



AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, September 15, 2020 at 6:00 PM

Council Chamber at Apex Town Hall, 73 Hunter Street

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Manager: Shawn Purvis |

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Brett D. Gantt, Audra M. Killingsworth (remotely), Cheryl F. Stallings, and Terry Mahaffey. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch (remotely), and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Gilbert called the meeting to order and spoke about those who lost their lives during 911. He asked for a moment of silence to pay respect to these individuals. Mayor Gilbert then led the Pledge of Allegiance.

PRESENTATIONS

ADDED PR2 Beth Bordeau, Executive Director, Western Wake Crisis Ministries

Ms. Bordeau, speaking remotely, stated she wished to share with Council what they are seeing in the community during COVID. She stated their Vision Statement and explained how this Statement was being met. She also spoke about their core values. WWCM services have changed since COVID, and Ms. Bordeau outlined those changes. She also outlined the programs they've recently started. Ms. Bordeau presented figures on what they've been spending on housing assistance.

WWCM has spent the \$40,000 which the Town provided in grants a few weeks ago. Charts showing housing debt were presented, and Ms. Bordeau explained how COVID has impacted the families.

Racial inequities are highlighted at this time, especially Hispanics and Latin-x's, and Ms. Bordeau explained how this is so. Predators are seeking these vulnerabilities and taking advantage, particularly in the areas of human trafficking and the homeless.

Ms. Bordeau was thankful to the Town for the extended moratorium on utility cutoffs and asked for these efforts to continue until people can stabilize. She also thanked the Town for its continued efforts on affordable housing and where it may lead for the community.

Responding to Council, Ms. Bordeau stated she can compile figures on the number of how many homes/families the agency has touched since COVID and forward to Council. The food insecurity number is not much higher than normal since a lot is being done in the community for this. She spoke about the Family Recovery Fund and what the response has been. Last month they met their spending goal, the funds being spent quicker than they originally thought. She commented the community has been amazing with its outreach and support.

Council encouraged Ms. Bordeau to keep in contact with staff and letting the Town know how we can support them. He expressed concern that people in Apex don't know about the utility program at the County. Council asked about the rental program from the County, how it has been going, and how Apex citizens could get assistance. Ms. Bordeau stated they did not have infrastructure in place to handle the COVID impact. Their shelters filled up pretty quickly. In the County programs, some vulnerable folks were sent to hotels. In reality there is a capacity issue, and there is not a lot of movement out of the shelters. She explained how folks are moved through their waiting list. Wake Prevent is working in the same way. Most services are going to the lowest income folks who have the least capacity to recover. WWCM has opened a new infrastructure program, but it will take time for this to be set in place.

Responding to Council, Ms. Bordeau spoke about uninsured people. Pretty regularly, there are requests from folks asking for help for medical bills, this not being something they've paid for in the past. WWCM has directed these individuals to social workers or other such individuals.

Council thanked Ms. Bordeau and her staff for their excellent work in the community. They are appreciated beyond words, and Ms. Bordeau was asked to keep the Town informed. People in the community would like to continue to support WWCM's efforts. These thoughts were echoed by the Mayor.

PRI Shannon Cox, Long Range Planning Manager with HR&A Advisors, Inc.

Informational update to the Town Council regarding the ongoing development of the Town of Apex Affordable Housing Plan

Staff stated we have an expert consultant on board, HR&A, helping with this project. Sarah Kirk and Phillip Cash from HR&A were joining via Teams. They developed the affordable housing plan for Wake County, and they are working with Cary.

Staff stated they have been working to adopt our plan in an 8-month period. So far, focus has been on housing needs assessment. We are now turning our attention to developing recommendations and tools and a preliminary plan which will be presented for public comment before going to the Planning Board and to Council for consideration of adoption. We have a robust steering committee made up of a large and diverse group of individuals.

Staff stated affordable housing has a lot of complex issues. She explained what was found from the housing needs assessment. A public survey was done which reached 1,200 participants. HR&A additionally held interviews with developers, service providers, and realtors to get more details about what's going on in Apex. Individuals were interviewed regarding housing issues in Apex. Staff stated some of the resulting sentiments.

