

**DRAFT MEETING MINUTES**

**TOWN OF APEX  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, MARCH 11, 2025  
6:00 PM**

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6 The Apex Town Council met for a Regular Town Council Meeting on Tuesday, March 11, 2025  
7 at 6:00 p.m. in the Council Chambers on the 2nd Floor at Apex Town Hall, located at 73  
8 Hunter Street in Apex, North Carolina.

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

12 <https://www.youtube.com/watch?v=xdRIDzSOMKk&t=1s>

13

14 **[ATTENDANCE]**

15 Elected Body

- 16 Mayor Jacques K. Gilbert (presiding)
- 17 Mayor Pro Tempore Ed Gray
- 18 Councilmember Audra Killingsworth
- 19 Councilmember Terry Mahaffey
- 20 Councilmember Brett Gantt
- 21 Councilmember Arno Zegerman

22

23 Town Staff

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

31

32 **[COMMENCEMENT]**

33 **Mayor Gilbert** called the meeting to order at **6:00 p.m.** and welcomed all who were  
34 in attendance and watching. He thanked Apex Youth Council for attending the meeting.

35 **Mayor Gilbert** then took a moment of silence for the invocation and for a moment of  
36 peace. He led those in attendance in the Pledge of Allegiance.

1 **[CONSENT AGENDA]**

2 A **motion** was made by **Councilmember Gantt**, seconded by **Councilmember**  
3 **Killingsworth**, to approve Consent Agenda as presented.

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

6 **CN1 Budget Ordinance Amendment No. 9 - Lund Property Acquisition (REF: ORD-**  
7 **2025-015)**

8 Council voted to approve a Budget Ordinance Amendment No. 9 appropriating funds for the  
9 Lund property acquisition.

10 **CN2 Construction Contract Award - Superior Paving Corporation (NC) - 2025**  
11 **Microsurfacing Project (REF: CONT-2025-076)**

12 Council voted to award a construction contract between Superior Paving Corporation (NC)  
13 and the Town of Apex, for the 2025 Microsurfacing Project, and to authorize the Town  
14 Manager or their designee, to execute the contract on behalf of the Town.

15 **CN3 Council Meeting Minutes - February 18, 2025**

16 Council voted to approve Meeting Minutes from the following meeting:  
17 February 18, 2025 - Town Council Work Session Meeting Minutes

18 **CN4 Encroachment Agreement - 2524 Silas Peak Lane (REF: CONT-2025-077)**

19 Council voted to approve an Encroachment Agreement between the Town of Apex and  
20 property owner, Amward Homes of NC, Inc., located at 2524 Silas Peak Lane Apex, NC 27523,  
21 Lot 12, to install a fence and gates that will encroach 67 linear feet (LF) and air conditioning  
22 units that will encroach 20.4 square feet (SQ) onto the Public Drainage Easement, and to  
23 authorize the Town Manager, or their designee, to execute on behalf of the Town.

24 **CN5 Fee Schedule Amendment - Fiscal Year 2024-25 - New Street Hockey Court**  
25 **Rental Fee**

26 Council voted to approve an amendment to the Town's Fiscal Year 2024-2025 Fee Schedule  
27 to include a new street hockey court rental fee in the amount of forty dollars per hour  
28 (\$40/hour), effective March 11, 2025.

29 **CN6 Rezoning Case No. 24CZ17 - Kelly Road Townhomes - Statement and Ordinance**  
30 **(REF: ORD-2025-016)**

31 Council voted to approve the Statement of the Town Council and Ordinance for Rezoning  
32 Application No. 24CZ17, Vasu Kollipara, applicant, for the properties located at 2305 and  
33 2509 Kelly Road (PINs 0731352462 and 0731355481).

34 **CN7 Rezoning Case No. 24CZ21 - 3028 Evans Road - Statement and Ordinance (REF:**  
35 **ORD-2025-017)**

36 Council voted to approve the Statement of the Town Council and Ordinance for Rezoning

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1 Application No. 24CZ21, Alonzo Wilson, ATM Development, LLC, applicant, for the property  
2 located at 3028 Evans Road (PIN 0721707475).

3 **CN8 Speed Limit Concurrence - North Carolina Department of Transportation**  
4 **(NCDOT) - Portion of Castleberry Road, 35 MPH (REF: OTHER-2025-022)**

5 Council voted to approve North Carolina Department of Transportation (NCDOT) Certification  
6 of Municipal Declaration to Enact Speed Limits and Request for Concurrence for a 35 MPH  
7 speed limit on SR 1604 (Castleberry Rd), from the intersection of SR 1603 (Wimberly Rd) to  
8 0.805 mile east of SR 1603 (Wimberly Rd).

