

DRAFT MEETING MINUTES

**TOWN OF APEX
TOWN COUNCIL WORK SESSION
TUESDAY, FEBRUARY 18, 2025
3:30 P.M.**

The Apex Town Council met for a work session on Tuesday, February 18, 2025 at 3:30 p.m. at the 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:

<https://www.youtube.com/watch?v=EfDs-xtp7EM>

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (presiding)

Mayor Pro-Tempore Ed Gray

Councilmember Brett Gantt

Councilmember Arno Zegerman

Councilmember Terry Mahaffey

Absent: Councilmember Audra Killingsworth

Town Staff

Town Manager Randy Vosburg

Deputy Town Manager Shawn Purvis

Assistant Town Manager Demetria John

Assistant Town Manager Marty Stone

Town Attorney Laurie Hohe

Town Clerk Allen Coleman

All other staff members will be identified appropriately below.

[COMMENCMENT]

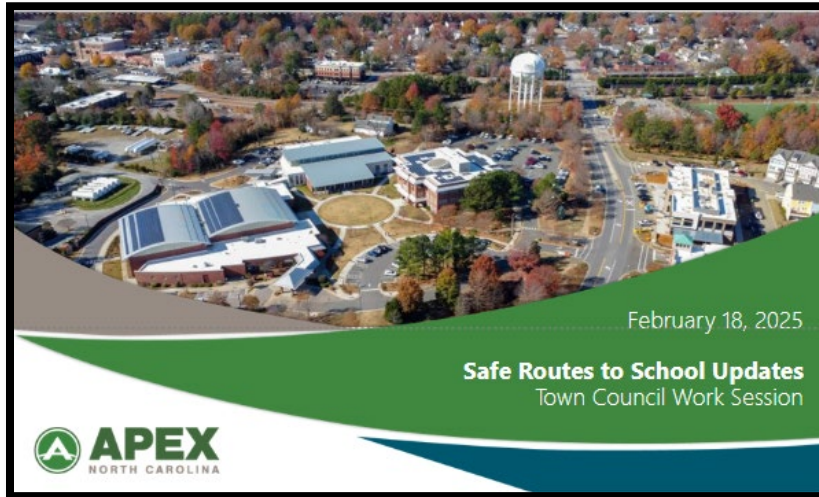
Mayor Gilbert called the meeting to order at 3:30 p.m., welcomed everyone, and led everyone in the pledge of allegiance. He then asked Town Manager Vosburg to give updates.

Town Manager Vosburg thanked the Mayor and Council. He said there were three topics to be covered. He then invited Shannon Cox to give the Safe Routes to School Update.

[SAFE ROUTES TO SCHOOL UPDATE]

Shannon Cox, Long Range Planning Manager, gave an update on the Safe Routes to School Program and gave the following presentation:

[SLIDE 1]



[SLIDE 2]



1 **[SLIDE 3]**



2
3 **Councilmember Gantt** asked if the schools track how many kids get to school via bus,
4 cars or walking.

5 **Ms. Cox** said that some schools do. She asked Jenna Shouse, Long Range Planner,
6 about the information.

7 **Ms. Shouse** said some track, especially in the lower grades and as the student gets
8 older, they estimated.

9 **[SLIDE 4]**

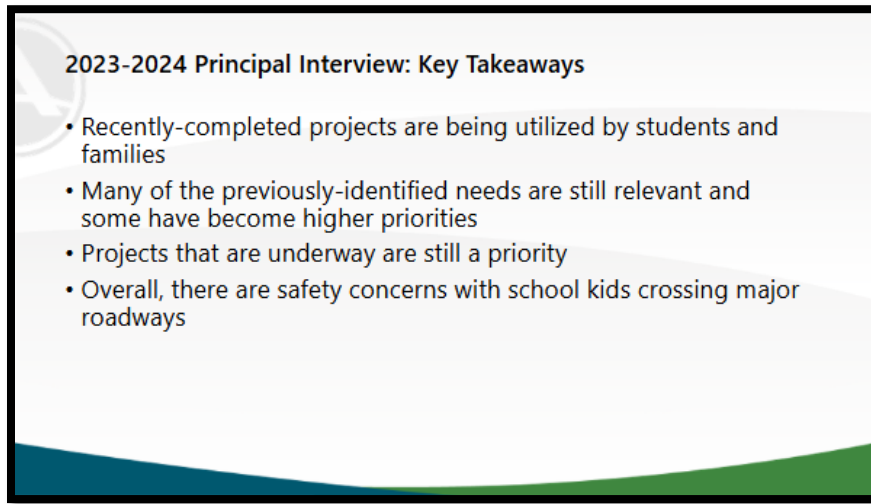
A slide titled "2023-2024 Principal Interviews: Timeline & Purpose". It contains a bulleted list of meeting details and purposes. To the right of the text is a photograph of a group of people, including children and adults, walking along a path.

2023-2024 Principal Interviews: Timeline & Purpose

- Meet every two years with school principals
- Meetings included TID, Parks & Rec, and Police staff
- Purposes were to:
 - Share Town's approach to addressing SRTS needs through the CIP and approved bond
 - Provide updates on identified needs at their school
 - Receive input from the school about new or ongoing needs
 - Share information on Apex PD's Pedestrian and Bicycle Safety Skills Program
 - Share information on helmet availability through NCDOT grant award

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[SLIDE 5]

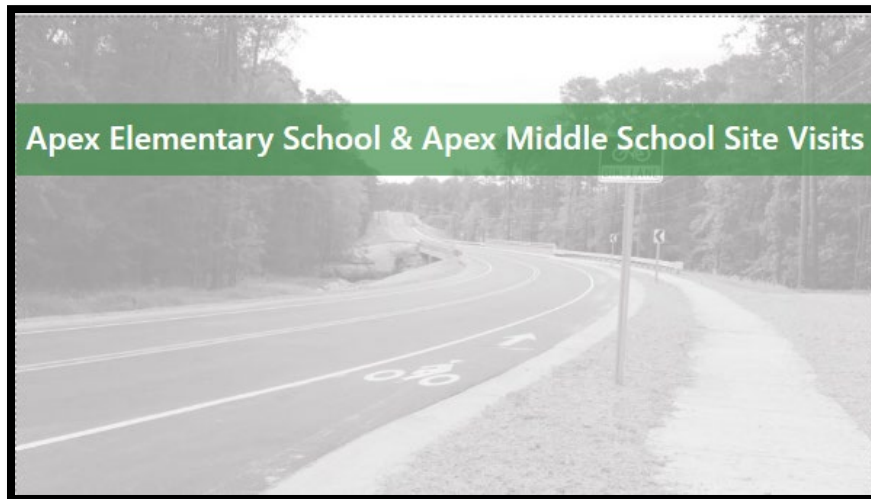


Councilmember Zegerman asked if the location reflects there not being a crossing at all or if they aren't satisfied with the type of the crosswalk's function.