Staff stated the data shows the majority of new Apex residents are White, affluent, and highly educated. Apex is losing moderate income households while gaining higher income renters and homeowners. Staff shared public input – it's hard to live here as a single parent, people should be able to live and work in the same city, people should be able to live here as they approach retirement, be able to afford starter homes, and then there were those who stated there are no issues with housing and people don't want their property values to be impacted. Home values have been increasing. If this trend continues, there will be limited access to median income housing without homeowners being house burdened. Staff spoke about the gap in the supply of housing for lower income renters. This gap is expected to increase over the next 10 years.

Staff stated Apex's job growth is expected to be in the income of \$75,000 or less, so there is a need for affordable housing. Over the past 10 years, new apartments have been developed. But these are considered market rate or luxury apartments. The only affordable units were built prior to 2000. High land cost and the lack of qualifying sites contribute to this.

Staff stated we now need to think about going to the recommendation phase. She listed what needs to be thought about. The next step will be to work with the steering committee

to work on goals going forward. The focus will then be on recommendations and tools, after which a plan can be formulated.

Council stated affordable housing has been difficult nationally in high demand areas. He asked what are we looking at as far as the model plan. Phillip Cash stated no community is knocking this out of the park. However, we are looking at several communities. He spoke about the challenges, Minneapolis being one doing better than most.

Council asked about barriers to affordable housing in Wake County and Apex. Mr. Cash talked about these and what can be done. He reiterated there is a great need and COVID is accelerating this need.

Council stated she's attended presentations on affordable housing needs for several years, and the numbers keep getting worse and worse. There are more needs and less units being provided. She was looking forward to seeing the goals and tools so Council can start addressing these needs in a more meaningful way.

Council asked how it is going nationally that in the midst of COVID more people are wanting housing with more space and how this can hinder any type of affordable housing effort. Mr. Cash stated our plan will look at how the market is shifting because of COVID and the challenges of affordability.

Mayor Gilbert gave assurance that Council is supportive in continuing to move forward with this effort.

CONSENT AGENDA

- CN1 Donna Hosch, Town Clerk
Minutes of the August 18, 2020 Regular Council Meeting and the September 1, 2020 Regular Council Meeting
- CN2 Donna Hosch, Town Clerk
Apex Tax Report dated July 16, 2020
- CN3 Donna Hosch, Town Clerk
Ratification of the Town Clerk in making a refund of \$600 to the Willie Robinson Heirs for cemetery Lot 150 Plots A, B, C, and D which were sold back to the Town
- CN4 Amanda Bunce, Current Planning Manager
Set the Public Hearing for the October 6, 2020 Town Council meeting regarding various amendments to the Unified Development Ordinance
- CN5 Shelly Mayo, Planner II

- Set the Public Hearing for the October 6, 2020 Town Council meeting regarding Rezoning Application #19CZ21 Heelan PUD and Ordinance. The applicant, Jason Barron for Morningstar Law Group, sought to rezone approximately 141.7 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 8824 & 8829 New Hope Farm Road, 3108 & 3120 Olive Farm Road, and 0 Humie Olive Road.
- CN6 Shelly Mayo, Planner II
Set the Public Hearing for the October 6, 2020 Town Council meeting regarding Rezoning Application #20CZ08 Apex Friendship Elementary. The applicant, Betty Parker for Wake County Public School System, sought to rezone approximately 5.762 acres from Planned Unit Development-Conditional Zoning (PUD-CZ) to Rural Residential-Conditional Zoning (RR-CZ). The proposed rezoning is located at 7901 Humie Olive Road.
- CN7 Liz Loftin, Senior Planner
Set Public Hearing for October 6, 2020 Town Council meeting regarding Rezoning application #20CZ04 Kobra Tract PUD. The applicant, WithersRavenel, sought to rezone approximately 24.63 acres for the properties located at 7500 Green Level Church Road & 7501 Jenks Road (PINs 0733102211 & 0732196422) from Rural Residential (RR) to Planned Unit Development Conditional Zoning (PUD-CZ).
- CN8 Liz Loftin, Senior Planner
Statement of the Town Council and Ordinance for Rezoning Case #20CZ06, Trinity Henderson, petitioner, for the property located at 204 & 206 Lynch Street
- CN9 Marty Stone, Assistant Town Manager
First amendment to the Utility Infrastructure Reimbursement Agreement with Pulte Home Company, LLC, Standard Pacific of the Carolinas, LLC, and Taylor Morrison of Carolinas, Inc. and authorization for the Town Manager to execute the same
- CN10 Steve Adams
Contract between the Town and Halle Properties to trade a Town owned property at Old Mill Village for a Halle owned property on Hunter Street
- CN11 Marty Stone, Assistant Town Manager and Vance Holloman, Finance Director
Budget Ordinance Amendment No. 2 appropriating funds for the purpose of reimbursing a developer for completion of the Hasse Avenue Extension connecting the Sweetwater and Linden Subdivisions
- CN12 Marty Stone, Assistant Town Manager and Vance Holloman, Finance Director
Budget Ordinance Amendment No. 3 appropriating funds for the purpose of refunding a payment in lieu of streets made by a developer to the Town
- CN13 Shelly Mayo, Planner II
Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing for

