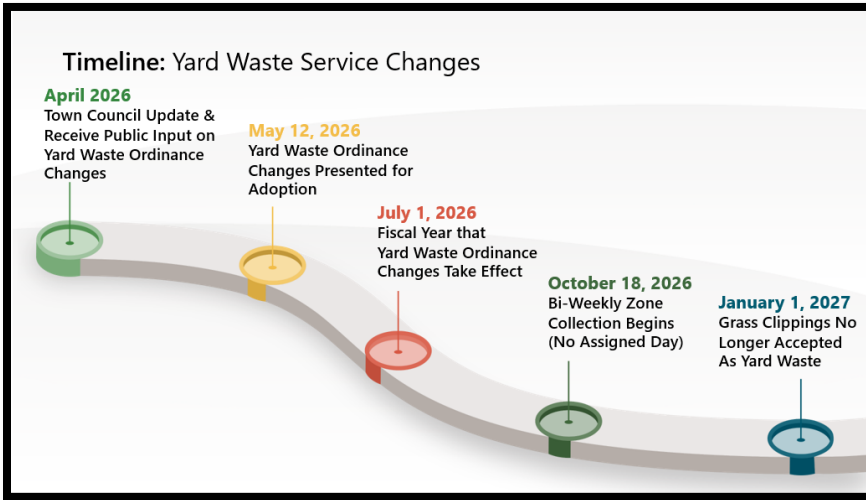
Motions from the February 13, 2026 Council Retreat:

1. A motion was made by Councilmember Zegerman to direct staff to initiate the phased elimination of grass-only collection , effective July 1, 2026, and to implement containerization beginning July 1, 2028. During the transition period, Town staff will continue to collect grass on an as-needed basis as a courtesy prior to full discontinuation.	VOTE: Motion died, failing to receive a second. (Combined motion separated for clarity)
2. A motion was made by Councilmember Zegerman, seconded by Councilmember Gray, to direct staff to begin immediate communication with the public regarding the Town Council's intent to eliminate grass collection effective July 1, 2026 , with enforcement to be carried out at the discretion of the Town Manager or their designee.	VOTE: 3-2, with Mayor Pro-Tempore Mahaffey and Councilmember Reese dissenting.
3. A motion was made by Councilmember Zegerman, seconded by Mayor Pro-Tempore Mahaffey, to direct staff to evaluate the feasibility of transitioning all other yard waste to a containerized collection system , with an effective date of July 1, 2028.	VOTE: UNANIMOUS (5-0)
4. A motion was made by Mayor Pro-Tempore Mahaffey, seconded by Councilmember Reese, to transition to biweekly yard-waste collection and to direct staff to begin immediate public communication of this change. The proposed effective date is July 1, 2026, with the Town Manager authorized to adjust the start date as necessary to accommodate operational feasibility and ensure appropriate communication to residents.	VOTE: UNANIMOUS (5-0)

6

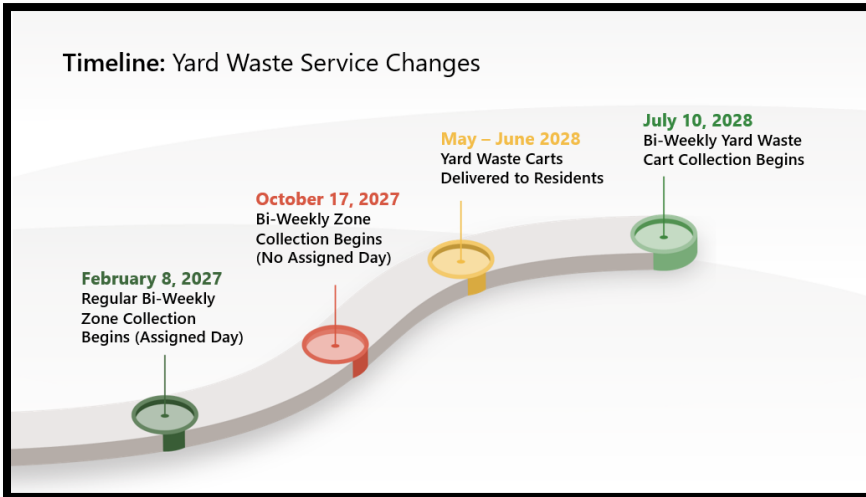
DRAFT MINUTES

1 [SLIDE 4]



2

3 [SLIDE 5]



4

DRAFT MINUTES

1 **[SLIDE 6]**

Proposed Ordinance Changes: Definitions

Current	Proposed (7/1/26)	AFTER Containerization (Spring 2028)
along curb / edge of pavement	< 3' behind curb / edge of pavement	collection point for carts
small limbs = < 8' long and < 8' diameter	small limbs = < 6' long and < 6' diameter and < 50 lbs	
yard waste includes grass clippings	yard waste excludes grass clippings	

2
3 **[SLIDE 7]**

Proposed Ordinance Changes: Pre-Collection Practices

Current	Proposed (7/1/26)	AFTER Containerization (Spring 2028)
no yard waste < 10' of storm drain	no yard waste < 10' upstream of storm drain	Placement restrictions only apply for leaf piles (seasonal collection) and excess yard waste (scheduled collection).
	no yard waste from separate property	
	no yard waste < 6' from obstacles	
	no yard waste in parking / ramp / sidewalk	
	yard waste placed in direction of travel	
unlimited yard waste	< 2 cubic yards of yard waste without a fee	one cart included in fee

4
5 **[SLIDE 8]**

Proposed Ordinance Changes: Service Limitations

Current	Proposed (7/1/26)
once per week collection	collection schedule set by Council (bi-weekly)
no land clearing debris (LCD)	no LCD, grass, dirt, root, soil, sod, mulch, concrete, rocks, debris, pallets, trash, plastic, pet waste, lumber, or mailbox posts

6

DRAFT MINUTES

1 [SLIDE 9]

Proposed Ordinance Changes: Enforcement		
Current	Proposed (7/1/26)	AFTER Containerization (Spring 2028)
refusing collection	Refusing collection and education are still the primary method of compliance. However, new provisions are added so that the Town has additional tools, specifically to abate nuisance yard waste at owner's cost, plus a fee.	Enforcement is simplified since volume is naturally limited by cart size.