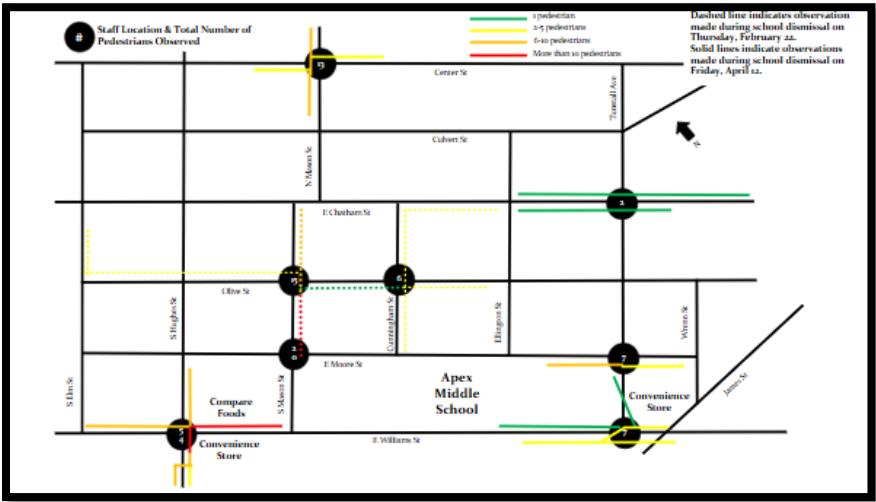
Ms. Cox said part of it was the type of road and some of it was the infrastructure.

Ms. Shouse said that the ones off of thoroughfares were where there were most concerns.

[SLIDE 6]



[SLIDE 7]



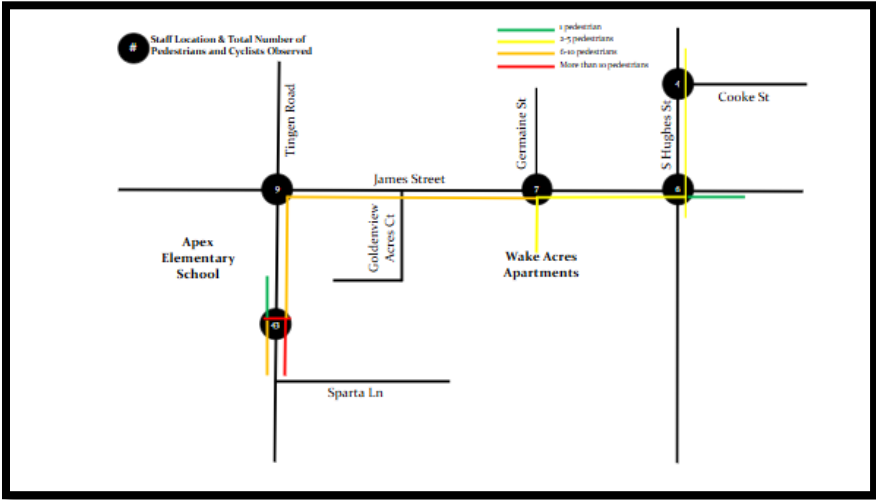
Mayor Pro Tempore Gray asked if the study was done during the morning commute or school dismissal time.

Ms. Cox said that they went out two times and they were done through school dismissals.

Councilmember Zegerman asked how to which roads have sidewalks.

Ms. Cox said that it can't be seen on this diagram, this is pedestrian counts.

[SLIDE 8]




1 **[SLIDE 9]**



2
3 **[SLIDE 10]**

Pedestrian Needs Inventory – Elements & Recent Updates

- Typical section cost estimates for high-scoring projects **(Added)**
- Whether it provides a safe route to school
- Citizen requests
- Observed bicycle/pedestrian routes
- Crash information, including presence on the **High Crash Network or High Injury Network (Added)**
- Roadway facility type
- Context area
- Whether a reasonable alternate pedestrian route is available **(Added)**
- Destinations within ¼ mile
- Existing and proposed bus stops within ¼ mile & bus stop ridership **(Added)**
- Relative need



4
5 **[SLIDE 11]**

Pedestrian Needs Inventory – Next Steps

- Expand opportunity for transit riders to provide input on pedestrian needs
 - Staff to request a pedestrian access question on the regional transit demographic survey - conducted every 3-4 years
- Gather input from future Multimodal Transportation Advisory Committee on Pedestrian Needs Inventory
- Conduct site visits with TID staff prior to next round of staff SRTS CIP requests to gather preliminary information on environmental impacts
- Ask Triangle Math & Science Academy, Grace Christian School, Felton Grove High School, and Pleasant Plains Elementary School to participate in the next round of principal interviews
- Updated Comprehensive Plan may include updated direction on how we prioritize pedestrian projects

6

Mayor Pro Tempore Gray asked if the post dismissal times had been looked at for Athletics or other things taking place after school hours to capture the information.

Ms. Cox said that as of now they have looked at some school arrivals and mainly dismissal times. She said that there were opportunities to get that information, and that the observation piece was one element. She said that conversations with School Principals, bringing in the Police Department for their resources and knowledge, and community input are some other options.

[SLIDE 12]



[SLIDE 13]

Sidewalk Prioritization & Safe Routes to School Webpage

- Prioritization explanation
- Sidewalk Needs Interactive map
- Safe Routes to School Analysis explanation and updates
- Outreach at EarthFest and PeakFest
- <https://www.apexnc.org/1949>

A screenshot of the "Sidewalk Needs" webpage for the Town of Apex, North Carolina. The page features a map of the town with various colored lines (blue, green, yellow, red) indicating different types of sidewalks and routes. The map is titled "Sidewalk Needs" and "Town of Apex, North Carolina".

1 [SLIDE 14]

Sidewalk, Bike, and Transit Projects Webpage

- Bike/ped and transit projects are now on a separate webpage
- TID staff update the status of each project monthly
- Hyperlink to the sidewalk request form


Sidewalk, Bike, and Transit Projects

Do you have a suggestion for a new sidewalk project? Complete [this form](#)!

More information about sidewalk prioritization and the safe routes to school initiative is available [here](#).

Downtown Safe Routes to School and Transit Connections (BL-0047) - Safe Routes to School
This project addresses multiple high-priority safe routes to school for Blount Elementary and Thales Academy K-5. This project will complete pedestrian routes to Blount Elementary, Thales Academy K-5, GoApex Route 1 bus stops, GoCary Apex-Cary Express bus stops, and GoTriangle Route 305 bus stops. This project includes construction of pedestrian facilities along sections of Apex Parkway, Hillcrest Road, Cash Street, Plate Street, Hunter Street, and Ambergate Station. This project also includes pedestrian crossing improvements at the intersection of N Salem Street and Hunter Street.

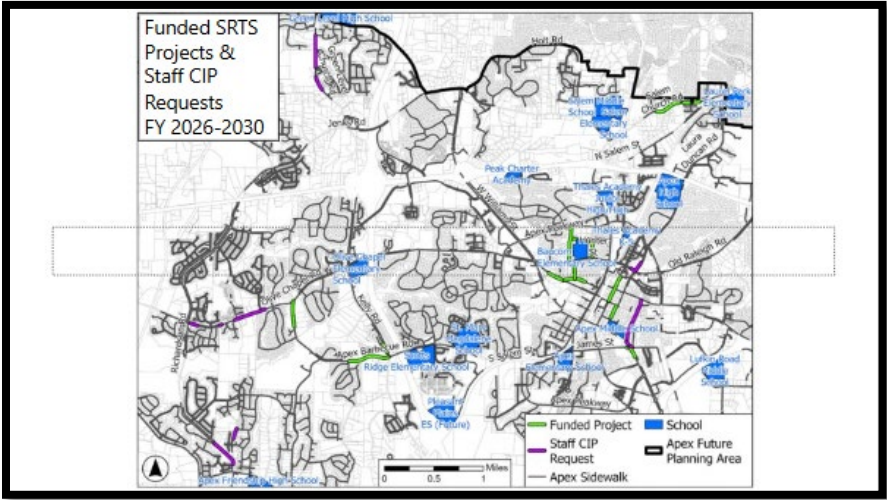
- Status (01/02/25): Right of way acquisition in progress.
- Lead Agency: Town of Apex, [Adam Stachurski](#), 919.249.3417
- Status: 90% Design complete
- Plans (PDF)