October 6, 2020 on the Question of Annexation – Apex Town Council's intent to annex Henry Steven Kastelberg, Carol B. Heelan Irrevocable Trust c/o George Heelan, Edward and Deborah Peart and Jerfi and Lisa Cicin (Heelan PUD) property containing 141.732 acres located at 8824 & 8829 New Hope Farm Road, 0 Humie Olive Road and 3108 & 3120 Olive Farm Road, Annexation #676 into the Town's corporate limits

CN14 Mary Beth Manville, Human Resources Director

Reclassification of the Administration Department's Construction Manager position, Grade 25, to Senior Capital Projects Manager, Grade 29

Mayor Gilbert stated the Town Clerk requested modification to the Council Minutes of August 18, 2020 related to 540 eminent domain actions coming out of Closed Session.

Mayor Gilbert called for a motion to adopt the Consent Agenda with the requested modification. Council Member Mahaffey made the motion;

Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

REGULAR MEETING AGENDA

Mayor Gilbert stated the Town Attorney requested an additional Closed Session related to the purchase of real property and to prevent disclosure of information that is privileged and confidential.

Mayor Gilbert called for a motion to adopt the Regular Meeting Agenda. Council Member Gantt made the motion with the requested addition;

Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

PUBLIC FORUM

No one wished to speak during Public Forum.

PUBLIC HEARINGS

PH1 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation – Apex Town Council's intent to annex MFW Investments, LLC (Colby Crossing) property containing 7.578 acres located along a

portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651 into the Town's corporate limits
Staff stated the requestor asked for a continuance to the October 6, 2020 meeting due to contractual obligations of the purchase of the property.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to continue the Public Hearing to the October 6, 2020 Regular Meeting;

Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH2 Dianne Khin, Director of Planning and Community Development

Ordinance on the Question of Annexation – Apex Town Council's intent to annex Kimberly & Loomis Horton, III, Mary Elizabeth Horton, Dwight Marvin Wright, MFW Investments, LLC, and MFWIRA, LLC (Horton Park PUD) property containing 101.356 acres located at 8140, 8252, 8306 and 8308 Smith Road, 0 East Williams Street, 0,0,0,0 & 0 Dezola Street and 5220 Jessie Drive, Annexation #687 into the Town's corporate limits

Staff stated this was the same requestor as Public Hearing 1, and that he was asking for a continuance to the October 6, 2020 meeting.

Mayor Gilbert called for a motion. Council Member Gantt made the motion to continue the Public Hearing to the October 6, 2020 Regular Meeting;

Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

Mayor Gilbert noted that with Council Member Killingsworth participating remotely, public comments would be held open for 24 hours following this meeting.

PH3 Shannon Cox, Long Range Planning Manager

Resolution regarding the Town-initiated proposed renaming of "Lynch Street" within the Town of Apex

Staff stated the Town has an address policy with a framework for potential street renamings. The Town initiated renaming Lynch Street by proposing a suitable replacement road name – Lynn Council Street. Staff explained the steps which involved informing citizens of the proposed change. From the responses received, one citizen preferred no road name change, 12 suggested Lynn Council Street, and 12 suggested other road names. Staff stated the approvable suggested names received and the meaning behind those names. There would be a public hearing, a resolution would be adopted, and the property owners would be informed of the new name. The new name would become effective January 2021.