2
3 [SLIDE 10]



4
5 **Councilmember Gray** asked why the change is to the grass collection and why
6 is this change necessary for the infrastructure.

7 **Director Mullis** said it is difficult to dispose of because it often contains
8 chemicals like fertilizers or herbicides that make unsuitable for standard composting
9 and there are limited places with the capacity to take it. He said the Town's
10 Sustainability Plan is being followed in reducing waste disposal, which includes grass
11 collection and encourages residents to leave clippings in place for mulching, which is
12 more efficient and environmentally friendly. He said Council's decision is based on
13 what level of service they want to provide for certain types of grass. He said that their
14 goal is to provide educational resources to help residents understand how to
15 maintain a lawn.

DRAFT MINUTES

1 **Councilmember Zegerman** asked about the impact on the town's storm water
2 system.

3 **Director Mullis** said that the town's drinking water source is Jordan Lake and
4 it's not an immediate issue but as Apex grows, containerization will help remove the
5 threat of some of the grasses that could get into the storm water systems and add
6 nitrogen, which could cause algae blooms and other issues.

7 **Mayor Gilbert** asked if pulling clumps of weeds from flower beds and small
8 things like this would be considered ok.

9 **Director Mullis** said that weeds from yards would still be fine, the biggest
10 issue they are trying to solve is grass clippings.

11 **Councilmember Mu** asked if the containerization is used what happens if
12 grass is put into the container along with the leaves and branches.

13 **Director Mullis** said the grass volume is the concern along with having a
14 disposal outlet that would accept it.

15 **Councilmember Mu** asked if there was a place to take the containers for
16 disposal.

17 **Director Mullis** said there is right now, but it's not under contract and they
18 aren't interested in a contract, and they are looking at this direction for sustainability.
19 He said long-term a regional facility may be a possibility.

20 **Mayor Pro-Tempore Mahaffey** asked about residents that live on cul-de-sacs
21 and have very little road frontage to put a pile of grass on and it has to be in front of
22 their yard.

23 **Director Mullis** said they would help the residents identify a place where the
24 Town knows it's their yard waste and if the town goes to containerization, that should
25 solve that concern.

26 **Mayor Pro-Tempore Mahaffey** asked although the containerization is a couple
27 of years away, what if some residents' HOAs may not allow these containers.

28 **Director Mullis** said that in the past in other communities they met with the
29 HOAs and they worked through the issues, and some offered a year-long grace
30 period for third screens to be built. He said they would offer on request pick up
31 service still for a fee if people did not want to use the container.

32 **Mayor Pro-Tempore Mahaffey** asked for clarification that Director Mullis met
33 with HOAs in his position as a Public Works Director in other municipalities as this
34 transition took place to talk through this and worked with them.

35 **Director Mullis** said yes, they did and at every HOA meeting they made it work
36 although they were uncertain and unsure going into it but made the transition
37 happen. He said they now love that there is not yard waste on the streets anymore.

DRAFT MINUTES

1 **Councilmember Mu** said a few weeks ago a senior came to the meeting and
2 said she didn't have the strength to pick up the yard waste and put it into the
3 containers and asked if there was something available for seniors or people with
4 disabilities.

5 **Director Mullis** said yes, the same as with the current solid waste, they would
6 offer backdoor collection. He said they don't go on private property unless there is an
7 agreement to retrieve their waste container and the same model would be followed.
8 He said that they couldn't pick up the sticks for them, but if they could get their yard
9 waste in the cart, the Town would make provisions to help them retrieve the cart.

10 **Councilmember Reese** thanked Director Mullis for all of his work on this. He
11 said that residents are specifically worried about the grass clippings and asked about
12 how other neighboring municipalities are doing with their grass clippings.

13 **Director Mullis** said they are in the same situation as Apex. He said that Cary is
14 currently in a contract and when the contract expires, it may not be renewed and they
15 are aware. He said they are working with their peer communities to see if there could
16 be something done together, but that would mean having land. He said they have
17 met with Raleigh and there is a potential to have a contract with them and they have
18 land, but there is also staffing needs that need to be met if they take in more yard
19 waste.

20 **Councilmember Reese** said that it was said that at the retreat it was mentioned
21 that Apex is driving to Harnett County.

22 **Director Mullis** said that is one place they have been taking the yard waste but
23 that could be potentially for sale, but he hasn't been able to confirm that. He said that
24 put him on alert and the challenge is getting guaranteed disposal for yard waste.

25 **Councilmember Reese** said the concern is neighborhoods with large trees
26 and with rains it takes several days to dry out and accommodate the yard waste.

27 **Director Mullis** said that they should be able to accommodate the yard
28 maintenance issue, possibly having to mow high or more than once a week
29 depending on the weather.

