

DRAFT MEETING MINUTES

**TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, MAY 12, 2026
6:00 PM**

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, May 12th, 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=Uf0ld9PFK38>

[ATTENDANCE]

Elected Body

- Mayor Jacques K. Gilbert (presiding)
- Mayor Pro Tempore Terry Mahaffey
- Councilmember Ed Gray
- Councilmember Arno Zegerman
- Councilmember Sue Mu
- Councilmember Shane Reese

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 thanked those who were in person as well as live stream. He then led in the Pledge of Allegiance. He then read the diversity statement. He recognized National Police Week and Peace Officer’s Memorial Day and invited all to have a moment of silence to commemorate the lives lost and those who paid the ultimate sacrifice for our state, nation, and world. He invited Anna Johnson with the LDS Church up to give a presentation featuring the Town of Apex and the volunteering that the community does.

1 **Anna Johnson**, Communications Director of the Church of Jesus Christ of Latter-Day
2 Saints on behalf Just Serve along with Becky Jesperson, Just Serve Specialist and Ryan
3 Jeperson, faith leader, formally recognized the Town of Apex with the Just Serve City award
4 that demonstrates excellence and exceptional leadership in volunteering and community
5 service. She said the award is presented to communities that not only support service efforts,
6 but actively foster a culture where neighbors, organizations, schools, businesses, faith groups,
7 and civic leaders work together to strengthen their community.

8 **Ms. Jesperson** gave information on how residents can find ways to volunteer based
9 on their interests, skills, availability or causes they care about at justserve.org. She said this
10 award honors not just individual volunteer efforts, but the culture the town has helped create.

11 **Ms. Johnson** presented the Just Serve City Award plaque to the Town of Apex in
12 recognition of its outstanding commitment to volunteerism and community engagement.

13 **Mayor Gilbert** asked Town Manager Vosburg to receive the award on behalf of the
14 town and take pictures.

15
16 **Mayor Gilbert** acknowledged special guest Wake County Commissioner Cheryl
17 Stalling and thanked her for attending the meeting.

18
19 **[ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY]**

20
21 **Mayor Gilbert** asked for announcements from Council.

- 22
23 • **Mayor Pro-Tempore Mahaffey** - Shared that he attended the annual CityVision
24 conference hosted by the League of Municipalities in Raleigh, where he participated
25 in sessions on disaster preparedness and municipal communications and looked
26 forward to applying what he learned to Town initiatives.
- 27 • **Councilmember Gray** - Thanked the community for its dedication to service and
28 encouraged continued public participation in the Town budget process. He noted that
29 multiple budget Work Sessions had been held, stated that resident feedback has been
30 incorporated into discussions, and invited the public to continue providing comments
31 through meetings, emails, and office hours. He said that he would be at Apex
32 Community Park in the upcoming week for the opportunity to talk with residents about
33 budgets.
- 34 • **Councilmember Zegerman** - Thanked residents for attending the meeting and
35 commented on the pleasant weather, noting he had no additional announcements.
- 36 • **Councilmember Mu** - Thanked Ms. Johnson for the award along with staff and
37 residents for their contributions. She noted the feedback during budget season,
38 assuring residents their comments are being reviewed even if they do not receive
39 direct replies. She also announced the first Peak Resilience and Well-Being Task Force
40 workshop scheduled for May 29th from 6:00 to 8:00 p.m. at the Apex Senior Center,
41 with Cheryl Stallings leading the workshop.

- 1 • **Councilmember Reese** - Encouraged residents to participate in community
2 engagement opportunities highlighted in the Town’s “Get Connected” publication,
3 including programs such as Adopt-a-Park and Journey League. He also thanked Think
4 Apex nominees, award recipients, and volunteers for their contributions to the
5 community.
- 6 • **Mayor Gilbert** - Said that Apex is the best and concluded announcements before
7 moving to adoption of the meeting agenda.

8
9 **[ADOPTION OF THE MEETING AGENDA]**

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11 **Mayor Gilbert** asked Town Clerk Allen Coleman to present any recommended
12 changes to the meeting agenda.

13
14 **Town Clerk Allen Coleman** said that staff is requesting the deferral of Regular
15 Agenda RA2 - Ordinance Amendments - Yard Waste Program to the May 28th meeting.

16
17 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
18 **Councilmember Zegerman** to set the Regular Meeting Agenda with the deferral of RA2 -
19 Ordinance Amendments - Yard Waste Program to the May 28th, 2026 Regular Town Council
20 Meeting.

21
22 **VOTE: UNANIMOUS (5-0)**

23
24 **[CONSENT AGENDA]**

25
26 **Town Manager Vosburg** said that staff is recommending deferral of CN1 Agreement -
27 North Carolina Department of Transportation (NCDOT) - Reimbursement Agreement -
28 Operational Improvements at Intersection of Olive Chapel Road and Apex Barbecue Road to
29 the May 28th meeting.

30
31 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
32 **Councilmember Gray** to approve the Consent Agenda with the deferral of CN1 Agreement -
33 North Carolina Department of Transportation (NCDOT) - Reimbursement Agreement -
34 Operational Improvements at Intersection of Olive Chapel Road and Apex Barbecue Road, to
35 the May 28th meeting.

36
37 **VOTE: UNANIMOUS (5-0)**

38
39 **~~CN1 Agreement - North Carolina Department of Transportation (NCDOT) -~~**
40 **~~Reimbursement Agreement - Operational Improvements at Intersection of Olive Chapel~~**
41 **~~Road and Apex Barbecue Road (Project HL-0173) (Deferred)~~**

1 This item was removed from the Consent Agenda and deferred to the May 28th, 2026 Regular
2 Town Council Meeting, per Council vote.

3 **CN2 Annexation No. 813 - Altera Heights - Jenks Road and Wimberly Road - 15.16**
4 **acres (OTHER-2026-058) (RES-2026-045) (RES-2026-046)**

5 Council adopted a Resolution Directing the Town Clerk to Investigate Petition Received, to
6 accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the
7 Date of a Public Hearing for Thursday, May 28, 2026, on the Question of Annexation - Apex
8 Town Council's intent to annex 15.16 +/- acres, located at 1440 Wimberly Road (PIN No.
9 0722-68-1610) 2.08 acres, 1508 Wimberly Road (PIN No. 0722-68-2430) 2.24 acres, 8108
10 Jenks Road (PIN No. 0722-67-3959) 10.31 acres, and Wimberly Road Eastern Right-of-Way
11 0.52 acres, Annexation No. 813, into the Town Corporate limits.

12 **CN3 Contract Award - Roadworks Construction Company - Justice Heights Street**
13 **Extension Project - \$1,536,725 and Capital Project Ordinance Amendment No. 2026-**
14 **12 (ORD-2026-046) (CONT-2026-063)**

15 A) Council voted to award a construction contract between Roadworks Construction
16 Company, LLC and the Town of Apex, for the Justice Heights Street Extension project, in the
17 amount of \$1,536,724.52, approve a 10% contingency be added to the project budget, and
18 to authorize the Town Manager, or their designee, to execute the contract on behalf of the
19 Town,

20 B) Council voted to adopt Capital Project Ordinance Amendment 2026-12 to appropriate
21 funds for the construction contract associated with the Justice Heights Street Extension
22 Project.

23 **CN4 Council Meeting Minutes - Various**

24 Council approved Meeting Minutes from the following meetings:

25 April 14, 2026 - Regular Town Council Meeting Minutes

26 April 16, 2026 - Town Manager's Recommended Budget Presentation Fiscal Year 2026-27

27 April 21, 2026 - Regular Town Council Work Session Meeting Minutes

28 **CN5 Tax Report - March 2026 (OTHER-2026-059)**

29 Council approved the Apex Tax Report dated April 16, 2026.

30 **CN6 Town Council Rules of Procedure Amendment - Council Committees, Role of**
31 **Council Committee Chair (PLCY-2026-009)**

32 Council adopted an amendment to the Apex Town Council's Rules of Procedures to
33 incorporate direction previously provided at the April 21, 2026, Town Council Work Session
34 which clarified the Council Committee membership and the Role of the Council Committee
35 Chair position.

36

1 **CN7 Unified Development Ordinance Amendments - April 28, 2026 - Part A -**
2 **Statement (OTHER-2026-060)**

3 Council approved the Statement of the Apex Town Council pursuant to G.S. 160D-605(a)
4 addressing action on the Unified Development Ordinance (UDO) Amendments of April 28,
5 2026, proposed by staff.

6
7 **[TOWN COUNCIL COMMITTEE REPORT]**

8
9 **Mayor Gilbert** asked Finance Committee Chair, Mayor Pro-Tempore Mahaffey to give
10 an update on the recent ad hoc Finance Committee meeting.

