

**TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, MARCH 24, 2026
6:00 PM**

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, March 24th, 2026 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=PqInsxGLSp4>

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (presiding)

Mayor Pro Tempore Terry Mahaffey

Councilmember Arno Zegerman

Councilmember Sue Mu

Councilmember Shane Reese

Absent: Councilmember Ed Gray

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, INVOCATION, AND PLEDGE OF ALLEGIANCE]

Mayor Gilbert called the meeting to order at 6:00 p.m. and welcomed all in attendance and those via livestream. He then read the diversity statement and invited members from different faith communities to deliver the invocation, and welcomed a private moment of silence. He then asked Town Manager Vosburg to lead in the Pledge of Allegiance.

[ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY]

Mayor Gilbert asked for any announcements from Council.

- **Mayor Pro-Tempore Mahaffey:** Reported on Environmental Advisory Board updates: formation of three subcommittees (data center, tree, and bee initiatives) to support environmental goals and designations. He announced plans to introduce a resolution in honor of Earth Day to direct Apex to become a paperless city when possible. He gave an update on ongoing discussions with CSX regarding train impacts, including efforts to improve and mitigate resident concerns, communications have happened with stakeholders and will continue.
- **Councilmember Zegerman:** Shared outcomes from a Multimodal Transportation Advisory Board Work Session focused on setting strategic priorities for 2026-2027, including potentially expanding scope to all transportation modes. He gave an update on continued coordination with CSX to address noise and nuisance issues from idling trains, including exploring mitigation strategies and long-term relocation options.
- **Councilmember Mu:** Expressed appreciation to the Apex Youth Council and town staff for organizing a successful career event.
- **Councilmember Reese:** Praised the Apex Youth Council Career Fair for strong attendance and engagement. He gave an update on participating in Habitat for Humanity of Wake County's 1,000th home build event along with about 24 Wake County leaders. He commended town staff and downtown businesses for a successful Shamrock Showdown event and encouraged continued community support.
- **Mayor Gilbert:** Celebrated a new business coming into town just past Common Grounds called Popover Café which has Turkish tea and great desserts. He said there was a ribbon cutting today and thanked the Apex Chamber of Commerce for hosting. He introduced the new Apex Chamber of Commerce Executive Director, Darla Bryant. He also addressed the ongoing community concerns regarding the decision made at the February retreat to discontinue grass clippings collection and recommended gathering public input before fully implementing the change and shared this request with council members and the town manager.

[ADOPTION OF THE MEETING AGENDA]

Mayor Gilbert said that town staff had requested the removal of RA1 - Peak City Land Trust appointment of organizing Board of Directors - and deferring to April 14th, 2026 meeting, and asked if there were any other recommended changes

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Zegerman** to approve the agenda with the deferral of RA1 - Peak City Land Trust - Appointment of Organizing Board of Directors to the April 14th, 2026 meeting.

VOTE: UNANIMOUS (4-0), with Councilmember Gray absent

[CONSENT AGENDA]

A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by **Councilmember Zegerman**, to approve the Consent Agenda as presented.

VOTE: UNANIMOUS (4-0), with Councilmember Gray absent

CN1 Agreement Ratification - Motorola Solutions Inc. - Subscriber Services and Portable Radios for Multiple Town of Apex Departments through June 30, 2026 REF: CONT-2026-035)

Council voted to ratify an oral agreement with Motorola Solutions, Inc to provide subscriber services and portable Radios for the following Town of Apex Departments: Police, Emergency Communications Center, Streets, Solid Waste, Parks, Electric, and Water Resources, and authorize the Town Manager or their designee to sign a contract for the continuation of said services through June 30, 2026.

CN2 Annexation No. 819 - 1209 Twin Creek Road - 2 acres (REF: RES-2026-023, RES-2026-024, and OTHER-2026-045)

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 14, 2026, on the Question of Annexation - Apex Town Council's intent to annex 2.00 acres, located at 1209 Twin Creek Road, Annexation No. 819, into the Town Corporate limits.

CN3 Council Meeting Minutes - Various

Council voted to approve Meeting Minutes from the following meetings:
February 24, 2026 - Regular Town Council Meeting Minutes
March 10, 2026 - Regular Town Council Meeting Minutes

CN4 Resolution - Abandonment of Existing Utility Easements - 2200 Creekside Landing - 6,507.27 SQF or 0.014 acres of Waterline Easement (REF: RES-2026-025)

Council voted to approve a resolution titled "Resolution to Abandon Existing Public Utility Easements" which will abandon existing waterline easement interest at 2200 Creekside Landing of 6,507.27 square feet or approximately .014 acres as shown the attached exhibit A.

CN5 Resolution - Recommending the Appointment and Removal of Review Officers for the Town of Apex (REF: RES-2026-026)

Council voted to approve a "Resolution Recommending the Appointment and Removal of Review Officers for the Town of Apex" pursuant to N.C.G.S § 47-30.2.

CN6 Resolution Amendment (RES-2025-058) - Delegation of Authority Amendment for the Parks, Recreation, and Cultural Resources Director to Negotiate, Award, Approve, and Execute Contracts and Other Instructions (REF: RES-2026-027)

Council voted to approve a resolution amending Resolution 2025-058 to correct a drafting error and restore the original intent of prior resolutions, allowing the Parks, Recreation, and

Cultural Resources (PRCR) Director to approve certain multi-year service contracts without limitation to a single fiscal year.

CN7 Special Events Policy Amendments - Town Events (REF: PLCY-2026-006)

Council voted to approve the amendments to the Town-Organized Special Events Policy to authorize the Town Manager full authority and discretion to determine which Town events may include alcohol service and which Town events shall remain alcohol free and remove the previously included tiered event structure reference.

[TOWN MANAGER'S REPORT]

Town Manager Vosburg provided the following updates:

- **Special Events & Closures**
 - **Ultimate Dog Egg Hunt** - Currently going on in the Apex Nature Park at 6:00 pm and 6:45 pm
 - **Extreme Flashlight Egg Hunt** - tonight in the Apex Nature Park at 8:15 pm for kids 10 to 13 years old
 - **Apex Bunny Trail Egg Hunt** - Scheduled for March 28 at Seagroves Farm Park, 9:00 am - 11:15 am; registration required for participation.
 - **Peak City Pigfest** Two-day community festival for April 10th, 5 pm - 10 pm and April 11th, 11:00 am - 9 pm at Town Hall campus
 - **Town Hall closure on Good Friday (April 3)**
- **Electric Meter Replacement:** Reported approximately 12,000 meters replaced, with the project on track for completion by fall.
- **Peak Plan 2055:** Announced upcoming public forum # 2 of "How Should We Grow from Here"; Wednesday, March 25th, 4 pm to 7 pm at Town Hall to gather community input on future growth.
- **Employee Wellness Recognition:** The town has been selected by Cigna Healthcare as a recipient as a 2025 Gold Level Healthy Workforce designation. He thanked the Wellness Committee and Courtney Jones, Benefit and Wellness Manager, for an excellent job with this.
- **Yard Waste Program:** Announced rollout of larger 95-gallon (from 65-gallon) recycling carts beginning March 30, working with GFL with phased neighborhood distribution and communication will be coming to the neighborhoods as they are being rolled out. Also, he Provided update on direction given from Council at the February 26th Council Retreat of the planned phased discontinuation of grass clipping collection, including April 14th presentation, public input opportunities, and potential ordinance adoption in May.

- **Utility Billing Issues:** Addressed incorrect due dates published in the online portal (corrected to April 13th) and longer 37-day billing cycle causing higher bills, fixes and communication underway. He gave an overview of an incorrect due date that occurred in cycle 2 in the portal and the auto draft will be April 13th. He said the second item relates to the service period and it is correct on the paper bills that were published which is 37 days in the billing period which is a bit higher than they would like but anticipated that in the next cycle it will be a shorter time period and that should average the two billing cycle and there are some steps being put in place to correct some data processing delays that caused the 37-day billing cycle period.

[TOWN CLERK'S REPORT]

Town Clerk Coleman gave the following updates:

- **Public Records Request Software:** Provided update on implementation of a centralized public records system; demos are scheduled with a recommendation expected by May 30. The system is anticipated to include a public-facing portal and searchable records database.
- **Legislative Update:** Noted changes at the state level following the concession of Senate leadership, with President Pro Tem Phil Berger has conceded which may impact the legislative landscape; staff are monitoring developments with support from lobbyist.
- **Advisory Board Vacancies:** Announced current vacancies on multiple advisory boards (Multimodal Transportation, Culture & Arts, and Planning Board) and encouraged resident applications.

Mayor Gilbert acknowledged Officer Corney with Apex PD for being at the meeting tonight.


[PUBLIC ART QUARTERLY MOMENT]

PA1 Culture and Arts Moment - 1st Quarter Calendar Year 2026

Taylor Wray, Cultural Arts Center Manager, Parks, Recreation, and Cultural Res. Department introduced Tom Colwell, the Chair of Apex Culture and Arts Advisory Board and herself. She thanked the Council for their support. She said that since this was the first quarterly public meeting she highlighted the Public Art Guide growth and energy of the Public Art Program.

Mr. Colwell gave the following presentation:

[SLIDE 1]



Quarterly Public Art Moment


Apex Culture & Arts Advisory Board
March 2026

[SLIDE 2]



- Increase visibility of public art
- Highlight local artists
- Encourage cultural exploration
- Provide a community resource

[SLIDE 3]



- 30+ artworks across Downtown, Central, and Outer Apex
- Includes sculptures and murals
- Reflects Apex history, identity, and environment

[SLIDE 4]

- Bring it on walks and park visits
- Use for education and school programs
- Share with residents and visitors
- Promote cultural engagement



Mr. Crowell thanked Council for having the opportunity to speak.

Mayor Gilbert asked if there were any comments and thanked all for their contributions.

[PUBLIC FORUM] (NOTE: To view Public Forum and Public Hearing Sign In Sheets, see OTHER-2026-046)

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

First to speak was **Rosemary Sanozky-Dawes** of 5128 Beckwyck Drive:

"Good evening. Rosemary Sanozky Dawes, proud activist residing at 5128 Beckwick Drive, Fuquay-Varina. This is a tale of two greens. Those of us who have lived here enjoy the beautiful land and natural resources. We love our green. From campaign slogans and logos, we thought you loved our green, too, but you seem to be singing a different tune after taking office. Apex has been winning the Wake County sprint to cut down most trees. So, I think what you really love is this green. At a recent Economic Development Work Session, you revealed contempt for the people you are supposed to serve, labeling us negative resident activists. I will not name names at this time, but you know and we know who you are. Therefore, I challenge you to correct in writing misinformation we have shared at public forums. This is important because you came close to calling us liars. And after thousands of staff hours spent researching hyperscale data centers, can you report just one true benefit this brings to our community? Also, thanks for clarifying to us dumb bunnies how all this change and explosive growth is good because you would provide the infrastructure, sewers, etc., but can you manufacture more water? Also, great to know it is not your policies that are objectionable. It is the messaging that needs improvement. Yes, that is it. For someone Directing Economic development to lament the lack of more land to ravage and then expressing concerns our negative activism will harm Apex's reputation is unbelievable. If you continue with this

metastasis-like overdevelopment and throw in a hyperscale data center, your constituency will suffer significant health problems, rolling brownouts along with exorbitant energy bills, water shortage rationing, and devaluation of personal property. That will flush Apex's reputation down the toilet. You will be responsible and held accountable. We have just been sounding the alarm. I have lived in Wake County for almost 45 years. I am sad and infuriated to see municipalities become almost like pimps for developers. That is right, I said it. Oops. Was that negative? Despite your initiatives to plant a tree, hire urban foresters, and clean a creek, you are still destroying too much of our green. So, I urge all residents to follow this green, the money. That is all for today. Happy Easter. Happy Passover."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Dr. Michell Hoffner-O'Connor** of 2664 Jordan Pointe Boulevard:

"So, when I spoke back in October, I spoke about criteria air pollutants coming from data centers and how they are harmful to our health and our community. I actually ran into Brett shortly after the meeting who wanted to let me know that the current regulations for fine particulate matter were subject to change. He works for the EPA, so of course he is aware of this. That lawsuit to vacate the strict fine particulate matter limits was filed in November. Meanwhile, the federal government has declined to enforce other regulations the EPA is meant to be regulating to ensure our clean air. They have more or less vacated the 100-hour rule for generators by asking data centers to run them during the cold weather this past winter, which basically makes non-emergencies suddenly emergencies, and we know that states are starting to roll back their water standards in order to accommodate the sludge that data centers are flushing out of their cooling towers. So, with all of that in mind, how do we write a UDO when the regulations that define some of the things we really need to be able to rely on are moving targets? It seems very challenging to rely on or to be able to create standards that keep my community, everyone else's communities and homes safe. When we can't ensure that what we write today is going to be true a year from now, we could say a tier 4 generator is fine, but if that tier 4 generator is no longer subject to a restriction on the amount of hours it is allowed to run, it is no longer fine, the emissions will exceed the standards that we have set within this country. And by the way, just to remind everyone, there is no such thing as a safe fine particulate matter level for human health, so regulatory standards do not necessarily match health standards. So what I am here asking today, since I cannot attend EAB meetings because it conflicts with a standing meeting I have, is that as our Planning Department and our Environmental Advisory Board consider different aspects of data centers over the next year, one of the things they really need to integrate are the state and federal existing policies, what is subject to change, what is already changing, and how those changes are going to affect the decision-making process. This isn't just about creating a UDO, this is about risk management, this is what we have been dealing with this entire time, what we have been talking about this entire time. So, I think it only makes sense to integrate that into these presentations as they move forward, and I hope that will be taken into

consideration. I hope everyone here will enjoy the local Vicious Fishes since it just reopened today and that you will support them as well. Thank you.”

Mayor Gilbert thanked the speaker and invited the next speaker.

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

“Good evening. I want to reference the Lego movie because it helps frame what residents are experiencing. So, in the film, the world appears to run perfectly. As the Lego people are told what to do by instruction manuals, the villain in the film is President Business who communicates everything is working as it should, reinforced by the song Everything is Awesome. Here is the connection in our community residents are hearing that everything is fine. The growth is managed, infrastructure is keeping up, and even utility billing is fine two years later. But the facts tell a different story. Everything is awesome. Here is the key distinction, records are facts, messaging is communication, records, traffic studies, level of service reports on roadways, budgets, consent agendas, public emails, documents, phone logs, etc., show what is actually happening, messaging, what is said by the Town of Apex at meetings, on social media, and in public statements, is how those facts are presented. Those two things must align. Fact one, under North Carolina law, each of you took an oath to act in the best interest of the public. Fact two, public records are not being provided as promptly as possible under NCGS Chapter 132. How can we see the facts? How can the public verify completeness of the record responses too? This creates a direct conflict between what is communicated and what is verified. Fact three, the Welch Homestead PUD scheduled for hearing tonight in rural Wake County represents a major trip to high density development, your own traffic analysis shows it is going to add almost 3,000 vehicles a day onto Old US 1, a single lane NCDOT road with no shoulder, and it is going to operate at a service level of F, which is a failed roadway, and we see that all along Apex and it is coming out to a New Hill Township near you. This is not protecting the people so, the question is simple. Is everything working? Is everything awesome? Thank you. And are you doing your job? Thank you.”