30
31 **Stacie Galloway**, Director, Communications Department, highlighted the
32 communication plan. She continues with the presentation:

1 [SLIDE 11]

Communications Plan

- Multi-phase, Multi-year
- Yard Waste Ordinance Updates
- Educational Resources for Yard Waste Alternatives



GREENER TOGETHER initiative

2
3 [SLIDE 12]

Ordinance Changes

Focus on explaining the phased implementation of yard waste ordinance changes in the upcoming fiscal year

July 1st 2026 Upon council approval

In-Person	Print	Digital
<ul style="list-style-type: none">• Educational Booths at Special Events• Presentation at CommUniversity (CDNC's Community Engagement Program)• Outreach to HOAs• FAQs Delivered to Ask Apex to answer resident calls	<ul style="list-style-type: none">• Mailer• Updated Brochures• Articles and Advertisements in Suburban Living Magazine• Utility Bill Inserts• Materials in Town Facilities (Senior Center, Town Hall, etc)• Door hanger	<ul style="list-style-type: none">• Community Survey Questions• Website Updates• Social Media Posts• All In Apex eNewsletter• Apex Collects Mobile App Campaign• Lobby Displays• Council Pre-meeting slides

4
5 [SLIDE 13]

Biweekly Collection

Special emphasis on understanding the updated collection schedule

Oct 18, 2026 Summer - Fall 2026

In-Person	Print	Digital
<ul style="list-style-type: none">• Educational Booths at Special Events• Outreach to HOAs• FAQs Delivered to Ask Apex to answer resident calls	<ul style="list-style-type: none">• Postcard Mailer with Zones & Leaf Schedule• Updated Brochures• Articles and Advertisements in Suburban Living Magazine• Utility Bill Inserts• Materials in Town Facilities (Senior Center, Town Hall, etc)	<ul style="list-style-type: none">• Website Updates• Social Media Posts• All In Apex eNewsletter• Apex Collects Mobile App Campaign & Schedule Update• Lobby Displays• Council Pre-meeting slides• Meet the Team Video

6

1 [SLIDE 14]

Elimination of Grass Collection

Attention on educational materials for grasscycling and other grass disposal options

Jan 1, 2027 Early Fall 2026

In-Person	Print	Digital
<ul style="list-style-type: none">• Educational Booths at Special Events• Outreach to HOAs• Q&A Video with Soil / Turf Experts and Public Works Staff• FAQs Delivered to Ask Apex to answer resident calls	<ul style="list-style-type: none">• Mailer• Updated Brochures• Articles and Advertisements in Suburban Living Magazine• Utility Bill Inserts• Materials in Town Facilities (Senior Center, Town Hall, etc)• Door hangers placed for notification	<ul style="list-style-type: none">• Website Updates• Social Media Posts• All In Apex eNewsletter• Apex Collects Mobile App Campaign & Schedule Update• Lobby Displays• Council Pre-meeting slides• Meet the Team Video

2
3 [SLIDE 15]

Spring 2027 Reminder Campaign

Reminders of all changes as we approach the heavier yard waste season

Early March 2027

In-Person	Print	Digital
<ul style="list-style-type: none">• Educational Booths at Special Events• Outreach to HOAs	<ul style="list-style-type: none">• Updated Brochures• Articles and Advertisements in Suburban Living Magazine• Utility Bill Inserts• Materials in Town Facilities (Senior Center, Town Hall, etc)	<ul style="list-style-type: none">• Website Updates• Social Media Posts• All In Apex eNewsletter• Apex Collects Mobile App Campaign• Lobby Displays• Council Pre-meeting slides

4
5 [SLIDE 16]



6

DRAFT MINUTES

1 **Councilmember Zegerman** asked for clarification of the timeline for when the
2 communication would begin.

3 **Director Galloway** said that it was layered and each topic would have a
4 reminder campaign, and staff are well prepared to begin as soon as this is approved
5 by Council.

6 **Mayor Gilbert** said that April 28th is when there will be feedback from the
7 community and would have liked to have that feedback prior to making this decision.
8 He asked what is expected to be gained from the Public Hearing on the 28th, and if it
9 may change any of the plans coming up.

10 **Town Manager Vosburg** said that the April 28th date was an option for a
11 specific date to do feedback and there are other methods that can be done such as a
12 survey that staff has talked about and is ready to start the education piece and they
13 are looking for directions from Council.

14 **Director Galloway** said currently in the Community survey there are five
15 questions at the end of the survey about yard waste and grass cycling so there is data
16 from that.

17 **Town Manager Vosburg** said that concludes the presentation, and feedback is
18 welcome. He said that the ordinance adoption is set for the first Council meeting in
19 May, and asked if there is anything that Council would like to change or get more
20 information on and asked for directions from Council.

21 **Mayor Gilbert** thanked staff for all their work that went into this. He asked legal
22 could there be a Public Hearing to get public feedback

23 **Town Attorney Hohe** said that a Public Hearing wasn't required but could be
24 done.

25 **Mayor Gilbert** asked if there were any objections to a Public Hearing.

26 **Town Manager Vosburg** clarified that on April 28th the item would be added
27 to the agenda but there wouldn't be a staff presentation.

28

29 **Mayor Gilbert** announced a 10-minute recess at **7:48 p.m.**

30 **Mayor Gilbert** reconvened the meeting at **8:03 p.m.**

31

32 **[PUBLIC HEARINGS]**

33

34 **PH1 Annexation No. 819 - 1209 Twin Creek Road - 2 acres (REF: ORD-2026-033)**