9

10 **[UPDATES BY TOWN MANAGER]**

11 **Town Manager Vosburg** gave updates on the Read Across America Program that was  
12 held on March 3<sup>rd</sup> at Salem Elementary School, which was put on by the Community  
13 Engagement team. He gave an update that the Mason Street Building has reopened and is  
14 fully safe and secure and meeting residential standards and that there will be updated on  
15 after-action reviews. He also gave an update on the Utility Billing and Meter Upgrades. He  
16 said that this is unrelated to the Cyber-attack and this is an update that has been planned for  
17 years. He said that utility billing cycles have returned to a normal pattern, and meter upgrades  
18 continue but will be slowed down on the meter reading side due to the integration of the  
19 meter readings with some of the software upgrade issues. He said that about 150 customers,  
20 mainly commercial, across two utility billing cycles were impacted and will have experience  
21 extended billing cycles. He said they will be slowing down the integration to ensure those  
22 issues don't persist with further installations.

23 **Mayor Pro Tempore Gray** asked how the customers would communicate with the  
24 customers.

25 **Town Manager Vosburg** said that the customers are being directly notified by letters  
26 or emails, and they are focusing on not having disruptions while moving forward with  
27 improvements.

28 **Mayor Gilbert** asked if the third-party review was still scheduled.

29 **Town Manager Vosburg** said that the third-party review is still scheduled to be  
30 completed by the end of March and then there will be meetings to disseminate the findings.

31 **Mayor Gilbert** thanked Town Manager Vosburg for the updates.

32

33 **Town Attorney Hohe** introduced the newest Assistant Town Attorney, Seth Kandl.

34 **Mr. Kandl** thanked the Council and gave some information about his career journey  
35 and said he was excited to be part of Team Apex.

36

37 **[REGULAR MEETING AGENDA]**

38 **Mayor Gilbert** called for the setting of the Council's Regular Agenda for March 11,  
39 2025, and asked if there were any recommended changes.

1 A **motion** was made by **Councilmember Zegerman**, seconded by Mayor Pro **Mayor**  
2 **Pro Tempore Gray** to approve the Regular Meeting Agenda as presented.

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

5  
6 **[PRESENTATION]**

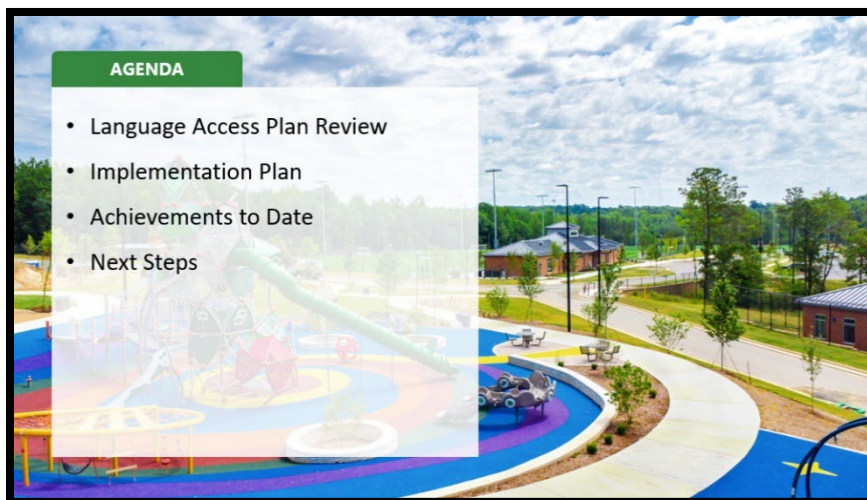
7 **PR1 Language Access Plan Update**

8 **Linda Jones**, Director, Diversity, Equity, and Inclusion Director and **Kristy Nguyen**,  
9 Language Access and Community Coordinator presented the following PowerPoint:

10  
11 **[SLIDE 1]**



12  
13 **[SLIDE 2]**



1 **[SLIDE 3]**



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3 **[SLIDE 4]**

**Language Access Plan Review**

- **22%** of Apex residents speak a language other than English
- **5%** are Limited English Proficient (LEP)
- Our strategic languages are **Spanish** (21%) and **Chinese** (21%)