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **George Hogan** of 2140 Vittorio Lane:

“Members of Council. George Hogan, 2140 Victoria Lane. I was here last month as well and as I said last month I voted for each and every one of you, sometimes two times as we discussed last meeting, Apex is a top 10 town. Great neighborhoods, greenways, strong schools, small town vibes. That is the story the town tells itself and I believe in it, which is exactly why I am standing here tonight. Because while we are celebrating what Apex is known for, this Council approved a contract for a network of surveillance cameras, two times actually, 2023 and again in 2025, a two-year deal, \$72,000. The system is called Flock Safety. Most residents have no idea that it exists, and I think they need to know exactly what it is and

deserve to know what it does. So, I want to read some quotes from the Chief of Police from the January 29th Working Session. When asked where the cameras are placed, he said, "I don't disclose locations." On whether they stay put, "Well, they can be fairly easily moved." On what the system does, he said, "What the system does on a very simplistic level is it takes a picture of the back of a vehicle and then stores it." Except on Flock's own FAQ, it says a camera takes 6 to 12 images per vehicle per pass. Last night I was taking my kids to gymnastics, a six-minute drive. On that drive, Apex Police and Flock photographed my car 50 times, 50 times. Those images now run through a database. The feed is searchable, AI-assisted. When asked what happens if another agency requests it, the chief said, "Well, there's not a lot of teeth to it." And how long they keep it, he said, "I would love for it to be 90 days instead of 30." 30 days is already the current retention policy, he wants more, those are his words, not mine and this Council approved it. No independent evidence, no enforceable limits, just a signature. No independent data, no source numbers, just anecdotes and appeals to legality for a surveillance system, that is not enough. This is the police auditing the police. For a searchable AI surveillance database, that is not oversight. That is theater and consider this. Flock's own CEO called citizen privacy advocacy groups terroristic organizations. So, the people asking the questions in his mind are the terrorists, but the people photographing your car 50 times while you are bringing your kids to gymnastics, those are supposed to be the good guys. And then there was this, before anyone even pressed him on it, the chief was already citing the Fourth Amendment unprompted. That is not how someone talks when they are confident that the public feels good about what they are hearing. That is how someone talks when they know the plain English version sounds worse than the legal version. The standard for Apex cannot be "Is this technically legal?" The standard has to be "Is this wise? Is this necessary? Is this who we are?" The contract comes up for renewal in January 2027, 10 months from now. Demand independent evidence, build enforceable limits, and hold an open hearing on the renewal. If the evidence does not materialize, do not renew it. Thank you."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker **Elizabeth Stitt** of 3113 Friendship:

Mayor and Town Council, good evening. So, at the last Town Council meeting, I listened to about 45 minutes of conversation about where residents wanted to have some say in the UDO, and I kept hearing, "Trust the process. Trust the process. Trust the process." I have been showing up for four years because I see the process gives us bad outcomes. So let me just go back in history a little bit for you. So, if the process had worked, then the Sweetwater community would not have had to come here for over a year requesting that the speed limit on Richardson Road get dropped from 45 to 35 because 45 going through their neighborhood was not safe. It took Brandon Jones with North Carolina DOT to come out and acknowledge that yes, it would not be a problem to reduce the speed limit to 35 when they took over the road. I saw months and months of Sweetwater residents coming to Town

Council because they wanted a second gate on the dog park so that dogs would not slip out of the gate and be hit by a car because that happened in their community. I look at Friendship Road and Old US 1, I was told we would never get turn lanes, we would never get a stoplight. I actually went and pulled back the email. So, I stood at the end of my driveway, did a Fix Friendship Road petition, I gathered with the mayor who got me with DOT, I submitted my petition to DOT and lo and behold we ended up with a traffic study, and where you only have to qualify for one warrant to get a stoplight, we got three warrants. We qualified three times, but yet social media was saying, a post from a council member put out that we cannot do anything in the ETJ. That is not true. Not true at all. So pulling all the information together from Pleasant Park where the town was obligated to do turn lanes at the intersection as a part of the zoning, combining what was being required from the Summit, gathering the road improvements that Holly Springs and the money that they owed that our town had no clue about because there were no conversations, working with DOT doing the traffic petition, we now have turn lanes that actually have lines as we speak today and even without the stoplight, it is amazing how much those turn lanes have already helped. So no, we cannot trust the process when we see over and over and over how the process fails and hurts our daily lives. The traffic is horrendous in Apex. It does not have to be this way. So, fix the process and then maybe we will trust the process. Thank you."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker **Terry Ganley** of 2549 Woodland Grant Drive, New Hill:

"Good evening, everyone. Tonight, I would like to continue the conversation surrounding data, but not the infrastructure, but the information being used to guide our decision-making. As a resident of Jordan Manors, we have initiated many traffic calming studies, including one for Horton Ridge Drive in New Hill and historically, the outcome to each of these studies has been the same. There is not enough data to justify preventative measures like traffic lights, crosswalks, so we remain reactive instead of proactive. Meanwhile, Horton Ridge Drive has expanded significantly. It now stretches from Humie Olive Road through multiple developments, too many of which I can name in the short amount of time I am given. Horton Ridge Drive now includes a new extension connecting perpendicularly to Horton Road. Traffic volume has increased and so have the risks. But we are waiting for data, so what does that really mean? Is it going to take a child being struck crossing New Hill Chapel Road on a bike or e-scooter because it appears that the greenway is on the other side? But it is starting to sound like this is what might actually happen and it is not just volume, it is behavior. Every single day, construction vehicles speed down Horton Ridge Drive at excessive rates. I walk my grandson daily. I can tell you many have no visible identification, logos of any sort to report to the Police Department. Some appear to lack license plates, thus probably insurance, and they are often carrying unsecured ladders and equipment that pose serious dangers to us, the drivers on that road. This is not a hypothetical concern; it is happening right now. As this roadway continues to function more like a speedway than a

neighborhood street, I want to personally go on record because if we wait for the data that is being asked for, it will come and it will come at a cost. I urge you each to take a ride down Horton Ridge Drive, especially around 5:00 on a weekday, and see what the residents are experiencing firsthand. We should not have to wait for an incident to prove what is already very clear, and I appreciate your time and your interest. Thank you.”

Mayor Gilbert thanked the speaker and asked her to state her address for the record.

Ms. Ganley said that she did not feel comfortable giving her address with this meeting being this is a televised meeting, but she said that she lived in Jordan Manners and lived in New Hill.

Mayor Gilbert closed Public Forum with no one else signed up to speak and thanked everyone that came out to speak.

[PROCLAMATIONS/SPECIAL PRESENTATIONS]

PR1 Proclamation - Autism Acceptance Month - April 2026 (REF: PRO-2026-014)

Mayor Gilbert, along with the rest of the Town Council, read the Proclamation for Autism Acceptance Month 2026. He invited Emily Saunders, Recreation Program Specialist, Allie Prelaske, Senior Center Manager, McCall Byrnes, Program Support Specialist, Nick Feller, Ben McClellan, Ryan Clute, Yana Soni, Nick Salcedo, Chandler Meshwork, Riley Darden, William Matthews and Jacob McGrew to accept the proclamation and take pictures.

PR2 Proclamation - National Volunteer Appreciation Month - April 2026 (REF: PRO-2026-015)

Mayor Gilbert, along with the rest of the Town Council, read the Proclamation for National Volunteer Appreciation Month 2026. He invited Ellison Lambert, Volunteer Coordinator, Meghan Rushing, Recreation Program Supervisor for Senior Programs, Terry Edwards, Mary Blatchford, Debra Robert, Erik Wiedenman, Don Hassinger, Mark Blatchford and Laraine Behnke to receive the proclamation and take pictures.

[PUBLIC HEARINGS]


PH1 Annexation No. 805 - Welch Homestead (Associated Rezoning 25CZ10)

Bruce Venable, Planner III, Planning Department said the first annexation is for three parcels located in the southwest region of the Town of Apex’s Planning jurisdiction near New Hill and this annexation is to receive town services and also as part of a rezoning. He gave the following presentation:

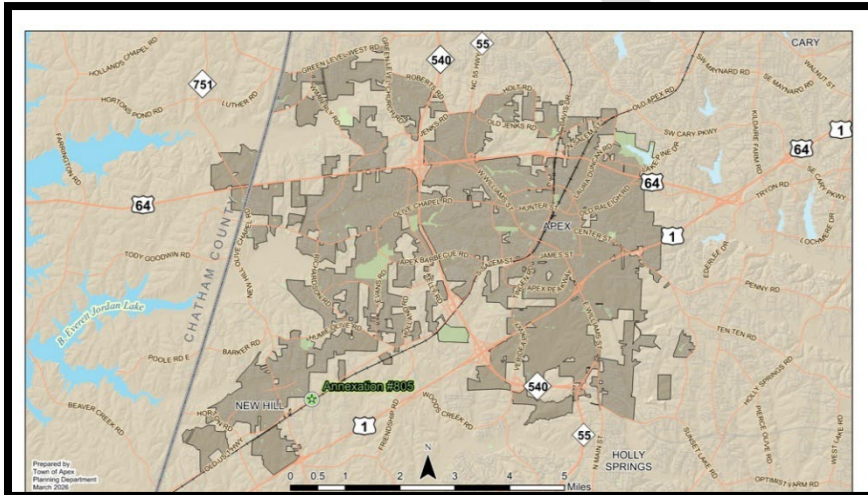
[SLIDE 1]

Public Hearing #1

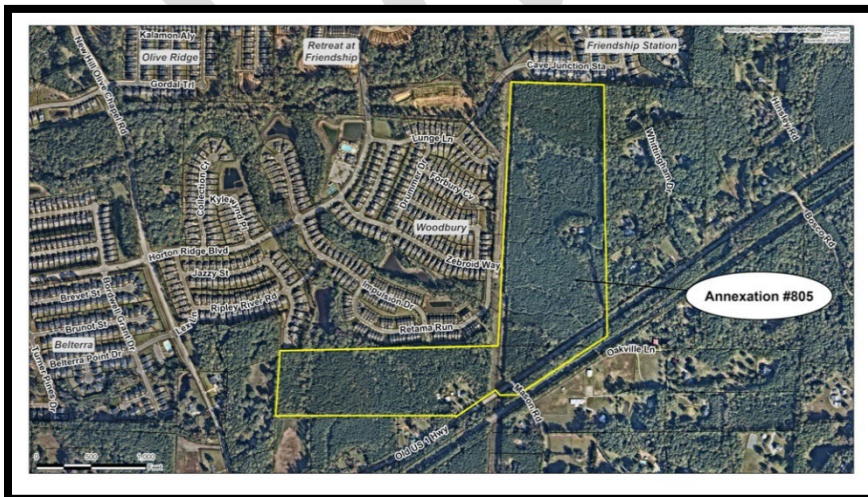
Annexation No. 805
Welch Homestead
(Associated with Rezoning #25CZ10)



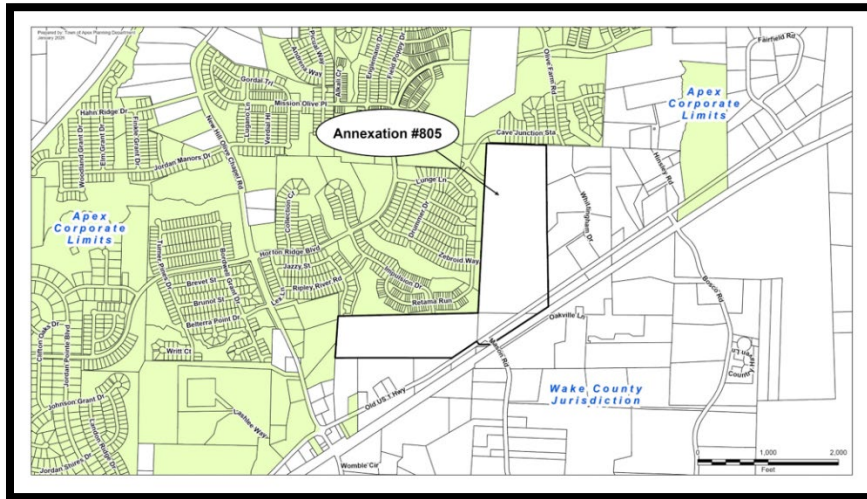
[SLIDE 2]



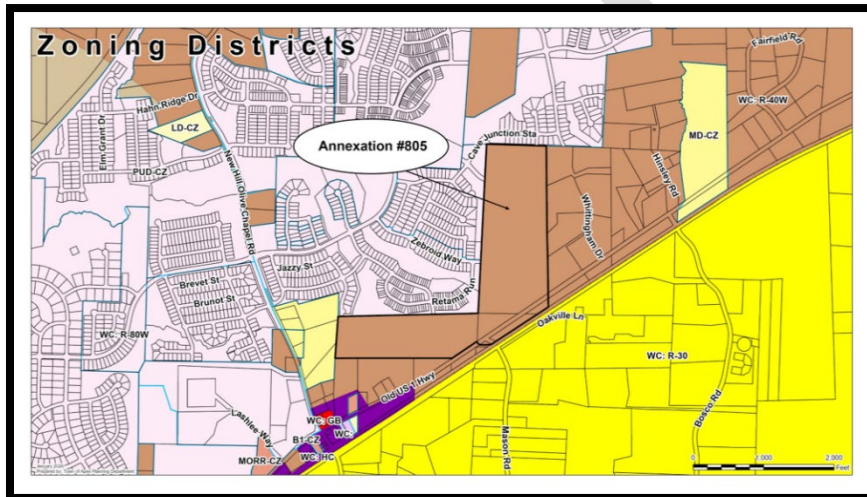
[SLIDE 3]



[SLIDE 4]



[SLIDE 5]



AND


PH2 Rezoning Case No. 25CZ10 - Welch Homestead PUD

Bruce Venable, Planner III, Planning Department continued with the presentation:

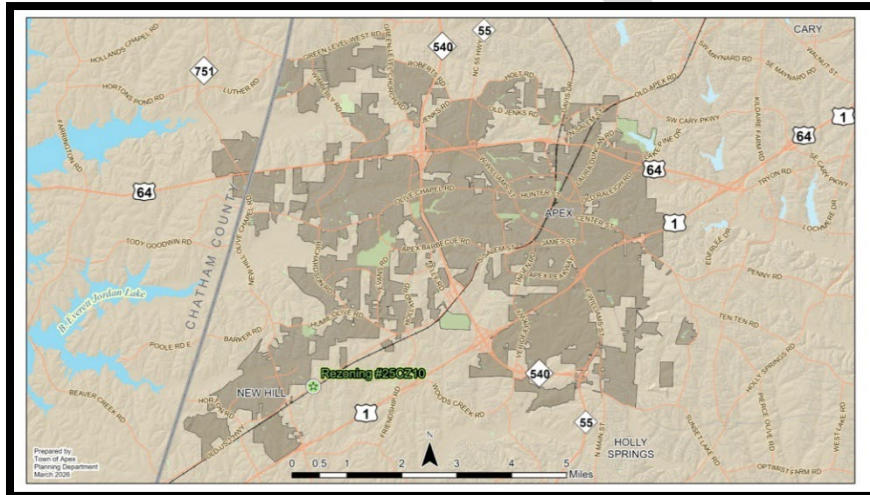
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Public Hearing #2

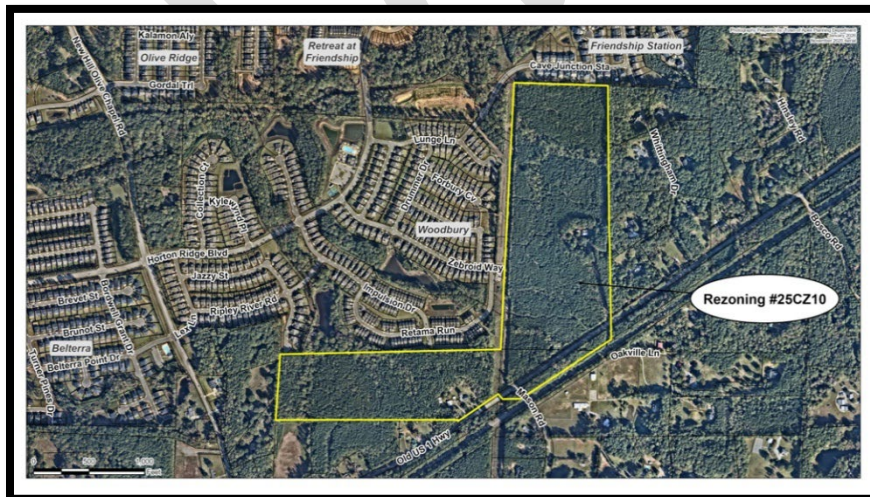
Rezoning Case No. 25CZ10
Welch Homestead PUD