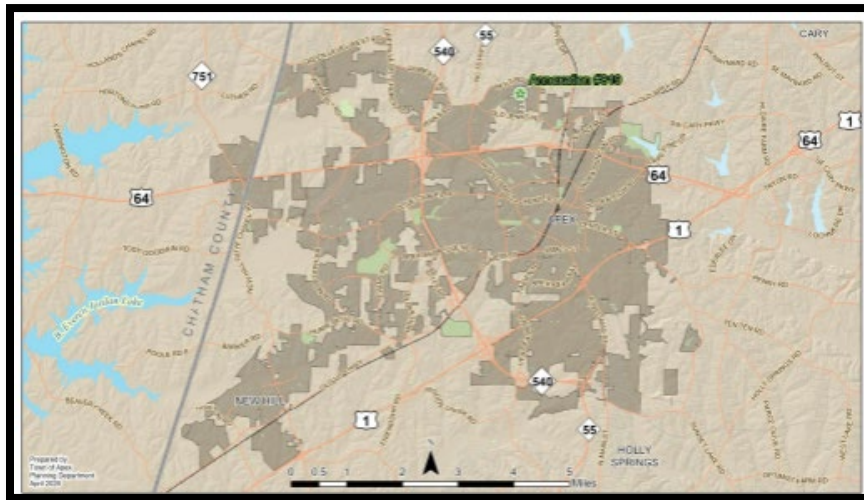
35 Dianne Khin, Director, Planning Department

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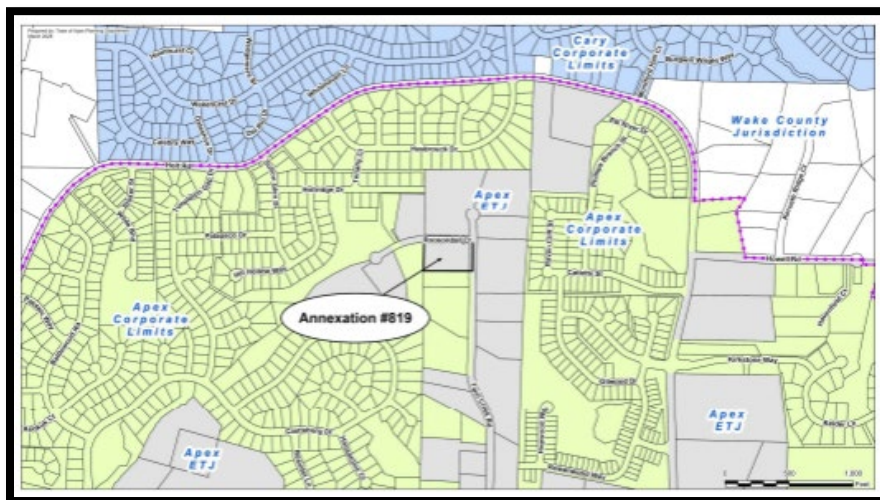
1 [SLIDE 1]



2
3 [SLIDE 2]



4
5 [SLIDE 3]



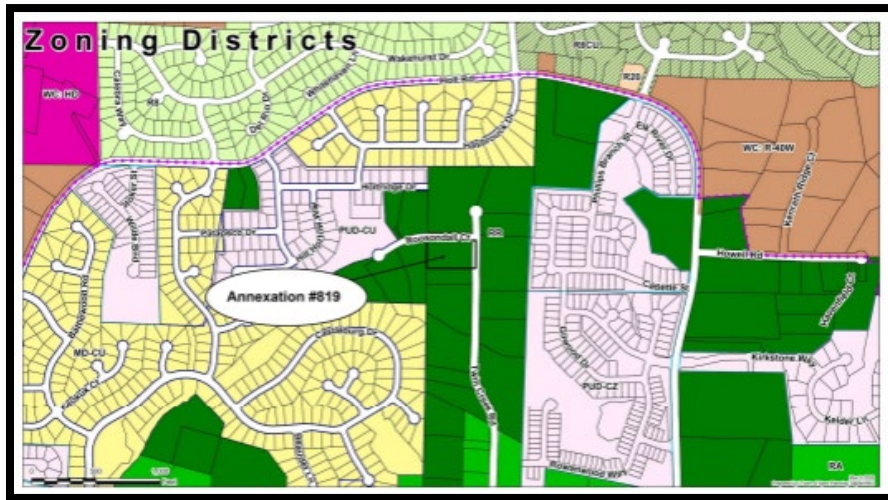
6

DRAFT MINUTES

1 [SLIDE 4]



2
3 [SLIDE 5]



4
5
6 **Mayor Gilbert** asked if there were any questions, hearing none he opened up
7 Public Hearing, with no one signed up to speak he brought this item back to Council
8 for discussion and a possible motion.

9
10 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
11 **Councilmember Gray** to adopt an Ordinance on the Question of Annexation - Apex
12 Town Council's intent to annex 2 acres, located at 1209 Twin Creek Road, Annexation
13 No. 819, into the Town Corporate limits.

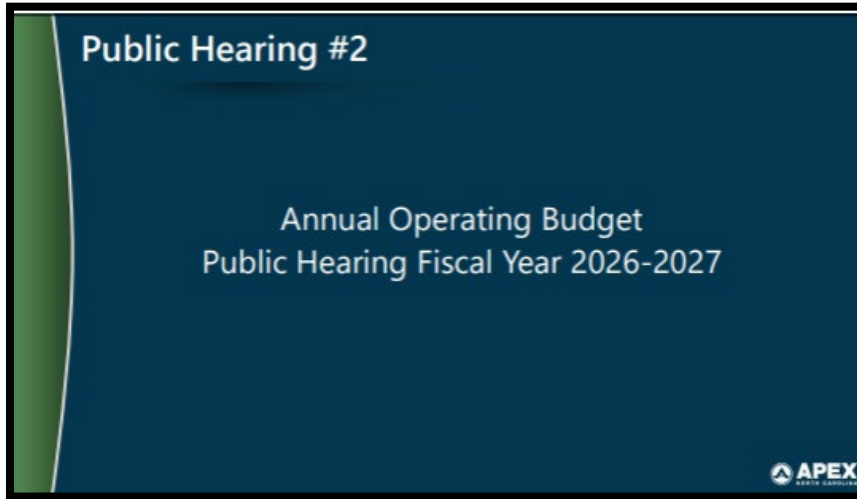
14
15 **VOTE: UNANIMOUS (5-0)**

16
17 **PH2 Annual Operating Budget Public Hearing Fiscal Year 2026-2027**

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1
2 **Councilmember Gray** said this was the part of the agenda where the public is
3 heard from for a brief overview of the budget. He said there was an improved
4 budgeting process to provide a budget to the Council for approval from the
5 departments once they have provided their priorities. He gave an overview of how
6 the budget worked from departments proposing their budgets to when Council
7 approves the budget.