Council stated youth talked to the Mayor and staff around the research they were doing on the historical context. She asked if the students were involved. Staff stated they were not involved in the potential renaming, but they did speak with staff and received substantial information which was used in the report they provided as to the history of the naming of Lynch Street.

Responding to Council about how many homes were on Lynch Street, staff stated 50 letters were sent and 24 responses were received.

Council felt this should be given more time. Staff explained the notification process to neighbors which included the suggested names.

Council stated this sounded like an affirmative for the name change, to which staff stated this was the case.

Council asked would there be ways to help support people in changing their address. Staff stated staff provided a summary of what occurs and what property owners would have to do. The Town would take care of the street signs, and we would notify the postal service. Property owners would need to update NC DMV records. Property owners would probably notice delays in deliveries from Amazon, FedEx, and UPS as they would need to update their databases.

Council stated a list of things could be done at the DMV and wanted to know if an address change was one of them, to which staff replied in the affirmative.

Council asked if we would be willing to assist individuals online to make changes, staff being unsure of this assistance.

Mayor Gilbert declared the Public Hearing open.

Randolph McMillan, owner and operator of Brookridge Assisted Living, asked for a change to occur. He receives calls daily, and it is difficult to explain the name to his business callers. He has been receiving these calls since 2009. He suggested Rosewater Place, something nature based and neutral. Mr. McMillan stated we need to look ahead and give value to the community. He did not want to get into pitting families against each other with the naming process. Mr. McMillian stated he has been asked by government officials why he didn't do something about the current name; it just doesn't look right. He does not even use the Lynch Street name for his business; he uses a PO box. It takes away everything

communication wise; it destroys the conversation immediately when talking with other people. Mr. McMillan asked Council to lift up the community with a nice name that can be used to eternity. He asked for assistance door to door in helping the property owners make the change.

Patricia Winkler stated she just moved in and had changed her address on everything. She had no issue with the name Lynch but understood those who do. She would have to change 35-40 things if the name were changed. This costs money and people are stressed financially with COVID. This would be another burden. Those who don't go online would need help changing their addresses. What Mr. Council went through was horrendous, but he would be better honored with a street in a new development right from very start.

Vanessa Thomas stated she has lived on Lynch Street for 40 years. She has never had a problem with the name. She understood the history of Mr. Council, but it would be an inconvenience for older neighbors who have been there longer than she has. There would be so much to change, and some don't know about the internet. This was a lot to take into consideration.

Mayor Gilbert declared the Public Hearing closed.

Council stated we were here to listen and to hear. She wanted to hear the Mayor's comments since he lived there at one point.

The Mayor stated he spent 21 years on First Street, having to look at the Lynch Street sign. There was always a question for him and other family members. No one knew the background of the name; they just had to accept it was a challenge. Many in the community share his concerns. The Mayor realized it would be an inconvenience, but he thought many people would say the name needs to be changed. He thanked staff for their work on this matter. There may be another opportunity to talk to the neighbors on Lynch Street and others in the community who may have issues. Maybe Peak Academy graduates and community youth could assist. The Mayor stated many came to him with this matter when he took office. He liked the idea of finding something neutral. He wanted to make sure we get this right even if that means going back and touching every door.

Council suggested having a non-binding sense of the resolution, stating what we intend to do. He would like to go on the record tonight to state that we will or will not make the change. We should continue the final vote until October 21; and in the meantime, send out a letter with three ideas and a space for a write in vote. He suggested Lynn Council, Clarice Atwater, and then something neutral suggested by staff. Then we should commit

to reimburse all real costs associated with changing the name as well as committing staff to offer assistance.

The Town Attorney stated it was fine for Council to give a preview of what the expectation will be next time Council takes this up. She cautioned that we would need to look at if the Town reimbursing citizens for the renaming is something that we would be legally authorized to spend money on.