LEP Primary Language	Percent of LEP Population
Spanish	21%
Chinese	21%
French, Haitian, Cajun	4%
Vietnamese	4%
Russian, Polish, or other Slavic	3%

\*Source: American Community Survey 5-Year Estimates 2019-2023

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5 **[SLIDE 5]**

**Language Access Implementation Plan**

- **Phase 1: Establishing Core Language Services** (In Progress)
  - Identify language needs, translate vital documents, and manage interpretation and translation requests
- **Phase 2: Strengthening Foundations** (Target Date: June 2025)
  - Integrate language access into Town operations by raising awareness of services, providing staff training, establishing a repository of resources, and setting proficiency standards for bilingual/multilingual staff
- **Phase 3: Expansion and Refinement** (Target Date: January 2026)
  - Refine outreach and communication to expand language services
- **Phase 4: Ongoing Monitoring and Evaluation** (Ongoing)
  - Evaluate and review the plan to monitor progress and adjust plan as needed

\*Will adapt plan based on Town policies and current federal and state direction

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1 [SLIDE 6]



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3 [SLIDE 7]

### ReciteMe Accessibility & Translation

- **ReciteMe** (web accessibility software) was launched in **June 2024**
- Assistive toolbar that enables **web accessibility** (text resizing, text-to-speech, font options, etc.)
- On-page translation available in **100+** languages with select languages supporting screen reader compatibility



*New Language & Accessibility toolbar now available on the Town of Apex website*

*Nueva barra de herramientas de idioma y accesibilidad ahora disponible en el sitio web de la ciudad de Apex*

*新的语言和无障碍辅助工具栏现已在 Apex 镇官网上推出*

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**BRIDGING THE GAP BETWEEN ACCESSIBILITY AND USABILITY**

The Town of Apex recently partnered with ReciteMe, an accessibility software company, to provide an inclusive online experience at [www.apexnc.org](http://www.apexnc.org).

The ReciteMe accessibility toolbar, pictured above, will help make [www.apexnc.org](http://www.apexnc.org) more accessible and inclusive for a diverse range of people online by providing translation services, multiple reading aids, customizable font options for easier reading, and more!

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5 [SLIDE 8]

### Snapshot of ReciteMe Report

**PAGES VIEWED**  
**539**

**UNIQUE USERS**  
**154**

**PAGES VIEWED PER SESSION**  
**3.50**

Industry average is approximately **2.8 pages** per session.

#### FEATURE CLICKS

The ReciteMe toolbar is broken down into four main areas: screen reader, translation, styling and reading. This shows the breakdown of how the toolbar has been used. All functions support a wide range of disabilities to aid website usability.

Feature Area	Clicks	%
Screen Reader	123	23%
Translation	321	60%
Styling	85	16%

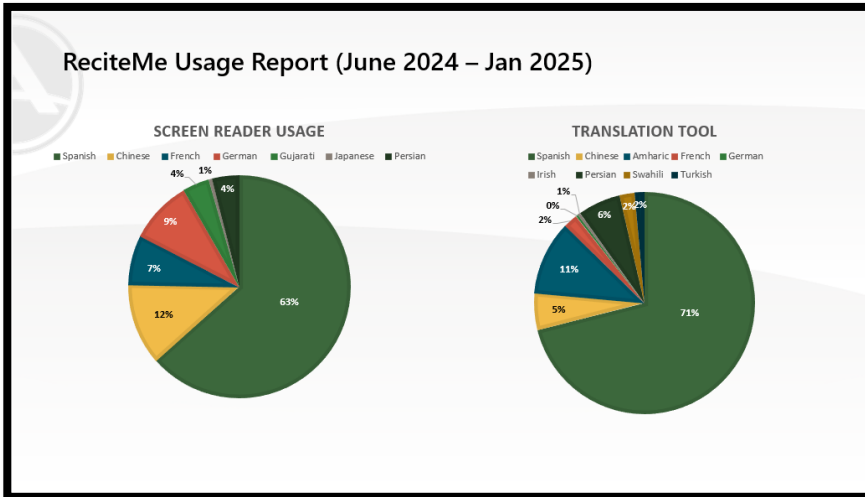
Feature Area	Clicks	%
Screen Reader	123	100%
Screen Reader - JAWS	45	37%
Screen Reader - NVDA	78	63%