8 **[SLIDE 1]**



9
10 **Mayor Gilbert** opened up Public Hearing and invited up the first speaker.

11
12 First speaker was **Elizabeth Stitt** of 3113 Friendship Road:

13
14 "Mayor, Mayor and Town Council, good evening. If I may ask one question, am I
15 the only person signed up for this public hearing? Very good. That's great news
16 because in years past I have typically been the only person to speak up. Continuing
17 on my theme for tonight about leveraging the community, the one thing that I have
18 heard is the budget is going to be difficult because growth is slowing down and there
19 are a lot of needs on our plate at the moment. So, I would ask for you to look outside
20 of the box, ask the town departments and say if you had volunteers, what could you
21 use them for? Could you reduce your cost? So just as NCDOT has Adopt a Road, do
22 we want to do adopt a road program in Apex where the citizens who live on the
23 streets that the town owns, they pick up the trash, they call when it needs to be
24 mowed. What could they do to help reduce the maintenance cost? Could we reduce
25 the cost of running our parks? Could we have someone sponsor a ball field or
26 sponsor a bench or have the bench be a memorial for a family member or for a
27 special event? Could we have a garden club who comes and helps plant the flowers

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1 at town hall or in front of other buildings? Do we have an opportunity to post
2 volunteer hours? There's a lot of people in our community that could use volunteer
3 hours, but they don't know necessarily where to begin. Could we post different things
4 people could do? My personal favorite, if I could, I would love to volunteer to help
5 with public records. I would love to help get those out. I asked for my fair share of
6 them and so I feel like if I am supervised and I followed the rules, maybe I could help
7 with the backlog. Do we want to leverage people who want to get job skills? Do we
8 have any opportunities for them in our community? Do they need to learn how to use,
9 do they need to come job shadow to see if it's something they want to learn? So, for
10 the EMS dispatchers that were here, how does someone become one of those? Do
11 we want to take some high school interns through the program? So, what we haven't
12 seen in the last four years that I have looked at the budgets and yes, I have read all
13 three 400 pages some of them are very tedious and difficult and I've read the last 10
14 years of budgets, we don't talk about leveraging our community and if you want more
15 people engaged you got to give them more opportunity. Thank you."

16

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

18

19 Next speaker was **Phil Welch** of 1471 Big Leaf Loop:

20

21 "Good evening, Mayor, Council members, town staff, and members of the
22 public. My name is Phil Welch. I live at 1471 Big Leaf Loop in Apex. My thanks to
23 Council Member Gray for suggesting the monthly hearings on the budget. I have a
24 simple concise message regarding the next year's budget. Please look at prioritizing
25 the funding in the budget to reflect the priorities in last year's update to the
26 Affordable Housing plan. You unanimously approved the findings and strategies in
27 the update. It is time to aggressively pursue the strategies that you support. In the five
28 years since the Council unanimously approved the initial Affordable Housing plan, the
29 town has made some progress in providing more affordable housing choices to our
30 lower income neighbors and essential workers. Unfortunately, the gap in housing
31 choices continues to grow. Apex is quickly losing the diversity which attracted many
32 of us here. The window of opportunity to reverse this trend is closing along with the
33 land available to build more varieties of housing. Over the past year, you have heard
34 10 speakers present various ways that housing choices can affect households, both
35 negatively and positively, including the long-lasting effects thousands of our students
36 face when their families are evicted and their educations are disrupted. Number two,
37 the life changing difference in a Habitat homeowner and her teenage daughter
38 experienced in their new home in Apex. Number three, local pediatrician's

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1 description of the various damaging health effects suffered by children without safe,
2 sanitary, healthy, stable homes. Number four, opportunities to provide homes for
3 Apex's essential workers, including from NC Children's Hospital in the Veridea master
4 development. Number five, a plea from a Habitat Wake founder for the Council's help
5 in preserving the dream of serving and living in Apex. Previous Council members had
6 the foresight to dedicate a penny tax to affordable housing even before
7 commissioning the initial Affordable Housing plan. After hearing the housing needs
8 assessment and recommendations in the plan, the Council all approved the plan and
9 increased the funding to a penny and a half. Unfortunately, that was later decreased
10 back to a penny, that's clearly inadequate. I am asking that the Council and staff once
11 again step up to adequately funding the implementation of critically needed
12 affordable housing. We need you to recommit to increasing the number of affordable
13 homes built and preserved across price points for all lower income households.
14 Estimates of the deficits in our supply of affordable housing choices were included in
15 my talk for you last month. Also included were recommended increases in five
16 affordable housing programs. I will be discussing these deficits and increases with
17 you and town staff in the coming weeks to answer questions and understand your
18 responses. Thank you."

19
20 **Mayor Gilbert** thanked the speaker and closed Public Hearing. He thanked
21 Councilmember Gray for suggesting this time to get the feedback.