11
12 **Mayor Pro-Tempore Mahaffey** reported that the Ad Hoc Finance Committee, that
13 himself and Council Member Gray with the Finance Committee on April 30th to review the
14 General Fund budget. He said that much of the information discussed was later presented
15 during the Council Budget Work Session and outlined the upcoming budget timeline, noting
16 that Council would review several budget options with varying tax rates at the May 21st Work
17 Session to establish a revised budget baseline, and that final budget adoption was scheduled
18 for June 9th. He also said there would be upcoming opportunities for public input, including
19 his regular office hours monthly on the second Thursday, 9:00 a.m. at the Senior Center and
20 an upcoming budget-focused Town Hall meeting, tentatively on May 26th after the May 21st
21 Work Session.

22
23 **[TOWN MANAGER'S REPORT]**

24
25 **Town Manager Vosburg** provided the following updates:

- 26
27 • **Brett Gantt Sculpture Walk (April 2026 - March 2027):** The start of the sixth annual
28 Brett Gantt Sculpture Walk, running from April 2026 through March 2027, with
29 additional details available on the Town website.
- 30 • **Apex Amplified Concert Series - May 14th, 5:30 p.m. to 8:30 p.m.:** The launch of
31 the new Apex Amplified concert series, with the first event scheduled in the Town Hall
32 parking lot.
- 33 • **CommUniversity Mental Health Program - May 21st, 6:00 p.m. to 8:00 p.m.:** A
34 "Caring for Your Mental Health" program will be held at The Halle Cultural Arts Center
35 as part of Comm University programming and in support of the Peak Resilience and
36 Well-Being initiative.
- 37 • **Sushi and Sumo Event - May 24th, 11:30 a.m. to 1:30 p.m.:** The previously
38 postponed Sushi and Sumo event was rescheduled and will take place at the Apex
39 Community Park volleyball courts.

- 1 • **Memorial Day Ceremony - May 25th, 9:30 a.m.:** The annual Memorial Day
2 ceremony will be held at Apex Fire Station 1 in partnership with Apex American
3 Legion Post 124.
- 4 • **Peak Resilience and Well-Being Workshop - May 29th, 6:00 p.m. to 8:00 p.m.:** A
5 workshop related to the Peak Resilience and Well-Being initiative will be held at the
6 Apex Senior Center.
- 7 • **Town Office Closure - May 25th:** Town Hall and Town offices will be closed in
8 observance of Memorial Day.
- 9 • **Town Council Budget Work Session - May 21st**
- 10 • **Regular Town Council Meeting - May 28th:** The next regular Council meeting will be
11 held on Thursday, May 28th, due to the Memorial Day holiday schedule adjustment.
- 12 • **Ask Apex Customer Service Update:** Ask Apex continues to maintain strong
13 performance metrics, resolving 92% of calls with an average wait time of 46 seconds.
- 14 • **Budget Process Update:** This evening's budget hearing represented the fourth
15 official public hearing on the proposed budget, with a fifth hearing scheduled for June
16 9th prior to adoption.
- 17 • **Electric Meter Exchange Update:** Approximately 16,600 electric meters have been
18 exchanged, representing slightly more than 50% of the total meter replacement.
- 19 • **Salem Streetscape Project Update:** Construction activities have resumed on the
20 Salem Streetscape project, including utility work, erosion control, underground
21 conduit work, and upcoming soil cell installation. The project timeline has been
22 delayed into December, though staff and contractors are working to recover time
23 through extended work hours and weekend work with the goal of moving completion
24 closer to November, and there is ongoing communication and coordination with
25 downtown businesses regarding impacts to the project area and holiday season
26 planning.

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28

29 **TM1 Fiscal Year Ending June 30, 2025 - Financial Audit Progress Update**

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Jon Griffin, Director, Finance Department, gave an update on the final audit progress in the following presentation:

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2 [SLIDE NO. 1]



3

4 [SLIDE NO. 2]



5

1 **[SLIDE NO. 3]**

Financial Statement Audit

- o The federal government shutdown last fall delayed publication of the 2025 OMB Compliance Supplement.
 - Apex reported a significant amount of federal/state fund expenditures in FY '25 compared to the last several fiscal years.
- o FY 2025 required the implementation of GASB 101 (Compensated Absences), a new governmental accounting standard for paid absences. This was completed in January '26.
- o Preparing governmental financial statements for audit is time and labor intensive.
 - The Town prepares its financial statements completely internally, and was at a disadvantage due to system and turnover considerations.
 - April '25, Turnover in Director, August '25 Assistant Director
 - January '25 mid-year change in Accounting ERP (Tyler NW -> NetSuite)

2
3 **[SLIDE NO. 4]**

Next Steps

- Received technical and managerial commentary / recommended from Cherry Bekaert changes to full accrual financial statements (Net Position, Activities) and the Notes to the Financial Statements
- Finance Director will resubmit the document with proposed edits tomorrow (5/12)
- Continuing to plan on signed audit opinion between now and a presentation on 5/28.

4
5 **[SLIDE NO. 5]**

General Fund Balance

February '26 Retreat Data Versus Current


Council Fund Balance Policy	Retreat	Draft	
Beginning Fund Balance	\$ 51,769,700	\$ 51,769,700	\$ -
Total change in fund balance	\$ 7,340,165	\$ 7,415,482	\$ 75,317
Ending Fund Balance	\$ 59,109,865	\$ 59,185,182	\$ 75,317
State Stabilization	\$ (15,661,502)	\$ (21,045,606)	\$ (5,384,104)
Future Budget Appropriation	\$ (3,985,000)	\$ (3,985,000)	\$ -
PY Encumbrance Carryforward	\$ (6,006,918)	\$ -	\$ 6,006,918
Council Policy Target	\$ (28,473,650)	\$ (28,473,650)	
Available for Appropriation	\$ 4,982,795	\$ 5,680,926	\$ 698,131
Unassigned Fund Balance	\$ 33,456,445	\$ 34,300,958	\$ 844,513

6

1 **[SLIDE NO. 6]**

Fund Balance Figures Reported at Retreat versus Current

	Retreat Balance	Current	Change	Pct
General Fund	\$ 59,109,865	\$ 59,185,182	\$ 75,317	0.1%
Governmental Debt	\$ 8,513,090	\$ 8,513,090	\$ -	0.0%
Affordable Housing	\$ 6,985,820	\$ 6,985,820	\$ -	0.0%
Electric Operations	\$ 18,669,985	\$ 18,364,834	\$ (305,151)	-1.7%
Water Operations	\$ 23,748,321	\$ 23,714,918	\$ (33,403)	-0.1%
Stormwater	\$ 3,772,554	\$ 3,768,860	\$ (3,694)	-0.1%
	\$ 120,799,635	\$ 120,532,704	\$ (266,931)	-1.8%



Town Manager's Report

2
3 **[SLIDE NO. 7]**



4
5 **Mr. Griffin** asked if there were any questions.

6 **Councilmember Zegerman** asked if the \$18 million fund balance would include
7 outstanding receivables.

8 **Mr. Griffin** said that would include any uncollected receivables.

9 **Mayor Pro-Tempore Mahaffey** asked what the timeline was for the audit to be
10 completed and uploaded to the auditor's office.

11 **Mr. Griffin** said the goal is May 28th at the latest.

12 **Councilmember Gray** said that the audit is with the auditor so this is not in our control
13 at this point.

14 **Mr. Griffin** said that draft copies of the financial statements, Apex's statements and
15 deposition schedules, revenue changes and fund balance notes were given to the Auditor in
16 March 2026. He said that there has been feedback from the Auditor and another draft will be
17 sent back to them, with this being the fourth and hopefully the last draft.

1 **Councilmember Reese** asked for confirmation that there were no penalties with this
2 audit.

3 **Mr. Griffin** said no penalties, but if there were penalties there would be a small
4 portion of sales tax withheld after July 1st if it was still outstanding and there couldn't be more
5 held than a percentage of the actual audit contract which is \$80,000.00.

6
7 **[TOWN CLERK'S REPORT]**

8
9 **Town Clerk Allen Coleman** gave the following updates:

- 10
11 • **Advisory Board Openings** - Several advisory board positions will be presented to
12 Council in June for appointment consideration. Youth Advisory positions are also
13 expiring, and students interested in local government involvement are encouraged to
14 apply. Eligibility requirements include being at least 16 years old and attending an
15 Apex-based high school.
- 16 • **Public Records Software** - The town selected JustFOIA as the new public records
17 software vendor following a collaborative evaluation process involving a committee
18 from multiple departments and this has been recommended to move forward at the
19 next Town Council meeting, Thursday May 28th.
- 20 • **Legislative Monitoring:**
 - 21 ○ **Grocery Sales Tax** is a proposed grocery sales tax reduction legislation, which
22 could impact Apex revenues by approximately \$2 million.
 - 23 ○ **Board of Elections Presentation** - The Wake County Board of Elections will
24 provide a presentation at the May 28th Council meeting regarding even-year
25 elections and potential impacts on Apex.
 - 26 ○ **Property Tax Cap Legislation** - Staff is monitoring state property tax cap
27 legislation as proposals continue moving through the Senate and House with
28 differing approaches.
- 29 • **Columbarium Promotion:** The town is preparing outreach regarding available spaces
30 in the new columbarium at the Upchurch Street cemetery. Individuals already on the
31 waiting list will be contacted first before new inquiries are accepted.