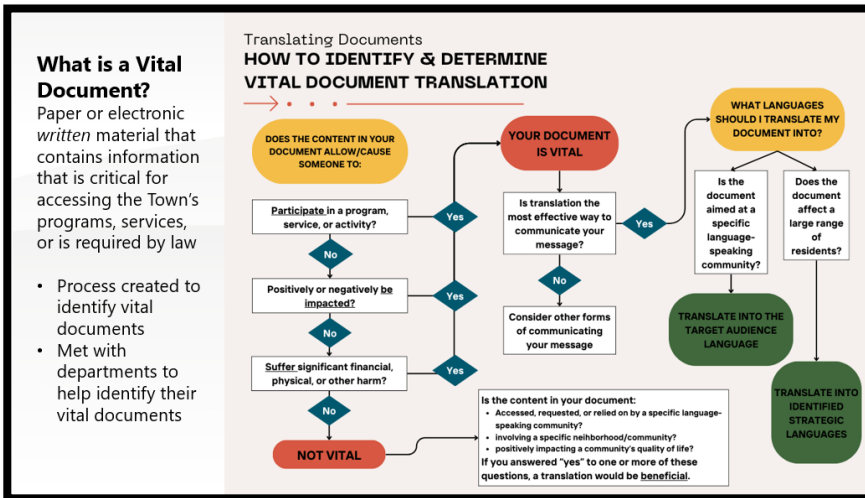
Feature Area	Clicks	%
Styling	85	100%
Font colour - Black	15	18%
Font colour - Blue	12	14%
Font colour - Green	10	12%
Font colour - Red	8	10%
Font colour - White	7	8%
Font family - Default	15	18%

6

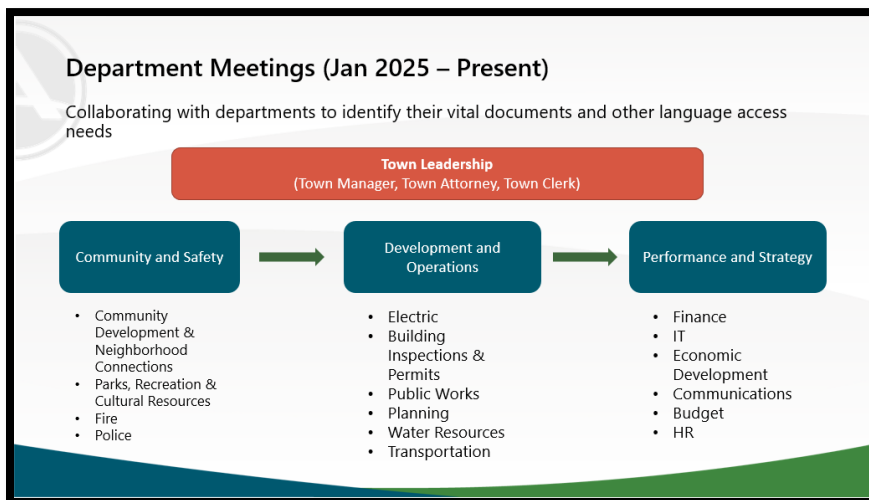
1 **[SLIDE 9]**



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3 **[SLIDE 10]**



4  
5 **[SLIDE 11]**



1 **[SLIDE 12]**

**Interpretation Services**

Key Achievements:

- **Language service provider selection:**
  - Research multiple language service providers
  - Identified and partnered with Language Service Solutions for ongoing interpretation needs
- **First Interpretation at Town Council Meeting (September 24, 2024)**
  - Successful simultaneous and consecutive Spanish interpretation ensuring accessibility for Spanish-speaking residents to engage with the Town
- **Community Engagement Events:**
  - Assisted the Community Engagement Team in providing interpretation at CommUniversity Events (January and February 2025 completed)
  - Commitment to ongoing interpretation at future CommUniversity events
- **Working with Ask Apex (Call Center) to ensure they have language assistance as needed**


\*Note: American Sign Language interpreter providers identified



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3 **[SLIDE 13]**

**What's Next?**

**Phase 2: Strengthening Foundations** (Target Date: June 2025)





- Integrate language access into Town operations by raising awareness of services, providing staff training, establishing a repository of resources, and setting proficiency standards for bilingual/multilingual staff
- Finalize translation of vital documents
- Secure interpretation equipment for Town use
- Continue to meet with departments to assess their language access needs

**Phase 3: Expansion and Refinement** (Target Date: January 2026)

**Phase 4: Ongoing Monitoring and Evaluation** (Ongoing)

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5 **[SLIDE 14]**

Questions?