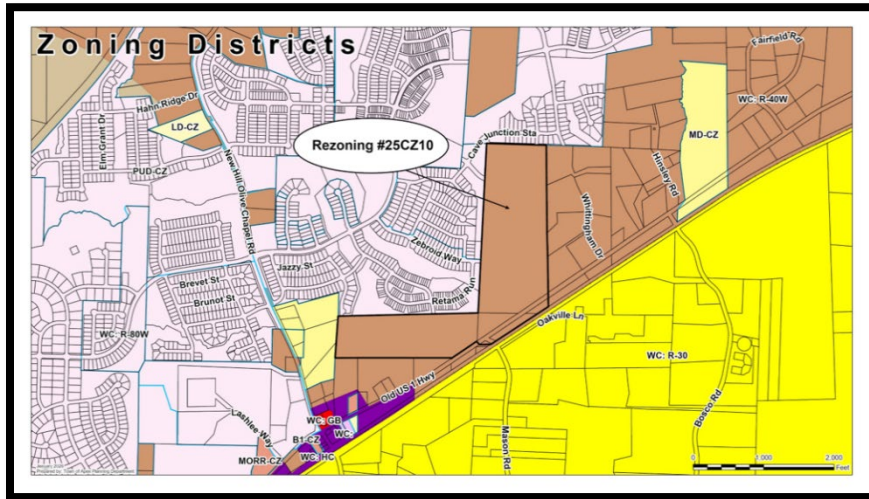
[SLIDE 8]



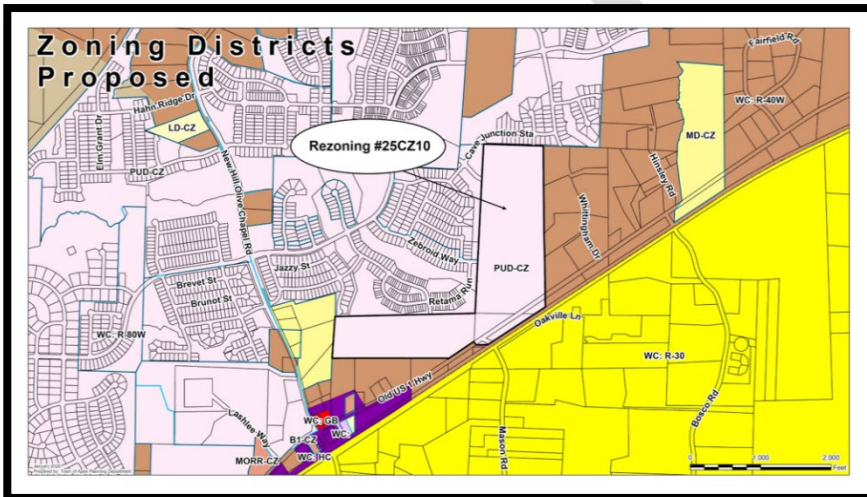
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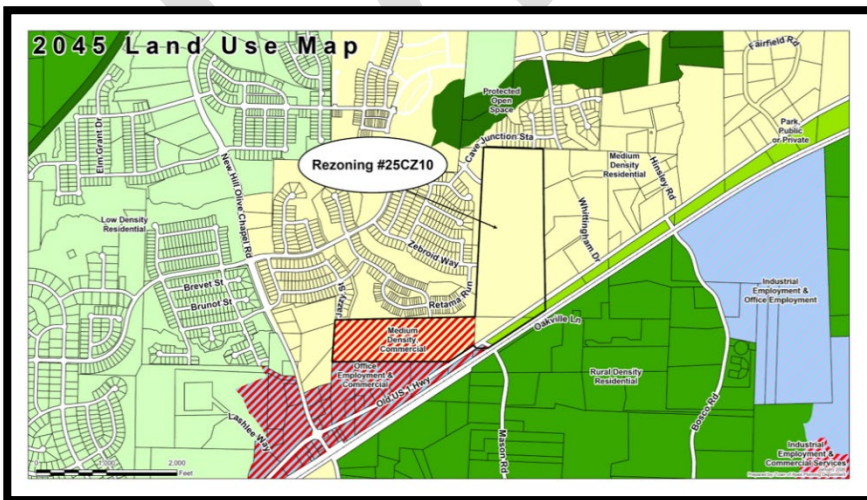
[SLIDE 10]



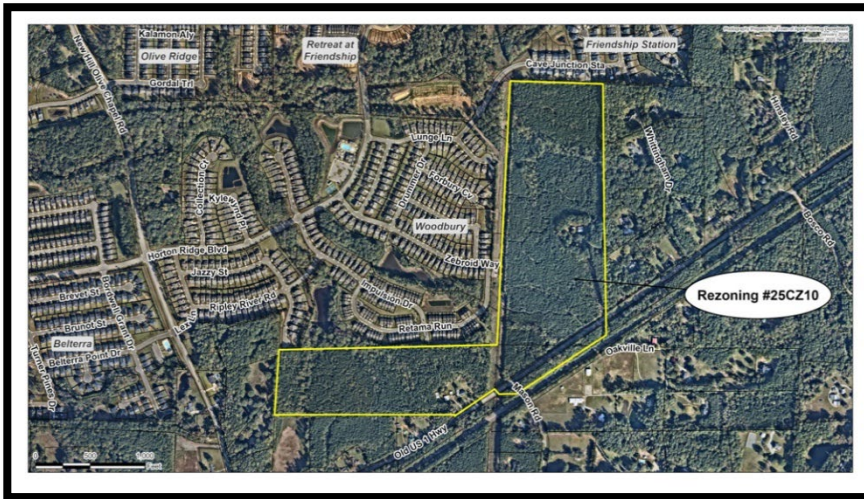
[SLIDE 11]



[SLIDE 12]



[SLIDE 13]



[SLIDE 14]

Planning Board

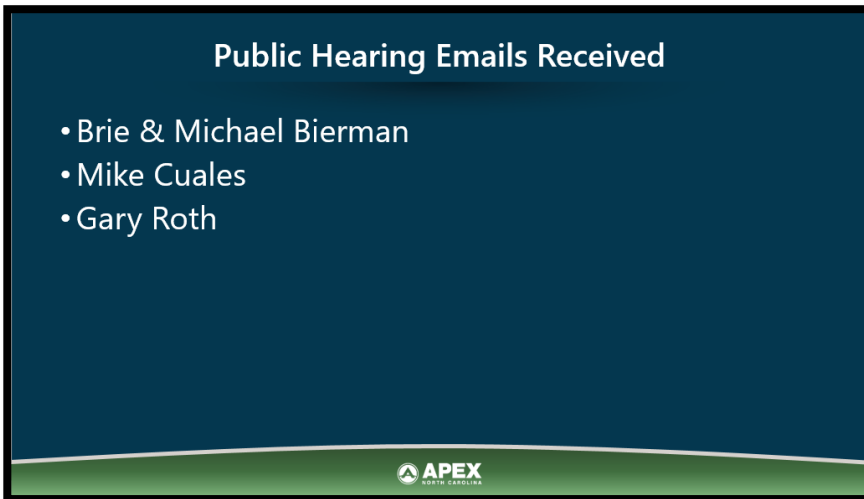
At the March 9th Planning Board meeting, the Board voted unanimously to recommend approval with the added condition that the developer would allow the Town with the assistance of Capital Area Preservation (CAP) to review and approve the selection of the relocation professional to be used at the time of the relocation of the historic corn crib on the site.

CAP has provided the following language to address this:

"The corn crib shall be evaluated for relocation by a licensed house mover or other qualified third-party professional experienced in the relocation of historic structures (the "Relocation Professional"). The Relocation Professional shall be approved by the Town prior to engagement. If the Relocation Professional determines relocation of the corn crib is infeasible due to structural or other documented concerns, then this condition shall be deemed satisfied. If the Relocation Professional determines relocation is feasible, the corn crib shall be relocated to an off-site property approved by the Town prior to Master Subdivision Final Plat approval. Prior to relocation, the receiving property shall be approved by the Town and shall be subject to a recorded historic preservation easement and rehabilitation agreement held by Capital Area Preservation or another qualified preservation easement holder to ensure the long-term preservation and maintenance of the structure. The developer shall be responsible for all costs associated with the relocation, including evaluation, permitting, transportation, stabilization, and reassembly."



[SLIDE 15]



Public Hearing Emails Received

- Brie & Michael Bierman
- Mike Cuales
- Gary Roth

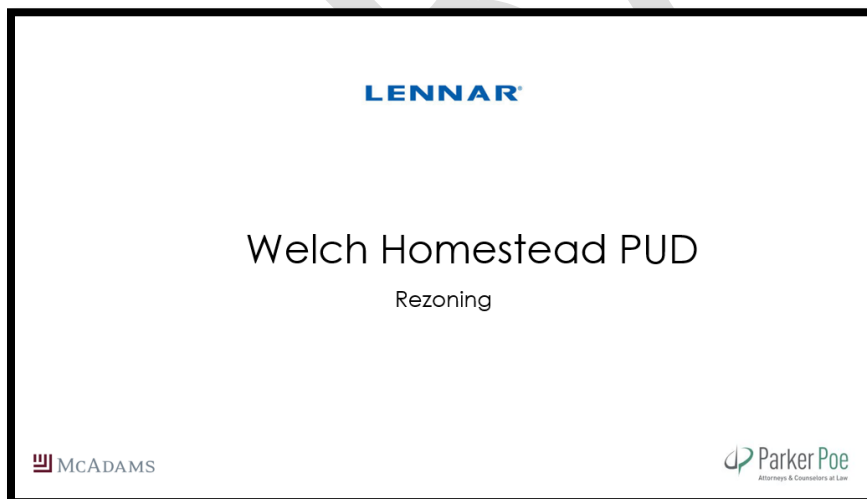
APEX NORTH CAROLINA

Mr. Venable said he was available for questions and the applicant would have a presentation as well.

Mayor Gilbert thanked Mr. Venable for the presentation and asked if there were any questions for staff. He then invited the applicant to speak.

Matthew Carpenter with Parker Poe, 301 Fayetteville Street in Raleigh on behalf of Lennar introduced Tucker Innis and Tyler Wilson with Lennar, David Bergmark, Land Planner with McAdams and Nate Bowin, Transportation Engineer with McAdams. He gave the following presentation:

[SLIDE 1]



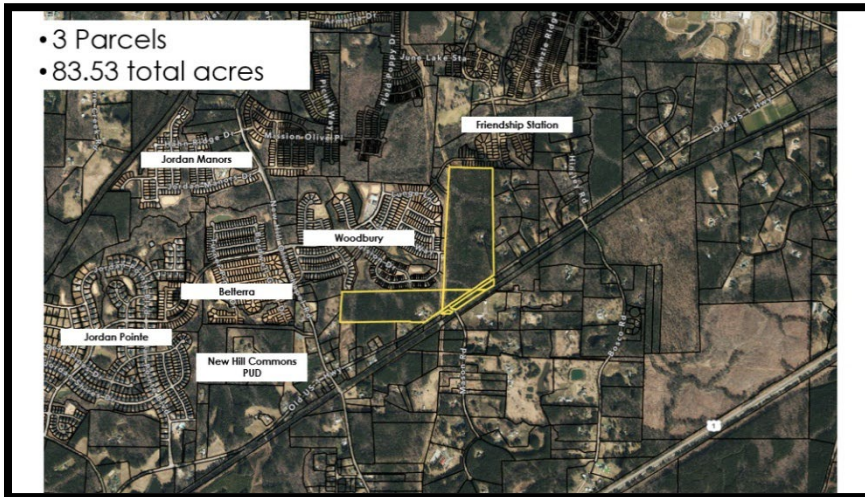
LENNAR

Welch Homestead PUD
Rezoning

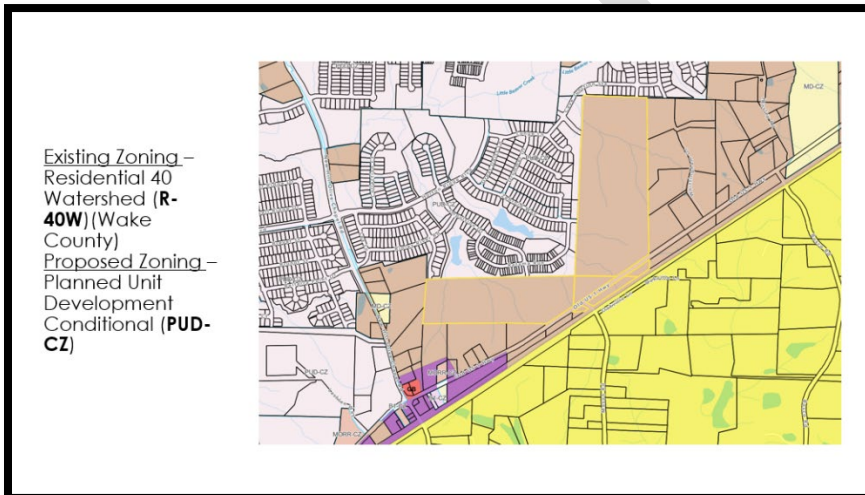
MCADAMS

Parker Poe
Attorneys & Counselors at Law

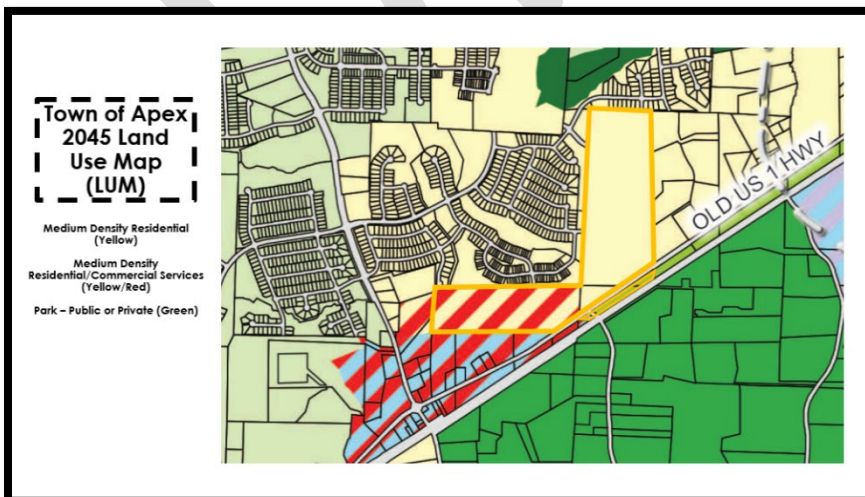
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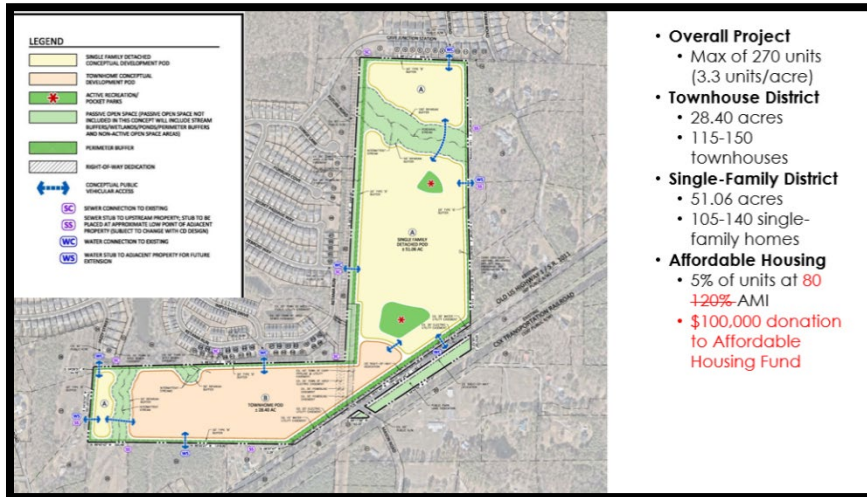
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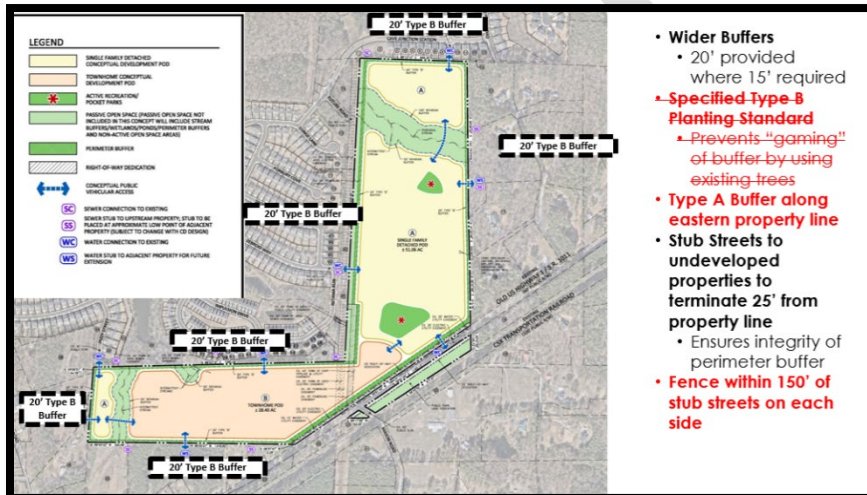


