

DRAFT MINUTES

**TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, MARCH 25, 2025
6:00 PM**

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, March 25th, 2025 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

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

<https://www.youtube.com/watch?v=Ae3s9PbSGsM>

[ATTENDANCE]

Elected Body

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

Town Staff

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

[COMMENCEMENT]

Mayor Gilbert called the meeting to order and welcomed all who were in attendance and watching. He then invited all to participate in the invocation with a moment of silence and then led all in recitation of the Pledge of Allegiance.

Mayor Gilbert took a moment to recognize special dignitaries. He acknowledged former Apex Town Councilmembers Christine Hilt, Carl Helton, and Doug Meckes, as well as Robert Carmac, Board of Adjustment Chair.

[CONSENT AGENDA]

CN1 2025 Town Council Meeting Calendar Amendment (REF: OTHER-2025-025)

Council voted to amend the 2025 Town Council Meeting Calendar.

CN2 Agreement - Central Pines Regional Council (CPRC) - Solid Waste Consortium - July 1, 2024 through June 30, 2025 (REF: CONT-2025-088)

Council voted to approve a Memorandum of Agreement (MOA) between Central Pines Regional Council (CPRC) and Town of Apex, effective July 1, 2024 through June 30, 2025, for the purpose of participating in the Solid Waste Consortium and to authorize the Town Manager, or their designee, to execute the agreement on behalf of the Town.

CN3 Agreement - Traffic Review and Inspection Agreement - North Carolina Department of Transportation (NCDOT) - Old US Highway 1 at Holland Road and Friendship Road - Traffic Signal (REF: CONT-2025-089)

Council voted to approve a Traffic Review and Inspection Agreement between North Carolina Department of Transportation (NCDOT) and the Town of Apex, for review and inspection of a new signal installation at Old US 1 and Holland Road/Friendship Road interstation and authorize the Town Manager or their designee, to execute on behalf of the Town.

CN4 Agreement - Terms and Conditions Accepting of Payment from the Aqueous Film-Forming Foam (AFFF) Public Water System Settlement Program (CONT-2025-090)

Council voted to authorize the Apex Town Manager or his designee to accept the 3M/Dupont and Tyco/BASF PFAS litigation settlement's "Terms and Conditions of Accepting Payments from the AFFF Public Water System Settlement Program".

CN5 Annexation No. 792 - Jainix South - Jenks Road - 7.243 acres - Set Public Hearing (REF: RES-2025-012, RES-2025-013, AND OTHER-2025-026)

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for April 08, 2025, on the Question of Annexation - Apex Town Council's intent to annex 7.243 acres project entitled Jainix South, and located on Jenks Road, Annexation No. 792, into the Town Corporate limits.

CN6 Capital Project Ordinance Amendment No. 10 and Capital Project Ordinance Amendment No. 11 - Debt Proceeds and Interest Earnings For Facility And Recreation Projects (REF: ORD-2025-018 AND ORD-2025-019)

Council voted to approve Capital Project Ordinance Amendment 2025-10 and Capital Project Ordinance Amendment 2025-11 allocating debt proceeds and interest earnings for facility and recreation projects.

CN7 Council Meeting Minutes - February 25, 2025

Council voted to approve Meeting Minutes from the following meetings:

February 25, 2025 - Regular Town Council Meeting Minutes

CN8 Tax Report - January 2025 (REF: OTHER-2025-027)

Council voted to approve the Apex Tax Report dated February 24, 2025.

A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Gantt**, to approve the Consent Agenda as presented.

VOTE: UNANIMOUS (5-0)

[UPDATES BY TOWN MANAGER]

Town Manager Vosburg congratulated John Mullis and Bill Spare on the Fleet Department's award for the 2025 Innovation Award in Excellence from Geotab, related to the town's Telemetry program.

[PRESENTATIONS]

PR1 Proclamation - Apex Rotarian Day - Tuesday, March 25, 2025 (REF: PRO-2025-007)

Mayor Gilbert along with the rest of Town Council, read the Proclamation Apex Rotarian Day - Tuesday, March 25, 2025. He invited Roy Moore, Apex Rotary Club President and other club members to receive the proclamation and take pictures.

PR2 Proclamation - National Volunteer Month - April 2025 (REF: PRO-2025-008)

Mayor Gilbert along with the rest of Town Council, read the Proclamation National Volunteer Month - April 2025. He invited the Apex Youth Council, Lisa Rosi and volunteers to receive the proclamation and take pictures.

PR3 Special Recognition - Apex High School - Cheer Partner Stunt - 2025 State Champions

Mayor Gilbert along with the rest of Town Council, gave a Special Recognition for the 2025 Cheer Partner Stunt State Champions. He invited Holly Coleman, Wynter Davenport, Rhiannon Martin, Lauren McGinnis, Katelyn Wayne, Coach Taylor Hartley, Assistant Athletic Director Scott Ferguson and Apex High School Principal Elaine Hoffman to come up to receive the recognition and take pictures.

Coach Taylor Hartley thanked Mayor Gilbert and the athletes for all of their hard work.

PR4 Special Recognition - Apex High School - Men's 100 Backstroke State Champion - 2024-2025 Champion

Mayor Gilbert along with the rest of Town Council, gave Special Recognition for the Men's 100 Backstroke State Champion. He invited Scott Ferguson, Assistant Athletic Director, to call the recipient.

Mr. Ferguson called Abhay Tharakan and Abigail Springer, Assistant Coach, to receive the recognition.