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3 [SLIDE 15]



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5 [SLIDE 16]



[SLIDE 17]



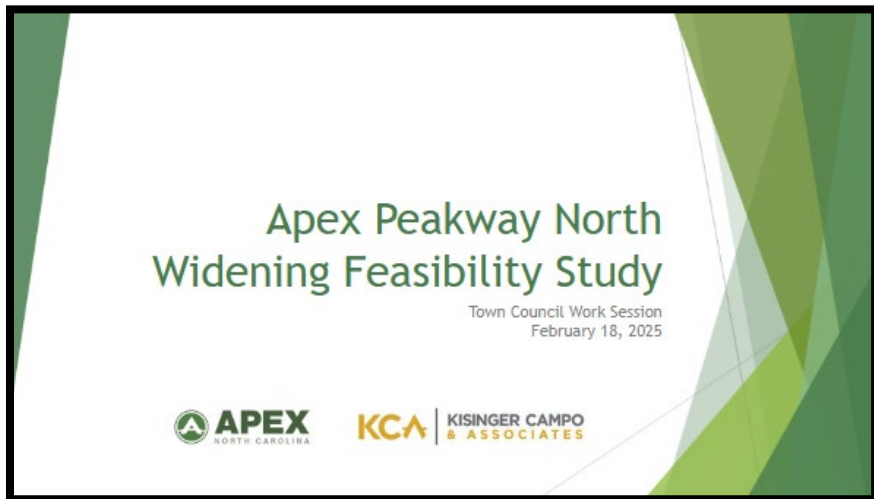
Mayor Gilbert asked if there were any questions.

[APEX PEAKWAY NORTH WIDENING FEASIBILITY STUDY]

Chris Johnson, Transportation and Infrastructure Director, began by speaking about the project, he said that this project is on the Capital Improvement list and is associated with a long-range plan for Ten-Ten widening that was pushed back. He introduced **Andrea Gordon**, with KCA.

Ms. Gordon and her colleague **Eric Adin** gave the following presentation on the Apex Peakway North Widening Feasibility Study.

[SLIDE 1]



[SLIDE 2]

Agenda

- ▶ Project Background
- ▶ Feasibility Study Overview
- ▶ Comparison of Alternatives
- ▶ Preliminary Cost Estimates
- ▶ Findings and Recommendations

[SLIDE 3]

Project Background

▶ Apex Peakway North Widening: widen to 4-lane median-divided from Center St to Old Raleigh Rd

Source: Advance Apex (2045 Plan) Appendix E

[SLIDE 4]

Project Background

- ▶ Purpose: to reduce forecasted congestion within the corridor and improve transportation mobility within or through the project study area
- ▶ Need: the “completion of the Apex Peakway...is needed to relieve downtown traffic pressures and provide access to infill commercial and residential development sites over the next decade.”

Plan Corridors

ID	Project Name	To	From
PC-2	Apex Peakway New Location	S Salem Street	James Street
PC-3	Apex Peakway New Location	NC 55	Center Street
PC-4	Apex Peakway Widening	Ten Ten Road	Laura Duncan Road
PC-7	Apex Peakway Widening	N Salem Street	S Salem Street
PC-9	Davis Drive Widening & New Location	US 64	Farmpond Road

Source: Advance Apex (2045 Plan) CTP

1 **[SLIDE 5]**

Feasibility Study Overview

- ▶ **Primary goal: identify a best-fit alternative concept and cost estimates**
- ▶ To accomplish this, the following were completed to inform the concept design development:
 - ▶ Preliminary GIS screening to identify potential constraints, natural and human environment features
 - ▶ Site visit completed in September 2024
 - ▶ Review of existing utility and infrastructure data
 - ▶ Review of adjacent project plans and traffic forecasts

It should be noted that a Feasibility Study is a preliminary evaluation that is the initial step in the planning and design process for a candidate project and not the product of exhaustive environmental or design effort. The purpose of this Feasibility Study is to describe the proposed project, including cost, and identify potential issues/problems that may require consideration in the planning and design phases.

APEX **KCA** **KISINGER CAMPO & ASSOCIATES**

2
3 **[SLIDE 6]**

Site Overview

72" Existing Culvert

Left Turn Queue at Center St

Recently Completed Right Turn Lane

Stormwater Management Ponds

Utilities

APEX **KCA** **KISINGER CAMPO & ASSOCIATES**

4
5 **[SLIDE 7]**

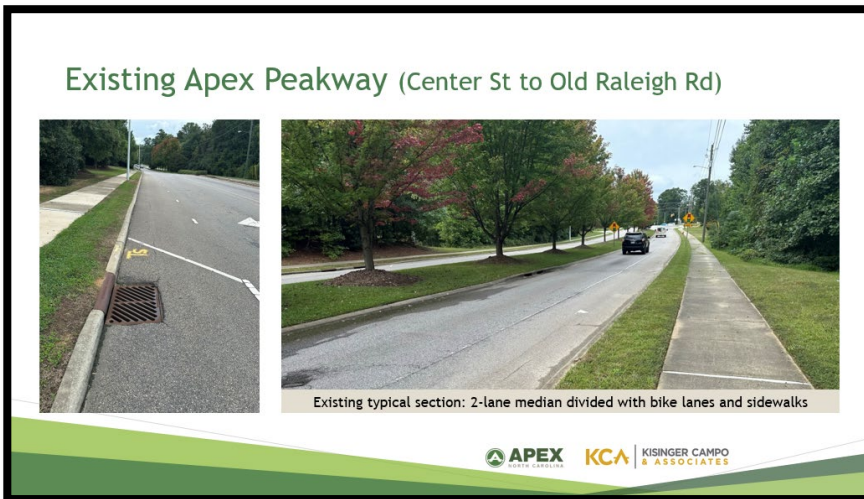
Existing Utilities

- ▶ Power (Duke, Apex Electric)
- ▶ Lighting (Town)
- ▶ Water (Town)
- ▶ Sewer (Town)
- ▶ Gas (Enbridge)
- ▶ Telecom (several)

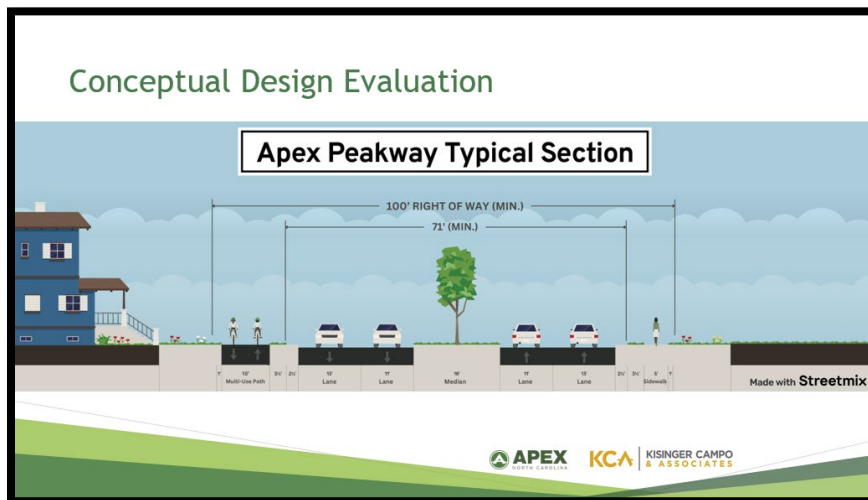
APEX **KCA** **KISINGER CAMPO & ASSOCIATES**

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[SLIDE 8]



[SLIDE 9]



Councilmember Zegerman asked if the multi-use path would be striped.