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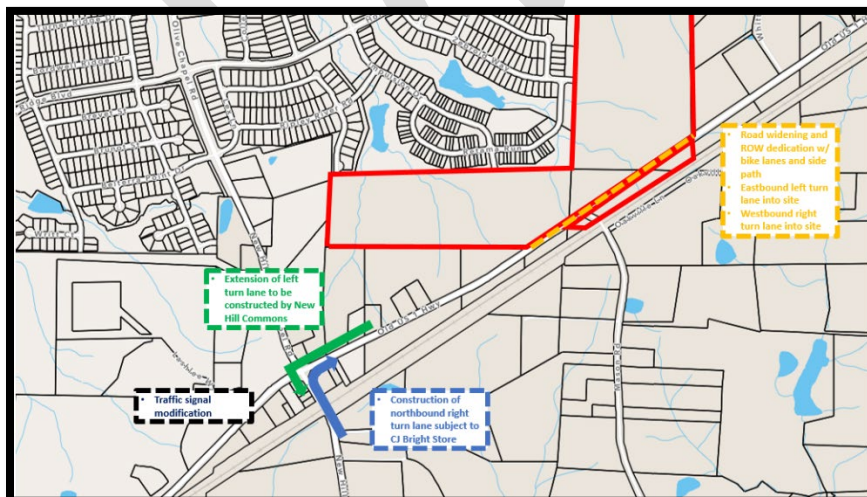
- **Overall Project**
 - Max of 270 units (3.3 units/acre)
- **Townhouse District**
 - 28.40 acres
 - 115-150 townhouses
- **Single-Family District**
 - 51.06 acres
 - 105-140 single-family homes
- **Affordable Housing**
 - 5% of units at 80 +20% AMI
 - \$100,000 donation to Affordable Housing Fund

[SLIDE 6]

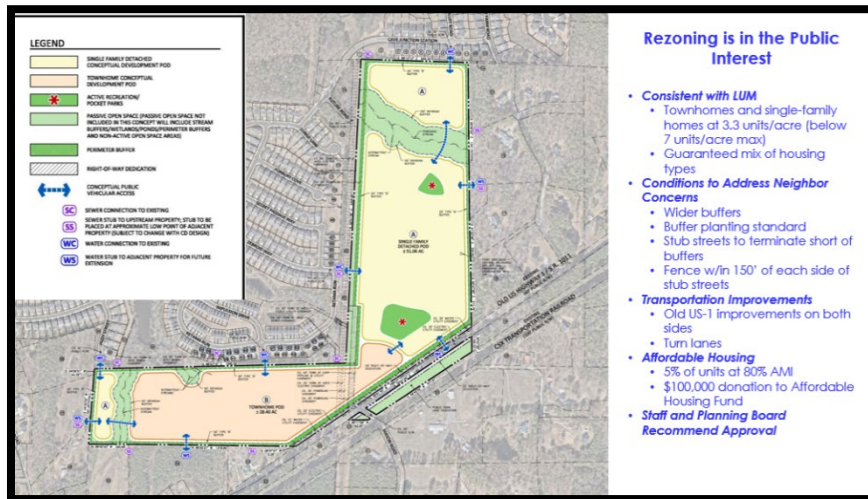


- **Wider Buffers**
 - 20' provided where 15' required
- **Specified Type B Planting Standard**
 - Prevents "gaming" of buffer by using existing trees
- **Type A Buffer along eastern property line**
- **Stub Streets to undeveloped properties to terminate 25' from property line**
 - Ensures integrity of perimeter buffer
- **Fence within 150' of stub streets on each side**

[SLIDE 7]



[SLIDE 8]



Mayor Gilbert thanked Mr. Carpenter for the presentation. He asked how tall the retaining would be and would it cover both properties.

Mr. Carpenter said that it wouldn't be in the Riparian buffer and is typically between 3' and 10' and probably and this would probably be between 6' or 7'.

Councilmember Zegerman said that there were certain things that were exciting like separated bike paths and standard 220-volt garage outlets but was concerned about the affordable housing proposal with 5% at 80% AMI was insufficient for a development this size. He also had concerns about the lack of recommendations from the Environmental Advisory Board that weren't accepted, other than the pet stations and some SCM signage, but everything was declined or reduced. He said lastly the lack of commercial space to develop services that have shopping locally. He said that he did not support these items.

Mayor Gilbert said that this was still the question part for Mr. Carpenter and asked if there were any questions.

Councilmember Reese asked what the 30% plus 5% could be explained.

Mr. Carpenter explained that 30% of the gross site acreage is RCA and then there is a 5% additional for masquerading for the single-family area.

Councilmember Reese said it isn't a minimum of 35%.

Mr. Carpenter said it is minimum of 30% and then 5% extra for masquerading the single family.

Councilmember Reese thanked Mr. Carpenter and asked if this could lead to 35%.

Mr. Carpenter said that it will be under that because it would be 5% of the area shown in yellow on the map.

Mayor Pro-Tempore Mahaffey asked about the condition to upgrade the buffer type concerning the upgrade of buffer type and if it would require the clearing of the mature trees that wouldn't otherwise be cleared.

Mr. Carpenter said that those trees wouldn't be affected. He said the property years ago was timbered and there are young trees there now, and there is a gap between mature trees on neighboring properties, so after reviewing the type A buffer made more sense.

Mayor Gilbert asked Director Newman from CDNC to speak.

Marla Newman, Community Development and Neighborhood Connections Director said as it relates to Affordable Housing, that there may be some misinterpretation of the 120% AMI, which is the maximum for meeting the condition. She said staff would get with Mr. Carpenter and DHIC to clarify this, that it was the maximum and not the required level.

Councilmember Zegerman said if it is a 120% maximum and the sales price is being set based on that, then someone with an 80% AMI would qualify but that price point is now out of reach, which is why the price point is still relevant.

Director Newman said there are different levels of down payment assistance available if you are 80% of AMI versus 120% and with NCHFA there is a program that you can get down payment assistance, and the maximum sales price on a home is \$495,000 and there are other programs. She said that there may be a misunderstanding about the maximum allowed AMI is versus just requiring that it's only 120% but there isn't nothing prevents 80%, it is how much down payment assistance and what the maximum sales price may be for a person who is at 80% AMI based on the HUD regulations versus NCHFA allowing \$495,000 and still provide some down payment assistance.

Mayor Pro-Tempore Mahaffey asked about the proposed contributions to the affordable housing fund and if it had been heard about before tonight and what Director Newman's opinion on the sufficiency of this versus additional 5% of units.

Director Newman said this was recently discussed and are not in support of this because a house can't be built for \$300,000 or \$350,000, although it is nice to have a contribution to the fund, we have to look at the actual outcome of that contribution and at that level there isn't a lot that can make up for the loss of the number of units that may be eligible otherwise.

Mayor Gilbert opened Public Hearing and invited the first speaker.

First to speak was **Mike and Marlene Quales** of 3300 and 3308 Whittingham Drive (**NOTE:** To view the handout for this speaker, see **OTHER-2026-047**):

"Good evening. My name is Mike Quales. I reside at 3300 Whittingham Drive in New Hill. I am also representing my mother, Marlene Quales, who lives at 3308 Whittingham Drive in New Hill. Our properties are located on the eastern boundary of the proposed Welch Homestead development. I would like to thank Mayor Gilbert and members of the Council for taking the time to review our documentation, learn about our property firsthand, and better understand the conditions along this boundary, as well as some of the challenges we continue to face from previous development. We truly appreciate that. We have continued to engage in conversation with the applicant and Parker Poe, who were helpful in providing some recent updates to the plan, as they have mentioned, our understanding is that the proposal now includes a type A buffer and potentially a retaining wall along portions of the eastern boundary. I think these are meaningful and appreciated improvements, but without seeing the full plan, we remain very concerned about the integrity and security of our

adjacent property. The Welch PUD, as mentioned, was previously designated as forest land, and it was logged and clearcut almost 10 years ago, leaving only new growth pines, as is stated, along that immediate boundary. So, there is no mature vegetation or understory present. At approximately 3.3 homes per acre, the Welch development represents a significant increase in density compared to our five-and 10-acre rural properties. I think on a map it is not quite correctly designated. It's in yellow, which is medium density, we are clearly in a rural, large acreage property neighborhood. Due to this transition and lack of existing vegetation, we are asking for an increased functional buffer consistent with the Environmental Advisory Board goal number 12. The introduction of a retaining wall may also present safety concerns. An abrupt drop off along an unmarked boundary could create a hazard, especially given the extensive walking trails that we have created through our property over the past 20 years. We believe a fence is still the most practical solution to establish a clear and enforceable boundary and may be required to ensure our safety, particularly in areas with grade changes and retaining walls. We remain flexible in the style and design of said proposed fence as long as it serves as a functional boundary and is maintained by the developer. This also is applicable to the 3308-property line, which will have some protection from the existing riparian buffer but will still require at least minimal fencing in the exposed areas. We have already experienced what happens when a boundary is left undefined. With the development to our north, the lack of a physical boundary resulted in years of trespassing, a commercial dumping incident more recently, and littering on our property, which is ongoing to this day. While we are still generally supportive of this development, we remain highly concerned about the potential impact to our home given the documented history where the design and enforcement ultimately failed. Thank you, sir."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Mike and Brie Bierman** of 3316 Whittingham Drive:

"Good evening. Mayor, you started the night asking us to talk about what we're grateful for and for me, it's our property, my husband's home with our three boys tonight. We moved in Labor Day, actually we closed last August, so we missed the developer's first meeting about this project, we did attend in January. Unfortunately, we didn't get the notice about the first public hearing, so I watched online and was in contact with the Planning group. I think when new people come in after the project was initially submitted, we didn't get the hearing notice. I did put together some documentation, a script with some pictures of our property so that you could see some of our concerns, and I want to walk through a couple of those points. We are at 3316 Whittingham, if I may move, we are on the eastern boundary, the southernmost part of the eastern boundary, we own the acre and a half south of Old US1 as well as the four and a half acres north. One of the first things I would like to mention is to reiterate what has already been said tonight about the corn crib. We get the pleasure of looking at this corn crib through our kitchen door and windows. We have woods around our property, but that particular section is very thin with understory growth. So, we get to look at

that. I would like to advocate from a historical perspective for the protection of that corn crib. We have been in the area 20 years, we value the history of New Hill and Apex and to the point that has already been made, we would love to see it protected even if it means moving it to another spot if that is the best option. As far as our personal property, we have a really unique asset, which is a large grass field that's probably three-tenths to about half an acre. To most people, they see it and think it's a cool recreational field. We are blessed to call it ours. We play sports on it, do activities with our kids, play with our dog, have parties, all the things. This is an area that's part of our property that we would like to protect for privacy. We are concerned about a neighborhood going in, especially one that is much denser than our own small rural community. We are concerned about trespassing, noise, and security because of the access to our property on this side and this field, it's just a field with roots and holes, and we don't want the liability of neighbors coming onto our property trying to play and getting hurt. The reason this area is so accessible is where our property line ends, we jut up to the existing driveway of that historical home that you guys heard about. It's approximately 20 feet wide, which is the buffer currently proposed, meaning the entire way up is 20 feet of cleared space. To summarize, we do advocate for larger lots being on our side, we are concerned about trespassing and would like a fence, at least where it covers our field it to try to keep people off our property. I also suggested an alternative, which is having the developer put in a berm to fill in the existing driveway to create a physical block."

Mayor Gilbert thanked the speaker and invited the next speaker.

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

"Good evening. So, the one thing that I was anticipating we would hear is a little bit about the traffic study. So, on the staff packet page 23 it's got the study on the New Hill Old US1 intersection and what was shocking to me was when you start reading through the traffic study, the first thing it says that this development is going to put 2300 daily trips onto the roadway, but yet, if you look at each of the intersections that were studied, the majority of them said no traffic improvements recommended. None. And when you look at this particular intersection, we all already know that is bad and clearly when you look at that particular table, everything is going to be an E, or an F, which is the bottom tier that you can get in the level of service and as I socialize this with my neighbors, we all kind of had to sit back and say, well, we're going to be F'd. We know we're going to be F'd. You know, how is this in the public interest? It's not in our community's interest to have this type of traffic on the road. There's surely ways that traffic improvements can be done to improve. There's got to be something but to just accept that across the board when you look through the entire traffic study, every recommendation, you know, you see the traffic level of service going down and it says no recommendation, no recommendation, no recommendation. This is why we don't trust the process, we have bad outcomes. Why should we say yes, bring another 2,300 cars to our community when we get nothing but negative, worsening conditions? How does it improve our quality of life? It doesn't. What it does do maybe gives you more tax base, but what we

know about the studies that Wake County has done on the taxes collected to the services provided, you lose money when you have high density. It costs more to provide services for every household than what they take in. This is not for our benefit. So, while you still may approve this, this is on you guys. You know, these are your decisions. You know, I heard all the past, oh, you know, it was a previous Council, previous Council. This is on you guys. You have the opportunity to fix the process. We don't have to be F'd in this process. Thank you."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Preston Ruth** of 3613 Mason Road:

"Good evening. I've been in New Hill for quite a while. None of this development was ever there when I showed up in 86'. So, the livelihood, the joy of living in New Hill is basically changed drastically. As far as the growth, it should not be any more growth until the choke point on New Hill Holleman Road, which is the overpass, two lanes, is on the horizon. Something's got to happen there. You cannot go through New Hill, continue over to US1 between 7:00 and 9:00. Traffic backs up all the way to Old US1 to the stoplight at certain times. It's a two-lane bridge. People going right and left and we also have Holly Springs New Hill Road feeding into that. It's an absurd situation. I do not go, I live on Mason Road. I do not go toward New Hill, the intersection of New Hill Holleman and Old US1 and go left to the bridge between 7 and 9:30 and 4 to 5:30 because it's just you have no idea what you're going to be dealing with as far as traffic. That is the most absurd choke point I've ever seen and I've been around Raleigh and watched North Hills, the whole area grow as a Raleigh native and we've always been behind on traffic just like this lady presented. That was just one thing I wanted to say about the choke point. The main thing is if we were passing this based on this being a park, I live on the property 10 acres adjacent just to the south side of the railroad track right here. That's my 10 acres, it's a horse farm. There's five other horse farms on Mason Road. This is what Mason Road used to be was and is large tracks of land, there's five horse properties. I'm concerned about coming off Mason Road and what am I going to be dealing with as far as that intersection? They're showing what they have planned here, but that doesn't tell me anything about a horse trailer coming into a four-lane Old US1. Will it be safe? Possibly, if somebody's responsible but you're talking about making that into a four-lane Old US1 and then you're talking about putting a bike path and they're trying to sell or advocate a viable park. I go past that park between the railroad tracks with this easement and widening Old US1 and then putting a bike trail. It doesn't look anything like that nice spit of land. You're talking about a very small piece of property to build a park on. So, what I'm here for is to find out information on the park and I've not seen anything to speak of. So, what kind of viable park could you possibly make on that that they're offering up and it just it just won't happen but I have we have lots of concerns in New Hill about the traffic and what's being developed and I'm all about growth, but our concerns need to be addressed. Thank you."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Jeremy Bradham** of PO Box 28072 Raleigh:

"Evening, Mayor, Council. Jeremy Bradom, the Preservation Program Manager, Capital Area Preservation. I just want to say that we've worked out the language and come to an agreement on the language that really addressed everything that was in our email yesterday has been addressed, from the Planning Director having oversight on the new house location for the corn crib and the preservation easement and the rehabilitation agreement. So, everything is good together from a preservation perspective, so that's the only narrow thing we're going to comment on, but we did come to an agreement on that and we appreciate working with them."

Mayor Gilbert thanked the speaker and invited the next speaker.