6  
7 **Ms. Nguyen** asked if there were any questions.



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1           **Councilmember Zegerman** asked if the people who responded that they had limited  
2 English proficiency was the same kind of breakdown in language percentage wise as the rest  
3 of the model.

4           **Ms. Nguyen** said to be considered limited English proficient they follow the model is  
5 that if they speak less than very well English.

6           **Councilmember Zegerman** asked if the 5% of the limited English is spread across  
7 multiple languages.

8           **Ms. Nguyen** said yes, these are spread out in different languages.

9           **Mayor Pro Tempore Gray** said that some of the younger residents do not use the  
10 webpage. He asked if there was a plan for integration of social media into our language  
11 accessibility plan.

12           **Director Jones** said that there is a plan, and Stacie Galloway, Communications  
13 Director, is a part of the team, and she will be rolling out communication on social media. She  
14 said that there were flyers that were translated into our top strategic languages that went out  
15 to the town when Recite Me was launched.

16           **Councilmember Mahaffey** asked if there was a translation service on request for the  
17 Town Council meetings and what the process would be like.

18           **Director Jones** said that they were committed to providing those Town services. She  
19 said that they are partnered with Language Solutions as needed.

20           **Councilmember Mahaffey** asked about the time period that they can get the  
21 services.

22           **Director Jones** said that it is a 48-hour request, but sometimes when the request  
23 comes in with less time before a meeting they have a vendor in place to provide quick on-call  
24 services.

25           **Mayor Gilbert** thanked Director Jones.

26           **Director Jones** thanked Ms. Nguyen for all that she has done.

27  
28 **[PUBLIC FORUM]**  
29

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

32           First to speak was **Andrew Gluck** of Walden Creek Subdivision:  
33

34 "I've spoke, this has been going on for about since the hurricane that came through  
35 devastated the Western part of North Carolina. There's a creek running behind my house, and  
36 it doesn't affect me, but it affects the people downstream from me. It's been ever since then  
37 there's been a lot of fallen debris in it, which the neighborhood normally cleans up, but this  
38 time it's gotten too large. I've been trying since then to get that cleaned up by the Town. I've  
39 been told many times I'm going to get call backs, someone's been out now for over a month,  
40 nobody showed up, nobody's been out. The problem with this also is it's gotten worse from  
41 the rain we've had. Now there's an island in there, trees are about to come down, which

1 wouldn't have happened if they would have just cleaned it up and the reason, I didn't do it  
2 was that it was just too much for us. We always, the neighbor keeps this clean even though it  
3 belongs to the Town of Apex. Now, if we get another big rain, and also by the way, two  
4 blockages now are formed because of this, not just one. The island is formed with trees on it,  
5 which will soon come down, big trees. If this happens, it's not going to affect my house, not  
6 going to affect the house next to me, but the people downstream will get flooded. They've  
7 got flooded before, but this will be a massive flood. It'll hit the house, it'll wreck a few houses  
8 downtown, and I cannot see why the Town will not take responsibility for their own creek and  
9 send people out to clean it. I've been asking for at least since that hurricane been here for  
10 months ago, we have never had anybody come speak to me about it or return a phone call  
11 except one of our Councilmen had called me back about it and he's also tried to get people  
12 to call me back who would do this, and no one has luck. We need to get this taken care of. I  
13 don't want to go to a Core of Engineers to do it, I just want the Town to take care of what's  
14 there's, and it is a creek that's now blocked off in two spots, and as I said, it just keeps getting  
15 worse now, there is one area that is almost 20 feet wide, which used to be 6 feet wide, and it's  
16 undercutting it now and as I said, my house sits up, it could flood all day long over there, and  
17 I'll never get affected, but the people downstream from me will be devastated from this so I'd  
18 love somebody to give me a call on this. I need them to come out, send the crew out there to  
19 clean it up. They could do this in a day. It's going to take longer now, and now it appears  
20 they're going to have to take down some trees too to keep them from falling, and they're  
21 pretty big. This would have been a lot easier if they would have just done it when first asked. It  
22 would have probably been about a three-hour, two-hour job, but now it's going to take a lot  
23 longer. So, someone, I don't think you have my phone number, but if someone could get in  
24 contact with me on this, I'll give them my phone number or my phone number to them, and  
25 please, please, I've got some pictures that are hard to read, call a printer, but it shows where  
26 the creek should be is now covered. It shows where the creek should be also, and this is the  
27 island."