Council stated she would be happy to move forward with changing the name, and that we should think about a name not tied to a person. When people have to rehearse their story, it causes them harm. She felt we could come up with a beautiful name for a beautiful community of people and then think of another way to honor people like Mrs. Atwater and Mr. Council. Council didn't want to create barriers on how to pay for the name change in light of what was currently going on.

Council agreed that the name needs to be changed because of the negative history. She wanted staff to work with residents on fitting possibilities, and she wanted historical names integrated into the community in other ways. Council supported finding how residents could be helped financially and with physical help.

Council agreed with the comments. Changing the name seemed to be the consensus. She didn't want to cause harm to people, and the current name brings negative connotations. She agreed with the Mayor that there needs to be more outreach to the community and maybe going out to the surrounding neighborhood to determine a name.

Council stated we are balancing a hurtful name vs. the inconvenience people feel. The name is bigger than the inconvenience, and he supported the idea of giving people names to choose from.

The Mayor stated the action would be to move forward with the recommendation of the intent to change the name, and for staff to get more feedback from the community.

Council asked about how the others felt about sending out a ballot of three names. Council stated she felt there would be a better response sending a person out rather than a piece of mail to be returned.

Council stated she was in agreement but wondered if more work needs to be done to come up with the three names. Would staff need to do more work with the residents for a consensus of the three names. She wanted one more effort from staff to get as much

consensus as possible. Conversation ensued along these lines in order to get this right and to take more time to do so if necessary.

The Town Manager stated there was a clear desire to change the name of the street. We have a policy, but we would depart from that in this case. If we are to go door to door, then we would need more than a month to do so. For future cases, it would be easiest to follow the policy. He asked for Council guidance on how to solicit for names.

Council asked for clarification on the policy, the Town Manager stating the policy has been followed up until this evening. This is a consequential decision. There was no problem departing a bit in this case, but we want to be careful for the future in going to each home. If we do that for this one renaming with 50 homes, then why not do it for larger street renamings?

Council conversation ensued about how to solicit for names and if more work needs to be done, how to narrow down the names to finalists, and who would do this. Should we ask for more names or use what we sent out. We don't know the reason some neighbors didn't return their ballots. This is a significant change for a specific reason. We need to do as much outreach as possible and get input from as many as we can who live there. There was hesitancy due to COVID of going door to door. Perhaps those who didn't respond were not able to mail back the letter or just didn't understand it. The community needs to be involved; we need more time for this.

Staff stated that if we want to get this done by January 1st, the more time that it takes to make a decision, the more the burden on people to make changes in time. The actual change can be moved out. The January deadline was suggested to not interfere with holiday packages, election mail, etc.

Council stated maybe there could be a neighborhood meeting with Council for input. Mr. McMillian stated this would be a good idea, and he thought it would take the scariness out of talking to Council. He stated it would be good to have a meet and greet with the neighbors for better communication.

Council stated he wanted to hear the practicality of helping financially. The existing policy wasn't written during something like this. Maybe we could change the policy to include neighborhood meetings, two rounds of public hearings, etc.

OLD BUSINESS

OB1 Colleen Merays, Downtown and Small Business Development Coordinator

Extend current Parking-to-Dining Program layout adopted by Town Council on August 18, 2020 until October 21, 2020 to allow for extended outdoor dining and alcohol consumption as permitted by ABC Law or regulations, and to extend the ordinance temporarily modifying Town Code Sections 14-14 and 18-11 as they relate to sidewalk dining and alcohol consumption on public streets and sidewalks through October 21, 2020

Staff stated we are now in Phase 2.5, and restaurants and retail are still limited. The ADBA Board voted to extend the Parking-to-Dining Program to October 21st. The last modification opened up half of the parking spaces. Normally, there are 30 spaces, and we have opened 14 of those. Staff talked about how beneficial the Program has been for the businesses.

Council asked had the business owners been contacted. Having an ADBA vote is different than knowing how the businesses feel. Responding to Council, staff stated she had spoken with the majority of the businesses and they are highly in favor. More than 12 of them are directly impacted. Those who did have objections to the Program previously, had been contacted personally and they understand the issues facing their neighbors. She has not had any negative feedback since the ADBA vote. Council stated she has had negative feedback and suggested talking to each owner to determine if the Program should be extended. Council understood that some business owners were told to be quiet about this issue. Therefore, she felt there are concerns out there which need to be addressed.