Mayor Gilbert read the recognition to Abhay Tharakan.

Coach Springer said that she was so proud of all of Abhay's accomplishments.

PR5 ADDED - Special Recognition - McKenna Hartman, Senior - Apex Friendship High School - Environmentally Friendly Dog Waste Bags

Mayor Gilbert invited McKenna Hartman to come up and accept special recognition for the Environmentally Friendly Dog Waste Bags. He invited McKenna to receive special recognition and presented to her the Prestigious Peak award for outstanding leadership and promoting the Town's environmental sustainability goal. He said that this was a school project, and she came up with the idea for these bags and went to the HOA at Bella Casa for them to use.

Town Manager Vosburg gave two other updates, first was on the Street Hockey Opening this upcoming Saturday, March 29th from 2:00 p.m. - 4:00 p.m. at Apex Community Park, and the second was Apex Holi Celebration on April 5th from 2 p.m. - 6 p.m. at Salem Middle School.

PR6 MOVED DOWN - Yard Waste Program Update

John Mullis, Director, Public Works Department gave the following presentation:

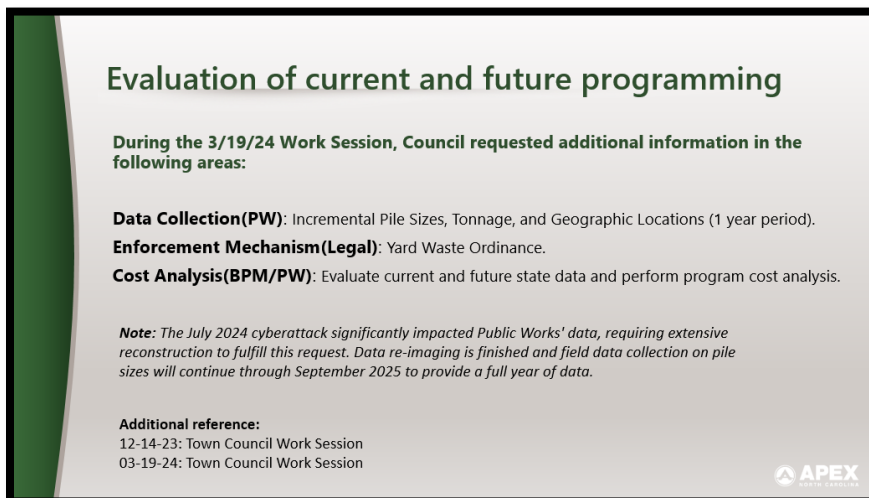
1 **[SLIDE 1]**



2
3 **[SLIDE 2]**

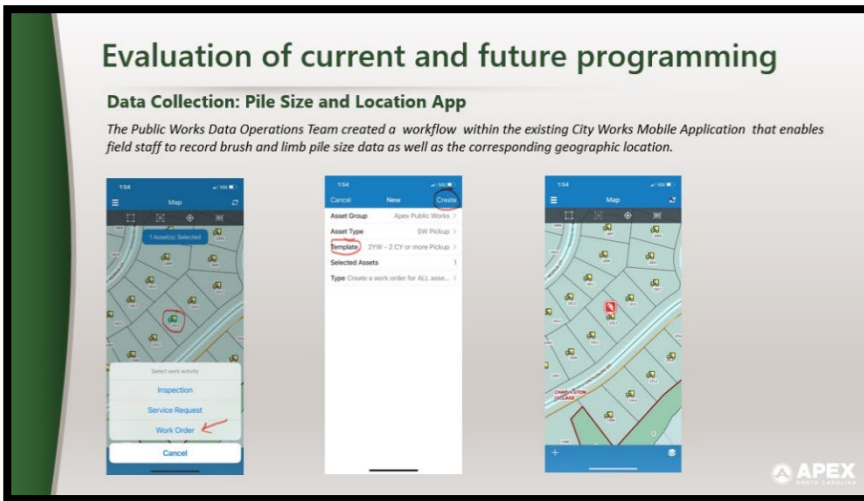


4
5 **[SLIDE 3]**



6

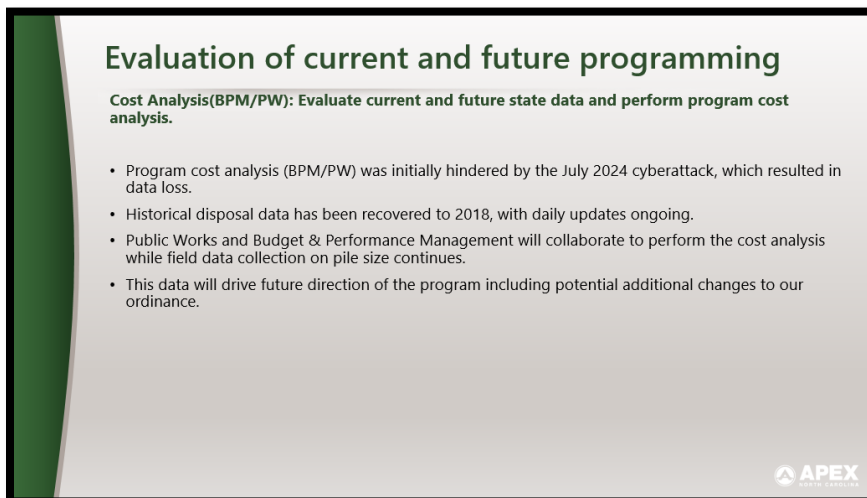
1 [SLIDE 4]