32
33 **Mayor Gilbert** asked if the Youth Advisory opportunity included all High Schools in Apex.

34 **Town Clerk Allen Coleman** said yes, all high schools in Apex including public, charter or
35 private high schools were included.

36
37 **[PROCLAMATIONS/SPECIAL PRESENTATIONS]**

38 **PR1 Proclamation - Mental Health Awareness Month - May 2026 (PRO-2026-028)**

39 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading of the
40 Proclamation recognizing Mental Health Awareness Month 2026. He invited members of the
41 Peak Resilience and Wellbeing Task Force to receive the proclamation and take pictures.

1 **PR2 Proclamation - National Police Week 2026 and Peace Officers Memorial Day -**
2 **Monday, May 11 through Sunday, May 17, 2026, and Friday, May 15, 2026 (PRO-2026-**
3 **029)**

4
5 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading of the
6 Proclamation recognizing National Police Week 2026 and Peace Officers Memorial Day 2026.
7 He invited Captain Greg Pawluk, Lieutenant Josh Klatt and officers of the Apex Police
8 Department to receive the proclamation and take pictures.
9

10 **PR3 Proclamation - Public Works Week 2026 - May 17 through May 23, 2026 (PRO-**
11 **2026-030)**

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13 **Mayor Gilbert**, along with the rest of the Town Council, joined in the reading of the
14 Proclamation recognizing Public Works Week 2026. He invited Public Works Director John
15 Mullis and members of the Public Works Department to receive the proclamation and take
16 pictures.
17

18 **[PUBLIC FORUM]**

19
20 **Mayor Gilbert** opened Public Forum and called the first speaker.
21

22 First speaker was **Pam Keenan** of 531 Bart St:
23

24 "My name is Pam Keenan. I'm a 25-year resident of Cary and a 25-year member of
25 Apex United Methodist Church, which, as you know, is deeply involved in service and mission
26 in every aspect of the community. But there's a particular aspect of the mission work at Apex
27 UMC that I've been involved in so heavily over the years, and that's Family Promise and the
28 focus of Family Promise is family homelessness. I know you're in the middle of budget season,
29 and I know the buzzword these days everywhere you go is affordable housing, affordable
30 housing, affordable housing, but I don't think that a lot of people often make the connection
31 between affordable housing and family homelessness, that's something that kind of flies
32 under the radar screen, but there's some pretty sobering statistics that I would really like you
33 to think about. Families make up roughly 20 to 30% of the population suffering
34 homelessness. I know our stereotype is the guy under the bridge, the veteran who's returned
35 home with mental illness, the drug addicts, the people with substance abuse issues, but 20 to
36 30% of all the homeless people are families. Now, that translates to there being one child in
37 every two Wake County classrooms. How many Wake County classrooms do we have? That's
38 K to 12. There's a child in every other one of those that is probably experiencing
39 homelessness. That's far more likely a number than that's being reported. Think about parents
40 who are very concerned that someone might find out that they're homeless, social services is
41 going to be knocking on the door, maybe taking their kids away. There's a lot of social stigma
42 and shame that people can't provide for their children and so, while we know 20 to 30% is

1 reported, there's probably a lot more. What's the specific impact of homelessness on
2 children? It's pretty dire. Four times more likely to suffer from mental illness during the course
3 of their lifetime. Seven times more likely to have to repeat a grade in school, seven times
4 because their family is suffering homelessness, 50% more likely to experience homelessness
5 themselves as an adult. Those are pretty significant social impacts that affect all of us. What
6 are the root causes of family homelessness? Lack of affordable housing. Bingo. There you got
7 it. Lack of affordable childcare, something people don't really connect the dots on between
8 housing, childcare, and homelessness. Families who can't afford childcare can't work. Parents
9 and families that can't afford childcare can't work and the typical job disruption, death or
10 unavailability of free childcare from a family member, illness, disability, domestic violence,
11 parental abandonment. So, all of those things come into play and they all track back to
12 affordable housing. So, Family Promise is an organization that started, I don't know, 25 or 30
13 years ago. They're a nonprofit, they're nationwide and they provide, first of all, emergency
14 shelter for families that have had something happen in their life like job loss, disability, or
15 child care disappearing that has caused them to lose their permanent stable home and
16 Family Promise brings in families and puts them in an emergency shelter there on Method
17 Road in Raleigh. They own an apartment building that used to be student housing and they
18 have four units for emergency shelter for families that are living in their car or living in the
19 park or maybe couch surfing and get thrown out. They come through the concentrated entry
20 with social services and are referred to Family Promise and then stay in the emergency shelter
21 and they can stay up to 90 days while Family Promise tries to stabilize them. Churches like
22 Apex Methodist used to be part of a network of about two dozen churches in the area that
23 would house these families for a week at a time, but COVID stopped that and so now they're
24 housed there at Family Promise and then they have transitional housing available for them, a
25 rapid rehousing program, they have landlords who will provide below-cost rental units for
26 them but the need is so much greater. There's a year's wait list for families who need
27 emergency shelter. So that's not very helpful. What's the ask to the town? Partner public-
28 private partnerships to build more affordable housing units. Think about maybe an
29 emergency housing unit here in western Wake County. It could be something like what's
30 happening in Cary with the Greenwood Baptist Church where they're building a building
31 that's got the social services and affordable childcare on the ground floor, transitional
32 housing, and then affordable housing upstairs. It can be providing tax breaks and permitting
33 and zoning support to developers who are willing to come in and do affordable housing. It
34 can be allowing different kinds of housing like modular housing and tiny homes in places
35 where those properties that would be available for those might not be zoned for that and for
36 permitting. It's a public campaign to help communities who might have the NIMBY syndrome
37 understand that maybe some affordable housing in their community, their neighborhoods,
38 would be a good thing for them. It would expand people's horizons and not bring the host of
39 social ills that most people think come with that. So, it's thinking outside the box and being
40 creative, doing the things that you're already doing, which is driving home that sense of
41 community among all of us, but helping more of us stay with us because as the rents rise and
42 the housing prices rise in Apex, more and more people are driven out of Apex and into other

1 fringe areas. So that's the ask from Family Promise. Think about when you're talking about
2 affordable housing, it is certainly teachers and police officers and public service workers,
3 restaurant workers, but it's families as well and when you're making those budget decisions
4 and you're making those decisions to encourage affordable housing, keep the families in
5 mind, too. And what are ways that you can promote affordable housing to keep these families
6 off the street? Thank you.”

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

9
10 Next speaker was **Michael Kolesar** of 106 Fanwood Court:

11
12 “Good evening. My name is Michael Kolasar and I own and reside at 106 Fanwood
13 Court in the Bradley Terrace section of the town. While three minutes will not do justice to my
14 topic tonight, I hope that the town will consider and act upon a topic I present, namely the
15 creation and implementation of an ordered committee. Certain events have been in the news
16 in the past few months regarding the Town of Cary and the city of Rocky Mount, which
17 suggest that their systems of internal controls were not as robust as they should have been.
18 The Government Finance Officers Association, or GFOA, has recommended for many years
19 dating back to 1997 that municipalities establish an audit committee or its equivalent. I have
20 provided the Town Clerk with a PDF file of that GFOA policy statement on audit committees,
21 and I hope that all interested or concerned parties have received or may receive a copy of
22 this statement. So, how did I become concerned about this topic? It may be helpful for you to
23 know a little bit about my background. Yes, by the color of my hair, I’m a senior citizen. I am
24 80 years young. My experience includes the following. I received a bachelor’s degree with a
25 major in Accounting from Queens College at the City University of New York, followed by a
26 master’s in business administration with a concentration in Finance from the Columbia
27 University Graduate School of Business. I began my working career in the New York City office
28 of Arthur Young, now known as Ernst & Young. I sat for and passed on my first attempt all four
29 parts of the CPA exam and earned my license to practice as a certified public accountant in
30 the state of New York. My first government experience came shortly thereafter, being drafted
31 into the United States Army at the height of the Vietnam War. That honorable two-year service
32 included a 14-month special assignment to the United States Military Academy. I returned to
33 Ernst & Young after my military service and became a manager with significant worldwide
34 responsibilities for the conduct of audits for two Fortune 50 companies. I was recruited to
35 another Fortune 50 company to be their worldwide Director of Accounting, where I, along
36 with others, had the responsibility for that entity’s compliance with generally accepted
37 accounting principles, the annual report to shareholders, and periodic filings. My second
38 government experience came when I ran for and was elected as a trustee to a governing
39 board in the county of Westchester. As a member of that body, that municipality created an
40 audit committee in 2005 that included professionals from the community. My last government
41 service was as the controller of the town of Greenburgh, the 13th largest town in the state of
42 New York. Time is running out, so I will omit some other comments. I welcome the

1 opportunity to discuss this topic in much greater detail with any member or members of the
2 town council or members of the town staff. Thank you for your attention tonight, and I am
3 happy to respond to any questions that you may have, but I recognize you have a
4 comprehensive agenda for this meeting. Thank you, sir. Again, thank you.”