Director Johnson said that it is considered a side path for all modes of transportation and normally would not have a stripe. He said the comprehensive plan is to run the full loop bidirectional.

Councilmember Zegerman asked if there would be bike lanes in the main roadway.

Director Johnson said that there are no bike lanes shown but the outside lane can accommodate a cyclist if they choose to use that multi-use path off to the side. He said that there is additional width for larger trucks.

Councilmember Mahaffey asked if there was any impact to the buildings in the Northeast quadrant.

Ms. Gordan said that for alternatives there may be a construction easement to make sure that the driveway gets reconnected with some widening. She said that the darker green in the middle is showing the grass landscaped island instead of concrete.

Councilmember Mahaffey asked if the right-of-way impact for the property owners is the same or would they have to be moved.

Ms. Gordan referred to the Alternative 2 slide to give more explanation. She said that it would be more of a symmetrical widening to balance the amount of right of way on each side. She said with that there would be more impacts on the developed side to the west.

Mr. Adin said there would be the need for additional storm drainage work, as the main trunk line along the townhome side couldn't be preserved and adjustments would involve shifting the existing guideline three or four feet, which requires moving all the inlets as well, because the line runs parallel to the road. He said that this would ensure proper spacing for future maintenance. He said that the existing pipes are not particularly old and still have significant service life left (provided they were installed correctly), maintaining them is preferred whenever feasible.

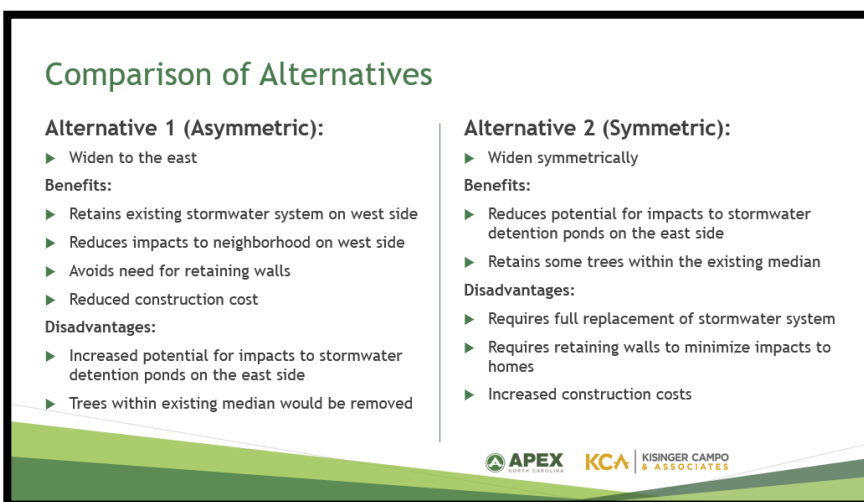
Councilmember Mahaffey wanted to confirm Alternative 2 would impact the 14 townhomes.

Ms. Gordan said that they didn't want to have to impact on the town homes, so they proposed the retaining wall which was about \$800,000.00.

Mayor Pro Tempore Gray said that would be quite disruptive. He asked if the U-Haul building on Center and Peakway would be impacted.

Ms. Gordan said that corner would be one that would need to be looked at but they wanted to limit the impact on the buildings.

[SLIDE 12]

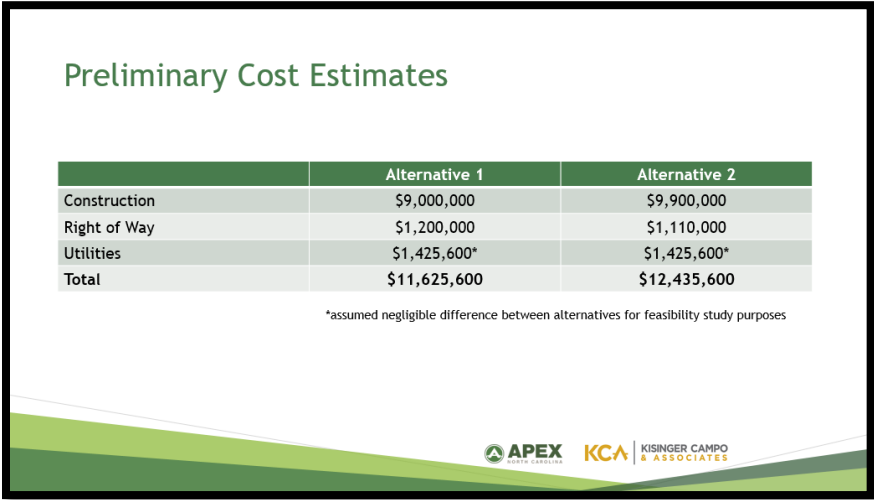


The slide is titled "Comparison of Alternatives" in green text. It compares two options: Alternative 1 (Asymmetric) and Alternative 2 (Symmetric). Each alternative has a list of benefits and disadvantages. At the bottom, there are logos for APEX, KCA, and KISINGER CAMPO & ASSOCIATES.

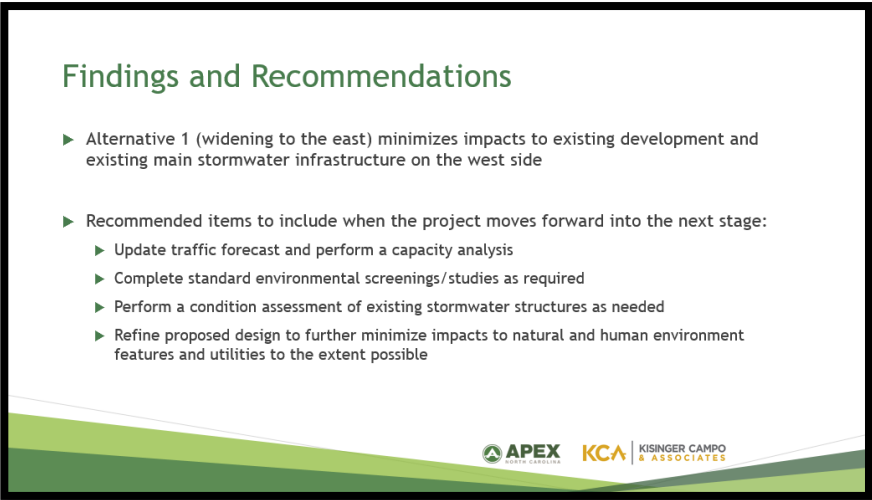
Alternative 1 (Asymmetric):	Alternative 2 (Symmetric):
Benefits: <ul style="list-style-type: none">Widen to the eastRetains existing stormwater system on west sideReduces impacts to neighborhood on west sideAvoids need for retaining wallsReduced construction cost	Benefits: <ul style="list-style-type: none">Widen symmetricallyReduces potential for impacts to stormwater detention ponds on the east sideRetains some trees within the existing median
Disadvantages: <ul style="list-style-type: none">Increased potential for impacts to stormwater detention ponds on the east sideTrees within existing median would be removed	Disadvantages: <ul style="list-style-type: none">Requires full replacement of stormwater systemRequires retaining walls to minimize impacts to homesIncreased construction costs