2
3 [SLIDE 5]



4
5 [SLIDE 6]

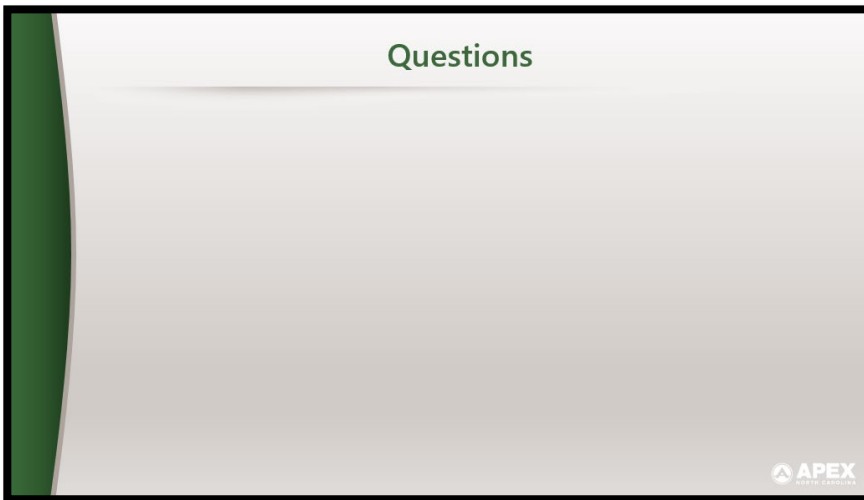


6

1 **[SLIDE 7]**



2
3 **[SLIDE 8]**



4
5 **Director Mullis** said that he would be glad to answer any questions.

6 **Councilmember Killingsworth** asked if it was difficult to dispose of grass because of
7 the pesticides.

8 **Director Mullis** said that is part of the reason, but grass is not something that is
9 reusable, and warm season grass is not easy for the impeller.

10 **Councilmember Killingsworth** asked if contractors that are hired to do yard work are
11 required to remove waste from the site or are they allowed to leave it.

12 **Director Mullis** said that it is common in most municipalities if a landscaper is hired,
13 they take their waste with them. He said that the tree companies working in Apex know that
14 Apex will pick up items within a reasonable size. He said ideally companies would remove
15 their own waste.

16 **Mayor Pro Tempore Gray** asked how to get out the information of companies
17 needing to take their yard waste with them to residents.

1 **Director Mullis** said that communicating with the residents would be important, and it
2 would be up to them to understand that if they hire someone to work that they should
3 remove the yard waste. He said it will take good messaging.

4 **Councilmember Zegerman** asked if there was still a concern about the facility
5 running out of capacity.

6 **Director Mullis** said that they use several different facilities but for leaves and grass
7 Greenway waste is used and they have applied for an expansion and then there should be
8 enough capacity. He said that the facility that is being used for chips and brush has a large
9 capacity. He said neither of these are contracted and are just pay-as-you-dispose.

10
11 **[REGULAR MEETING AGENDA]**

12
13 **Mayor Gilbert** set the Regular Agenda and asked if there was a motion to approve
14 the Regular Meeting Agenda.

15 A **motion** was made by **Councilmember Killingsworth**, seconded **Councilmember**
16 **Zegerman**, to approve the Regular Meeting Agenda as presented.

17
18 **VOTE: UNANIMOUS (5-0)**

19
20 **[PUBLIC FORUM]**

21
22 **Mayor Gilbert** opened the Public Forum and invited the first speaker up.

23
24 First to speak was **Beth Bordeaux** at 1044 Branch Line Lane:

25
26 "I'm concerned about the lack of affordable housing choice in Apex. I believe that
27 solving this problem requires that elected officials, town staff, and community members
28 collaborate on creative approaches to increase housing choices that are affordable for low to
29 moderate-income households and that is households with incomes of less than \$30,000 a
30 year and those up to 80% of the area median income, which in 2024 was about \$78,000 a
31 year for a family of two or \$98,000 a year for a family of four. My daughter and son-in-law
32 recently moved back to the area. They have one child, and both parents work full-time. My
33 daughter is a bookkeeper for an accounting firm, and my son-in-law is an airplane mechanic.
34 They have good credit and steady employment. For months, they paid more than 50% of
35 their income for a rental unit in Apex before moving to Morrisville, where they fortunately
36 found a four-bedroom house for less than the two-bedroom apartment cost them here.
37 My dad is also considering his options to move closer to either my family or my brother in
38 Wilmington. He has found an independent living community with meals, transportation, and
39 other senior amenities covered for the same price in Wilmington that my daughter and her
40 husband were paying for an apartment in Apex. Similar options in Apex were double the cost.