22 **Councilmember Gray** thanked both speakers for the great comments.
23
24

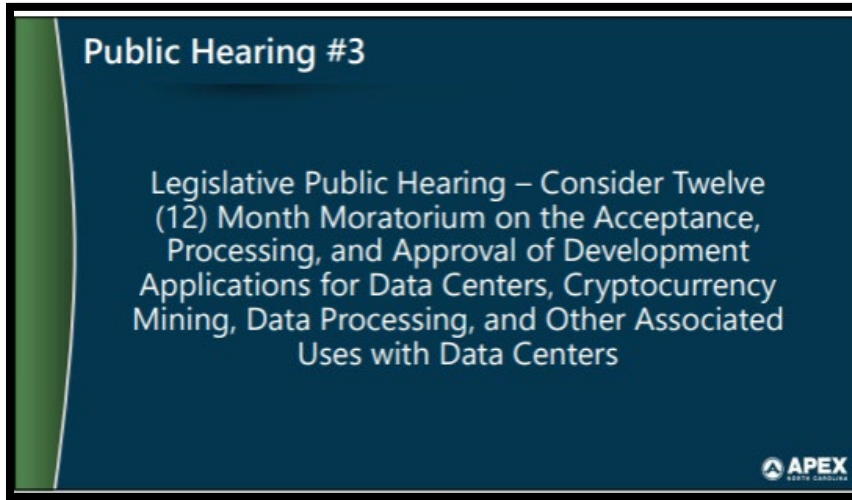
25 **PH3 Legislative Public Hearing - Consider Twelve (12) Month Moratorium on the** 26 **Acceptance, Processing, and Approval of Development Applications for Data** 27 **Centers, Cryptocurrency Mining, Data Processing, and Other Associated Uses** 28 **with Data Centers (ORD-2026-034)** 29

30 **Town Manager Vosburg** gave a highlight of the proposed ordinance that
31 Council directed staff to draft with assistance from Legal and the Planning
32 Department for any in-depth questions. He said this is a type of moratorium
33 specifically allowed by state statute for municipalities to study potential impacts of
34 certain land uses. This is proposed to apply to Apex Corporate Limits, extra territorial
35 jurisdiction, and future planning areas as shown on the 2045 land use map, taking
36 effect April 28, 2026 and expiring April 27, 2027. He said the definition was written so
37 as not to exclude uses of something that could be considered a data center within
38 another permitted use, such as a hospital. He presented details on the schedule that

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1 is generally permitted through the statutes and the tasks that would be before the
2 Environmental Advisory Board.

3 **[SLIDE 1]**



4
5 **Mayor Gilbert** asked if there were any comments.

6 **Councilmember Zegerman** said that it is time to put this moratorium in place
7 to give staff the time to reconsider some of the feedback that has been received from
8 the community and how to reflect that properly in the UDO to better prepare for the
9 next time a similar proposal comes in.

10
11 **Mayor Gilbert** opened Public Hearing and invited the first speaker.

12
13 First to speak was **Dr. Michelle Hoffner O’Conner** of 2664 Jordan Pointe
14 Boulevard:

15
16 “Good evening, Mayor Gilbert, Town Council, and members of the town staff. I
17 am here to endorse the proposed year-long moratorium on the acceptance,
18 processing, and approval of data development applications for data centers,
19 cryptocurrency mining, data processing, and other uses associated with data centers
20 as specified uses within the town of Apex corporate limits and its extraterritorial
21 jurisdiction. My endorsement is all-encompassing, representing my household,
22 including my husband, fur children, and son who will be here soon, and representing
23 my fellow advocates in solidarity, including those from the Protect Wake County
24 Coalition, my neighbors in Jordan Point, very importantly not as their Board of
25 Director, Jordan Manors, Jordan Oaks, Belterra, and Woodbury, those residing in the
26 ETJ of Friendship and New Hill who do not have a recognized vote in this town, as
27 well as those who live within the corporate limits of Apex, those who live over the

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1 county line in Chatham and over the town line in Holly Springs who are still too close
2 to the proposed site, and anyone else near and far who recognizes the necessity and
3 value of this moratorium. Thank you for taking our concerns seriously, and I hope you
4 all will enthusiastically vote in favor of this proposal tonight. Since I have additional
5 time to speak and I am the first to speak for this hearing, I would be remiss if I did not
6 take the opportunity to provide some additional key remarks. Among the crowd
7 tonight may be developers who are here to tell you to vote no and why people like
8 me are just complaining and that the town is missing out on tax dollars. Let me be
9 abundantly clear. While many developers are not 38-year-old entitled millennials who
10 work for dad, they are indeed bad used car salesmen who obscure the truth and even
11 lie to get their way. Over a six-month period, we watched Michael Natelli and his team
12 lie about how to appropriately control sound from a data center, lie about the
13 minimum number of diesel generators required to sustain this project, lie about the
14 amount of water that would be needed for cooling and under what circumstances,
15 and so much more. We even heard him intimate that a hyperscale AI data center has a
16 right of way over the lives and quality of life of taxpaying residents, and that the data
17 center should have been considered as important as a children's hospital. Remember,
18 we were offered the Double B of data centers, a subprime technological fossil that
19 would be a quicker, cheaper build than that of the AAA data centers we see in
20 Scandinavian countries, which supply their own green power, are quiet, and use little
21 to no water. Under no circumstances should you reconsider your vote in favor of this
22 moratorium, because any remarks from developers tonight are anything but the truth,
23 and they do not deserve your consideration. So, what should the town, both elected
24 officials and staff, prioritize over the next 12 months? Back in September, I stated that
25 we needed to ask and answer many questions in order to determine if we can allow a
26 data center here at all and if so, under what circumstances. First and foremost, good
27 research performed by qualified experts free of any conflicts of interest associated
28 with local, state, and federal governments as well as private enterprise efforts
29 associated with data center development. Our town should have a strong
30 understanding of all options associated with each aspect of a data center before
31 moving forward with deciding what belongs in an ordinance. Some of these items
32 include extensive generator modeling. If we adjust the size, number of generators,
33 and even the fuel type, what do the emissions look like under best case and worst-
34 case weather scenarios year-round at 1, 6, 24, 72, and 168 hours? Is there a scenario
35 in which the emissions do not reach private properties? Do the emissions exceed
36 current regulations and if so, at what time point? Sound studies that go beyond
37 evaluation of A-weighted decibel. Sound studies must include C-weighted decibel for
38 the explicit purpose of identifying methods and technologies that must be required