APEX **KCA** **KISINGER CAMPO & ASSOCIATES**

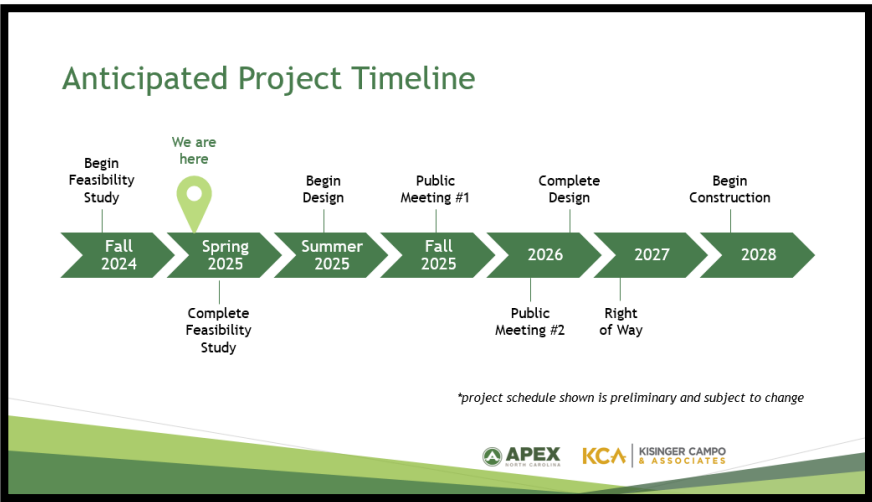
1 [SLIDE 13]



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3 [SLIDE 14]



4
5 [SLIDE 15]



[SLIDE 16]



Ms. Gordan asked if there were any questions.

Councilmember Zegerman asked what makes this project priority over the completion of the Peakway and would completion of the Greenway improve flow of traffic to make this less urgent.

Director Johnson said that this was already prioritized in the prior Transportation Bond, and it was prioritized high to be widened. He said traffic backs up all the way across US-1 sometimes. He said completing the Peakway is still a high priority, but it is also a much larger project, at possibly 2-2.5x the cost.

Councilmember Zegerman asked if there were any updates on the flow of the traffic expected with these updates.

Director Johnson said that he would have to confirm with the Transportation Staff but that extra lanes would be needed to handle the traffic. He said signal changes alone would not be sufficient.

Councilmember Zegerman asked if there would be an opportunity to work with NCDOT on improving the signals as well.

Councilmember Mahaffey said there had been a discussion about bond money and asked if there was any other funding for this project, such as LAPP.

Director Johnson said that options could be explored. He said he was not sure how this project would score in those criteria.

Councilmember Mahaffey said that there was additional roadway needed. He said that the Peakway may have been built as a two-lane separate road and a right-of-way for a future four-lane expansion may have been acquired in some places. He said that this does not seem to be the same and he asked if this was consistent given the right of way availability between Salem Street and Hwy 55.

Director Johnson said that there are some areas of the Peakway that there is adequate right of way, for example the southern section. He said that he wasn't sure what the reason was that it was not the same.

1 **Mr. Stephenson** said that historically the right of way standard has changed, and now
2 the standard for this type is 100 feet, but when this section was constructed in was 90 feet.

3 **Mayor Gilbert** said that these were more questions for staff.

4 **Councilmember Gantt** asked if this was for a vote.

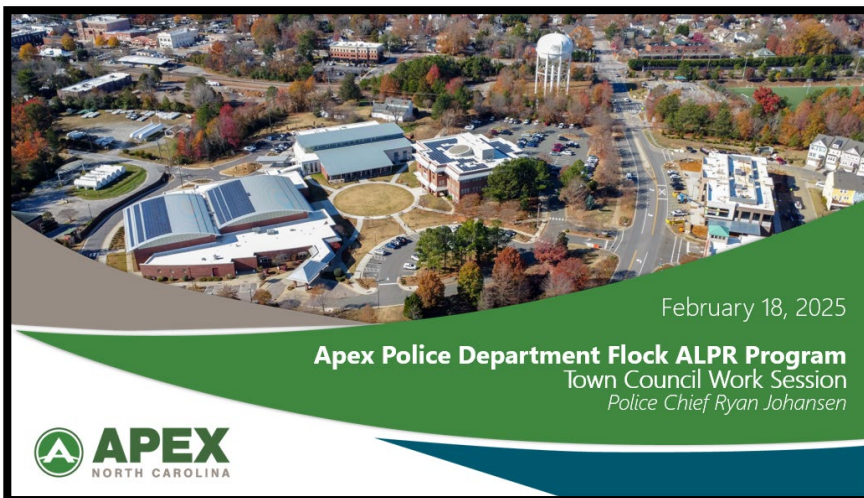
5 **Director Johnson** said that they wanted guidance from Council and if they agreed of
6 Alternative 1 so they could engage them on the next round of the agreement.

7 **Mayor Gilbert** conducted an informal vote for all in favor of Alternative 1 and all
8 agreed with Alternative 1.

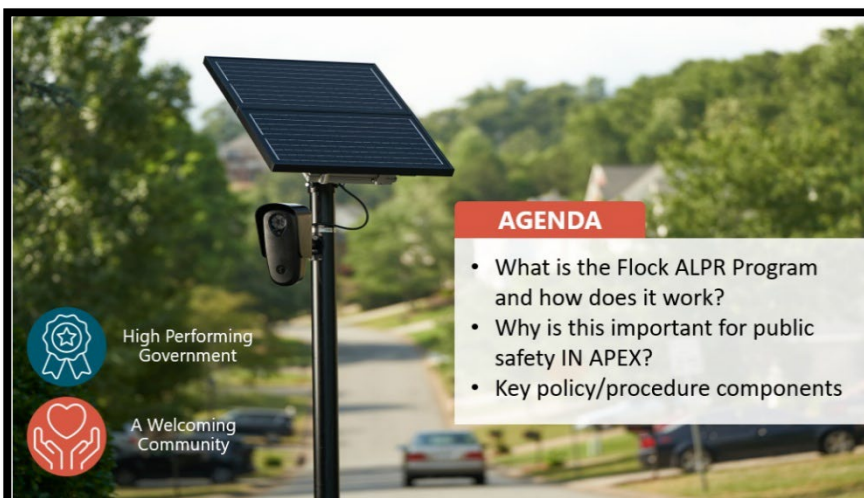
9
10 **[FLOCK CAMERA PRGRAM REVIEW]**
11

12 **Police Chief Ryan Johansen**, Apex Police Department gave information on the
13 background, the Key Policy and Procedure Components of the program in the following
14 presentation.

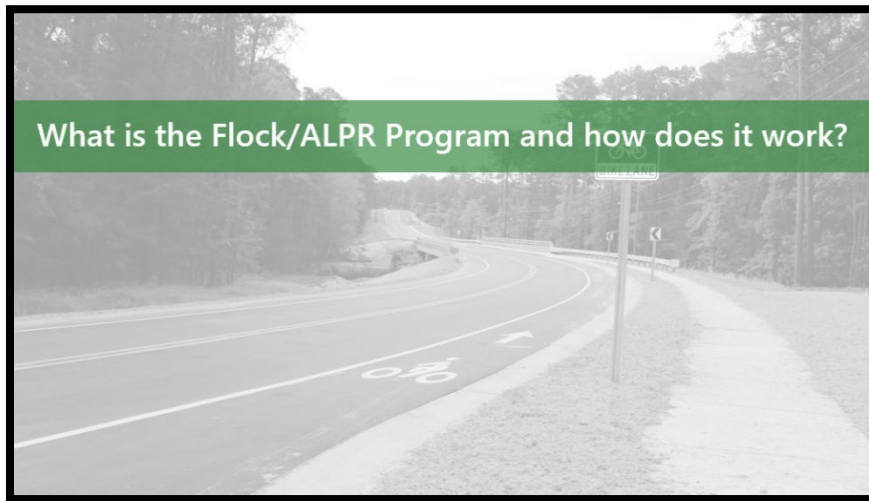
15 **[SLIDE 1]**



16
17 **[SLIDE 2]**



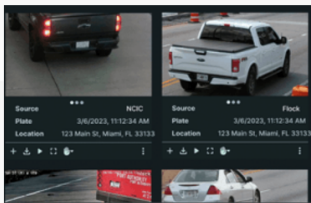
1 **[SLIDE 3]**



2
3 **[SLIDE 4]**

What is the Flock/ALPR Program and how does it work?