1 Recent data analyzed by Phil Welch, using the U.S. Census and American Community Survey,
2 shows that from 2018 to 2023, the percentage of Apex homeowners who were cost-
3 burdened has decreased slightly for incomes between \$20,000 and \$75,000, but during that
4 same period of time, the percentage of Apex renters who are cost-burdened—paying 30% or
5 more of their income for housing, has increased across all income levels, most significantly for
6 that same group between \$35,000 and \$75,000. Also, note (and you have the charts in front
7 of you) there are 100% of renters with incomes less than \$20,000 and 99% of all renters with
8 incomes between \$20,000 and \$35,000 are cost-burdened in Apex. These households are
9 our essential workers, seniors, single parents, and other vulnerable neighbors. Of significant
10 importance, this data does not show the number of households that have been evicted or
11 experienced foreclosure, those who have become homeless, those who have had to move
12 out of Apex to find affordable housing, or those who have been unable to move to Apex
13 because of the lack of affordable housing here, even though they work here or have family
14 and other support systems here. It doesn't even show the number of households who are
15 severely cost-burdened, paying more than 50% of their income for housing. This is just one
16 small data slice, but it indicates the need for updating the affordable housing plan, which is
17 currently underway. The landscape has changed, and the data I just shared indicates that
18 affordable housing is more challenging than ever. I watch the housing market, and I see small
19 homes in naturally occurring affordable areas being sold for \$300,000 and more. Townhomes
20 are now regularly at the \$400,000-plus mark. Today, there is one home on the market in Apex
21 that is priced at \$250,000 or less—it's a two-bedroom, one-bath, 581-square-foot home on the
22 border of Holly Springs, listed for \$239,900. The average two-bedroom rental in Apex is
23 \$1,650. Just creating smaller, denser developments will not solve the affordability problem,
24 \$240,000 for a 581-square-foot home is not affordable. Developers who are only seeking
25 high revenues will see an advantage to building tiny luxury apartments that continue to be
26 unaffordable. As elected officials, you have the responsibility and the power to make change.
27 I ask for your leadership in this effort in four key ways: Number one - Build socioeconomic
28 equity into the 2025 affordable housing plan by requiring and ensuring that those who need
29 affordable housing are the primary residents providing input to the plan. Recognize that there
30 may be a loss of trust between lower-income residents and town officials and take steps to
31 rebuild trust. Move community engagement sessions into the communities most affected and
32 give power to their voices, back up their input with direct funding allocations. Number two -
33 Consider affordable housing as a core value in all zoning, planning, and policy actions. Make
34 all decisions with this in mind, will it help or will it hurt moving the needle on affordable
35 housing? Number three - Set aside additional funding to support increased affordable
36 housing choices, funding that is directly and 100% dedicated to increasing the number of
37 units affordable for households making 80% of the area median income or lower. Number
38 four - Ensure more integrated affordable housing, not clustered small units and affordable
39 housing in targeted neighborhoods and segregated apartment complexes. If you're
40 concerned that any of what I'm suggesting is outside of the legal authority of the town, I
41 recommend allocating additional funding to litigation budgets, work with local advocates to
42 explore ways that other communities have gained increased local authority, either through

1 their own initiatives or by petitioning State Legislators. Know that making our community a
2 more inclusive place will be hard work and commit to doing what it takes to move the needle.
3 Thank you.”
4

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

6 Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

7 “Mayor, Town Council, good evening. So, I'm back to talk about eminent domain, part
8 two. I don't know if you guys keep track of how many times you've used eminent domain, so I
9 did a public records request, and I'm happy to say it came back fairly quickly so I want to
10 thank the town for that, but I only went back six years when all of you were elected. I didn't
11 want you to be responsible for things that you didn't vote on. So, from 2019 through February
12 of 2025, which is basically six years, there were 117 properties that were included in a total of
13 23 resolutions. So, 23 times you guys went into closed session, you came out, and voted to
14 authorize eminent domain. I do want to be clear for everybody, eminent domain is basically
15 two steps: one, the town takes time to vote to have the powers and do the resolution, and
16 then separately, the town can take the legal work to the courts. One hundred and seventeen
17 properties, these are people who have family, friends, and neighbors who are impacted by
18 this. This is a black cloud that I've had over my head for the last three years since I first got the
19 town's letter about wanting to take a portion of two of my properties. I think you forget the
20 personal impact, and the reason I say that is for the last three years, I want you to go back to
21 your emails and see how many times you reached out to me. I come here on a regular basis
22 pleading my case that these are my most important assets. This is how I create generational
23 wealth for my children. You're taking my trees that are desperately needed by the community.
24 I am one person who actually wants to keep their trees, I don't want to sell out, but this
25 project that you're going to do to my property is going to require me to timber a larger part
26 of my forestry plan because I have no choice. So, Apex claims to be transparent, but I couldn't
27 find any of these resolutions anywhere on the website. I go to the Big Branch force main page
28 that was set up to keep us property owners notified of what is happening, and guess what?
29 It's not on there. So, I ask for the resolution for my property to be posted because I think it's
30 important for the community to know that you are using these powers to take property to do
31 projects. I think if you put out all the good stuff about the town, own up to the other parts.
32 This is not all Pleasantville. So, when you put out information, understand you need to be fair
33 and own what you have done. Thank you.”

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

35 Next speaker was **Mary Miskimmon** of 3177 Retama Run:

36
37 “Hey, good evening, Mayor. Good evening, everybody. Mary Miskinum, 3177 Rama
38 Run. I'm going to be really quick tonight so you guys can move on. I'm just checking in on the
39 utility update. I know that you're having a Town Hall, and I think that was on your agenda.

1 We're at 2,018 signatures as of today, and I had a couple of people just reach out and kind of
2 wanted to know where we were. I think the last time Randy and I spoke, or emailed, I should
3 say, that we were in phase two of three phases, and I understand that phase two is the most
4 challenging or difficult. So, do we have any results? Do we know why? I know you said it was
5 extended because they found other irregularities, but do we have any more information on
6 what those irregularities are? So, thank you very much."

7
8 **Mayor Gilbert** thanked the speaker and invited the next speaker.