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

7
8 Next speaker was **Caren Ziller** of 303 Interior Ct:

9
10 “Thank you for giving me this opportunity to speak on behalf of the Apex downtown
11 community. I was born and raised in Apex. I went to Apex Friendship. Here I have a
12 comprehensive list of small businesses that my friend Sawyer and I visited yesterday and
13 today in downtown Apex. It’s about 20 of them. I do have them here if possible to hand out.
14 We basically asked these business owners and employees about their experience with the
15 downtown Apex construction, just comments, feedback, and any kind of experiences, and
16 whether they had any statistics for them to be able to give us that. The range of sales going
17 down for these businesses ranges from 15% to 50% so obviously this is a mix of new and old
18 businesses. The newer businesses do not have the data to compare because they’ve only
19 been around for a little less than a year. There have been a lot of rumors and we’ve been
20 hearing things like maybe the engineers had some wrong designs and they still continued to
21 go along with it. Regardless, the deadline’s been pushed. I understand there was a recent
22 update that the new deadline is January of 2027 for the whole project to be completed. I do
23 think there are some things we can advocate for, whether it’s weekend hours, night hours, or
24 evening hours for these construction workers to continue working so we can compensate for
25 the delays. Maybe even compensation for tenants’ rent. Hours have been cut and it’s been
26 really hurting especially food service industry workers because we rely on tips. It’s been a big
27 endeavor all around. I know the parking deck project has been talked about, but I do think
28 that is a priority to give more parking rather than take away 15 spots on the street. I think
29 there has been a lack of continuous communication, accountability, and transparency. We all
30 around are very optimistic about this project at the end, but we need change, putting things
31 out on the table, being adults, and really talking about what’s going on here, along with some
32 kind of compromise, reimbursement, or compensation. I know I still have 30 seconds, which is
33 crazy. I’m a yapper actually. It’s crazy. I will say Greg from the antique shop was the one who
34 came up with the idea of some kind of compensation for the tenants. Cynthia from Cocoon
35 Galleries talked about her concerns about rents being raised at the end of all of this, and
36 she’s been around here for a while. A lot of old businesses have been here, so if they’re taking
37 a hit now, then we should compensate somehow. Thank you.”

38
39 **Mayor Gilbert** thanked the speaker and invited up the next speaker.

40
41 Next speaker was Sawyer Carhecchia:

1 “Hi there. I’m one of the friends of Karen over here. We’ve gone together to a bunch of
2 the different small businesses, as she explained for us. Our goal was to create a little more
3 communication between the small business owners, the employees, and the citizens of
4 downtown Apex. I’m a food service employee, and my livelihood is at risk because of the lack
5 of communication and the lack of urgency happening with this construction project. I don’t
6 want you to think that we are against the project itself, but I think there have been a lot of
7 issues that maybe haven’t been considered by the council members and those who have
8 organized this. On the website it says that throughout the entirety of the project the sidewalks
9 will remain open and accessible. The term “accessible” suggests that this is accessible to
10 disabled people, those who need mobility aids, those using wheelchairs, and those using
11 strollers. The reality is that’s simply not true. I can’t tell you how many customers and people
12 I’ve spoken to in the last couple of days who have expressed that because of their disabilities
13 and inability to have that mobility, they are unable to use the side of the street where the
14 construction is so when the project eventually moves to the other side, that will continue to
15 be a deterrent. We found that not only on the side where construction is, but also on the side
16 opposing it, there have been issues not only with revenue but also with tables for restaurant
17 are not being able to be used outside for patio seating because of the dust, gravel, and
18 everything affecting food and guest experiences. I see this firsthand every single day. My
19 income has gone down because of business. I know this is obviously a concern for the small
20 businesses themselves, but it’s also an issue on the individual level, and I don’t know if that
21 has really been brought to the attention of everybody here. I also wanted to bring attention to
22 Seaboard Road, which is being used as a bypass to the one-way street on Salem, I park there
23 because I’m an employee on that side of the road, and employee parking has basically
24 disappeared, especially on weekends, because of the limited street parking. In addition to
25 that, I know you’ve probably seen there was a speed device placed there to try and deter
26 people from speeding through that road, but even with it, we’ve still had at least one accident
27 that I know of and multiple close encounters because of the bottleneck it is creating, in
28 addition to the bottleneck itself where that device was placed creating a very difficult kind of
29 corner to bypass. I think that covers everything I wanted to say. Thank you for your time.”

30
31

32 **Mayor Gilbert** thanked the speaker and invited up the next speaker.

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34
35

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

36 “Mayor and council, I have been here many times talking about the same thing, and
37 I’m going to continue talking about it with you. We’re talking about Flock cameras and Flock
38 surveillance, and this is not theoretical. Almost everybody in this room was recorded by Flock
39 surveillance cameras on their way here tonight. The data is now sitting in a searchable
40 network surveillance system linked to your plate, your vehicle, and your movement patterns.
41 You didn’t consent to a private company retaining that. You weren’t notified, and you had no
42 way of knowing who accessed it and why. Since the beginning of 2025, 65 cities, counties,

1 and jurisdictions have rejected or cancelled their Flock contracts. Denver most recently,
2 Mountain View, Eugene, Cambridge. This month alone, Shoreline, El Cerrito, and Appleton.
3 It's not a fringe pattern. This is a national reckoning and here's why, it came out yesterday a
4 former Milwaukee officer abused Flock 179 times to stalk a woman he was dating and her ex.
5 That is exactly when I talked about in a former meeting, what we audit ourselves looks like in
6 practice. The Chief at the end of the January Working Session described Flock simply as a
7 tool that takes a picture of a license plate. Of course, Flock's own materials tell a very different
8 story: plate readers, live video, audio detection, cross-agency data sharing, and a network
9 surveillance ecosystem spanning thousands of jurisdictions. So, either the chief doesn't know
10 what he bought, or he does and he's not clearly telling you what he has bought.
11 Ten cameras is how much we have right now deployed in Apex, but that's not the product.
12 Ten cameras is the entry point and back in February when we were talking about this, I said
13 very clearly that it was going to start with 10 and guess what happened? APD put in for
14 another \$150,000 for Flock cameras, that would be 50 cameras in the little town of Apex.
15 It starts with a limited deployment, maybe a pilot, then a budgeted line, and then an
16 expansion request. It's exactly what happens every single time. Recently, you approved a
17 moratorium on data centers so the town could study the issue and build the policy first. I
18 credit that that was the right play here. But why pause data centers while moving faster and
19 essentially unfettered when it comes to police surveillance collecting searchable location data
20 on every resident who drives? This isn't about trusting the current Chief or even the current
21 Council. It's about whether you're willing to build a permanent surveillance infrastructure that
22 a future department, a future council, or a future vendor or outside agency may use in ways
23 that you cannot control. If you believe this type of tool is appropriate for Apex, great. Write a
24 policy, go to bid, and let the residents be part of that conversation. You're looking at your
25 budget right now. There's \$40,000 you can get right now by canceling this contract. Thank
26 you."

27
28 **Mayor Gilbert** thanked the speaker and invited up the next speaker.

29
30 Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

31
32 "Mayor and Town Council, good evening. At the last town council meeting, I spoke
33 about where our audited financials were, and obviously we heard a presentation tonight. I
34 want to put this in context for the public. There is a statutory requirement for the town to
35 submit its audited financials by a certain date. In 2022, 2023, and 2024, they were late. That
36 date was December 1st. So, let's keep in mind the close of our fiscal year is June 30th, and
37 you had from June 30th to December 1st. The letters of explanation that went to the Local
38 Government Commission primarily blamed staffing issues for being late for those years.
39 So, we fast forward to fiscal year 2025 that ended June 30th, 2025, and the state moved the
40 deadline from December 1st all the way to March 31st because there were some new
41 requirements that you heard mentioned earlier. So, here we are sitting in May. The financials
42 were June 30th, and we're going to maybe have them ready by May 28th. That is 11 months.