- Network of stationary Automated License Plate Reader cameras
 - Strategically positioned throughout the Town
 - Common ingress/egress of perpetrators of crime
 - Crime mapping
 - Town Gate concept
 - Captures an image of rear of vehicles (not drivers/passengers)
 - In plain view, on public right of way




Source	Plate	Location
NCSC	34G0023	11:12:24 AM
Flock	24G0023	11:12:24 AM

4
5 **Councilmember Gantt** asked if Flock worked at night.
6 **Chief Johansen** said yes, it does work at night.

1 **[SLIDE 5]**

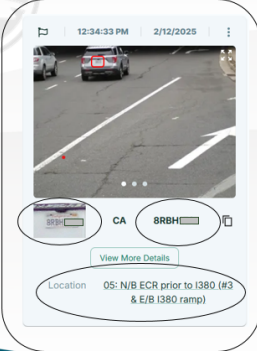
What is the Flock/ALPR Program and how does it work?

- What does the system do with these images
 - Reads/determines license plate numbers
 - Automatically searches for number matches in state database
 - Stolen vehicles
 - Crime vehicles with stop orders
 - Missing persons, AMBER/SILVER alerts, etc.
 - Notifies APD officers/dispatch of matches in real time
 - Analyzes vehicle components to discern make/model/color
 - Critical for vehicles with no plates or obstructed plates
 - Stores images for specified period
 - Creates a searchable database for police investigators
 - More to come on this



2
3 **[SLIDE 6]**

What is the Flock/ALPR Program and how does it work?



- What do officers/dispatch see?
 - Receive "hit" notification with image and location of read
 - Includes close up of plate alongside actual plate of the "hit"
 - Dispatch/Officer must confirm match before taking any action

4
5 **[SLIDE 7]**

What is the Flock/ALPR Program and how does it work?

- Creates a temporary, searchable database for investigations
- Can look for a plate, a make/model/color, or reads on a specific camera during a specific timeframe
- Cannot search for a person, name, address, or other personal identifying information



Councilmember Zegerman asked if this was cell phone based.

Chief Johansen said it could be but currently it would come to their MCT which is the computer in the police car.

Councilmember Zegerman asked if the dispatch would go to specific officers due to vicinity.

Chief Johansen said it would go to all on duty officers if they were logged into the CAD and RMS system.

Mayor Pro Tempore Gray asked Chief Johansen to speak on passive capture of data.

Chief Johansen said that it would capture any vehicle that comes through its scope of view and take a picture of the license plate and read it. He said that it does not notify the officers of that view but it goes into a database. He said it is important to remember that the data is only retained for 30 days. He also said every search in the system requires a case number, with a need or right to know. He said this is newer tech, but has the same legal requirements as other searches in criminal justice investigations.

[SLIDE 8]

The slide is titled "What is the Flock/ALPR Program and how does it work?". It features a map of San Bruno, CA, with a green circle indicating a location. Below the map is a table of device information.

Device Information	
Device Owner	San Bruno CA PD
Device Name	05 NIS ECR prior to 080 (K3 & E3 080 ramp)
Device Type	Falcon
Device Location	37632280254688025-122 4185107969997
Nearest Address	892 CA-92, San Bruno, CA 94066, USA
Device Network	San Bruno CA PD
Source	Flock Safety

Confidence Levels

Confidence Level	Confidence Level
Body	0.986 High Confidence
Make	0.986 High Confidence
Color	0.986 High Confidence

Plate confidence is 0.86. This image was sent to the Hot List Tool for processing. Users with Hot List Tool access and the appropriate application settings will receive Alerts if this license plate is on an active Hot List(s).

Plate state confidence is 1.00. This image would have passed state filters for California AND any custom hot list entries that do not have a state filter.

Councilmember Mahaffey asked if private business, HOA's or big box stores could use Flock cameras and possibly join the network and if so, would how would the data be controlled and would the data be integrated into a shared database.

Chief Johansen said that it was both. He said that private entities can and, in many cases, do employ Flock technology. He said they would have a choice to share their license plate read data with the police department if they choose to with a MOU, but PD would never share data with private entities.

Councilmember Mahaffey said that with the MOU it would be as if it were one of our cameras in terms of notification and searchability.

Chief Johansen said it can be. He said that the private entity would determine the level of share, the method for notifying the police department, and the search capabilities, all of which are available options.

1 **[SLIDE 9]**

What the Flock/ALPR Program is **NOT**

- It is NOT facial recognition
- It is NOT widespread person surveillance
- It is NOT tied to Personal Identifying Information (PII)
- It is NOT used for traffic enforcement
- It is NOT used for non law enforcement purposes


2
3 **[SLIDE 10]**



4
5 **[SLIDE 11]**

Why is this important for public safety IN APEX?

- Crime prevention
 - Notable increase in property crime
 - Can feed increase in violent crime
 - Current response is mostly reactive (post report)
 - Proactive efforts can feed perceptions of bias
 - Flock as "Early Warning System"
 - Notice of the presence of criminal(s), before victimization
 - Stolen vehicles (used in vast majority of our crime sprees)
 - Vehicles recently used in criminal acts
 - Known safety concerns (school and other threats cases)
 - Deterrence
 - Robust criminal communications (San Mateo County example)

A photograph of a person in a uniform interacting with a vehicle. The person is wearing a dark uniform and a cap. They are standing next to a white vehicle. The person is looking at the vehicle's side mirror. The background is dark and blurry.

6

Mayor Pro Tempore Gray said that this would be good as a proactive measure, but in his experience in the legal field lots of criminals don't think about getting caught as a possibility.

Chief Johansen said the better term may be "target hardening" which makes the Town less attractive for crime but that will take some time. He said that the degree in which people think that they are going to be caught may be the best way to keep them from doing the crime.

[SLIDE 12]

Why is this important for public safety IN APEX?

"The certainty of apprehension, not the severity of the ensuing consequences, is the more effective deterrent of crime." - Daniel S. Nagin (leading expert on criminal justice)

- Investigations
 - Nationally, >70% of crimes involve the use of a motor vehicle
 - In Apex, this number is closer to 80%
 - Vehicle identification is critical evidence in solving crimes
 - Imagine having a license plate and/or vehicle description for 80% of our crimes
 - Vehicle ID, direction of travel, immediate tracking
 - Especially valuable for crime during light traffic (majority in Apex)
 - We have the resources to be thorough, we lack the evidence
- Just a few examples
 - San Mateo homicide; San Bruno catalytic converter shooting; San Bruno fatal hit and runs; Westminster serial sex assault case; YouTube shooter threat

[SLIDE 13]

Why is this important for public safety IN APEX?