28

29 **Mayor Gilbert** asked Mr. Gluck to give his phone number. He called the next speaker.

30

31

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

33

34 "Mayor and Town Council, good evening. So, in the January 14th meeting and the  
35 February 25th meeting, you decided to vote for a resolution on Eminent Domain on 44  
36 properties. I understand, so two of those are my properties. These are properties that are our  
37 primary residences, and, you know, people don't expect the town to come in heavy-handed  
38 and say, "Hey, we're going to use our power and we're going to take your property." So,  
39 I've had a few discussions, and I think the problem is there's no policy. How many times is a  
40 Town required to reach out to me before you vote in a closed session? Well, you debated in a  
41 closed session and voted on the resolution afterward to take my property. The letters that I  
42 have from the Town do not say, "Elizabeth, you need to respond by X date, or we as a Town

1 are going to take action." I deserve more consideration than this behind-the-scenes closed-  
2 door conversation. I'm here every meeting, and nobody had the conversation that said,  
3 Elizabeth, we need you to make a decision by X date. Then the law requires you to offer fair  
4 market value. Fair market value, what does that mean? The two appraisals on my two  
5 properties I received in August and in January used sales from properties in 2020. The fair  
6 market value of my property today is not what it was in 2020, but for some reason, your staff is  
7 allowed to take an appraisal using 2020 data. So, why would I work with the town? Why would  
8 I agree to work on an easement when you're not offering me fair market value? I put this out  
9 there to you when you look at your consent item number one from tonight, when you took  
10 the Lund property, you offered them \$669,000, but the lawsuit just wrapped up and you guys  
11 ended up having to pay an additional \$610,000. You offered them 52% of what the legal  
12 outcome came out at \$1.28 million. You have a problem somewhere in your process to take  
13 action against 44 properties in two months. Something is broken. So, I ask that you take the  
14 time to try to figure out why you have to take action on so many properties. If you're working  
15 with the community, you shouldn't have to take action on 44 properties. Thank you."

16  
17

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

19

20 Next speaker was **Beth Bushman Bland** of 3724 Friendship Road:

21

22 "I'm going to piggyback onto Elizabeth. I didn't know what she was going to talk  
23 about tonight, but basically, I'm in the same boat. I'm one of the 44 properties, we are, Tom  
24 and I are also, and I happen to agree with her. I don't see any reason to trust working with the  
25 Town. We were told they weren't going to take our buffer; they're taking our buffer. There  
26 were other options that weren't looked at. So, I now have representation, and we submitted it  
27 through our attorneys on the 28th of January, a public records request concerning Veridia  
28 and the big Branch Force main. Our records request was a very reasonable request, didn't  
29 require a whole lot of different documents, and the ask was to have the documents in hand  
30 by the 18th of February, which was three weeks after the request was made. I think that was  
31 pretty reasonable. The response from the Town was sent to the attorneys on the 7th of  
32 February, a little over a week later, stating that due to the large volume of records requested,  
33 the Town's response would be delayed, but no timeline was given as to how long that's going  
34 to take. Nothing. There was also a push in there, what I would consider a push, that said, Oh,  
35 we're going to get charged for paper copies, which were not requested, and if needed, a  
36 special service charge could be imposed. It's now 6 weeks later, no records. Our attorney did  
37 respond back two weeks ago, asking again and going over what was sent to us on the 7th of  
38 February. You know, I've seen Allen at Panera at 9:00 at night. I know how hard he works, and I  
39 know how much he has to do, but I don't think this was out of the ordinary. I think you guys  
40 are snowballing it, you're pushing it, and you have no intention of getting these requests in  
41 any kind of timely manner. That's it."

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**Mayor Gilbert** thanked Ms. Bland and called the next speaker.