1 Eleven months. So, it raises the question, is it time to outsource this if staffing issues continue
2 to be the problem and we can't meet the basic minimum statutory requirement? It is your
3 responsibility. You know every year I'm going to look for the audited financials. Every year I'm
4 going to stand up here and say, "How can we trust you with taxpayer dollars if you can't
5 ensure that the town has enough staff or outsource it to somebody?" This is a basic
6 fundamental government requirement. The one topic that was not shared in the presentation
7 earlier that was in the agenda packet, I would like to read as an additional reason as to why it
8 was late. It says, "From September 2025 to date, the town received four additional external
9 reviews of the town's financial records which required staff time and effort to prepare and
10 transmit records and respond to inquiries." That is in the meeting packet tonight. That means
11 other people are concerned as well. What is happening is what I would like to know. You
12 know what you've done is there's been a late public disclosure of all the utility bills that are
13 late. The financials are late. The cyberattack on personal information was disclosed late. Why?
14 If we have the Peak of Good Living, why is everything late? I don't think this is high-
15 performing government. Thank you."

16
17 **Mayor Gilbert** thanked the speaker and invited up the next speaker.

18
19 Next speaker was **Dawn Cozzolino** of 3632 Bosco Road:

20
21 "So, I'm going to go back in time a little bit and talk about a subject that I talk about a
22 lot, Consent Agenda items, so or the public, it's probably something you don't really
23 recognize, but Consent Agenda items are supposed to be very routine and they're supposed
24 to be like approving meeting minutes or personnel issues. They're not supposed to be
25 anything major, but what Town of Apex tends to do is put a lot of heavy-duty capital projects
26 in their Consent Agenda or other things, and there's no public hearing on it. So, I'm going to
27 go back to January 27th, 2026. There was a town Council meeting. Instead of being in
28 person, the same night Holly Springs had one. So, they were able to make it with the weather.
29 For some reason, it was conducted virtual and electronic. So, it eliminated this whole in-
30 person forum. It eliminated real-time comment anything, no obstacles, right? And when you
31 all do Consent Agenda, because I've been at Town of Holly Springs, they do it in about 10 or
32 15 seconds. They approve all this stuff. One vote, boom, done and approved. So, what was
33 this meeting about? I'm going to go through it. It was about \$221 million in capital
34 appropriations. Pretty interesting number. I kind of saw the slide before and I was like, where
35 are the numbers coming from? They're not really described, but I will talk about this Consent
36 Agenda item specifically and read off what it is because it was a motion to approve capital
37 project ordinances and it goes through about four numbers appropriating interest earnings
38 funds for projects in transportation, ARPA, which is the COVID money funds, water, sewer, and
39 electric capital funds and so, it goes on to say, this interest, and that sounds pretty standard,
40 shortly after the town went live in the M4 ERP, an accounting error related to the town's use of
41 inventory caused an error to occur that left three multi-year capital projects with understated
42 expenditures due to staffing turnover and vacancies. This error was not detected until

1 October 2025 and corrected. Interest is earned within the project funds as being allocated.
2 So, in other words, and I only have 30 seconds, in other words, more excuses, more turnover,
3 more excuses, more things and we're talking about multi-million dollars transferring from the
4 general fund, like \$32 million into transportation, \$67 million into ARPA, water was \$65
5 million, and \$13 million into the electric fund. So, in other words, Consent Agenda vote, done.
6 Thank you."

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Mayor Gilbert thanked the speaker and invited up the next speaker.

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Next speaker was **Nick Vosburg** of 1148 Tringham Court:

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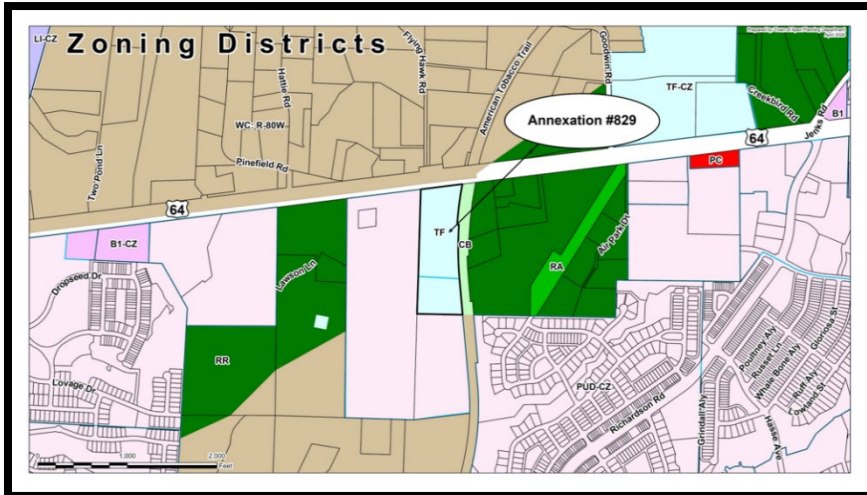
41

"Mayor, Council members, Town Manager, and staff. I'm here tonight simply to say thank you. It's easy for public meetings to become a scoreboard of frustrations, complaints, and criticism. That comes with the territory of leadership but I think it's equally important that we pause and recognize the incredible amount of work, thought, and care that goes into guiding a town like Apex through growth, change, and opportunity. Apex is not standing still. It is growing, evolving, and becoming a place that more and more people want to call home. That kind of success does not happen by accident. It happens because of long hours from town staff, difficult decisions, careful planning, and elected leaders willing to make tough decisions even when they are not always the most popular in the moment. And while not everyone will always agree on every decision, I believe there's a large group of residents who are optimistic about where Apex is headed. Many of us see the investment in infrastructure, parks, public safety, small businesses, and community spaces. We see a town trying to balance preserving its character while preparing responsibly for the future. That's not an easy tightrope to walk. Frankly, it's like trying to renovate a house while hosting Thanksgiving dinner at the same time. Somebody is always unhappy about the noise. But I think sometimes the loudest voices can create the impression that they speak for everybody, and they don't. There is also a silent majority of residents who love this town, appreciate the work being done, and believe Apex continues to move in a positive direction. I love that my son is growing up in Apex. I love seeing the diversity of people and the perspectives that make this community vibrant and welcoming. I love our proximity to everything while still maintaining the charm and character that make Apex feel like home. I love the amenities that this town offers, our parks and greenways, the extensive parks and recreation programs for all ages that include seasonal athletics, art and education classes, our excellent schools, amazing police and fire departments, our friendly neighbors, and a sense of community that still exists even as we continue to grow. Apex has found a way to embrace the future without losing the heart that makes people want to live here in the first place. So tonight, I want to encourage those residents, speak up and show up. Let our staff and council know when you appreciate their efforts, not just when you disagree. Public service can be a thankless job, and positivity deserves a microphone too. To staff and Council, thank you for your commitment to Apex, for the difficult decisions that you make, and for continuing to invest in the future of this community. While I may not always agree with every decision, I appreciate and respect you all

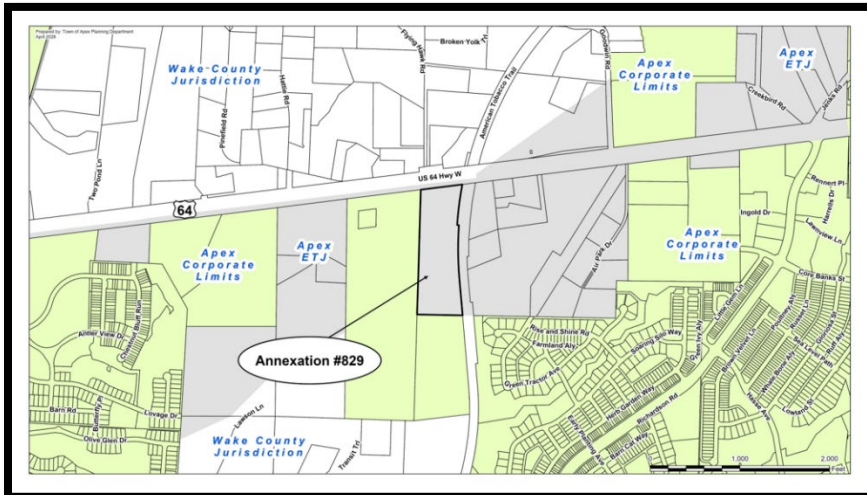
1 [SLIDE NO. 3]



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3 [SLIDE NO. 4]



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5 [SLIDE NO. 5]



6

1 **Mayor Gilbert** opened public hearing for the above-mentioned item (PH1).
2 With no one signed up to speak, Mayor Gilbert closed the public hearing and asked the
3 Council if there was a motion to approve as presented.
4

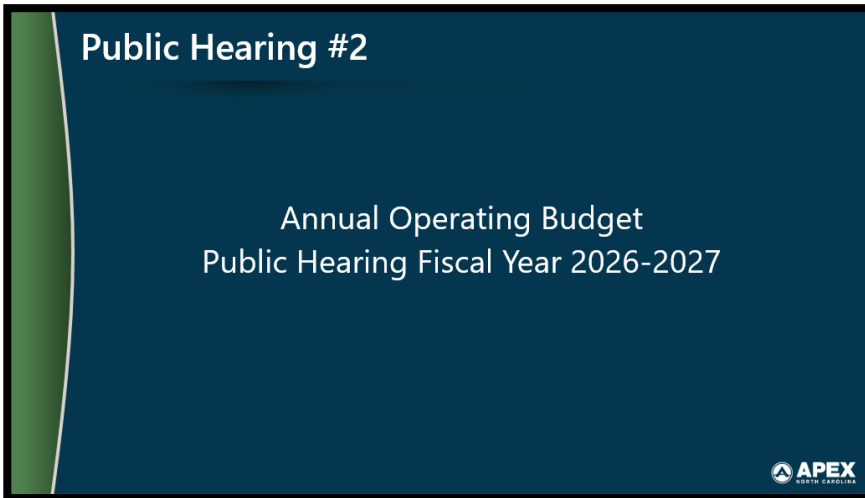
5 A **motion** was made by **Mayor Pro-Tempore Mahaffey**, seconded by
6 **Councilmember Zegerman**, to adopt Annexation Ordinance No. 829 - annexing 3501 US
7 Highway 64 West - 14.75 acres into the Town's Corporate Limits.
8

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

10
11 **PH2 Annual Operating Budget Public Hearing Fiscal Year 2026-2027**

12
13 **Councilmember Ed Gray** said this is Public Hearing two of the annual operating
14 budget public hearing and this is the opportunity for the community to be heard.