Next speaker was **Nancy Rose** of 2504 Collection Court:

"Good evening, Mayor, Council. My name is Nancy Rose. I live on Collection Court in New Hill. I'm also here representing the Borek family who live on the south side of this development where there's one home right on the edge right here. I'm going to speak to the gentlemen before me about traffic, who also have horses. They have horse trailers, construction equipment, I'm not sure where the four-lane road is going to end if it will continue on their property. I know development will be possibly they'll lose their front yard once that expands, it's not this housing development, but they're right on the edge of that. They're neighbors to this family who has sold this property. So that's their concern. I also have a concern which nobody really focused on. It's a little bit is a school district. They're maxed out. So where are these families going to go to school? I think this happens every time we have a development in New Hill. They build another school in Holly Springs. So, part of the high school in Apex moved to the new Holly Springs High School this year so then what happens for the high school in another couple years? Are they going to max out? And then where are they going to go? Are we going to keep building another high school somewhere else on property where there isn't much? The last issue I'll quickly say is the post office, which nobody's really mentioned. It's probably smaller than the garages that are going to be built in these new developments. If you've ever gone out there, they're sorting mail in the rain, in the snow outside. I'm not sure if anybody would like to work in those conditions, but we're adding 270 more homes, more mail, we're talking about sewage, water, we're talking about the roads, which are horrible because the trucks have just broken the edges of the roads because dump trucks carrying everything for these new developments coming around. We're being surrounded. I know the post office has another three-year lease. They may move into that new New Hill Commons area, but what happens until then? The parking there is horrible. The post office workers barely have enough parking for themselves and are you going to widen in front of the post office right before the light? And if that's the case and the working environment that they have to work in, I don't think any of us would want to be in the cold or

the 100-degree weather or the rain or the snow sorting mail. It's very small. So just considerations. Thank you for letting me speak."

Mayor Gilbert thanked the last speaker and closed Public Hearing and brought the item back for discussion and a possible motion.

Councilmember Zegerman said he had gotten a little ahead with his previous comment and acknowledged the concessions the applicant has made in the capital area preservation, the neighbors' concerns and concerns in the planning process. He said that there was concern with the lack of housing affordability as well as commercial space being sacrificed for townhome developments and for these reasons, he can't support this development at this time.

Mayor Pro-Tempore Mahaffey gave an overview of the purpose of a TIA and when it can and can't require things and why the TIA doesn't recommend a lot of improvements by the developer. He said the TIA analyzes the current conditions, future traffic conditions if the build occurs, and the future traffic conditions if it doesn't. He said the town has to judge it based on the difference between building or not building. He said it is a huge problem on old US1 and will be bad in the future which makes him uncomfortable and something to think about. He said he appreciates the historic structure concessions and conditions and from his point of view satisfying CAP is a requirement and he defers to them for that decision. He said that another concern is the EAB conditions where 5 of the 15 were agreed upon by the developer and the 5 agreed upon consisted of conditions regarding what would be planted, but the bigger stuff, including some things routinely included, like solar conduit, were not agreed to or not proposed by the applicant. He said that the EAB is set up to provide these environmental evaluations and make recommendations and it is upsetting that they don't see what happens with their recommendations and he is trying to correct this by having the applicant come back to the EAB to empower that board to achieve the mission that they were chartered to do. He said the park is a side path type of park and the post office is an issue which is a federal issue but there can't be any parking taken from the post office. He said affordable housing needs to be taken seriously and wants to back the staff in the recommendations made and they stand behind them and endorse the process and approve the policies. He is not in support of this currently.

Councilmember Mu said that she accepts what was said by her colleagues and liked the original 2045 zoning due to so many residential builds. She said there needs to be some commercial near the residential so the commercial property can share some of the tax burden with the residents.

Councilmember Reese said he wasn't in support of this proposal. He said that it was appreciated that the applicant and the neighbors were working together and understood from the applicant's point of view how difficult it is when it comes to affordable housing and making efforts in that regard respecting the RCA. He said that during his campaign it was talked about affordable housing where it makes sense and aggressive protection of tree canopy where possible, and issues like traffic and schools are right there at the front of the

conversation. He said for the park mentioned, he served on the steering committee for the land use map and transportation plan and the thought behind those were to at the very least preserve land where possible and this is unable to bring aggressive funds for affordable housing although he appreciated the sentiment. He said that it doesn't seem like this is the right project for this area as much as he appreciated the applicant making efforts.

Mayor Gilbert said that he was grateful to all the community members that came out and spoke and voiced their concerns and it sounds like his colleagues were aligned. He asked if Mr. Carpenter had anything he would like to say.

Mr. Carpenter said that if Council was amendable to it, they would like an additional month to try to address some of the concerns with the environmental conditions and to get on the same page with affordable housing staff.

Councilmember Reese said that the schools and traffic were still a concern but hoped something would come back with some resolution.

Mr. Carpenter said that they would address those concerns and that the only Wake County School letter was capped where future construction won't address is the middle school and they have done a great job in the last five years making projections for school capacity issues and finding new school sites and the issues are here regardless of this project. He said that a lot of the TIA issues are where a lot of the improvements to that intersection are commitments of other projects that are moving forward such as Gracewood and in New Hill Commons which are in previous traffic studies that have been commitments of previous zoning cases that are moving forward. He said the town have been planning for development in this area for years and phasing improvements with different projects. He said their TIA addresses their portion of the improvements, and it's difficult to address school capacity, as construction of the homes in this project wouldn't begin until 2029. He said that denying projects like this is not solving the school issue because it exists now, and they are happy to engage in the details and happy to answer any questions tonight or next month if this can be continued.


Mayor Pro-Tempore Mahaffey noted that the UDO allowed developers to request continuance as part of the process.

Councilmember Reese said he would like to see a much more aggressive RCA percentage.

Mayor Gilbert said that security is a factor as well and making sure that the people are taken care of along with the other points that were brought up.

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Zegerman** to continue Public Hearing 1 and Public Hearing 2 to the April 28th, 2026 Regular Town Council meeting.

VOTE: UNANIMOUS (4-0), with Councilmember Gray absent

Mayor Gilbert called for a recess at 

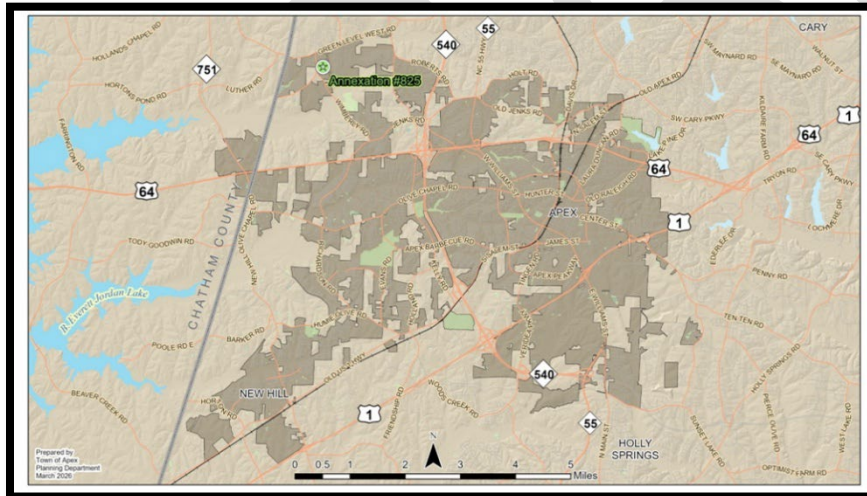
PH3 Annexation No. 825 - 631 Wimberly Road - 0.1010 and 0.1555 acres (REF: ORD-2026-032)

Dianne Khin, Director, Planning Department said this annexation is in the northwest portion of Apex's jurisdiction and is for public roadway construction. She gave the following presentation:

[SLIDE 1]



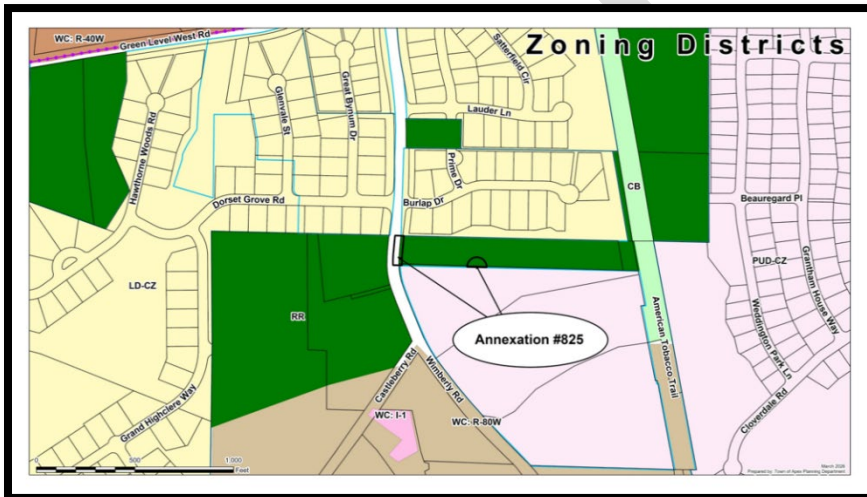
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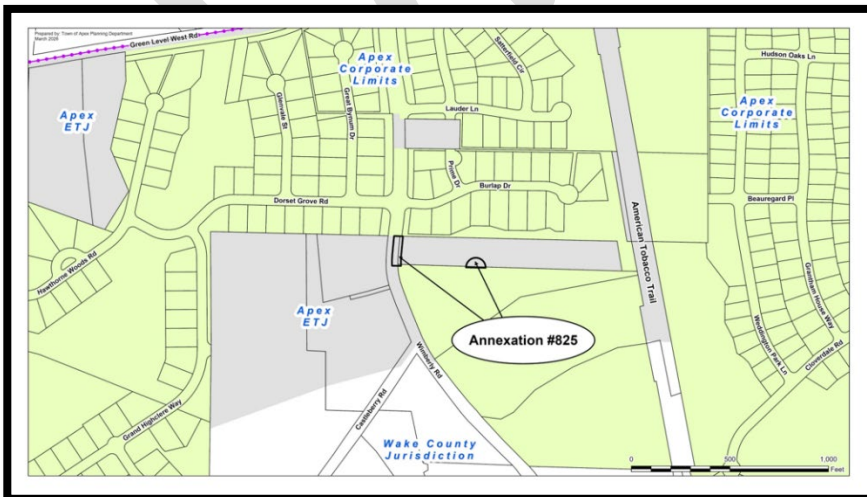
[SLIDE 3]



[SLIDE 4]



[SLIDE 5]



Mayor Gilbert asked if there were any questions for staff. He opened Public Hearing and with no one signed up to speak closed Public Hearing. He brought the item back to Council for discussion and a possible motion.

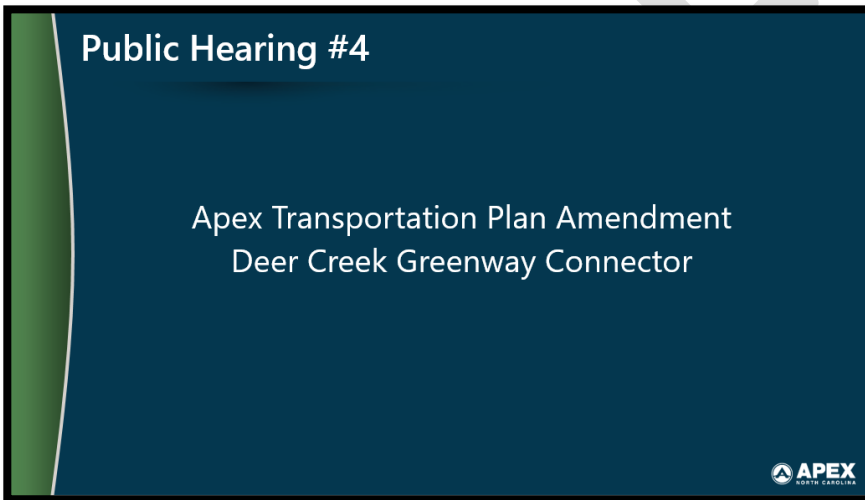
A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Mu** to approve Annexation No. 825 - 631 Wimberly Road.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

PH4 Apex Transportation Plan Amendment - Deer Creek Greenway Connector

Jenna Shouse, Senior Planner - Long Range, Planning Department said this was being brought forward as a Public Hearing to Council because this greenway would cross property outside of the Estates at Olive Chapel Road to connect to the Deer Creek Greenway. She gave the following presentation:

[SLIDE 1]



[SLIDE 2]



Mayor Gilbert asked if there were any questions for staff.

Mayor Pro-Tempore Mahaffey asked for staff to walk through the timeline because these are typically seen when they come through with the development.

Ms. Shouse said that this came through as a commitment as part of the Estate Hall of Chapel and then it was found out since it would cross property outside and this is why it's being brought forward as a public hearing.

Mayor Pro-Tempore Mahaffey said that this was approved in 2025. He asked if there were amendments or was there a condition added later or was it just missed at the amendment time.

Ms. Shouse said that it was thought it was realized after the fact that it needed to be an amendment.

Mayor Gilbert opened Public Hearing and with no one signed up to speak he closed Public Hearing. He brought the item back to Council for discussion and a possible motion.

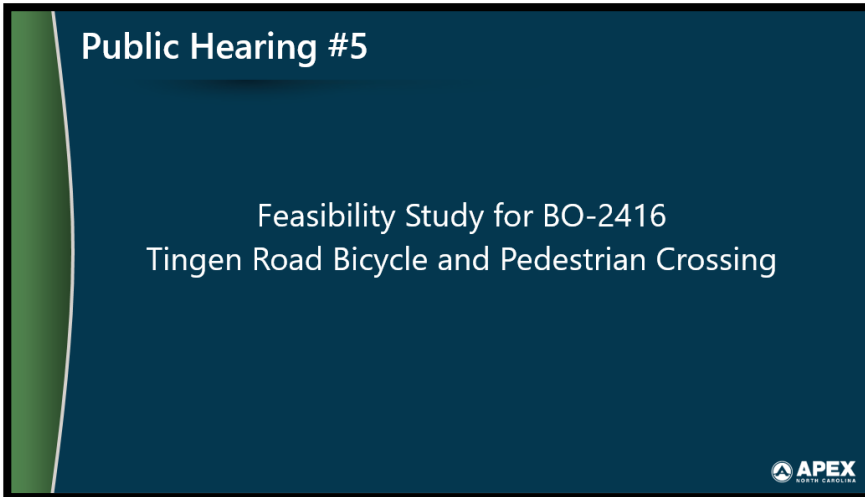
A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor Pro-Tempore Mahaffey** to approve Apex Transportation Plan Amendment - Deer Creek Greenway Connector.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

PH5 Feasibility Study for BO-2416 Tingen Road Bicycle and Pedestrian Crossing

Jenna Shouse, Senior Planner - Long Range, Planning Department and Russell Dalton, Traffic Engineering Manager, Trans. and Infra. Development Department will present the following:

[SLIDE 1]



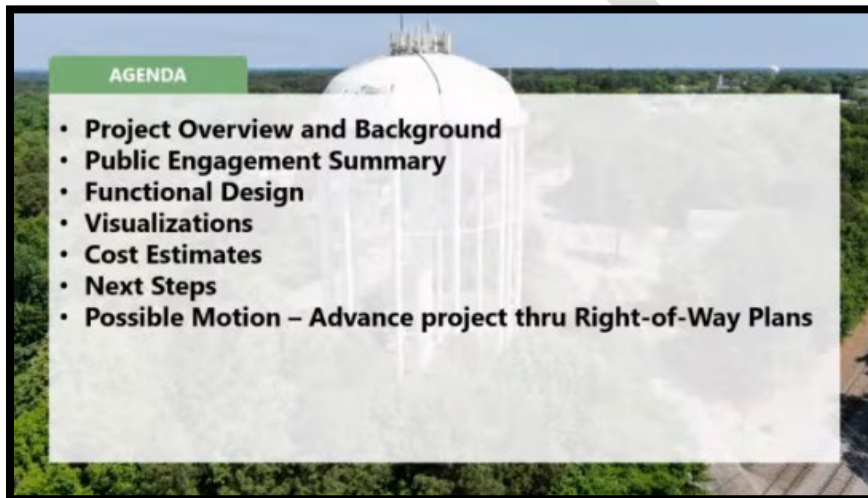
Public Hearing #5

Feasibility Study for BO-2416
Tingen Road Bicycle and Pedestrian Crossing

APEX
NORTH CAROLINA

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[SLIDE 2]



AGENDA

- Project Overview and Background
- Public Engagement Summary
- Functional Design
- Visualizations
- Cost Estimates
- Next Steps
- Possible Motion – Advance project thru Right-of-Way Plans

This slide has a background image of a water tower. A semi-transparent white box contains the agenda text. A green header bar at the top left of the box says 'AGENDA'.