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

“Good evening, Town Council and Mayor. I don't know if you picked up all the patterns tonight, it's care and competence, but my discussion tonight was on growth. I'll just chime in with that real quick. So, this is a blackberry plant. I'm going to put it in the garden, I'm going to nurture it, I'm going to give it water, I'm going to give it sunlight, and it's going to thrive. That's organic growth, natural. Government management of Apex leverages external forces to get their growth at a furious pace. Can't have it both ways. You can't have a small-town charm and be the city of the future. That's why the people here feel so disorganized with this lack of vision. Housing growth is going to overwhelm the schools and the roadways. Talk a lot about roads, but there's no other options but to shuttle kids far away to schools. No other means of travel, and, you know, they have to leave their friends and the stability there, and we're going to plague our roadways with more accidents and serious safety concerns. This is what's advertised to the outside world, outside of here, and I just think it's an ambiguous narrative that brands everything in a wholesome manner and packages it up, when you're not really telling the entire truth or you're hiding it. Just heard about Eminent Domain, why is that in secret? Why is there even Eminent Domain on private development? I mean, this is not for the public good. These are questions said, okay, why is it so difficult to get a simple request for a traffic impact study? Okay, just three developments on Old US Road are going to add 17,000 new vehicle trips a day to that road, the three that are getting built now. Why is that too much to ask? And then a community waits over 417 days for a public records request. Why is that so hard? Care and competence and the truth will be the sunlight. Thank you.”

**[NEW BUSINESS]**

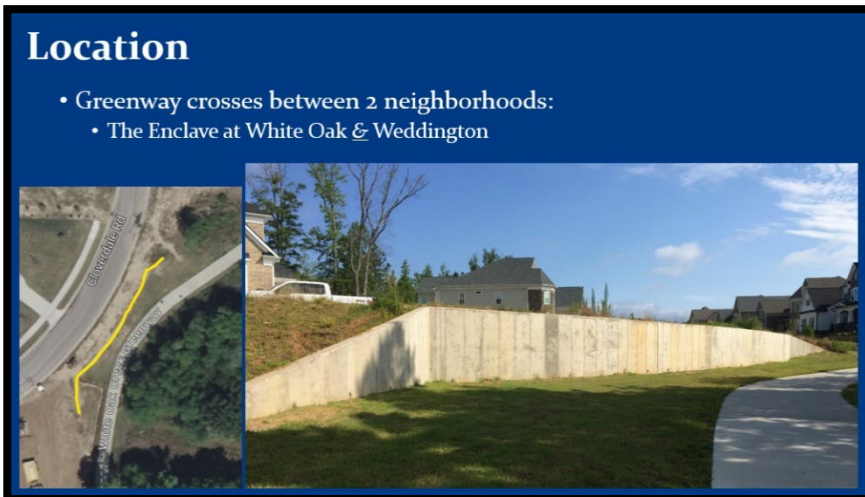
**NB1 White Oak Creek Greenway Mural Design Endorsement**

**Taylor Wray**, Cultural Arts Center Manager, Parks, Recreation, and Cultural Resources Dept. gave the following presentation:

1 **[SLIDE 1]**



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3 **[SLIDE 2]**



4  
5 **[SLIDE 3]**



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1 [SLIDE 4]



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3 [SLIDE 5]



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5 **Ms. Wray** thanked everyone for their time.

6 **Mayor Gilbert** asked if there was anyone at the meeting from the Public Art  
7 Committee.

8 **Ms. Wray** said that Chair Tom Cowell was in attendance.

9 **Mayor Gilbert** asked if there were any questions.

10 **Mayor Pro Tempore Gray** said that someone had asked him why the Town was  
11 spending money on murals. He said that one way to combat graffiti and vandalism is with art  
12 because artists respect other artists' work. He said this was a reflective piece of art that is a  
13 small investment to ensure beauty stays in Apex.

14 A **motion** was made by **Councilmember Killingsworth**, seconded by  
15 **Councilmember Zegerman** to approve the White Oak Creek Greenway Mural Design  
16 Endorsement.

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

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1 **[CLOSED SESSION]**

2 A **motion** was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore**  
3 **Gray** to enter into closed session pursuant to NCGS §143-318.11(a)(3).

4

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

6

7 Council entered closed session at **6:55 p.m.**

8

9 **CS1 Laurie Hohe, Town Attorney**

10 **NCGS §143-318.11(a)(3):**

11 "To consult with an attorney employed or retained by the public body in order to preserve  
12 the attorney client privilege between the attorney and the public body."

13 Council returned to open session at **7:09 p.m.**

14

15 **[ADJOURNMENT]**

16 **Mayor Gilbert** adjourned the meeting at **7:10 p.m.**

17

18 Jacques K. Gilbert  
19 Mayor

20 Allen Coleman, CMC, NCCCC  
21 Town Clerk to the Apex Town Council

22

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

24

25