15 **[SLIDE NO. 1]**



16
17 **Mayor Gilbert** opened public hearing for the above-mentioned item (PH2). The
18 following individual(s) provided comments:
19

20 First to speak was Beth Bordeaux of 1044 Branch Line Lane:

21 "My Apex-based company is partners for impact, and we work toward building capacity for
22 community change. Thank you, Thankyou for all that you do, thank you for this opportunity to
23 speak on behalf of the budget for 2026-2027. As a Housing Choice Advocate, we appreciate
24 your continued commitment to housing choice for all, and your proposal to preserve the 1
25 cent tax dedicated to the affordable housing fund. Based on the 2025 update and the 2021
26 Affordable Housing Plan, we urge you not only to keep this penny tax, but to consider
27 increasing it to at least a penny and a half as quickly as possible, in order to close Apex's
28 affordable housing gap. We ask that this fund remain fully dedicated to putting new
29 affordable units on the ground, and keeping existing units safe and affordable. We have 4

1 things for you to consider. First, we are concerned that approximately \$542,000 in housing
2 staff salaries are being charged to the Affordable Housing Fund instead of the General Fund.
3 Ensure these funds do not cover expenses unrelated to increasing affordability. If staff
4 expenses must be covered through this fund, then staff should be dedicating 100% of their
5 time strictly to affordable housing efforts. Second, for significant investments like the \$10.6
6 million Hughes Street Mixed-Use Development, please ensure that Affordable Housing Funds
7 are exclusively used to increase affordable units in conjunction with leveraged funds, like tax
8 credits, and not broadly subsidizing the full property development. Third, in light of the
9 hardships like the Chatham Estates manufactured community redevelopment in Cary, it is
10 critical that we prioritize the stability and protection of families in manufactured home
11 communities in our community as part of our housing strategy. And don't misunderstand me,
12 because I am still an advocate for fully preserving these communities. Finally, we ask that you
13 consider the full and whole use of these set-aside dollars, thinking of it from a balance sheet
14 perspective, rather than a P&L. Think about the expected full balance at the end of this fiscal
15 year to be in the range of \$8.6 million, and then we would like to see a specific action plan
16 regarding how these funds will be used to quickly and purposefully implement the
17 recommendations outlined in the 2021 Affordable Housing Plan and the 2025 update. How
18 will funds be earmarked, how will they be set aside for specific projects, and so forth. Thank
19 you so much, I appreciate you and all you do."

20

21 **Mayor Gilbert** thanked the speaker, and called up the next speaker.

22 Next to speak was Elizabeth Stitt of 3113 Friendship Road:

23 "Mayor and Town Council, I'd like to start by saying the reason I keep showing up is because
24 obviously there are things that still need to be worked on. It is not necessarily that we don't
25 appreciate the Town, as some people will suggest, but we have people who are really hurting.
26 I have people who reach out to me on a regular basis, I've been around since 1991, I've
27 gotten a reputation of being willing to stand up here and take the bullets that come my way,
28 the nasty grams because I may have said something that people don't like, well guess what,
29 that's okay, we still come, I still have hope that maybe one of these days, somebody might
30 actually listen. Because I'm not advocating just for me, I'm advocating for the community
31 that's been here a long time. So, in terms of the budget, I really do not understand how you
32 can formulate a budget without understanding the foundation. If you do not have audited
33 financials, how do you really have confidence in the numbers you're working with. Just don't
34 understand it. Number 2, when people come up here and they talk about how they are
35 impacted by certain projects, the downtown project being delayed, maybe part of what we
36 do to close the budget gap is take a look at that project, and say what can we streamline to
37 save money, but also to pull the timeline back. It's not fair that these businesses are being
38 impacted the way they're being impacted. And then thirdly, when I go and look at the
39 documents from the past, there's certain information not available. I'll bring up Pleasant Park

1 for instance. The splash water park piece, I don't have young children so I'm not out there
2 splashing, but the park uses water. We have droughts. What is the Town's policy? How do we
3 reduce the cost of running the park? Maybe we don't have the splash pad for the kids. Maybe
4 that's where we save money and reduce operating costs. The public doesn't have enough
5 details in order to make some of these suggestions. I only know some of these things
6 because I've been around the block a while, and showing up at all these meetings, and
7 hearing people talk about things. It takes a lot of time and effort, and it's not a criticism
8 necessarily, but this is the only forum that we have to be able to bring suggestions. So, the
9 notion that because we have a criticism that we don't love the area, is just really unfounded.
10 So I want to thank you for listening to me again, I will keep showing up, and maybe one of
11 these days I won't have a reason to. Thank you."

12 **Mayor Gilbert** thanked the speaker and called up the next speaker.

13

14 Next to speak was Jim Herbst:

15 "I appreciate being here. Allen has a copy of everything I'm about to say, and you have plenty
16 of information from me already I'm sure. First of all, I want to start off by saying thank you to
17 the Council. This is a really difficult job and you're getting bullets all the time, so I appreciate
18 that you're listening, and you're taking some of our comments. I want to tell you that I'm not
19 going to ever try to give you anecdotal information. I really want to give you facts, I don't just
20 want to throw out stuff, and that's why I've given you that. I've given you a lot of material
21 beforehand, I'm not going to go over that, but I would like you to do is as you're considering
22 the budget, to take a look at some things before you make any decision, and maybe you have
23 this information and I don't, so you might just check this off your box. So, the first thing you
24 should have is the actual numbers, comparing it to last year's budget is better than not, but I
25 think you need the actual numbers from this year. Now of course you don't have it, the year's
26 not done, but unless you have that, an estimated actual, I don't think you have a full picture,
27 so I think you need that. Secondly, any positions, I would want to have KPIs and standards,
28 you know if you want a certain headcount of police, and maybe you do, but I don't see that in
29 the budget, and I've given you some KPIs and stuff that I've researched, and I'll tell you they're
30 probably better than nothing, but you have to go back to departments and challenge those.
31 And make sure you have those before you make any staffing decisions. There's a couple other
32 things here that I want to make sure that I get in in my 2 minutes, one is the raises of I think 3
33 and 2%, the general national raise is 3%, and I think that's really where you should hone in on.
34 I want to make sure too that you look at some of the data that I gave you, and the one that
35 stands out is, the population for the last five years when you were kind enough to give me the
36 five-year data, says that our population goes up 18%, so what would you think staffing went
37 up in that time? It went up 22%. I would think 18 would be the highest it would go up.
38 Because some things are fixed. What do you think salaries and compensation went up; these
39 are your numbers by the way. 47% in that five-year period. Something doesn't make sense to

1 me. These are your data; I'd be happy to go through the numbers. So, I want to just finish by
2 saying this, whatever you come up I'm not going to agree with it. And nobody should, you
3 should have, everybody should have their own opinion. That's okay. As long as you're taking
4 input from us, and you're getting data, I do think I will respect what you do. And I appreciate
5 that. Thank you."

6

7 **Mayor Gilbert** thanked the speaker and called up the next speaker.