[SLIDE 3]




Project Overview and Background

This slide features a background image of a residential street with a water tower in the distance. A green horizontal bar at the top contains the text 'Project Overview and Background'.

[SLIDE 4]

Project History

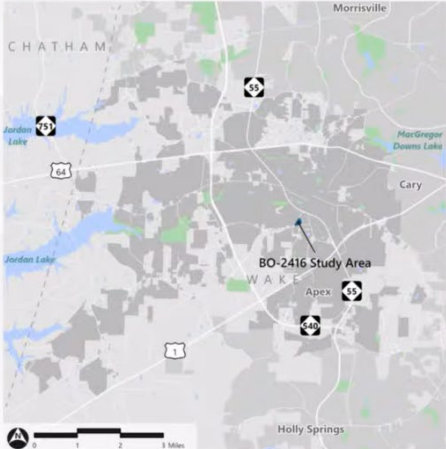
- The existing Tingen Road at-grade crossing of the railroad is required to be closed upon opening of the Apex Peakway Southwest Connector bridge.
- The proposed bike/pedestrian tunnel would replace the access lost by closing the vehicular crossing.
- State Transportation Improvement Project (STIP) BO-2416 is programmed for design funds.



[SLIDE 5]

Project History


- The existing Tingen Road at-grade crossing of the railroad is required to be closed upon opening of the Apex Peakway Southwest Connector bridge.
- The proposed bike/pedestrian tunnel would replace the access lost by closing the vehicular crossing.
- State Transportation Improvement Project (STIP) BO-2416 is programmed for design funds.



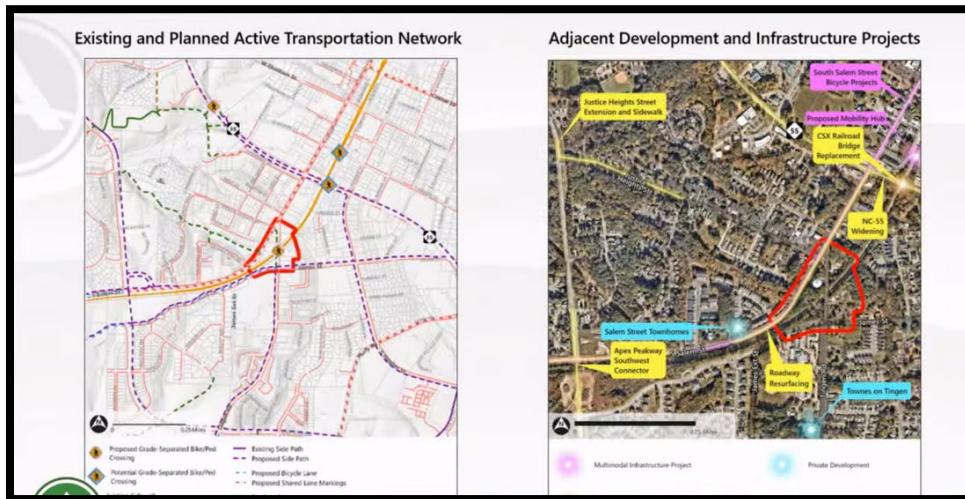
[SLIDE 6]

Feasibility Study Purpose

- Study the opportunity to maintain connectivity for cyclists and pedestrians across the CSX S-Line railroad tracks at/near the existing Tingen Road crossing
- Determine the relative need for this project and whether to move forward with further design



[SLIDE 7]



[SLIDE 8]



[SLIDE 9]

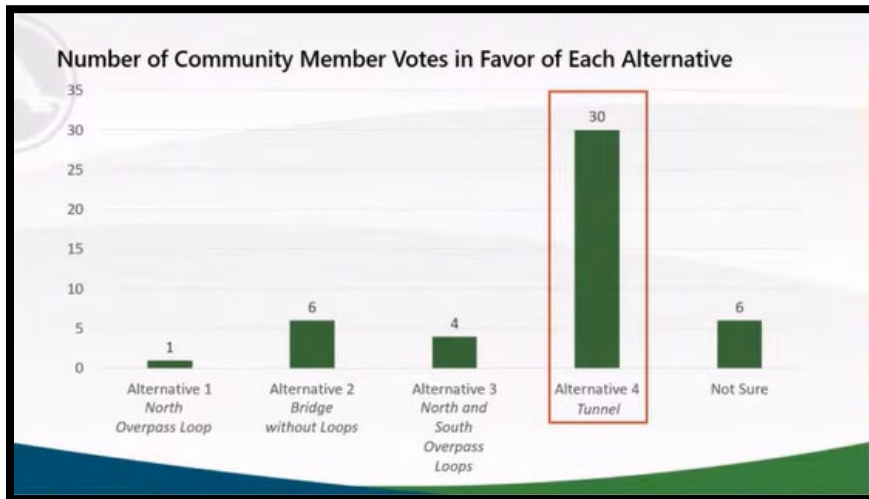
Public Engagement Opportunity #1 - Design Charrette

- May 22, 2025 Design Charrette
 - 4 Alternatives presented
 - 3 bridges & 1 tunnel
 - Stakeholder meeting
 - 17 attendees
 - Public meeting
 - 46 attendees
 - Online comment form
 - 17 respondents
- Overall impression of the project
 - 81% Positive
 - 6% Negative
 - 13% Neutral/No response



A photograph showing a group of people in a room, likely a design charrette. They are standing around a table, looking at documents or displays. The room has a wooden floor and white walls.

[SLIDE 10]



[SLIDE 11]


Selected Alternative – Tunnel (Alt. 4)

- August 2025 Public Hearings at Planning Board & Town Council
 - Alternative 4 – Tunnel selected for functional design as the preferred alternative
- Primary Reasons for Tunnel Selection
 - Most public support & least anticipated cost
 - Shortest connection distance, least change in grade, and shortest structure
 - Less potential impact to existing water lines/utilities
 - Generally considered less of a visual impact to surrounding community

[SLIDE 12]

Public Engagement Opportunity #2

- November 17, 2025 Open House Public Meeting
 - 26 attendees
 - 5 comment forms
- Online comment form available November 14 – 28, 2025
 - 12 respondents



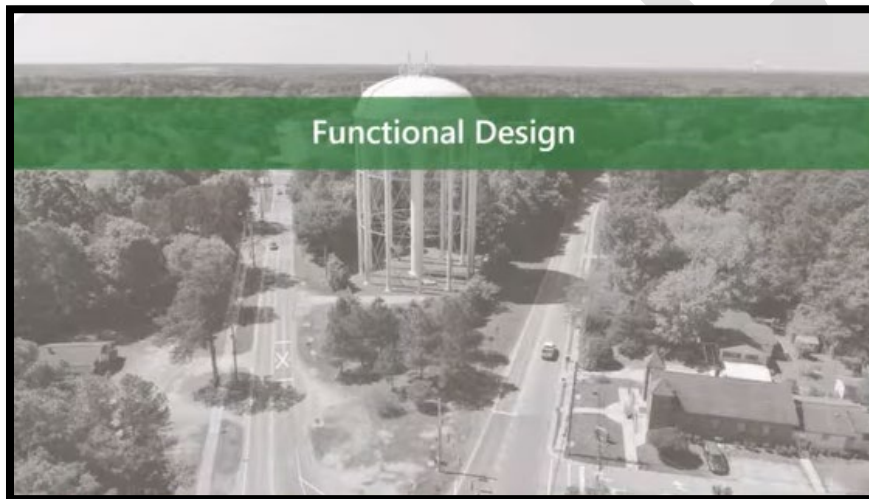
[SLIDE 13]

Public Comment Highlights

- Concerns regarding the value/need of the project versus the cost
- Comments regarding pedestrian safety and access
 - Request for enhanced lighting and art to improve safety and comfort for pedestrians and bicyclists (address in next design phase)
 - Pedestrian access during construction (address in next design phase)
- Design comments or suggestions:
 - Desire for more landscaping elements; tree protection (landscaping line item added to cost estimate)
 - Suggestion to improve the angle of entry on the bicycle ramp from S Salem St toward the tunnel (functional design revised with angled ramp)

Mr. Dalton gave this part of the presentation:

[SLIDE 14]



[SLIDE 15]



[SLIDE 16]

Proposed Roadway Improvements

- Background
 - Project underway for Justice Heights St to extend to Apex Peakway
 - Proposed side path along NC 55
- S Salem St/Tingen Rd/Justice Heights St intersection realignment will
 - Shorten pedestrian crossings
 - Simplify signal phasing
 - Create a potential opportunity for gateway signature
- S Salem St improvements
 - 3-lane widening with curb and gutter
 - Shared lane markings
 - Side path along the east side

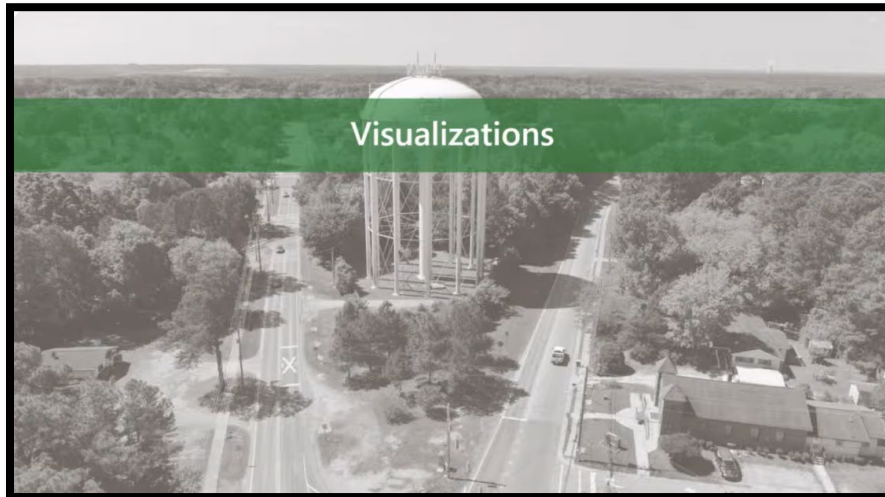


[SLIDE 17]

Functional Design Criteria for Tunnel Alternative

Criteria	Tunnel
Structure Length	105'
Length from James St. to S. Salem St. (Bicycle and ADA)	1090'
Length from James St. to S. Salem St. (Walk w/ Staircase)	735'
Maximum Grade	5% (Moderate)
Northern Approach	Along S Salem St.
Landings Required	0
Switchbacks	2
Tree Clearing Required	1.6 Acres

[SLIDE 20]



[SLIDE 21]



From James Street, looking toward tunnel

[SLIDE 22]



From James Street, looking toward tunnel

[SLIDE 23]



From railroad, looking toward James Street

[SLIDE 24]



Switchback detail, on James Street side

[SLIDE 25]



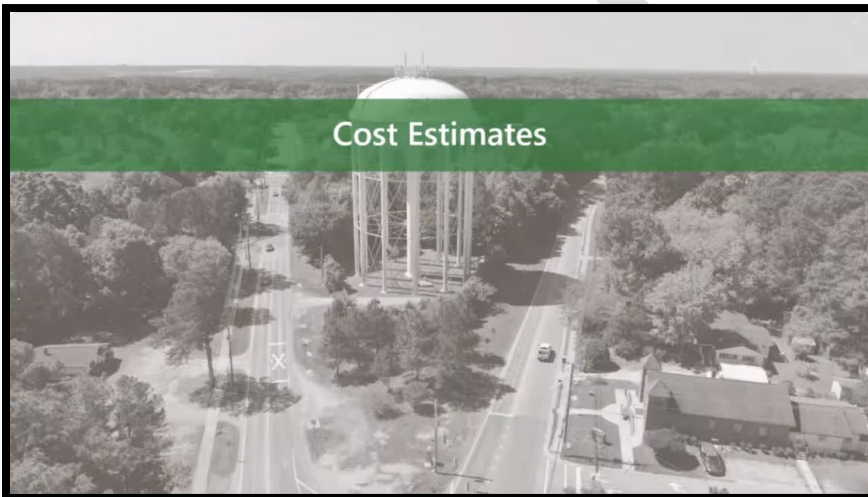
From S Salem Street, looking toward tunnel

[SLIDE 26]



From railroad, looking toward S Salem Street

[SLIDE 27]



[SLIDE 28]

Cost Estimate for Preliminary Engineering through Right-of-Way Plans

Allocated Funds & CIP Requests

Funding Source	Allocated & Requested Funds
Federal Funding Agreement (PE & ROW)	
Federal Funding Allocated ("Earmark")	\$550,000
Local Funding Allocated	\$137,500
Total Federal Funding Agreement	\$687,500
Additional Local Funding Request	
Preliminary Engineering Funds Requested in FY27 CIP	\$292,500
Total Available and Requested Funding	\$980,000

Incurred Costs & Future Estimates

Item	Cost
Feasibility Study	\$180,000
CSX PE Agreement Estimate*	\$100,000
NCDOT Internal Review*	\$100,000
Preliminary Design through ROW Plans*	\$600,000
Total PE through ROW Plans	\$980,000

*Task has not been scoped

Based on current information, available funds combined with the FY27 CIP request is anticipated to fund the project through Right-of-Way Plans. Federal funding agreement for PE & ROW expires 4/8/29 (5 years from date of authorization of Federal funds).

[SLIDE 29]

Right-of-Way and Construction Cost Estimate

ROW Cost Estimates		Construction Cost Estimates	
FY28 CIP Request	Cost	FY30 CIP Request	Cost
NCDOT Internal Review*	\$50,000	Mobilization	\$300,000
ROW Acquisition & Utility Relocation**	\$500,000	Greenway/Roadway	\$1,850,000
Final Plans*	\$425,000	Structures & Utilities	\$3,850,000
Total Local Funding Request	\$975,000	CSX Rail Construction Agreement	\$400,000
		Construction Subtotal	\$6,400,000
		Engineering Contingencies & CEI (35%)	\$2,240,000
		NCDOT Review	\$525,000
		Total Project Cost (FY26)	\$9,165,000
		Total Project Cost (FY30)*	\$10,725,000

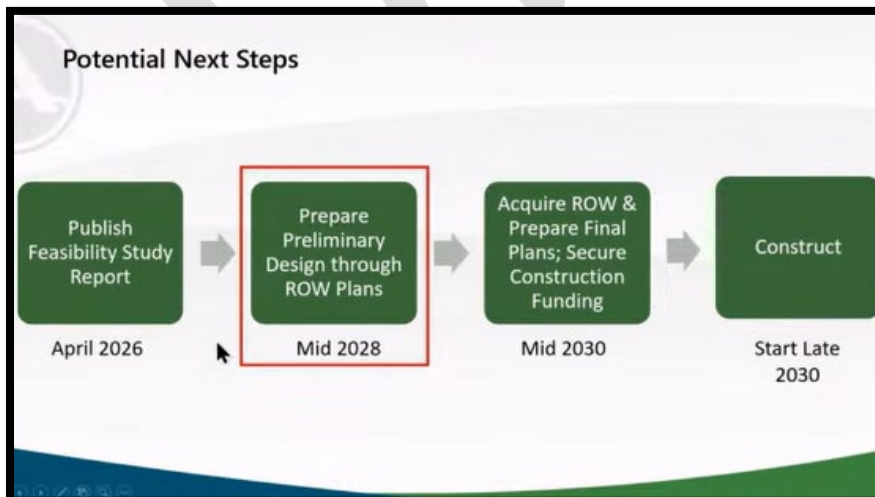
*Task has not been scoped
**Properties have not been appraised

*FY30 dollars includes 4% annual escalation

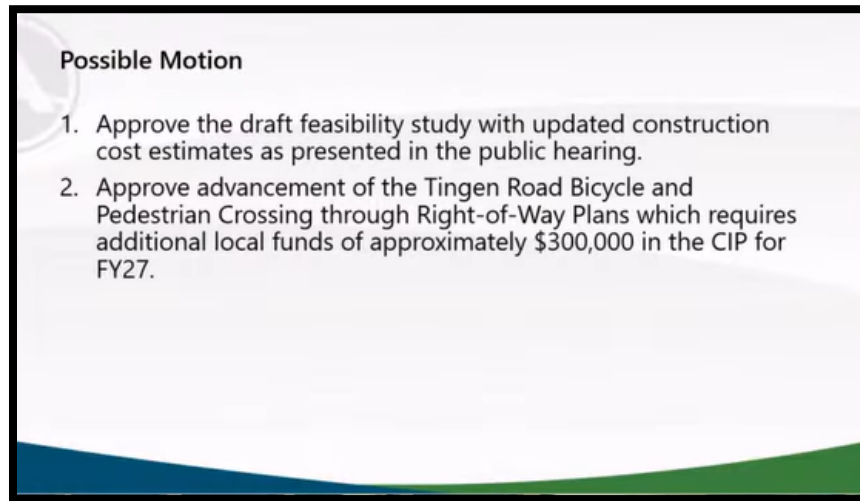
[SLIDE 30]



[SLIDE 31]



[SLIDE 32]



Ms. Shouse asked if there were any questions.