- Community safety is a collaboration
 - Town Council and community support APD
 - Policing has become more difficult than ever
 - Increasingly sophisticated criminal actors
 - Legal/legislative changes
 - Expectation of perfection
 - Men and women of APD are deeply committed Protectors of the Peak
 - We need to provide them with the tools to deliver on our expectations



1 **[SLIDE 14]**

Why is this important for public safety IN APEX?

- Bias mitigation
 - Any endeavor involving humans will include bias
 - If bias is implicit, it cannot be eliminated
 - Criminal profiling drives most stops aimed at prevention
 - Ultimately, stops are almost always based on discretionary choice
 - This introduces bias
 - Mitigating the negative impacts of bias is critical
 - Stops based on facts versus observations help mitigate bias
- Technology and systems built by humans can still reflect bias
 - Flock contains multiple layers to minimize this effect



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3 **[SLIDE 15]**

Key Policy/Procedure Components



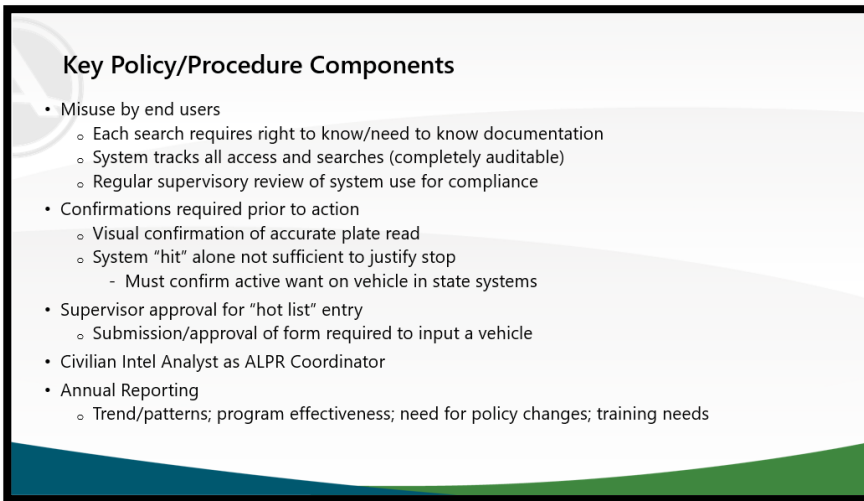
4
5 **[SLIDE 16]**

Key Policy/Procedure Components

- Balancing privacy concerns and community safety needs
 - Suggestion that system can track all "comings and goings"
 - Data retention period of 30 days mitigates this
 - 1/3 of state requirement of 90 days
 - Shorter terms eliminate many investigative benefits, longer create privacy concerns
 - Longer retention only with search warrant and/or preservation request
 - Data sharing and potential misuse of data
 - No automatic sharing, must apply directly to APD Admin
 - Restricted to policing agencies for official law enforcement purposes only
 - Must sign Flock MOU and APD data sharing agreement (prevents resharing)
 - Will not share with entities engaged in immigration enforcement

6

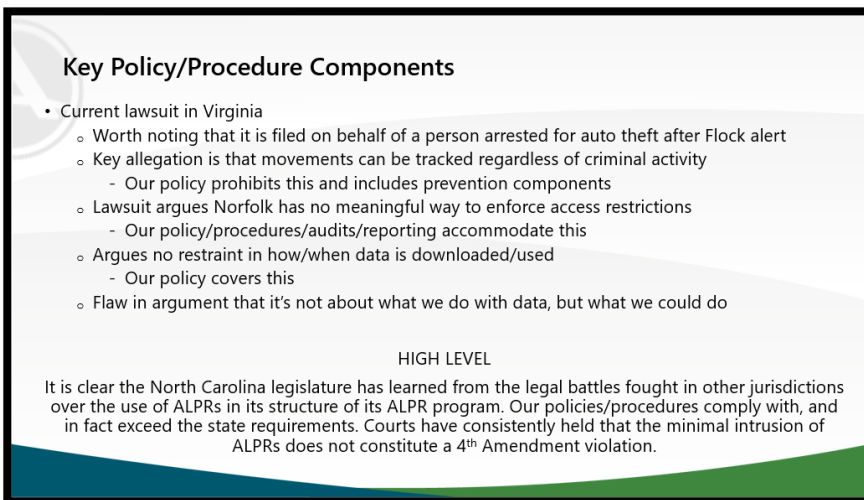
1 **[SLIDE 17]**



Key Policy/Procedure Components

- Misuse by end users
 - Each search requires right to know/need to know documentation
 - System tracks all access and searches (completely auditable)
 - Regular supervisory review of system use for compliance
- Confirmations required prior to action
 - Visual confirmation of accurate plate read
 - System “hit” alone not sufficient to justify stop
 - Must confirm active want on vehicle in state systems
- Supervisor approval for “hot list” entry
 - Submission/approval of form required to input a vehicle
- Civilian Intel Analyst as ALPR Coordinator
- Annual Reporting
 - Trend/patterns; program effectiveness; need for policy changes; training needs

2
3 **[SLIDE 18]**



Key Policy/Procedure Components

- Current lawsuit in Virginia
 - Worth noting that it is filed on behalf of a person arrested for auto theft after Flock alert
 - Key allegation is that movements can be tracked regardless of criminal activity
 - Our policy prohibits this and includes prevention components
 - Lawsuit argues Norfolk has no meaningful way to enforce access restrictions
 - Our policy/procedures/audits/reporting accommodate this
 - Argues no restraint in how/when data is downloaded/used
 - Our policy covers this
 - Flaw in argument that it's not about what we do with data, but what we could do

HIGH LEVEL

It is clear the North Carolina legislature has learned from the legal battles fought in other jurisdictions over the use of ALPRs in its structure of its ALPR program. Our policies/procedures comply with, and in fact exceed the state requirements. Courts have consistently held that the minimal intrusion of ALPRs does not constitute a 4th Amendment violation.

4
5 **Councilmember Gantt** asked if there was a state law authorizing this kind of thing,
6 and if something of its kind has been adjudicated at all.

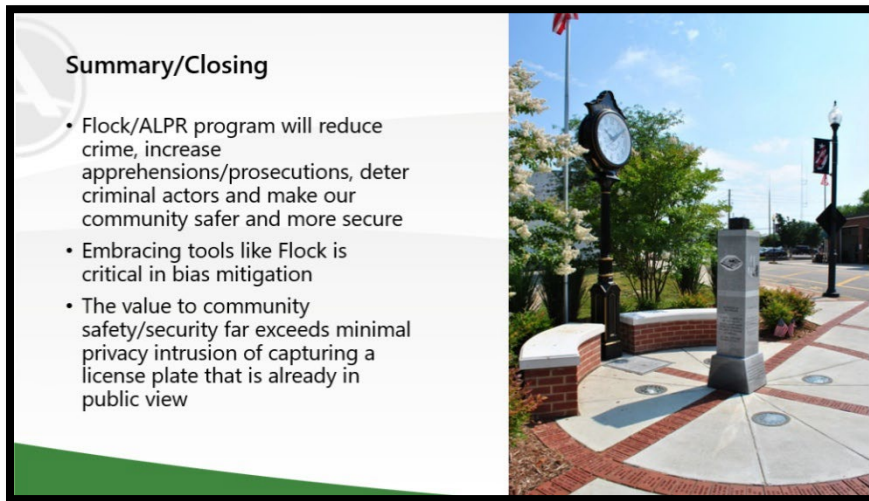
7 **Town Attorney Hohe** said that she was not aware of anything in North Carolina as far
8 as litigation. She said that she would look further into it.