8 Next to speak was Dawn Cozzolino of 3632 Bosco Road:

9 "I know there's been a lot of communication tonight about opposition, people having
10 opinions, criticisms I think some really strong words. I've been coming, I don't know 3 and half
11 years, I wasn't really paying much mind because I don't live in Apex, I live in New Hill, I live in
12 Wake County, I live in the country, I have well water and I have septic. And you would think
13 that would be fine, I would just go do my thing and live my life out. But unfortunately, because
14 the Town here, you do things that impact me all the time, and you harm my community all the
15 time. You utilize eminent domain, which is a very strict power on land use, you plan things for
16 our area that are not in your jurisdiction, you move money around to make it able to do land
17 purchases. In fact, I think affordable housing if I recall in the ARPA, was 4 million dollars, but I
18 don't know where that went. A lot of people talk about affordable housing, and some of the
19 projects that come before you, rather take the money for fee in lieu than actually build
20 affordable housing, so it's kind of a conflicting message for me. But that's why I come,
21 because I love my area, I love our community, I think we should be at peace, I think we have
22 constitutional rights, and nobody should be able to take those away from us, including
23 government officials. And while you're looking at the budget, you have a substantial amount
24 of employees, you have 4 different Town Managers, you have 4 different Town Attorneys, you
25 have duplicates of everything, and your salaries are way above normal average, so if you want
26 to cut line items, no I think they are, yeah, I know you disagree but I'm coming from a state
27 that's up north, and they're very high, and those are line items. Why do you need 29
28 planners? Are we doing all this residential, no I think we're working for one private developer,
29 RXR Veridea. So I know there's probably commercial up here too, so you're looking down at
30 that, but I would appreciate it if Councilwoman Sue Mu, if we could have some attention, I
31 only have a minute here, but the reason I come here is not to criticize, not to deliberate, it's to
32 talk about the truth here, and agenda items that are in consent, voting on massive capital
33 improvement projects that always relate to water, sewer, and roadways, taking right of ways,
34 taking people's property, to succeed in that, for private development is not a public use. And
35 so why you continue to do it I don't understand. And I will just add this, that the community is
36 growing, but you're growing it by mass density, and it's really not becoming Apex it was, it is
37 morphing into a community that is an urban city that looks like it was drawn from a rendering,
38 and I'm sorry about that, but I wish you the best in this budget, and thank you for your time."

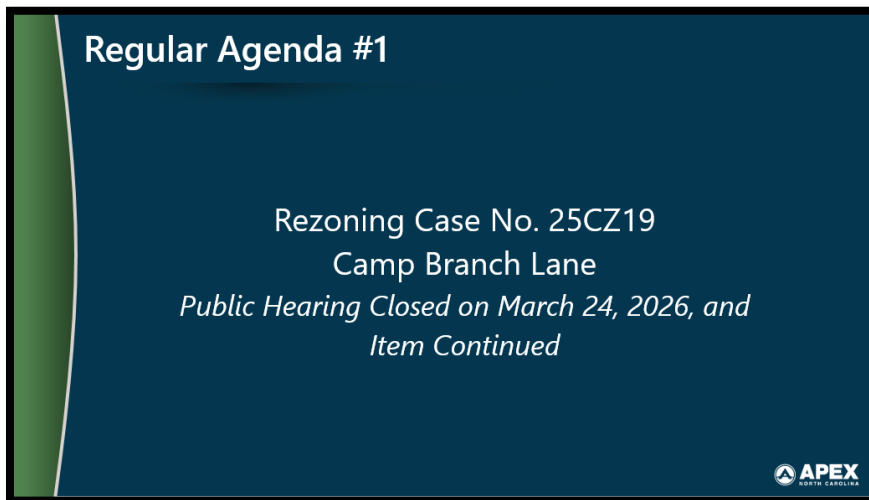
1 With no further speakers, **Mayor Gilbert** closed Public Hearing and moved to the next
2 item.

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6 **[REGULAR MEETING AGENDA]**

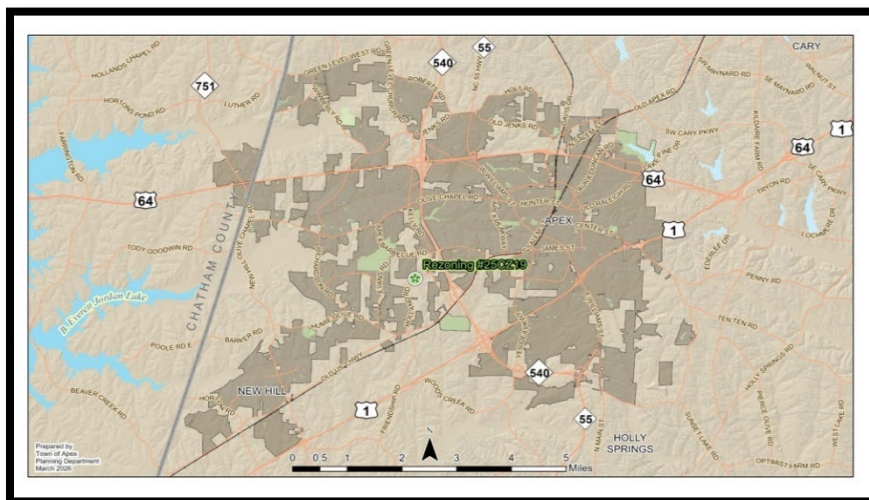
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8 **RA1 Rezoning Case No. 25CZ19 - Camp Branch Lane - Public Hearing Closed on March**
9 **24, 2026 and Item Continued**

10
11 **Planner II, Planning Department Joshua Killian**, said that the Public Hearing was
12 closed and would go over the summary of changes that had been changed.

13 **[SLIDE NO. 1]**



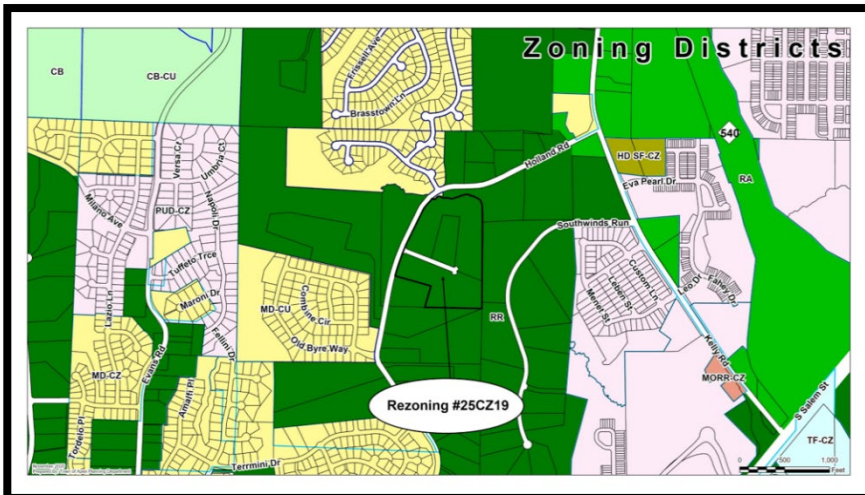
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15 **[SLIDE NO. 2]**



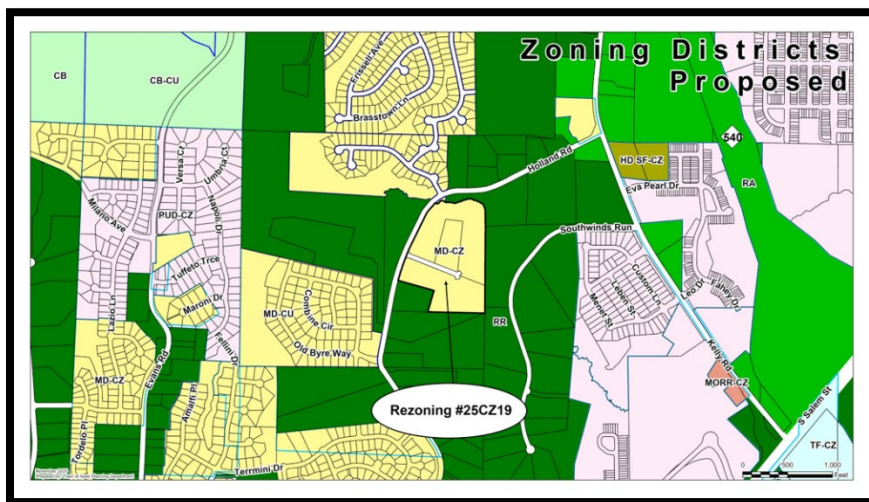
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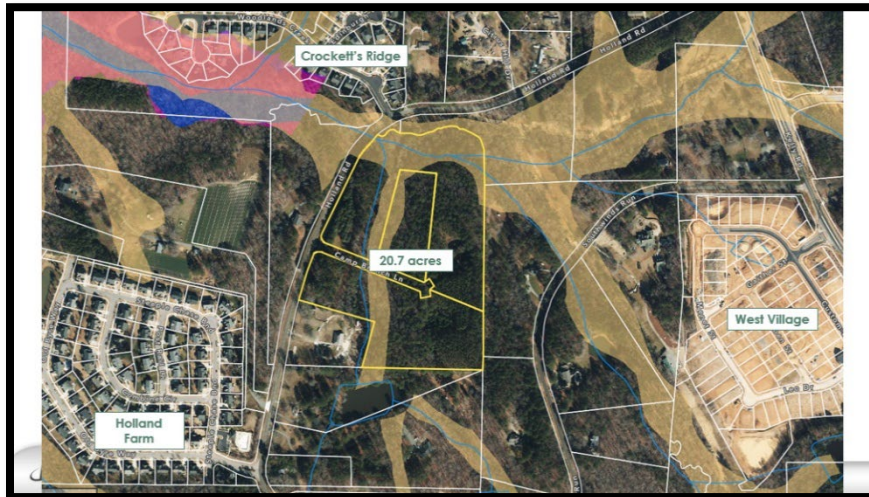
Matthew Parker, of Parker Poe, located at 301 Fayetteville Street in Raleigh, introduced himself as representing the applicant, Lennar. He also introduced members of the applicant team present at the meeting, including Tucker Innis and Chris Bolley with Lennar, as well as Don Curry with Curry Engineering, who is serving as the project’s civil engineer. He gave the following presentation:

[SLIDE NO. 1]



10

1 [SLIDE NO. 2]



2
3 [SLIDE NO. 3]

Concerns from 3/24 Town Council Meeting

- Affordable Housing
- Environmental Advisory Board Recommendations
- Site Access

Current Zoning:
Rural Residential (RR)

Proposed Zoning:
Medium Density Conditional (MD-CZ)

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4
5 [SLIDE NO. 4]

Affordable Housing

3/24 Town Council Meeting	Tonight
5% of units as affordable housing units at 80% AMI for rental units and for-sale units	10% of units as affordable housing units at 80% AMI for rental units and 120% AMI for for-sale units
HUD HOME Maximum Sales Price of \$390,000.	Consistent w/ Affordable Housing Incentive Zoning Policy & Procedures Manual
\$250,000 donation to Affordable Housing Fund.	Project NOT requesting incentives such as additional density, reduced RCA, etc.
Inconsistent w/ Affordable Housing Incentive Zoning Policy & Procedures Manual	Staff (Housing Division of Community Development and Neighborhood Connections Department) supports rezoning.

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6

1 [SLIDE NO. 5]

EAB Recommendations

3/24 Town Council Meeting	Tonight
4/9 recommendations included	8/9 recommendations included



2
3 [SLIDE NO. 6]

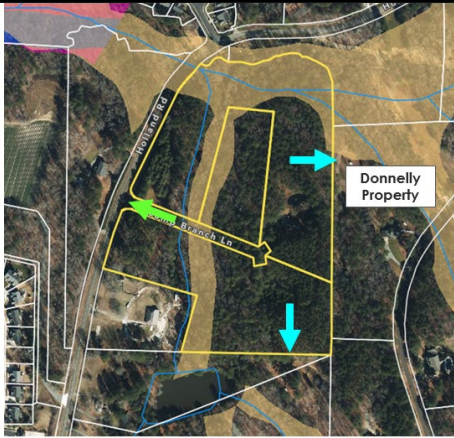
Rezoning 25CZ19 Camp Branch Lane – 8/9 Recommended Conditions Included

EAB Suggested Condition	Applicant's Response	Explanation
The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths	Yes	N/A
The project shall ensure that 75% of the landscaping shall be native species, which shall provide diverse and abundant pollinator and bird food sources. Special attention shall be paid to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.	Yes	N/A
No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.	Yes	N/A
HOA covenants, conditions, and restrictions shall not prohibit clover or native grass mixed species lawns.	Yes	N/A
In order to support nesting and overwintering wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.	Yes	N/A
If single family, the project shall install at least one (1) pet waste station per 25 residential units/townhomes and at least two (2) pet waste stations per apartment building throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there are fewer than 25 homes, at least one (1) pet waste station shall be installed.	Yes	N/A
A solar PV system of at least 3.5kW shall be installed on at least 10% of homes in the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being used for the development. The lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	Yes	N/A
Wire all garages with 220-vol outlets at the exterior to provide for EV charging stations in SF and Townhomes	Yes	N/A
No buffer averaging shall be allowed for Zone 3 of the riparian buffers	No	UDO Section 6.11.F.(1)(c) specifies that Zone 3 shall meet average width requirements. Averaging provides design flexibility—the Zone 3 width can be slightly reduced in tight areas or expanded in other areas. Subdivision plans have not been designed at this time and prohibiting averaging of the Zone 3 buffer could result in losing lots at Master Subdivision. The property has a Medium Density LUM designation which recommends up to 7 units/acre. The rezoning proposes a maximum density of 28 units/acre (max of 58 units). If the density is reduced further, the rezoning will be inconsistent with the LUM designation. Additionally, the UDO already prohibits averaging for Zones 1 and 2, the most critical

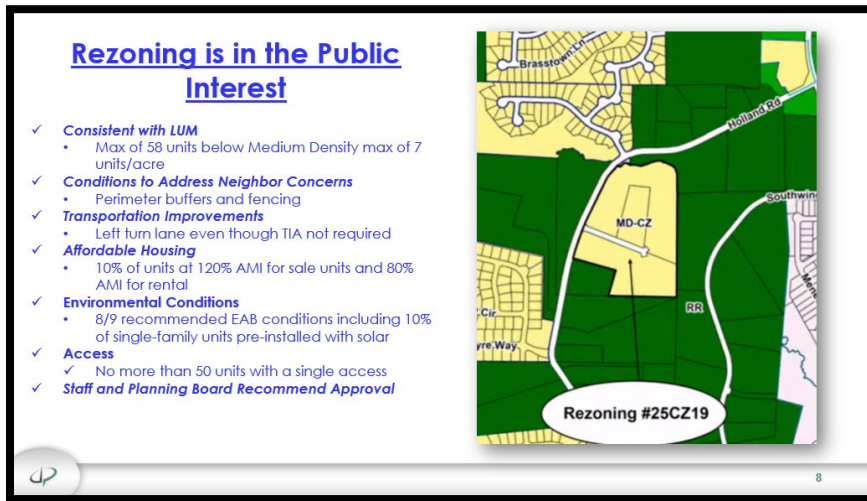
4
5 [SLIDE NO. 7]

Site Access & Stub Streets

- **Conditions to Address Access Concerns**
 - **Max of 58 units**
 - **No more than fifty (50) units shall be permitted with one (1) point of access to the public street system. If more than fifty (50) units are developed, the project shall have a minimum of two (2) points of access to the public street system.**
 - **Mimics UDO Section 7.5.4.E.**



1 [SLIDE NO. 8]



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Mayor Gilbert asked if there were any questions for Mr. Carpenter.

Councilmember Zegerman asked why the stream zone buffering was excluded.

Mr. Carpenter explained that the applicant has not finalized engineering plans and wants to maintain the flexibility for potential Zone 3 buffer averaging allowed. He said that the project will avoid all Zone 1 and Zone 2 riparian buffers, but the applicant was not prepared to commit to additional restrictions until the layout is fully engineered.

Councilmember Reese asked what the RCA commitment was.

Mr. Carpenter said it would be 35% if it is masqueraded.

Mayor Gilbert asked if there were any other questions and hearing none moved the item back to Council for discussion and possible motion.

Mayor Pro-Tempore Mahaffey said it was appreciated that the applicant responded to concerns of Council and supports this project.

Councilmember Gray said it was appreciated for the applicant to address the Affordable Housing issues and understand that as a Council they are viewing the role of the Environmental Advisory Board with more gravitas, and this is a project that he can support.

Councilmember Zegerman said it was appreciated that the revised proposal addressed prior concerns regarding affordable housing and access points. He said it was appreciated to have actual affordable units constructed rather than fee-in-lieu payments to the Town for affordable housing.

Councilmember Mu said that her original concerns of Affordable Housing and access points were addressed and thanked the applicant.

Councilmember Reese said with the responsiveness from the applicant, he was in support of this project.

DRAFT | MAY 12, 2026 REGULAR TOWN COUNCIL MEETING MINUTES

1 A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor Pro-**
2 **Tempore Mahaffey** to approve Rezoning Case No. 25CZ19 - Camp Branch Lane - rezone
3 approximately 22.19 acres from Rural Residential (RR) to Medium Density-Conditional Zoning
4 (MD-CZ) at 0 & 7104 Camp Branch Lane.

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

7
8 ~~**RA2 Ordinance Amendments – Yard Waste Program (Deferred)**~~

9
10 This item was deferred to the May 28th, 2026 Regular Town Council Meeting, per
11 previous vote taken to set the Regular Meeting Agenda.

12
13 **[CLOSED SESSION]**

14
15 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by
16 **Councilmember Zegerman**, to move to closed session pursuant to the item listed below.

17
18 Council entered into closed session at **7:52 p.m.**

19
20 **VOTE: UNANIMOUS (5-0)**

21
22 **CS1 Allen Coleman, Town Clerk**
23 **NCGS §143-318.11(a)(1):**

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

27
28 **[ADJOURNMENT]**

29
30 Council returned to Open Session at **8:10 p.m.**

31
32 With no further business before the Town Council, **Mayor Gilbert** adjourned the
33 meeting at **8:10 PM.**

34
35 Jacques K. Gilbert
36 Mayor

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

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