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1 in order to achieve a neutral balanced sound at all times, including when the data
2 center uses backup power, and to take this one step further, a biological specialist
3 should also be included. Members of our EAB pointed out at their meeting back in
4 October that wildlife and game land surround the proposed site, so what additional
5 mitigations are needed to adequately address this? Economic modeling. How many
6 tax dollars can the town really expect over the life cycle of a single data center? How
7 many jobs will actually be created? Is the expected salary for these positions
8 compatible with the cost of living in the town of Apex, which would allow hiring of
9 people from our town as opposed to increasing the number of commuters? Other
10 items that need to be considered or modeled include the predicted amount of water
11 needed year round to cool the servers using open loop or closed loop systems and
12 how the municipal water system, even as backup, would affect resources available to
13 residents, the heat predicted to be released year round that would alter atmospheric
14 temperature, the amount of PFAS released via runoff and aerosolized refrigerants,
15 and the potential impact of thermal runaway from lithium ion batteries. The list goes
16 on. Second, we must answer how the presence of any data center and its design
17 aligns with the environmental and sustainability goals for the town of Apex for which
18 there are many according to the tracker on the town website, to reference Glenn
19 Renie, who is not here tonight, but sent remarks to Allen, as well as my own remarks
20 from the last meeting, Federal laws continue to loosen and are ultimately a moving
21 target that any ordinance is unlikely to account for. Duke Energy is asking NCU for an
22 18 percent rate increase over the next two years but has supplied no plans for review
23 with respect to the types of projects they will pursue to increase grid capacity and
24 stabilize power. We already know that staff present at the January 22 Working Session
25 claimed that the lifespan of coal plants are not being extended, but we know they are.
26 So how would these changes that Apex has no control over affect our ability to realize
27 town initiatives? I suppose instead of calling it the peak of good living, we could refer
28 to the town as the peak of environmental chaos, but that doesn't sound as nice, does
29 it? Finally, and most important, is the quality of life of Apex and ETJ residents,
30 especially those living within a 3-to-5-mile radius of any proposed sites. Are these
31 taxpaying citizens meant to suffer for some version of the greater good? Are these
32 citizens meant to be exposed to harmful pollutants, including nitrogen oxides, fine
33 particulate matter, sulfur dioxide, methane, PFAS, etc.? Are these people meant to live
34 in fear of what they will track into their homes on the bottom of their shoes or what
35 will enter via their pets' paws? Are these people meant to stop gardening because
36 their yards will inevitably become contaminated? Are they meant to install noise
37 dampening curtains and expensive HEPA filters to mitigate noise and air pollutants?
38 What happens when their health care costs for conditions ranging from cancer to

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1 heart disease to Alzheimer’s and other neurological conditions inevitably increase
2 because of exposure to these pollutants? A reminder that meeting regulatory
3 compliance often does not always equate with what is in the best interest of public
4 health. So, who will take responsibility for the irreparable damage to these people’s
5 lives? I hope the efforts from our elected leadership and town staff will take these
6 items to heart and prioritize answering these questions. Furthermore, I hope that if
7 questions are not sufficiently answered in time to support authoring of an ordinance
8 that is beyond reproach and that will protect citizens and stand the test of time, that
9 this council will not hesitate to extend this moratorium. I have emphasized the danger
10 of the Dunning-Kruger effect and proceeding without identifying and understanding
11 all relevant information. The next year should be a testament to decision-making
12 based on strong scientific evidence. Many of us will continue to advocate for this
13 throughout the year. We will not go away easily. You all know that I am due to become
14 a mom soon, and I doubt it will surprise any of you if I show up with spit up on my
15 shirt and sleep deprived given that I showed up earlier this year with half of my face
16 swollen after shadow boxing with developers or some might call that periodontal
17 surgery. Following your votes in favor tonight, I look forward to the next year with
18 cautious optimism and hope that this town will commit to delivering on its peak of
19 good living promise by updating our ordinance to ensure that quality of life for all is
20 not only upheld and augmented and a quick reminder to everyone in the room, you
21 can do your part by showing up and sharing important information with our town staff
22 and town council, and by supporting our small local businesses because by uplifting
23 these people and encouraging more businesses to come here of that variety, perhaps
24 this will help prevent us from choosing to take tax dollars from sleazy developers and
25 large corporations who will never have our best interest at heart. Thank you.”

26

27

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

29

30 Next speaker was **Dawn Cozzolino** of 3632 Bosco Road:

31

32 “Good evening. I stand here as one of the people. Under the North Carolina
33 Constitution, Article One, Section Two, all political power is derived from the people.
34 Government exists by consent and must operate with transparency and
35 accountability. That standard is not being met. I will be direct. No data centers in
36 Wake County ever. This moratorium creates the appearance of action while delaying
37 public understanding of issues already raised by residents. At Apex’s Peak Plan 2055
38 discussion, residents were shown maps and planning materials, however, the full

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1 water infrastructure implications of high-density private development, including data
2 centers, were not included in the public presentation despite known zoning
3 relevance. The water resources director Jonathan Jacobs was not present at the
4 discussion. That absence raises questions about the completeness of technical input
5 during the presentation. Key questions remain before the public. What is the
6 documented water capacity and limitation analysis for the level of development and
7 where is that reflected in the materials presented to residents? The absence of those
8 elements raises questions and concerns about completeness of the public record.
9 That gap in information is contributing to declining public trust. Residents are now
10 seeing expanded layers of governance, task forces, advisory boards, and resilience
11 initiatives often presented as coordination or innovation. This raises ongoing
12 questions about decision-making authority when responsibilities are distributed
13 across boards, consultants, and affiliated entities. Consent agenda item 15 tonight
14 expands the structure through a land trust model that introduces additional non-
15 elected participants into long-term land use decisions alongside municipal
16 leadership. This adds another layer between the public and decisions affecting land,
17 water, and development, under the North Carolina Constitution, accountability cannot
18 be diluted. The pattern residents are raising concerns includes unresolved
19 cybersecurity issues, ongoing infrastructure questions, and the expansion of
20 governance structures under existing decision-making frameworks. Residents are not
21 asking for delay, we are not asking for study, we are not asking for reconsideration, we
22 are stating a clear position. No data centers in Wake County ever. Thank you.”