9 Next speaker **Beth Bland** of 3724 Friendship Road:

10
11 "So, this is an update for you, although I feel like you're already aware and once again,
12 I'm piggybacking off of Elizabeth, although I didn't know what she was going to say, it pretty
13 much is our main focus of what's going on. Tom and I received our letter of intent to
14 condemn our property. I have it in hand, and it's for the Big Branch force main. It's a 30-day
15 notice, and the date of the condemnation is going to be around April 9th. The letter says .74
16 acres, but that's not correct. The force main, as it goes through our property, makes portions
17 of our property unusable, it's at least an acre of a 5-acre property, about 20% over 70 trees.
18 The letter also states it contains an offer based on the fair market value of the property being
19 taken, it's not even close. Why does this town undervalue property they are condemning? You
20 do. It shouldn't be our responsibility to tell you what our property is worth. You don't do a
21 good job valuing the properties, As advised by the Town of Apex attorney, we are consulting
22 with our own attorney. I continue to be surprised and shocked by what this town feels they
23 can do, and this was quoted in the letter, "to serve the public better."
24 Councilmember Mahaffey and I'm not picking on you, but you're the one who posts the most
25 as far as what's going on. I am on Nextdoor because it's the Apex New Hill Nextdoor, I like to
26 know what's going on around us. So, you posted things concerning what the town saw
27 happened at the Town Council meeting on March 11th, but you only commented on what
28 you want the citizens of Apex to know. It was good things, it wasn't bad things, but
29 interestingly, what was posted by the Holly Springs Update, this was the same Town Council
30 meeting, their headline was "Apex Residents Voice Concerns Over Flooding, Eminent
31 Domain, and Growth at Town Council Meeting." There is no mention by you in your post of
32 any of that. That's it. Thank you."

33
34 **Mayor Gilbert** thanked the speaker and invited the next speaker.

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

36 "So, I'm going to tag on what my community is talking about, eminent domain, such a
37 devastating thing to people, and I don't think the weight is really felt in this room. But I just
38 wanted to reiterate some of the thoughts I had. I mean, you've got to remember, it was a
39 perfect site on the south side, no trees, an electric utility line running for miles, and it would
40 cost less, and this is the direction you wanted to take it. Sewer is an agreement with Veridia,

1 it's a private thing, it's not a public thing. I know the town attorney is going to tell me there's a
2 new North Carolina law on eminent domain that is very broad, but it's not just, okay it's not
3 just, it's a land grab, that's what it is. It's simple as that. That's what eminent domain does.
4 And the crazy thing is, some of these properties, I mean, they're under ETJ (Extra-Territorial
5 Jurisdiction). It's like you put a blanket over it and call it your own, and the other half are in
6 unincorporated Wake County, which has nothing to do with Apex. It's crazy. It's crazy, I mean
7 it's our property, it's our freedoms, it's our land. And I'm sure everybody, too, has seen what's
8 been going on with all the orange snow fencing and all the trees being run in and out with
9 the big tractor trailers and I'm sure people in Apex can't put a finger on it, but what's that
10 name? What is happening? It's called infilling. Ooh, that's a very nice name for a very cold
11 practice, it just means development is happening too much, too fast, and with no limits.
12 You've heard from your residents' numerous times, in fact, my neighbors, but also, you had
13 translators for the mobile park and other things. People sent emails, did online surveys, no
14 consequence, no feeling, no thought, no emotion. But the good stuff, right? You want to post
15 the good things, and that's nice to do, but this is a serious issue. These are serious things.
16 These are very important things, and they control people's livelihoods, and they affect us
17 deeply on an emotional level, to a point where we can't do what we want to do on our
18 property, which isn't the American way at all, and I did see in the workshop you have on page
19 39 on increasing housing density. Do you really think that's going to help the schools, help
20 the roads, help anybody, help nature? Are we going to have any nature left? And what are we
21 going to leave for the future of the kids of Apex? Thank you."

22
23 **Mayor Gilbert** thanked all that came out and spoke and then moved to Old Business.

24
25 **[OLD BUSINESS]**

26
27 **OB1 Social District Progress Update - Anticipated Effective Date June 1, 2025**

28
29 **Joanna Helms**, Director, Economic Development Department, asked for discussion
30 and direction of the Council. She gave the following presentation:

1 **[SLIDE 1]**



2
3 **[SLIDE 2]**

For Discussion and Direction

Official signage that opt-in businesses will display:

- Scenario A
- Scenario B

Required Social District container options:

- Type of cup
- Reordering process

4
5 **[SLIDE 3]**

Official signage that opt-in businesses will display in their place of business

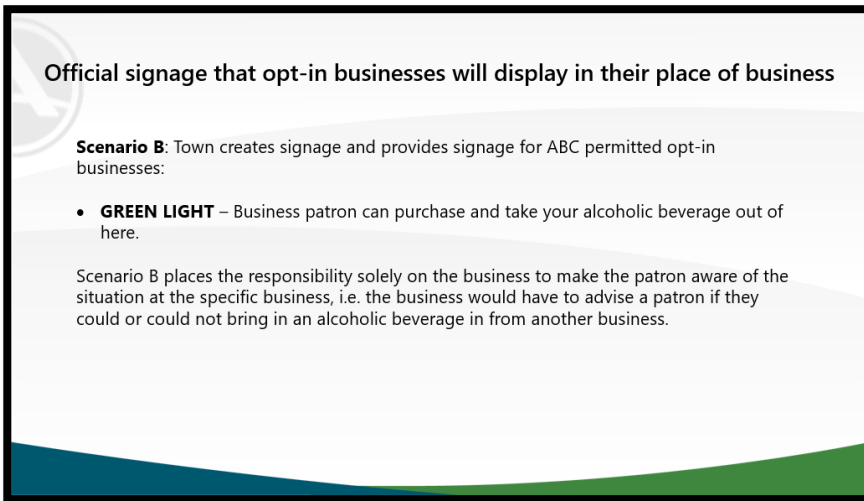
Scenario A: Town creates and provides signage for ABC permitted opt-in businesses as follows:

- **GREEN LIGHT/GREEN LIGHT** – Business patrons can purchase and take their alcoholic beverage out of the business in a designated Social District cup **and** business patrons can bring in alcoholic beverages from another business in a designated Social District cup.
- **GREEN LIGHT/YELLOW LIGHT** – Business patrons can purchase and take their alcoholic beverage out of the business in a designated Social District cup **but cannot** bring in alcoholic beverages from another business.

Scenario A allows the signage itself to make patrons aware of the regulations at the specific business. The business owner and staff can also advise their patrons if needed.

6

1 [SLIDE 4]



2
3 **Councilmember Gantt** asked if there had been preferences considered by other
4 communities that are already doing this.

5 **Director Helms** said yes scenario A.

6 **Councilmember Zegerman** asked what happens to businesses that opt-out of
7 participating in the Social District.

8 **Director Helms** said that businesses that opt out are not required to do anything, but
9 the Town will be making signage for them.

10 **Councilmember Zegerman** asked about the ABC permitted business' do not want to
11 participate.

12 **Director Helms** said they are not obligated to do anything, but they would receive a
13 sign that just has the red light.

14 **Councilmember Zegerman** asked if the legality had been sorted out of taking a drink
15 from one establishment to another.

16 **Director Helms** said that the law has been updated to allow us to take a drink from
17 one establishment to another.

18 **Councilmember Mahaffey** said that he was concerned about all of the colors being
19 confusing. He asked for comments from Director Helms based on other town's experience.

20 **Director Helms** said there are two ways and if you opt in that you are participating
21 that are two different ways.

22 **Mayor Gilbert** said that canvassing the downtown area businesses there are several
23 that would like to opt-in but not allow other drinks to come in.

24 **Director Helms** said this was just a generalization of how this signage could be and
25 one way to depict it.

26 **Councilmember Mahaffey** said his concern was how to effectively communicate with
27 the residents.

28 **Director Helms** said that it will be an education process and take getting used to.

29 **Councilmember Killingsworth** said that there are street boards that can be put out
30 on the sidewalks.

1 **Mayor Pro Tempore Gray** asked if the Town was providing the signage.

2 **Director Helms** said yes.

3 **Mayor Pro Tempore Gray** asked if there was any idea on cost.

4 **Director Helms** said no.

5 **Councilmember Zegerman** asked if there was a sense of what the budget allocation
6 for signage and cups should be.

7 **Director Helms** said that she did not have that on the signage but that she had some
8 indication for the cost of the cups but not on the overall budget.

9 **Mayor Pro Tempore Gray** asked if for the signage was Apex paying for the initial
10 distribution of the signs or replacement as well. He said that it is something to think about
11 with the budget aspect.

12
13 A **motion** was made by **Councilmember Killingsworth** and seconded by
14 **Councilmember Gantt** to move forward with option A.

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

17
18
19 **[SLIDE 5]**

Social District Designated Container Options

- 16 oz. Aluminum Cups
 - 10,000: \$1.47 each
 - 5,000: \$1.55 each
 - 1,000: \$1.75 each
- 16 oz. Recyclable Plastic Cups
 - 10,000: \$0.44 each
 - 5,000: \$0.43 each
 - 1,000: \$0.54 each

The slide also features two images: a black aluminum cup with 'YOUR LOGO' printed on it, and a hand holding a clear plastic cup.

20
21 **Councilmember Gantt** asked if it was required to have the same size cups.

22 **Mr. Kandl** said that it may be that the standard size is capped at 16oz.

23 **Councilmember Gantt** said that a glass of wine in a 16oz cup seems odd.

24 **Mr. Kandl** said that wine is premeasured serving amounts and the lines indicate
25 measurements.

26 **Town Manager Vosburg** asked about the stickers and for Director Helms address this.

27 **Director Helms** said that staff is suggesting that the cups will have all the information
28 on them and choosing not to use stickers because they are not recyclable.

29 **Councilmember Mahaffey** asked if the aluminum cups would be reused more.

1 **Mr. Kandl** said that aluminum cups do not have the rigidity to be cleaned to ABC
2 standards, and this is why plastic is usually used. He gave some other instances on other
3 municipalities with souvenir cups and how they have a \$10 deposit and then they are
4 swapped out. He said that you also must dispose of the cup when leaving the Social District.

5 **Councilmember Zegerman** asked how these cups would be separate from other
6 garbage.

7 **Director Helms** said that it is something being worked through.