Councilmember Reese asked what the Federal funding match is available for (referencing slide 28).

Ms. Shouse said it is for preliminary engineering and right-of-way for this specific project.

Councilmember Reese asked if the funding was for this specific project.

Ms. Shouse said that was correct.

Councilmember Zegerman asked staff what would happen to the fund matching for 20% if this wasn't approved tonight.

Ms. Shouse said this had been discussed but it sounds like this could end tonight and there wouldn't be a penalty but Apex may have to pay for what has been done. She asked Mr. Dalton to speak about this.

Mr. Dalton said that there is an agreement and Apex pays the cost and gets reimbursed. He said there is a signed agreement for the feasibility study with the consultant to pay the \$180,000 roughly, as they been doing the work, that it is paid as the consultant bills or invoices Apex and after a period Apex asks for reimbursement of 80% at that share. He said the contract isn't complete and so billing hasn't finished out billing. He said if we decide not to move forward with this project, we will ask for final reimbursement from DOT based on our billing and we would notify them but Federal funds would not be fully reimbursed.

Mayor Gilbert asked if there were any technology security cameras involved with this project.

Mr. Dalton said that security wasn't included in the cost estimate but it is something that could be explored as part of any project and may be a separate request through IT and a separate budget item.

Councilmember Zegerman asked if there were any projections on the usage of this project, for example how many pedestrians or bicycles would use this greenway.

Ms. Shouse said there had not been any projections because it's not anything to compare this with, also with the additional features that would come with the side path, it would be hard to tell the numbers but with experience when you build it, they will come.

Councilmember Zegerman asked staff if this was considered an alternate to this crossing or supplemental as well.

Ms. Shouse said that it was discussed as an alternative. She said that if nothing was built here, you would either walk west and cross at the Peakway or east and James to Hughes to 55.

Councilmember Zegerman said this was more from a downtown connectivity point of view and it's understood that it doesn't come with all the enhancements the other kind of enhancements that were mentioned but the primary concern is downtown traffic or foot traffic and bicycle traffic towards the downtown area if the bridge was built instead of the tunnel. He said that if the bridge was built instead of the tunnel, it would provide the similar connection.

Ms. Shouse said yes, it would.

Councilmember Gray said that staff haven't really considered this project as an alternative, it is more of supplemental.

Mayor Gilbert opened Public Hearing and with no one signed up to speak, closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

Mayor Pro-Tempore Mahaffey said he appreciated staff's work put into this project. He said the costs have grown to a point that it's a little alarming and hasn't been indicated as a priority and doesn't think it is wise to move forward with the right-of-way acquisition if it wasn't intended to fund the construction soon and there is a five-year window so possibly there could be a different decision in the next couple of years. He suggested that Council approve the feasibility study, accept it, approve the transportation plan amendments but pause on approving the right-of-way acquisition until other funds become available or the situation changes.

Councilmember Zegerman said he frequences this intersection and there is not a lot of bicycle and foot traffic and given the cost of the project, these funds may be used better elsewhere possibly for the long-term solution crossing 55 would be the preferred investment. He said that he appreciates the work that has been done on this project. He said that he doesn't feel comfortable committing additional town funds to this project. He said that he preferred to pause for now and look at this in the next couple of years.

Councilmember Reese said that he agrees with the comments made from other Council members and he lives close to this area. He said that it was hard to justify the funding for this project. He said he appreciated all of staff's work that went into this project and the collaboration with the community. He said that the first motion he would support and would not support the second motion.

Councilmember Mu said she agreed with Councilmember Zegerman in his comments and thanked the staff for all the work put into this project. She said there needs to

be more studies for traffic and usage and the amount of \$11 million is a lot. She said the studies should be done and possibly this funding could go to more urgent projects to benefit the residents.

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Mayor Pro-Tempore Mahaffey** to approve the draft Feasibility Study, the updated construction cost estimates as presented in the Public Hearing.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

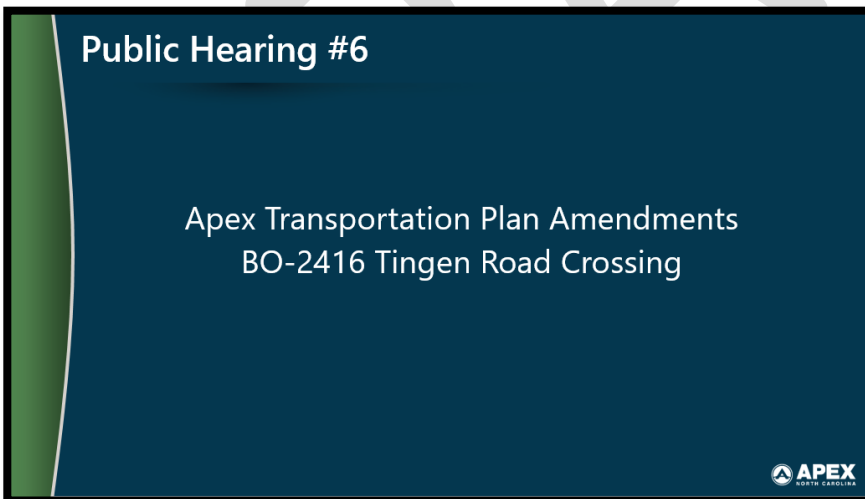
A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Zegerman** to direct staff to pause advancement of the Indian Road Bicycle pedestrian crossing project.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

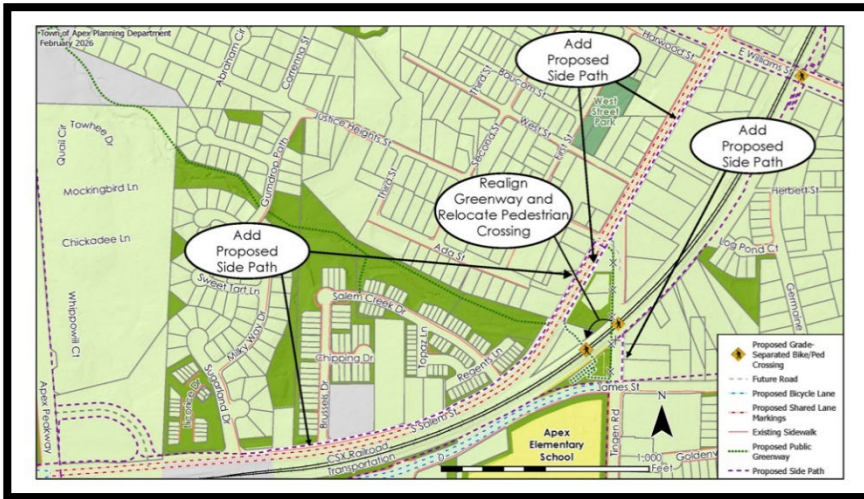
PH6 Apex Transportation Plan Amendments - BO-2416 Tingen Road Crossing

Jenna Shouse, Senior Planner - Long Range, Planning Department said that this item to amend the Bicycle and Pedestrian System Plan Map consisted or associated with the Tingen Road crossing. She gave the following presentation:

[SLIDE 1]



[SLIDE 2]



Ms. Shouse asked if there were any questions.

Councilmember Zegerman said this change would be to the bicycle and pedestrian map to accommodate a tunnel but doesn't commit us to building this.

Ms. Shouse said that was correct but if new developments were to come with these facilities, they would be required to construct them.

Councilmember Reese asked if this changes the plan aligns with the feasibility study, but it's not being pursued and we aren't advancing the project.

Ms. Shouse said that was correct.

Mayor Gilbert asked if there were any concerns from anyone in the Justice Heights community about the side path.

Ms. Shouse said at the meetings they were mostly concerned about being able to cross Salem Street at the intersection and that's why staff is proposing for crossings to occur there rather than midblock crossings of Salem at the proposed greenway, but staff wanted direct crossings at the signal.

Councilmember Mu asked if this could be an alternative to the tunnel.

Ms. Shouse said the only issue is when the Peakway Bridge opens, the agreement shows fencing will be installed along Tingen Road so there wouldn't be a crossing at the railroad tracks.

Mayor Gilbert opened Public Hearing and with no one signed up to speak, closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

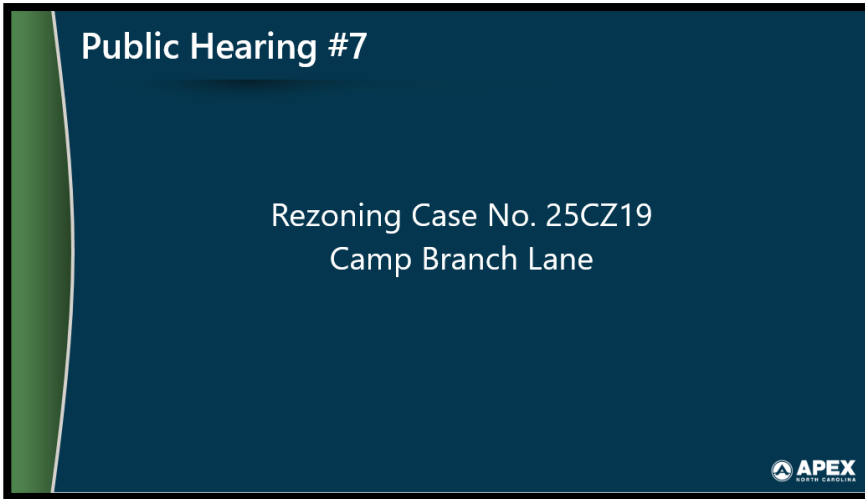
A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Reese** to approve Apex Transportation Plan Amendments - BO-2416 Tingen Road Crossing.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

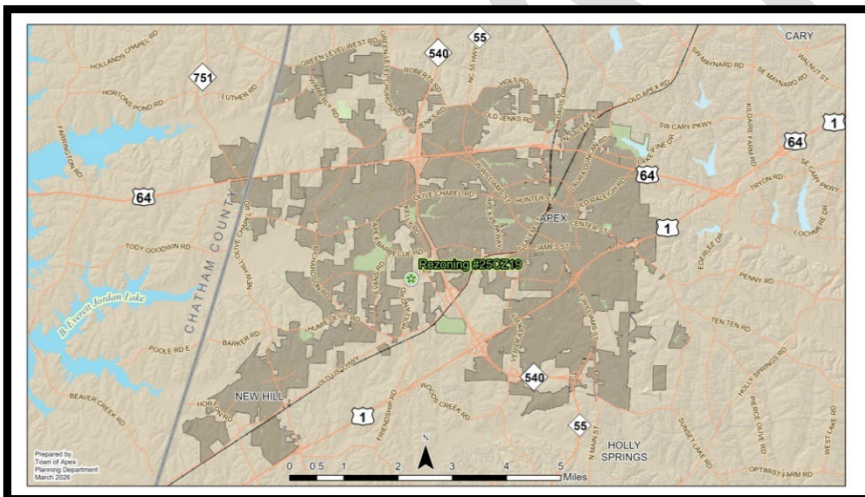
PH7 Rezoning Case No. 25CZ19 - Camp Branch Lane

Joshua Killian, Planner II, Planning Department said the rezoning is located near the geographic center of Apex west of NC 540. He gave the following presentation:

[SLIDE 1]



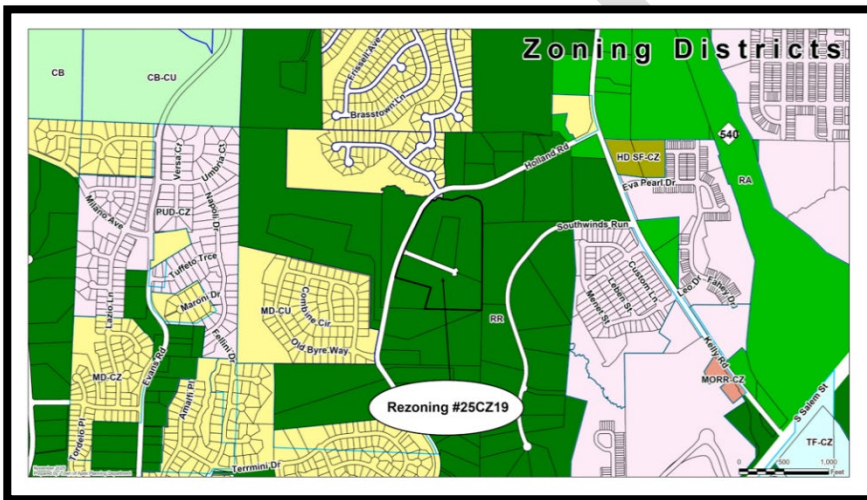
[SLIDE 2]



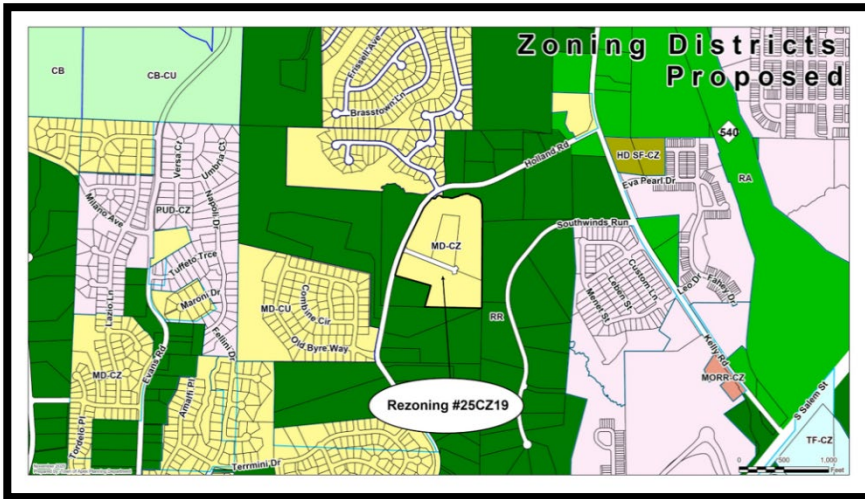
[SLIDE 3]



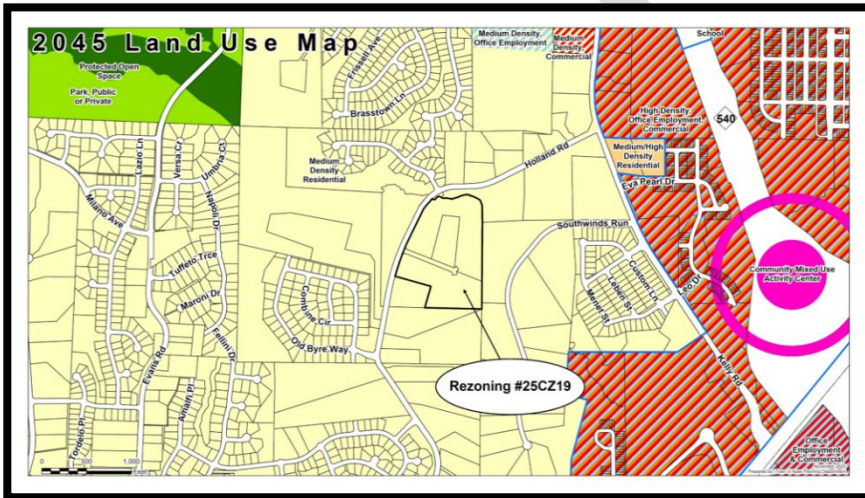
[SLIDE 4]



[SLIDE 5]



[SLIDE 6]



[SLIDE 7]



Mayor Gilbert asked if there were any questions and invited Mr. Carpenter to speak.