23
24

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

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27
28

Next speaker was **Fran Hudson** of 5524 Rex Road:

29 “Hello again. I printed out page one of the UDO, and it is very important to
30 show that there is already language in there that protects the people because the
31 purpose that is stated in the general section is to promote and protect the public
32 health, safety, peace, comfort, and general welfare of the citizens and residents of
33 Apex and its extraterritorial jurisdiction. It is a comprehensive unified set of
34 regulations that govern the subdivisions of land and development of land and use of
35 land so, it’s really the regulation that’s the great part, and to make this a stronger
36 protection of the people and their safety and health and everything that we have
37 been asking this town council to consider when discussing data center projects that
38 could possibly return. The specific purpose starts with implementing policies of the

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1 2045 land use plan, that really should be last on this, I think it needs to be revised
2 because B is protect the small-town character should be number one, protect the
3 people, protect the character of Apex. It will not be Apex any longer if you do not
4 protect that and then number C, the currency, promote good planning practice. So,
5 the good planning practice and that's a very arbitrary term like that could mean
6 anything, but you really need the welfare of the people as determined by the people
7 to decide what that is. The people need to have that decision, not five people making
8 a vote. The other authority that's shown on page one only gives the authority to
9 regulate and to enforce, so it is not a give a free-for-all with development, it means
10 you are supposed to regulate, which means make regular. A data center is not regular
11 in any way, shape, or form to Apex, now a lot of high-density development is not
12 regular because this was a small community we had land, and now there is no land.
13 It's being gulped up by all these big developers, so if you are going to follow the
14 UDO and make sure that you are protecting the people and their welfare, you need to
15 regulate. Thank you."

16

17 **Mayor Gilbert** closed Public Hearing. He thanked his colleagues and brought
18 back to Council for discussion and a possible motion.

19 **Mayor Pro-Tempore Mahaffey** thanked the staff for doing this work to get this
20 moratorium together. He said this will give time to develop rules and Apex's
21 ordinances and will expect developers to follow these.

22 **Councilmember Gray** said this is an important step that needs to be taken to
23 make sure that Apex is getting this right. He thanked the residents and those who live
24 in and around Apex for providing the input and giving insight into their concerns, and
25 those will be considered as this ordinance changes.

26 **Councilmember Reese** said that he was proud of the community for coming
27 together to problem solve and bring Apex to this evening. He said that the air, water,
28 power, and kids will be protected and this is a great step for the community. He said
29 he looks forward to the hard work and due diligence that will occur over the next 12
30 months to have a robust UDO to protect Apex.

31 **Councilmember Mu** said this is necessary and great for Apex. She thanked the
32 staff and residents for all of the work and research, and showing up to these meetings
33 to give advice and facts on the data center, this is a community effort.

34 **Mayor Gilbert** said that the community has spoken.

35

36 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
37 **Councilmember Zegerman** to approve a Twelve (12) Month Moratorium on the
38 Acceptance, Processing, and Approval of Development Applications for Data Centers,

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1 Cryptocurrency Mining, Data Processing, and Other Associated Uses with Data
2 Centers.

3

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

5

6 **[REGULAR MEETING AGENDA]**

7

8 **RA1 Resolution Establishing the Peak Resilience and Wellbeing Task Force (RES-**
9 **2026-039)**

10

11 **Councilmember Mu** introduced the idea of the task force. She said this is
12 volunteer based and not to replace the professional service, it is Apex's plan to
13 educate residents to get rid of stigma, identify early warning signs to help young
14 people, and aid families in need get the resources to help them with no obstacles.

15 **Mayor Gilbert** thanked Councilmember Mu and was excited to support her in
16 this task force. He asked if there were any other comments.

17 **Councilmember Gray** said this will be a great task force to have and bring
18 some focus and attention to this but it is important to note that this is not a
19 replacement for other resources.

20 **Councilmember Reese** said that he echoed comments from Councilmember
21 Gray and how proud of Councilmember Mu to make this happen. He said that this is a
22 great new first step for Apex when people wonder where to go. He said along with
23 Commissioner Stallings, and community members in the community spreading the
24 word about this task force, this is a great step and well represents this town.

25 **Mayor Pro-Tempore Mahaffey** thanked Councilmember Mu for this initiative
26 and it is an important issue. He said it was great to see an elected official campaign on
27 something and then work to solve the issue that they are so passionate about and
28 have been speaking about for so long.

29 **Councilmember Zegerman** said what is so exciting about this are the
30 connections through Apex's Public Safety team and the connections with the
31 agencies, foundations, or nonprofits in the area that offer a support structure for
32 Apex's residents in need of mental health care services. He said with a very small
33 group of organizations that this is an opportunity to build out the support network to
34 be able to offer citizens more, and is hopeful that this legacy that it leaves behind is
35 improved support structure for Apex's residents.

36

37 **Mayor Gilbert** brought this back to Council for a motion.

38