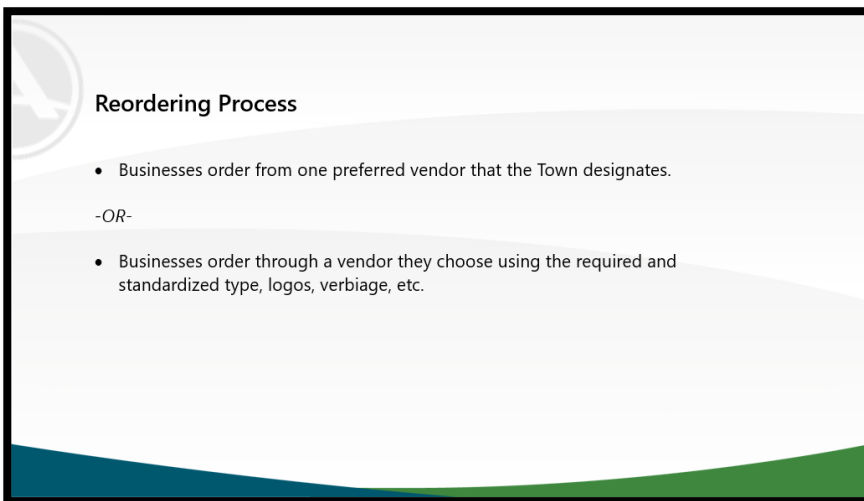
8 **Councilmember Gantt** said that plans have some kind of nicer recycling and trash
9 containers.

10 **Director Helms** said that one thing to consider is that the Town is going to purchase
11 the first mass ordering for the businesses and then the re-ordering will be up to the
12 businesses that are participating in the Social District.

13
14 A **motion** was made by **Councilmember Zegerman** and seconded by
15 **Councilmember Killingsworth** to approve using the clear plastic cups for the Social District.

16
17 **VOTE: UNANIMOUS (5-0)**
18
19

20 **[SLIDE 6]**



21
22 **Councilmember Gantt** said that option one would be more consistent. He asked if
23 the Town would want to do the ordering and then sell to the businesses.

24 **Mr. Kandl** said one of the major issues is because they imprint the name of the
25 business to be able to identify the business that sold the alcohol for a source investigation.

26 **Councilmember Zegerman** asked how the orders would the first order be for all of
27 the businesses.

28 **Mr. Kandl** said that there is a possibility of marking with pen but there are concerns
29 about permeability. He said that some municipalities have found ways to work through these
30 issues.

1 **Councilmember Killingsworth** asked if they were sure that there were no
2 recyclability options for stickers.

3 **Mr. Kandl** said that the issue with recycling stickers is with stickiness and the machines
4 and processing abilities.

5 **Councilmember Killingsworth** asked about a paper sleeve to slip the cup into.

6 **Mr. Kandl** said that removability of that is the issue.

7 **Councilmember Mahaffey** said that if the business is required to put their name on
8 the cup, then they should be able to use their own vendor perhaps that they already use for
9 other items.

10 **Councilmember Gantt** said that he agreed.

11 **Councilmember Mahaffey** asked who would be responsible for monitoring
12 compliance if the business ordered substandard cups.

13 **Mr. Kandl** said that there would be compliance within the Social District and you may
14 only keep non-social district beverages on the premises of the ABC permitted establishment,
15 once it leaves that establishment then that would fall under open container ordinance.

16 **Councilmember Killingsworth** said that if they are making sure that the logo and all
17 information to the vendors that we would also look at the type of cup that they are
18 purchasing.

19 **Director Helms** said that it would be ideal to provide all the correct information, and
20 this is what they would have to follow to stay in regulation.

21 **Mr. Kandl** said that there is a mandated 16oz size cups.

22
23 A **motion** was made by **Councilmember Killingsworth**, seconded by
24 **Councilmember Mahaffey** to approve that businesses participating in the Social District
25 option would order cups through a vendor that they choose using Apex's required standard
26 type logos and verbiage.

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

29
30 **Mayor Pro Tempore Gray** said this is a great illustration of the idea of when people
31 want to know if they can drink downtown, and it's said that it's complicated.

32
33 **[NEW BUSINESS]**

34
35 **NB1 Town Council Committee Structure - Effective July 1, 2025**

36
37 **Allen Coleman**, Town Clerk said game plan Apex was adopted in September of 2022
38 and after several reorganizations that took place in the organization and the creation of
39 several town departments, and that the Town Council's Rules Committee has met several
40 times and discussed the realignment of the various Council Committees within the new
41 strategic framework. He said that as many Council Committees were created decades ago,
42 this at least sets out a clear charter and purpose for their existence going forward. He said

1 that the proposed Council Committees structure creates clear objectives, membership, and
2 advisory board alignment where applicable and that it ensures each town department has a
3 designated home committee and clarifies where certain policy recommendations should be
4 routed. He said that Council Committees serve as policy review and decision discussion
5 bodies, assisting the Council in examining issues in greater detail and developing
6 recommendations for the full body to consider, but they do not have the authority to take
7 binding action on behalf of the Council. He said that in June of 2024, the town's department
8 directors considered the proposed changes, as well as in the November 2024 Council's rules
9 committee that this framework was unanimously adopted. He walked through the proposed
10 framework and said that now there are five Council Committees, and it is proposed to
11 continue with five and in the new framework and that some are consolidated and expanded
12 others based on the topics and the nature of what we've been seeing over the last two years.
13 He said that the new Council committee structures, for those watching, are for Council
14 Committees, not resident advisory boards. He said that the first one is Governance, Fiscal
15 Stewardship, and Internal Support, the second is Environmental Leadership, the third is
16 Responsible Development, the fourth is Vibrant Community and Economic Vitality and the
17 fifth is Public Safety. He said that in the current committee structure and the way things are
18 currently aligned, it's not clear where many departments would bring a particular topic that it
19 is a little too broad, and this hopefully narrows that scope. He deferred to the Rules
20 Committee Chair, Councilmember Mahaffey.