Matthew Carpenter with Parker Poe on behalf of Lemmar, the builder and developer. He also introduced the project team, Chris Boley with Lemmar and Don Curry, Civil Engineer with Curry Engineering. He gave the following presentation:

[SLIDE 1]

LENNAR

Camp Branch Lane

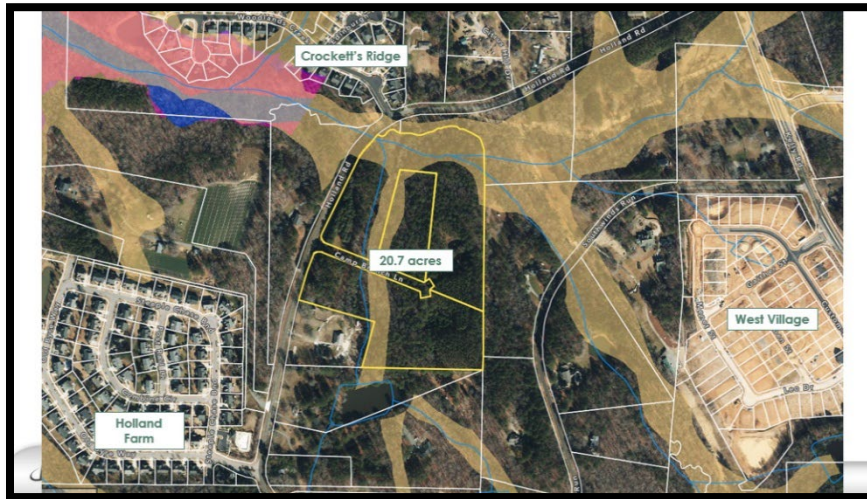
Rezoning #25CZ19

 Parker Poe
Attorneys & Counselors at Law

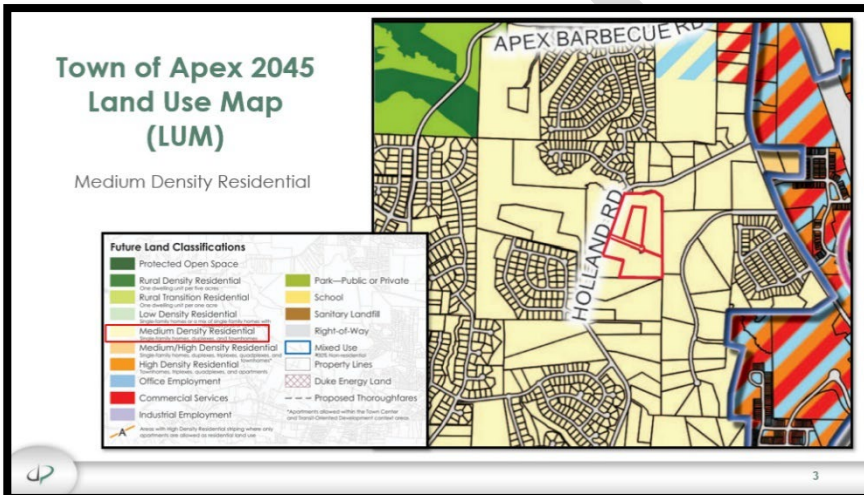
 Curry
ENGINEERING

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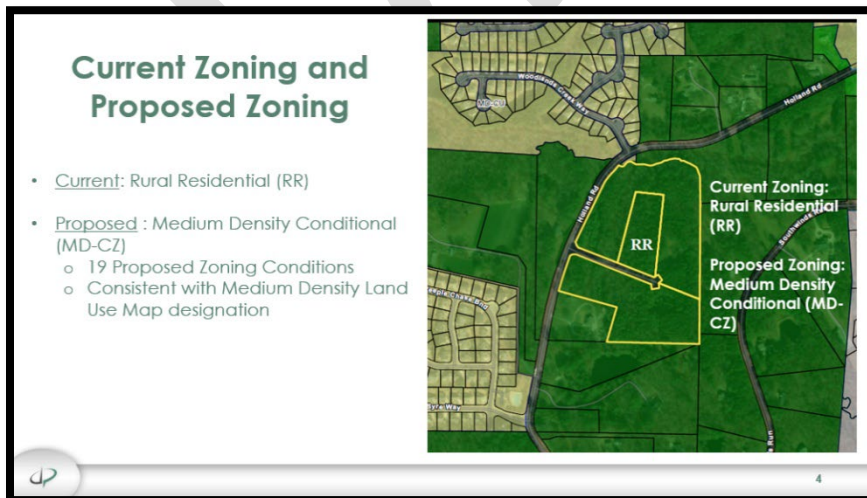
[SLIDE 2]



[SLIDE 3]



[SLIDE 4]



[SLIDE 5]

Rezoning Conditions Permitted Uses and Affordable Housing

- Permitted Uses
 - Single-family
 - Accessory apartment
 - Utility, minor
 - Wireless support structure
 - Greenway
 - Park, active
 - Park, passive
 - Recreational facility, private
- Affordable Housing
 - Minimum of 5% of total units shall be affordable housing units at ~~80%~~ **120%** of the Area Median Income (AMI) for a period of 20 years.
 - **HUD HOME Maximum Sales Price of \$390,000.**
 - **\$250,000 donation to Affordable Housing Fund.**


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[SLIDE 6]

Rezoning Conditions Design Guidelines

- Maximum density – 4 units per acre
- Minimum lot width – 40 feet
- Minimum side setbacks – 5 feet
- Minimum combined side – 10 feet
- Minimum front setback – 20 feet
- HOA covenants shall not restrict the construction of accessory dwelling units.



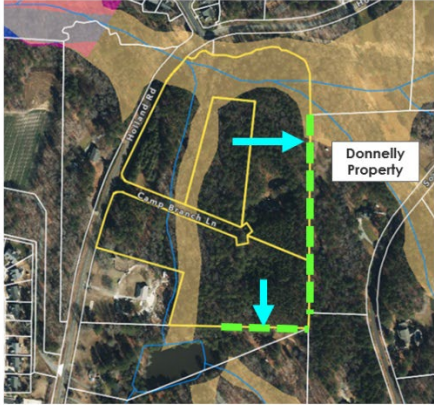
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[SLIDE 7]

Rezoning Conditions Buffers and Stub Streets

- Shared property line with the Donnelly Property
 - 20-foot Type B buffer
 - Minimum 6-foot-high privacy fence, located along the west side of the buffer
 - Stub street ROW extended to Donnelly Property line; pavement, curb, and gutter stops 25 feet short; fee-in-lieu provided for future extension of stub street
- Residential lots adjacent to buffer along PIN 0731038461
 - Minimum 6-foot-high privacy fence, located along the north side of the buffer
 - Stub street shall be construed with located determined at subdivision plan and construction document review




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[SLIDE 8]

Rezoning Conditions
Transportation

- Widen Holland Road and dedicate public ROW for length of Holland Road frontage
 - 3-lane thoroughfare section w/ 6-foot bike lanes and 5-foot sidewalk
- Construct southbound left turn lane on Holland Road



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[SLIDE 9]

Rezoning is in the Public Interest

- **Consistent w/ LUM**
 - Max of 4 units/acre is below Medium Density max of 7 units/acre
- **Conditions to Address Neighbor Concerns**
 - Perimeter buffers and fencing
- **Transportation Improvements**
 - Left turn lane even though TIA not required
- **Affordable Housing**
 - 5% of units at 80% AMI
 - \$250,000 donation to Affordable Housing Fund



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Mr. Carpenter asked if there were any questions.

Councilmember Zegerman asked for explanation about the fee in lieu involving the Army Corps of Engineers and if the Army Corps of Engineers doesn't approve this project what is the viability of this project without those improvements.

Mr. Carpenter said this is specifically about the widening of Holland Road and it has been agreed to be widened for the length of the frontage on this property and it would be a three-lane thoroughfare section with a 6' bike lane and 5' sidewalk, but a portion of that will be in the existing riparian buffer where there is a covert in the road and there would have to get a permit from the Corp of Engineers to disturb that stream to do the improvements. He said that if the Corp of Engineers will not allow this then widening will stop short of the stream to avoid impacts and then the fee in lieu would be paid for the remainder of the portion that can't be built but the rest of the widening would happen.

Councilmember Zegerman asked what the fee in lieu would cover.

Mr. Carpenter said the construction cost of building the widening where the stream is located.

Councilmember Zegerman said that's not permitted.

Mr. Carpenter said the determination wouldn't be that it's never permitted it would be that based on the impacts of the project, the stream disturbance is not justified at this time but if there were a larger project or another road project, the Core at times looks at those differently and it may be justified if it is tied to the traffic volume need.

Councilmember Zegerman asked about the stream crossing on the property and the riparian buffer crossing.

Mr. Carpenter said that the crossing is already there, but we will be improving that crossing by paving the street and adding a new culvert but this is a narrower stream and Camp Branch Lane should be able to build it up where it currently is to avoid any other crossings of that stream.

Councilmember Mu asked to go back to the Permitted Use and Affordable Housing slide. She asked about the slide showing 5% Affordable Housing but Mr. Carpenter said that it would be 10%.

Mr. Carpenter said that is correct, prior to this meeting the plan was to offer a similar condition for this project as the condition offered in the Welch Homestead PUD, which was 5% at 80% AMI but based on the feedback from the first hearing and discussions with staff they changed it to 10% at 120% AMI without the donation which is consistent with the town's Affordable Housing recommendation.

Councilmember Mu asked if it would then be 80% AMI for rental.

Mr. Carpenter said yes that it is correct and planned to drop it for sale units but are proposing now 120% AMI 10% of units and 120% for sale and 80% AMI for rental units.

Councilmember Mu asked if the maximum sales price was \$390,000.

Mr. Carpenter said yes and again, that was the 80% AMI price and with the change mentioned the 120% rules outlined in the policy will be followed, so it could be more than 39%. He said that it was felt the previous offer and this current offer was better for affordable housing but that there needs to be consistent with the policy so that is what is being offered.

Councilmember Reese asked about the response to the Advisory Board's Recommendations.

Mr. Carpenter went through some of the list of responses:

#1 - No Buffering Averaging - The EAB recommended prohibiting buffer averaging in Zone 3 of the riparian buffer but the developer couldn't do this because of the flexibility needs adjusting buffer widths in certain areas while keeping the more sensitive buffer zones undisturbed.

#3 - Ensuring that 75% of the landscaping shall be native species and they agreed to 60% to give some flexibility for the landscape architect to design the plantings which is not a deal breaker.

Councilmember Reese said that he was interested in the solar recommendation that wasn't added.

Mr. Carpenter said that currently there are regulatory issues with solar and with the ability to sell power back to the grid so some of the savings for homeowners have been removed by State Legislation. He said the owners can come in and request solar panels and have solar panels installed on their homes but it is much more difficult for the builders it has been found that the demand is not always there to where a homeowner is willing to pay more for the panels and so the builders prefer to make it an option that can be purchased.

Councilmember Zegerman asked what the projected sales price for the homes were going to be.

Mr. Carpenter said between \$600,000 to \$700,000.

Councilmember Zegerman said that the solar condition was not to benefit the homeowners by selling power back to the grid, but an environmental condition and the recommendation was made because it is believed that renewable energy is a good thing and not necessarily an economic benefit and wanted to look at these conditions as they are intended. He said in this price point of the homes so the price elasticity from a potential buyer is next to nothing because you are tapping into a market that can afford that price point so the incremental cost that a builder would incur for a system like this shouldn't be hard to either recover the cost or split the difference with a potential buyer.

Mr. Carpenter said that when you look at just the price of the home Lennar can't absorb the cost of panels, there are other costs that go into each home to construct the home, the land cost, the permitting costs, the infrastructure costs, and so all of those costs to build the home, so it's not just the more expensive the house that it can be absorbed. He said that Lennar has done solar panels on projects and had trouble with selling those units.

Councilmember Reese said that this was a 50-to-80-unit development and this is a request for 6 of those homes to have solar panels.

Mr. Carpenter said these requests and recommendations cannot be looked at in a vacuum and this can be talked about.

Councilmember Reese said it seems reasonable for 6 units to have solar panels at the recommendation of the EAB and the discussions about empowering this board when 3 of the 9 requests are made and the majority of the recommendations are denied, this is 6 homes out of 58 to 80 for a \$600,000 to \$700,000 home, he said thank you.

Mayor Gilbert thanked Mr. Carpenter and asked Ms. Newman to speak on the affordable housing.

Ms. Newman said there was discussion and that it was agreed to abide by the current policy. She said to state for the record that it's 120% as a maximum and not all have to be 120% so that there can still be some of the affordability at 80%, it's a range.

Mayor Gilbert opened Public Hearing and with no one signed up to speak, closed Public Hearing. He then brought the item back to Council for discussion and possible motion.

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Reese** to move into closed session to consult with the Town Attorney at **9:27 p.m.**

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

Mayor Gilbert brought the meeting back in session at **9:44 p.m.**

Mayor Gilbert asked Mr. Killiam if he needed to add anything.

Mr. Killiam said regarding the changes to the zoning conditions that were in the staff report, staff would like to ask for a motion to amend conditions 10 and 11 to add contingency language.

Ms. Bunce said Council just needs to include the revised in their motion should the want to approve the rezoning.

Mayor Gilbert brought the item back for discussion. He asked Mr. Carpenter to speak.

Mr. Carpenter said that the environmental commitments may be bolstered and would like to ask for this item to be continued for this specific reason and for any other concerns to be addressed.

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Reese** to table denying Rezoning Case No. 25CZ19 - Camp Branch Lane.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

Mr. Killiam recommended moving the item to the May 12th Council meeting to give the applicant time to go back before the Environmental Advisory Board to receive a recommendation to align their rezoning case for updates.

Mayor Gilbert asked if there were any other discussions.

Councilmember Reese said that the conversation about AD use was appreciated and there will be more need for that and this was encouraging.

A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by **Councilmember Reese** to defer Rezoning Case No. 25CZ19 - Camp Branch Lane to May 12th, 2026 meeting.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

[REGULAR MEETING AGENDA]

RA1 Peak City Land Trust - Appointment of Organizing Board of Directors

Marla Newman, Director, Community Development and Neighborhood Connections Dept.
(Deferred to April 14, 2026 meeting)

RA2 North Carolina League of Municipalities Board of Directors - Appoint a Voting and Alternate Voting Delegate for the Board of Directors Election for 2026-27

Allen Coleman, Town Clerk said this item was to consider appointing a voting delegate and an alternative for the submission of the North Carolina League of Municipalities Board of Directors election for 2026-27 and the last time this took place Mayor Pro-Tempore Mahaffey was selected the voting representative. He said that this is to designate a voting representative, an alternate and authorize to be submitted to the league.

Mayor Gilbert asked if there were any discussions.

Mayor Pro-Tempore Mahaffey said that the board of League of Municipalities has a nominating committee and they review the applications and present the full membership to the board.

Clerk Coleman said to keep in mind that the director positions are the odd years and they alternate between even and odd and for this it's for the odd districts.

A **motion** was made **Councilmember Zegerman** by and seconded **Councilmember Reese** to nominate Mayor Pro-Tempore Mahaffey as the voting delegate, Councilmember Zegerman as the alternate and authorize Clerk Coleman to submit to the North Carolina League of Municipalities.

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

[INFORMATIONAL ITEMS]

[CLOSED SESSION]

A **motion** was made by **Councilmember Zegerman** and seconded by **Councilmember Mu**, to move to closed session at **9:51p.m.**

VOTE: UNANIMOUSLY (4-0) with Councilmember Gray absent

Council will enter into closed session pursuant to:

CS1 Jacques K. Gilbert, Mayor, and Terry Mahaffey, Mayor Pro-Tempore NCGS §143-318.11(a)(6):

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee

or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."

CS2 Randy Vosburg, Town Manager

NCGS §143-318.11(a)(6):

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

CS3 Laurie Hohe, Town Attorney

NCGS §143-318.11(a)(6):

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

CS4 Allen Coleman, Town Clerk

NCGS §143-318.11(a)(6):

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

[ADJOURNMENT]

Mayor Gilbert adjourned the meeting at **11:14 p.m.**

Jacques K. Gilbert
Mayor

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

Submitted for approval by Town Clerk Allen Coleman and approved on _____.