9 **Mayor Pro Tempore Gray** said that there was a North Carolina statute stating there
10 were certain procedures that had to be followed and data could not be stored beyond 90
11 days.

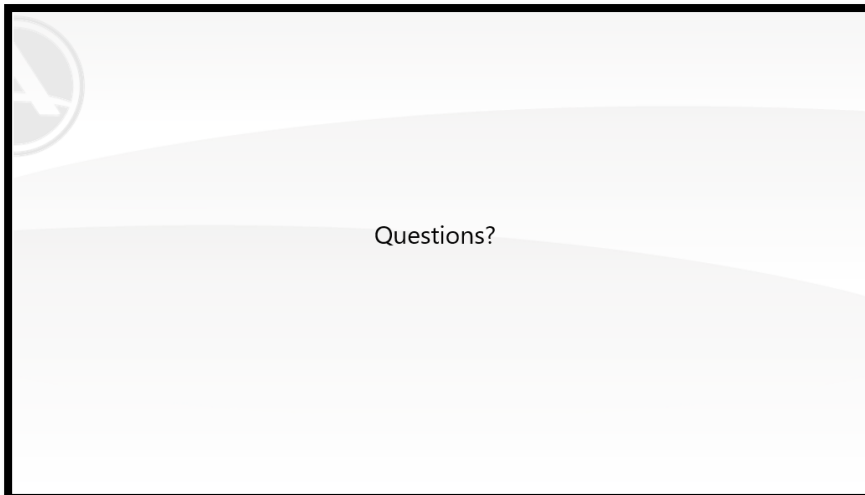
12 **Councilmember Gantt** asked if the law has been around a while and if there were any
13 municipalities that has this technology.

14 **Chief Johansen** said that there are numerous agencies in Wake County that have this
15 technology, but he wasn't sure about the exact number.

1 **[SLIDE 19]**



2
3 **[SLIDE 20]**



4
5 **Councilmember Zegerman** asked about the privacy concerns. He mentioned things
6 like Ring cameras and how prevalent they are.

7 **Chief Johansen** said that private citizens can record and do most anything with that
8 information but that there were larger conversations with some jurisdictions that have moved
9 to real-time crime centers and this type of data and integrating with ring cameras and that
10 may be a serious privacy concern, but this technology is a much lower level of concern.

11 **Mayor Gilbert** said there were conversations about this technology. He asked Chief
12 Johansen, as far as the police department, what were some of the things that he would be
13 looking for as far as patterns and things similar.

14 **Chief Johansen** said the primary focus will be on supervisory audits and spot checks
15 to understand what they reveal. He said he would also focus on accuracy of reads, impacted
16 by camera positioning, remains a critical concern as false reads can have negative
17 consequences. He said that the key factor isn't the technology itself but how it is utilized,
18 specifically, to assess the processes in place for handling data, such as stolen vehicle plate

1 reads, through training, policy, and strategic actions. He said two main points: (a) that there
2 are no indications of system abuse and (b) how the system is functioning, with a particular
3 focus on how the data is being used, especially in cases involving large numbers of stolen
4 vehicle reads.

5 **Mayor Gilbert** asked what the opportunities are to provide more education to the
6 community.

7 **Chief Johansen** said that putting out more information, especially screenshots
8 showing exactly what the Officers using the program see, could help.

9 **Mayor Gilbert** said that he was a huge supporter. He said he wish they had this when
10 he was in law enforcement.

11 **Assistant Town Manager John** said that talking about this on a platform would be
12 through Community engagements, neighborhood meetings where police are going out and
13 speaking on a certain topic throughout the year, or Town Halls.

14 **Chief Johansen** said that what he had done in the past was "Chat with the Chief"
15 which is a series of recurring meetings out in neighborhoods and in specific business
16 communities similar to a Small Town Hall, so that they can talk about what interests the
17 community and he can take a computer and show them how this works.

18 **Town Attorney Hohe** followed up with Councilmember Gantt's question about
19 litigation in North Carolina and in it was first enacted in North Carolina in 2015 and she found
20 no cases on the law from a quick search here in North Carolina.

21 **Mayor Pro Tempore Gray** said that one concern to address is using technology to
22 overly police majority minority locations. He said that it would be important to have a strategy
23 to best inform those communities that have a high-risk point to let them know we are not just
24 putting a bunch of cameras around your neighborhood. He said that it would be particularly
25 useful when the issue of how the data is provided to other agencies. He said that he
26 supported the recommendations, particularly the supervisor's review for the hot list and he
27 would like to see more detail on that. He said that this isn't more intrusive than what we have
28 but the technology is more effective, but the community needs to be educated on this new
29 technology.

30 **Mayor Gilbert** said that if Apex moves forward with Flock, the Council should be an
31 extension of the police department in explaining for that trust.

32 **Chief Johansen** said that as far as the location of the cameras, where the cameras are
33 most valuable is points of aggress and surrounding neighborhoods doesn't really maximize
34 the use of the cameras, they want as many reads as possible like places where people are
35 coming and going.

36 **Mayor Pro Tempore Gray** said the Police Department would bring back
37 recommendations and they would look at them for approval.

38 **Councilmember Mahaffey** asked about the software workflow.

39 **Chief Johansen** said that it was not a workflow in the system, and this will be a key
40 element of the supervisory audits. He said the use of the system should be 0 outside of
41 investigations.

1 **Councilmember Mahaffey** asked if there would be an agreement with NCDOT with
2 placements with the cameras.

3 **Chief Johansen** said that they are working through the actual information. He said
4 that NCDOT has a pilot program to allow municipalities to place cameras specifically within
5 the right of way but because of the time restriction for the deadline of April 26th he was not
6 sure if they would have time to get through the process.

7 **Councilmember Mahaffey** asked if Chief Johansen would speak on the private
8 participation in this network.

9 **Chief Johansen** said that in his prior jurisdiction there was a private entity that had
10 this technology, and they shared it with the police department.

11 **Mayor Gilbert** asked how many cameras would be put out.

12 **Chief Johansen** said he wasn't sure.

13 **Town Manager Vosburg** said that this was just a follow up on key points. He said that
14 the Chief would go forward with giving feedback and the next step would be to look at those
15 MOUs and deployment of the cameras based on the policies outlined.

16 **Mayor Pro Tempore Gray** asked if this would satisfy the statutory requirements for the
17 policy.

18 **Town Attorney Hohe** said that she would look into this and get the information back.

19 **Councilmember Zegerman** asked what the timeline would be to come back to
20 Council for approval on the full program, since they have approved a pilot.

21 **Chief Johansen** said that it would be based on how long it took to get the program
22 up and running. He said that he would ask for some time, at least a year of data and reads, to
23 allow for minor modifications in agency procedures. He said Council would receive an
24 update approximately a year after the launch if that was something they would be willing to
25 wait for.

26 **Mayor Gilbert** asked if the Council was in agreement with waiting until the data was
27 available and the new Chief had an opportunity to fully asses the program.

28 Councilmembers provided verbal agreement and unanimous consensus.

29
30 **[ADJOURNEMENT]**

31
32 **Mayor Gilbert** adjourned the meeting at **5:16 p.m.**

33
34 Jacques K. Gilbert
35 Apex, Mayor
36

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

40 Submitted for approval by Apex Town Clerk Allen Coleman
41

42 Minutes approved on _____ of _____, 2025.