Council asked if heaters are allowed if it gets cold during this timeframe, staff stating she would check with the Fire Marshall. Staff stated there is a requirement for propane equipment to be spaced a certain distance from each other.

Council stated this Program has been a lifeline for merchants. When the weather changes, people will not want to sit outside. He stated he would like to see what can be done if we are still in this phase after October.

Council stated she was thinking about the holiday seasons for retail and what it will do for folks. Staff stated she has been working with the downtown community, and they have come up with promotions that they will have in conjunction with the Chamber of Commerce to help in getting people to shop and stroll downtown. Also, the ADBA has voted to put financial backing into promoting the retail aspect of downtown.

Mayor Gilbert called for a motion. Council Member Gantt made the motion to approve the request; Council Member Mahaffey seconded the motion.

Council wanted to know what was behind people being told to be quiet, especially if this extension would hurt their business. Council stated this was why she wanted staff to speak with each individual business owner to find out their preference instead of just listening to the ADBA Board.

The motion carried by a 5-0 vote.

OB2 Vance Holloman, Finance Officer

Temporary Ordinance Modifications extending the current suspension of utility disconnections and application of penalties and fees for unpaid utility balances
Staff stated he prepared a memo to the Town Manager in response to questions received about the impact to our utility funds upon extending utility cutoffs. He explained the three funds. The most immediate impact would be to the Electric Fund and staff explained why. The Town prefers to cut off electric services vs. water and sewer, explaining that the electric balance is the last one to be paid. Staff prepared a stress test of the Electric Fund if we cannot collect delinquent funds of past due amounts. He stated what annual revenue we would lose.

Staff stated the absolute dollars are increasing even though percentages are down, and he explained the latter. Based on the results calculated, he saw no concerns as of June 30, 2020. However, projecting through to fiscal year 2021 in the Electric Fund, if we do not collect the delinquent billings, we would probably incur a loss of about \$1.5 million. He explained the specifics of this figure, which would not be a knock out punch but one we would feel. We would then probably need to increase rates to make up for loss revenue, and this process was explained. If the percentage of non-payments were to increase, this would change his analysis.

Staff stated he understood the challenges our citizens are facing. He asked Council to consider that there is an expectation among our customers, those who have bought our debt, and among State agencies that we will do all we can to collect our debt. The longer we go without suspending collections, the larger our debt will be which will increase the amount we will ultimately not collect. Staff stated that until collection procedures go back to normal, there are programs for assistance. 125 customers have asked for payment plans, which will be finalized at the discontinuance of no cutoffs. He stated there are currently 1,675 delinquent accounts.

Staff stated a member of his staff did research on the potential for establishing a customer assistance program and gave details on the background of this program which is in use in other municipalities. We have an outside agency looking at this and determining its feasibility. As of now, no agencies have contacted us about the delinquencies; but at some point, we are expected to return to business as normal while helping citizens as much as we can.

Council thanked staff for the report which was useful and helpful.

Council stated exploring the customer assistance program would be a good idea. She and another Council Member had been on a call about educational disparities in our area. The Town of Apex's utilities are not a barrier right now, and she wanted to keep it this way. A social worker would be a good opportunity to work with customers on a customer assistance program.

Council stated it is important to figure out how impacted people can tap into these resources, but this can be very hard. She thought there should be a team approach dealing with COVID and that we should have a community crisis liaison to push initiatives and help ensure people sign up for help.

Council stated he remained opposed to an extension. He believed an extension would effectively forfeit customers from collecting help from Wake Helps. Conversation ensued about the facts surrounding the Wake Helps program. The majority of the outreach has been from Raleigh who is pushing this, and we need to jump on it. The belief was that Raleigh is back to its regular billing practices.

Staff stated six folks from Apex have gotten Wake Helps assistance. We have posted on a number of websites, as well as our own, information about the program. Ms. Bordeau stated WWCM refers folks to the Wake Helps program. WWCM will provide limited assistance for those who have not applied. She stated people are getting Wake Helps, and this is a quicker moving system than some of the other programs.