21 **Councilmember Mahaffey** said that the proposal was modest with five Committees
22 currently and this proposal renames them and gives them a Charter that gives them the
23 scope of work. He said that it gives directions to staff as to what goes where which is
24 something that has been needed. He said that Town Clerk Coleman did a great job putting
25 this together with staff. He said that workflow would be coming but this is aligning the
26 committees to the strategic goal and giving each of them a charter for a clearer path of their
27 scope.

28 **Councilmember Zegerman** asked about the Departments that are marked with
29 asterisks and asked for clarification if they designate their home committee and a secondary
30 committee.

31 **Town Clerk Coleman** said that is correct.

32 **Councilmember Mahaffey** said that these can be changed.

33 **Councilmember Killingsworth** said that it makes sense aligning with organizational
34 changes.

35 **Councilmember Gantt** asked about the timing and the implementation of this.

36 **Councilmember Mahaffey** said that it is aligned with the fiscal year. He said that there
37 is a current calendar and the advantage of pushing it back would mean that the calendar
38 wouldn't have to be changed. He said that he would not be opposed to the December
39 organizational meeting and have any process changes to be made at that meeting.

40 **Councilmember Zegerman** said that it would be cleaner to have all changes made at
41 the December organizational meeting when new committee assignments occur.
42

1 A **motion** was made by **Councilmember Mahaffey**, seconded by **Mayor Pro**
2 **Tempore Gray** to approve the adoption of the new committee structure to the organizational
3 meeting on December 3rd, 2025.

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

6
7 **NB2 Town Council Regular Meeting Agenda Format - Effective July 1, 2025**

8
9 **Allen Coleman**, Town Clerk, said that there was a new Regular Council Meeting
10 Agenda format, and this was to adopt the framework for that format. He went through the
11 Regular Meeting Agenda format.

12
13 **Councilmember Gantt** said that some nearby local governments have made news
14 including some National news during Councilmember remarks and he asked if there were
15 guidelines for topics that for what's appropriate.

16 **Councilmember Mahaffey** said that first thought is this is America, say what you want.
17 He said the second thought may be to adopt an Ethics policy as a Council and would be
18 bound by that.

19 **Councilmember Killingsworth** said that she would think to share things like a
20 community event or a resident concern that could be shared.

21 **Councilmember Gantt** said that it is important to keep it local.

22 **Mayor Pro Tempore Gray** recommended that the Proclamations should be kept at
23 the beginning of the meeting to be good stewards of the Public's time.

24 **Councilmember Mahaffey** asked Town Clerk Coleman what the thought was of
25 moving the proclamations to be moved was when it was discussed. He said some of the
26 earlier items are for providing information to the public.

27 **Councilmember Killingsworth** said that if Proclamations were made that it should
28 not be any higher than #8.

29 **Town Clerk Coleman** said that the Council Committee Reports is monthly, and the
30 Public Art Moment is quarterly. He said that there was an email shared from a constituent
31 today about moving up the Public Forum piece and that is something to consider as well.

32 **Councilmember Mahaffey** said that this is all preference and there is no right answer.

33 **Councilmember Zegerman** recommended moving item 8 down to item 10, and
34 moving item 9 and 10 up.

35 **Councilmember Gantt** said that at some point there was a discussion of the Resident
36 Advisory Committee give a report.

37 **Town Clerk Coleman** said that was annual.

38 **Councilmember Gantt** said that it should be added.

39 **Town Clerk Coleman** said that it would fall under Special Presentations.

40
41 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember**
42 **Mahaffey** to approve the new agenda format with the change of moving item 8 to item 10,

1 and moving item 9 and 10 up, and to begin using the new format at the organizational
2 meeting on December 3rd, 2025.

3
4 **VOTE: UNANIMOUS (5-0)**

5
6 **[CLOSED SESSION]**

7
8 A **motion** was made by **Councilmember Gantt** and seconded by **Mayor Pro**
9 **Tempore Gray**, to enter into Closed Session pursuant to NCGS §143-318.11(a)(1) and NCGS
10 §143-318.11(a)(6) at **7:42 p.m.**

11
12 **VOTE: UNANIMOUS (5-0)**

13
14 Council will enter into closed session pursuant to:

15
16 **CS1 Allen Coleman, Town Clerk**

17 **NCGS §143-318.11(a)(1):**

18 *"To prevent the disclosure of information that is privileged or confidential pursuant to the law*
19 *of this State or of the United States, or not considered a public record within the meaning of*
20 *Chapter 132 of the General Statutes."*

21
22 **CS2 ADDED - Mayor Pro-Tempore Ed Gray**

23 **NCGS §143-318.11(a)(6):**

24 *"To consider the qualifications, competence, performance, character, fitness, conditions of*
25 *appointment, or conditions of initial employment of an individual public officer or employee*
26 *or prospective public officer or employee; or to hear or investigate a complaint, charge, or*
27 *grievance by or against an individual public officer or employee."*

28
29 Council returned to open session at **7:57 p.m.**

30
31 **[ADJOURNMENT]**

32
33 **Mayor Gilbert** adjourned the meeting at **7:58 p.m.**

34
35 Jacques K. Gilbert
36 Mayor

37 Allen Coleman, CMC, NCCCC
38 Town Clerk to the Apex Town Council

39
40 Submitted for approval by Town Clerk Allen Coleman and approved
41 on_____.