Council stated this is the most pressing issue before us as a body right now. The money owed does not exist; customers simply don't have it. He did not believe people have not paid just because it's an option. Turning off services is not going to make money appear. The amount owed the Town is not our out-of-pocket amount. The actual cost to customers is significantly lower. Going forward, Council stated focus needs to be on Wake Help and getting these funds to our folks. We need to get as big a share of these funds as possible for our citizens.

He talked about a way to get the word out to customers and following up with those most in arrears. A customer assistance program would be good to set up next year after Wake resources are exhausted. He felt we needed to hire additional staff to figure out a way to move forward with collecting debt. Seeing as we will resume regular practices at some point, we need to find motivation to get people to pay.

Council stated maybe a person would be helpful to help customers. She spoke about the stresses people are going through and how this person might help.

Council stated she lost her job. If she was single and cutoff was reinstated, she would probably be homeless and have her utilities cut off. As Council stated, the money is not there. Not having to worry about utilities is a God send. She preferred to continue and explore as many avenues as we can to help with case management services and to find sources to help people get through.

Council stated we should all encourage County Commissioners to make sure funds are properly allocated.

Council stated some businesses are unable to open and some can't open to full capacity. She spoke about the stress on families, children particularly, related to utilities being cut off. She was not going to tell people to do the best they could – she was going to do the best she could. Flyers need to be out everywhere telling people about programs.

Council Member Dozier made the motion to adopt the modified Ordinance including a full-court press on directing people to resources and a full-time person dedicated to this consistent with the Wake Helps money extending through the end of the year; Council Member Stallings seconded the motion.

Council stated we have other tools to help motivate people to pay, i.e., Wake Helps, which is free money. It expires and customers need to apply. There is a large pot of money that we can get with some effort.

Council Members Dozier, Stallings, Killingsworth, and Mahaffey voted in the affirmative; Council Member Gantt voted in the negative.

The motion carried by a 4-1 vote.

Mayor Gilbert called for a ten-minute recess.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

NB1 Audra Killingsworth, Council Member

Amending of section 14-18 of the Town Code of Ordinances to remove the age limit for Trick or Treating

Council stated this was talked about last year but the timing wasn't right. She wished to remove the age restriction but leave the time restriction as it is currently.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the amendment; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

NB2 Vance Holloman, Finance Director

Resolution authorizing the filing of an application with the Local Government Commission to issue \$32 million of General Obligation Refunding Bonds

Staff stated it was a good thing that we can borrow money at a cheaper rate during these times. He asked for permission to retire the stated bonds. If the sales goes through, the bonds would be taxable. Staff spoke about taxable rates, why we want to do things this way, and the savings we would realize.

Responding to Council, staff gave figures on what we would be saving. A lot of municipalities doing this, and we were fortunate to get our sale date which is before the election. He explained more about taxable and tax-exempt rates.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to adopt the Resolution; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

Council Member Killingsworth was excused from the meeting at this point.

CLOSED SESSION

CS1 Laurie Hohe, Town Attorney

Closed session pursuant to NCGS 143-318.11(a)(3) to protect attorney-client privilege, and (a)(4) to discuss matters related to the location or expansion of businesses to the area, and pursuant to 143-318.11(a)(5) to instruct staff concerning

the purchase of real property, and pursuant to 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to GS 143-318.10(e)

Mayor Gilbert called for a motion. Council Member Gantt made the motion to go into Closed Session; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

Mayor Gilbert called for a return to Open Session with no objections from Council.

Mayor Gilbert called for a motion to set a public hearing for the October 6, 2020 Council Meeting concerning the purchase of real property for Economic Development purposes. Council Member Mahaffey made the motion; Council Member Stallings seconded the motion.

The motion carried by a 4-0 vote.

Mayor Gilbert called for a motion to adopt the resolution authorizing eminent domain related to the apex transportation system. Council Member Mahaffey made the motion; Council Member Dozier seconded the motion.

The motion carried by a 4-0 vote.

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the Meeting.

Donna B. Hosch, MMC, NCCMC
Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor