

DRAFT MINUTES

TOWN OF APEX REGULAR TOWN COUNCIL MEETING TUESDAY, SEPTEMBER 10, 2024 6:00 PM

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, September 10th, 2024 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=vTsUNBFxa7I>

[ATTENDANCE]

Elected Body

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

Town Staff

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

[COMMECEMENT]

Mayor Gilbert called the meeting to order, and said it was honor to serve in this roll. He said that there were colors posted by a combination of the Honor Guard of the Apex Fire Department and Apex Police Department. He then led those in attendance in the reciting of the Pledge of Allegiance. He said he wanted to give a special appreciation to the Apex Fire Department and Apex Police Department for the display.

Mayor Gilbert then took a moment of silence for the invocation.

[CONSENT AGENDA]

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

VOTE: UNANIMOUS (5-0)

CN1 Agreement Amendment No. 1 - Town of Cary - Remix Transit Planning Software Cost Reimbursement - August 1, 2024 through July 31, 2025 (CONT-2024-258)

Council voted to approve an Agreement Amendment No. 1 between the Town of Cary and the Town of Apex for Remix Transit Planning software cost reimbursement, to assist with long range transit planning, not to exceed \$8,500, effective August 1, 2024 and ending July 31, 2025, and to authorize the Town Manager, or their designee, to execute the agreement on behalf of the Town.

CN2 Annexation No. 788 - Oliver Property - Hie Olive Road - 15.9428 acres (REF: RES-2024-048, RES-2024-049, AND OTHER-2024-094)

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 September 24, 2024, on the Question of Annexation - Apex Town Council's intent to annex 15.9428 acres, known as Oliver Property - Hie Olive Road, Annexation No. 788, into the Town Corporate limits.

CN3 Appointments - Transit Advisory Committee (TAC)

Council voted to reappoint Linda Barrett to the Transit Advisory Committee (TAC) for a three-year (3) term expiring July 31, 2027.

AND Council voted to appoint Patrick Kirkley (new) and Wendy Perry (new) to the Transit Advisory Committee (TAC) for a three-year (3) term expiring July 31, 2027.

AND Council voted to appoint Frances Williams (new) to the Transit Advisory Committee for a partial term, previously occupied by Stuart Wagner, expiring July 31, 2025.

CN4 Contract Multi-Year - Clearwater Inc. - Master Services Agreement - Wastewater, Pp Station, Water Distribution Repairs, Replacements, and New Installations - October 1 2024 through September 30, 2027 (CONT-2024-259)

Council voted to approve a Master Services Agreement (MSA) between Clearwater, Inc. and the Town of Apex, to perform wastewater, pp station, water distribution repairs, replacements, and new installation as needed, effective through September 30, 2027 and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN5 Contract Multi-Year - Jack Moore and Associates - Master Services Agreement - Emergency Preventative Maintenance and Repair Elevated Water Towers - October 1 2024 through September 30, 2027 (CONT-2024-260)

Council voted to approve a Master Services Agreement (MSA) between Jack Moore & Associates, Inc. and the Town of Apex, to perform emergency preventative maintenance and repair for water appurtenances and altitude valve maintenance at water towers, effective

through September 30, 2027, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN6 Contract Multi-Year - KB Power Systems - Master Services Agreement - Emergency Electrical and Alternative Power Services at Town Facilities and Pp Stations - October 1 2024 through September 30, 2027 (CONT-2024-261)

Council voted to approve a Master Services Agreement (MSA) between KB Power Systems, LLC. and the Town of Apex, to perform emergency electrical and alternative power services at Town facilities and pp stations, effective through September 30, 2027, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN7 Contract Multi-Year - Vision NC LLC - Master Services Agreement - Emergency Pp and Haul, Pipe Cleaning, Video Inspection, and Flow Monitoring Services - October 1 2024 through September 30, 2027 (CONT-2024-262)

Council voted to approve a Master Services Agreement (MSA) between Vision NC, LLC., and the Town of Apex, to perform emergency pp and haul, pipe cleaning, video inspection, and flow monitoring services, effective through September 30, 2027 and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN8 Council Meeting Minutes - Various

Council voted to approve Meeting Minutes from the following meetings:

August 13, 2024 - Regular Town Council Meeting

August 20, 2024 - Town Council Work Session

CN9 Electronic Signature Policy - Amendment - Formal Bidding Range Electronic Signature Authorization (REF: PLCY-2024-011)

Council voted to approve amended Town of Apex Electronic Signature Policy, to allow electronic signatures for contracts in the formal bidding range, effective September 10, 2024.

CN10 Resolution Supporting Abandonment of a Portion of Chapel Ridge Road by North Carolina Department of Transportation (NCDOT) (REF: RES-2024-050)

Council voted to adopt a Resolution Supporting Abandonment of a Portion of Chapel Ridge Road (SR 1197, Wake County) by the North Carolina Department of Transportation.

CN11 Rezoning Case No. 23CZ24 - 1405 and 1407 Zeno Rd - Statement and Ordinance (REF: ORD-2024 (REF: ORD-2024-071)

Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Application No. 23CZ24, East West Partners Management Co, petitioner, for the properties located at 1405 and 1407 Zeno Road.

CN12 Rezoning Case No. 24CZ07 - The Townes at Parkside PUD - Statement and Ordinance (REF: ORD-2024-072)

Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Case No. 24CZ07 The Townes at Parkside PUD, Charm City Developers, LLC, petitioner, for the property located at 0 Olive Chapel Road and portion of 2437 Olive Chapel Road (PINs 0721572670, 0721585231 portion of).

CN13 Rezoning Case No. 24CZ13 - La Farm Bakery - Statement and Ordinance (REF: ORD-2024-073)

Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Case No. 24CZ13 La Farm Bakery, petitioner, for the property located at 202 South Salem Street (PIN 0742306498).

CN14 Veridea Pattern Book - Statement of Town Council (REF: OTHER-2024-095)

Council voted to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Veridea Pattern Book approved on August 27, 2024.

CN15 Tax Report - June and July 2024 (REF: OTHER-2024-096 AND OTHER-2024-097)

Council voted to approve Apex Tax Reports dated July 8, 2024 and August 6, 2024.

[PRESENTATIONS]

PR1 Proclamation - Italian American Heritage Month 2024 - October 2024 (REF: PRO-2024-024)

Mayor Gilbert invited the Council in the reading of the Proclamation for Italian American Heritage Month 2024.

Mayor Gilbert invited Michael D'Amore to come up and receive the proclamation and take a picture.

Mr. D'Amore thanked the Town of Apex, all of the representatives and citizens. He said that you may notice from all the traffic that has built up over the years that some Italians are coming down here from traditional enclaves like New York, Connecticut, and Pennsylvania. He said that this isn't Italians first time coming to North Carolina. He said Italians came here as one of the oldest original settlements, fleeing due to persecution. He said the town of Valdese in the mountains was settled by Italians and today, there is a welcoming community. He said that Apex is hosting its first Festa Italiana and celebrating its second Italian American Month Proclamation. He invited all to attend on September 21st from 11 AM to 7 PM to experience the richness of the culture. He thanked everyone.

PR2 Proclamation - National Hispanic Heritage Month 2024 - September 15 through October 15, 2024 (REF: PRO-2024-025)

Mayor Gilbert invited the Council in the reading of the Proclamation of National Hispanic Heritage Month 2024.

Mayor Gilbert invited Pastor Jose Luis Villasenor, with Fiesta Christiana, Juan Ortega, Pilar Rocha-Goldberg, and Mauricio Solano to come up and receive the proclamation and take a picture.

Pastor Villasenor thanked Mayor Gilbert, the Town Council and friends and family who were in attendance, on behalf of the Hispanic and Latino Community. He said that this

celebration is for the history, culture and contributions of Hispanic Americans. He said he had been a resident in Apex for 17 years. He said he accepts the challenge to continue to protect and advocate for all people to be treated with respect and dignity.

Mr. Ortega invited everyone to the Hispanic Heritage Festival Saturday, September 28th from 3:00 pm – 9:00 pm. He thanked the community for the support.

PR3 Proclamation - Patriot Day 2024 - September 11, 2024 (REF: PRO-2024-026)

Mayor Gilbert invited the Council in the reading of the Proclamation for Patriot Day 2024.

Mayor Gilbert invited the Apex Police Department and Apex Fire Department to accept the Proclamation and take pictures.

Fire Chief Tim Herman said that it was an honor to be representing the men and women of the Fire Department. He thanked Mayor Gilbert and Council for remembering and all the support that they give.

Police Chief Jason Armstrong thanked Mayor Gilbert and the Council for supporting the Apex Fire Department. He said that September 11, 2001 is a reminder that any day can be changed in a second. He said the Fire men and women are committed to serving every day.

Mayor Gilbert invited members of the Apex American Legion Post 124 to also receive the Proclamation for Patriots Day 2024 and take a picture.

An American Legion member thanked the Town on behalf of the men and women in Apex Post 124 in the American Legion. She said she was in the Pentagon 23 years ago on September 11, 2001. She said it is not a good day, but she appreciated the Town's support, and it is an honor. She thanked Mayor Gilbert and Council members for remembering and thanked them again.

Mayor Gilbert said he wanted to remind the community that Apex would be hosting the Patriot Day Memorial ceremony tomorrow, September 11, 2024 at 9:30 a.m.

PR4 Carolina Academy of Performing Arts (CAPA) - Potential Apex Site


Mayor Gilbert introduced Tracy Weeks, *President, Carolina Academy of Performing Arts Theatre Inc.*

Ms. Weeks introduced Melanie Prince, Founder and Artistic Director and Reed Jacob, Vice President of the Board. She said that CAPA is a premier educational organization that focuses on Conservatory Level Training for the Performing Arts. She gave information on what CAPA stands for and their vision. She gave the following presentation:

1 **[SLIDE 1]**




2
3 **[SLIDE 2]**



Who are We?

The Carolina Academy of Performing Arts is a premier educational organization that provides conservatory-level instruction in theatre, music, dance, and film to youth ages 5 to 18.





4
5 **[SLIDE 3]**

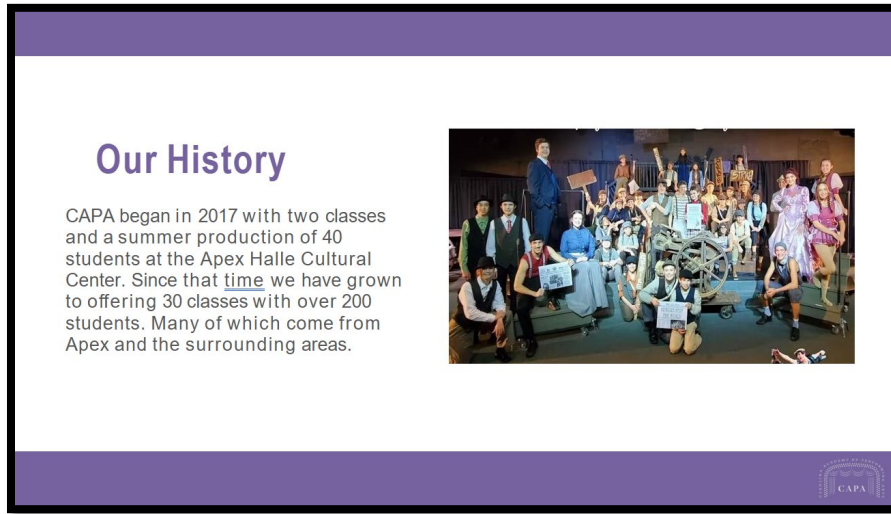
Our Purpose

CAPA seeks to build character and create a vibrant community for the youth of Apex and surrounding areas through exceptional performance arts education.

CAPA provides high-quality entertainment for families and strives to become a premier **venue** for local and regional artists to showcase their talents and inspire others.



Ms. Prince spoke about the History of CAPA and gave the following presentation:
[SLIDE 4]




[SLIDE 5]



Ms. Weeks spoke on how CAPA could work with Apex and gave the following presentation.


1 [SLIDE 6]



Why We're Here

CAPA would like to partner with the community to elevate the performing arts in Apex and help drive growth.

Our key need is adequate rehearsal and performance space. CAPA needs a place to call HOME.



2
3 [SLIDE 7]

Why does Space matter?

- Dedicated facilities for instruction
- Ability to expand our programs
- **Ability to accommodate all interested students**
- Proper rehearsal and performance spaces
- Storage for costumes, props, and equipment
- Performance space that can support proper sets, cast sizes, and audience sizes
- *Other arts programs are closing because of space challenges!*

**We want to do more and give more
to the communities we serve!**



4
5 [SLIDE 8]

Current Performance Spaces are Inadequate

Where CAPA has searched:	Space Challenges:
<ul style="list-style-type: none">• Churches• Halle• Fuquay-Varina Arts Center• Holly Springs Cultural Center• Cary Arts Center• Fletcher• Wake County Schools• Universities	<ul style="list-style-type: none">• Seating Capacity• Wing Space• Stage Size• Technical Capacity• Expense• Distance• Bureaucracy• Availability



6

1 **[SLIDE 9]**

Long-term plans

Fundraising goal: \$40M for a permanent theatre

Timeline: 2 years to build

Plans for self-sustainability:

- Ticket sales from performances
- Workshop fees
- Summer programs
- Facility rentals
- Patrons
- Resident Programs
- Volunteers









2
3 **Mr. Jacob** spoke on the facilities and gave the following presentation:

4 **[SLIDE 10]**

Partnerships

John Storyk, co-founder of WSDG, an architectural and sound design firm, has partnered with CAPA to design and build our dream space.






1 **[SLIDE 11]**

CAPA Theatre Plans

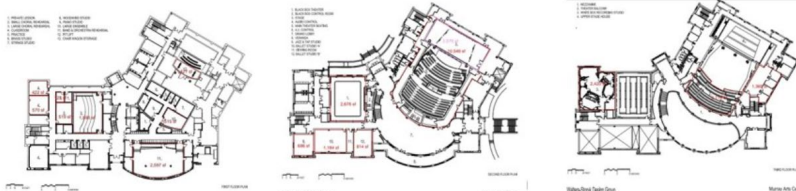
New 50,000 ft² facility will house:

- Main proscenium stage with seating capacity for 600-1000 seats
- A secondary flexible box theater with 150-200 seats
- Rehearsal spaces dedicated to dance, music, and theatre
- Educational spaces, including classrooms, library resource center, and acting studios
- Support film/audio recording
- Storage and administration spaces



MURRAY ARTS CENTER

<https://www.mtparamschool.com/arts/murray-arts-center>



2
3 **Ms. Weeks** spoke how this would benefit Apex and gave the following presentation:

4 **[SLIDE 12]**


Benefits of CAPA to Apex

**A Welcoming
Community**

**High Performing
Government**

Economic Vitality

- Increased youth engagement in positive after-school activities
- Cultural enrichment through performances and events
- Potential economic impact: • Audience attraction for performances • Increased foot traffic for local businesses
- Improved city image as a supporter of arts and youth



1 **[SLIDE 13]**


A Community Partnership

- Assistance with identification of suitable temporary facilities and long term location
 - Potential city-owned properties
 - Available land
- Introductions to key stakeholders or potential donors
- Support with grant applications for arts funding
- Waive town taxes
- Tax credits for investors and businesses
- Partnerships with county/other townships






2
3 **[SLIDE 14]**


Apex: The PEAK of Performing Arts!



4
5 **[SLIDE 15]**

Thank you

		
Tracy Weeks President Tracy@mycapa.org	Reed Jacob Vice-President Reed@mycapa.org	Melanie Prince, Founder/Artistic Director Melanie@mycapa.org



6

1
2 **Ms. Weeks** asked if there were any questions.

3 **Mayor Gilbert** thanked Ms. Weeks for coming in and sharing the vision. He said that
4 the performances by CAPA were extraordinary, and we would love to

5 **Councilmember Zegerman** asked about what size property CAPA was looking for.

6 **Ms. Weeks** said likely 20 to 25 acres for adequate parking and the potential room for
7 expansion.

8 **Councilmember Gantt** asked if there was a model of a city that has done this in the
9 last 10 years.

10 **Ms. Weeks** said that DPAC in Durham is a public-private partnership, and gave some
11 other examples that they can learn lessons from, like Roanoke Rapids.

12 **Councilmember Gantt** asked for an example of similarly sized town that has
13 partnered with a municipality or County.

14 **Ms. Weeks** said that you would have to go outside the Performing Arts and look at
15 other examples like sports programs.

16 **Councilmember Mahaffey** asked if they had any ideas of where they would like to
17 have this theater.

18 **Ms. Weeks** said that Apex would be the location, but that finding the right balance for
19 space and development around this.

20 **Ms. Prince** said that she would like to see Professional acts come through, as well. She
21 said she would like this to be a destination location. She said that she would like to embrace
22 the outlying areas of Apex.

23 **Councilmember Mahaffey** asked about the fundraising process and goals.

24 **Ms. Weeks** said that they are in the early stages of fundraising.

25 **Councilmember Zegerman** asked if they had any meetings with Apex staff.

26 **Ms. Weeks** said that they had met with Mayor Gilbert.

27 **Councilmember Killingsworth** said that logistics would be the biggest challenge but
28 supported the idea.

29 **Mayor Gilbert** thanked them and encouraged them to continue planning.

30
31 **Mayor Gilbert** moved to set the regular meeting Agenda.

32
33
34 **[REGULAR MEETING AGENDA]**

35
36 **Mayor Gilbert** said that there was an add-on Closed Session NCGS §143-
37 318.11(a)(3): Williams vs. the Town of Apex.

38
39 A motion was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore**
40 **Gray** to approve the Regular Agenda, with the addition of the Closed Session for Williams vs.
41 Town of Apex.
42

VOTE: UNANIMOUS (5-0)

[PUBLIC FORUM]

Mayor Gilbert opened up Public Fors and invited the first speaker up.

First to speak was **Dawn Cozzalino** of 3632 Bosco Road:

"Good evening, simple presentation tonight messages town of Apex planning and transportation are emitting the secondary roads so the secondary roads on this map are all the purples and you can see the crashes and cars and such and there's 12 secondary roads so these aren't counted in zoning and if you notice Peak Landings right there so I want you to pay attention to that as I go through this so safety's easy comes with analyzing data, right? Mile post by mile post literally this is 3.1 miles and data like this shouldn't be excluded right from any planning decisions it's big decisions you're making but Peak Landing is coming out right here. There's three roads right in that area and already we've had in the past five years 60 wrecks, 104 Vehicles involved and an estimated, and this is estimated \$637,200 in damage. We're thankful no fatalities have actually happened in this area, and we want to keep it that way, right, safety first. We have even a reason to celebrate actually there's a success story warning signs were side warning signs were put here at the intersection of Bosco and that's dropped crashes on 11 out of 12 secondary roads to zero so real success story. Something you can't unsee, and you know this is where we come into the partnership with DOT, and doing traffic studies analyzing the data and helping to support the facts to make big decisions, but I as I understand a Peak Landing has not had one single engineering traffic study, volume or anything, which is interesting because, Russell Dalton's he had a November 2023 investigation in this area up here you know a Friendship intersection at Holland Road all that, you guys approved the signals which was awesome, that intersection is so dangerous and his traffic study said there was 13,260 vehicles traveling on old one which is a secondary road, 101 okay so somehow, I'm asking tonight if we can push forward that traffic study consider it because this is real data, there's real accidents, people are getting hurt, somebody's going to die and if you put two entrances right here on the bottom of a hill I don't know what's going to happen but I really want to take care of our neighborhood. I want to I really want to watch out for it, so I hope you do too. Thank you very much."

Mayor Pro Tempore Gray asked if they could keep the board she was using for a visual and they would return it to her.

Ms. Cozzolina said yes.

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

"I was listening to CAPA since the YMCA fell out why not look at that 25 acres for them to have a facility? I think Bill Baker in the Keith Corp are looking for something, so I wanted to

1 make sure you guys were aware of that. All right, to my regular comments. Tag teaming on
2 what Dawn just shared of that \$600 some thousand dollar of Damages 450,000 of it was at
3 the Friendship Holland Road Old us one intersection and Thursday of last week I was leaving
4 my house, and the end of my driveway to the intersection is 1,000 ft, it took me 24 minutes to
5 go 1,000 ft and I knew I was pulling out of my driveway at the wrong time thankfully
6 somebody was very kind let me get in but as I'm looking at everybody behind me there was a
7 school bus that was stuck in the traffic about six cars behind me and then three cars behind it
8 was an Apex police officer, who could not get out could not serve the community because he
9 was sitting or she was sitting in traffic, so things were going slow enough my neighbor picked
10 a few tomatoes came over to the car handed me a few tomatoes when he was getting his
11 mail. So, we need to do something about this and so previously we had talked about getting
12 a patrol officer out there for just certain periods of the time, and certain time periods of the
13 day. So, I think we need to put this back on the table. I should not have to wait 24 minutes to
14 go 1,000 feet. I sat and watched all of these cars playing chicken darting into Old US1. I know
15 the town had a vehicle that was called in an accident was rolled over not too long ago. So,
16 we'd like to have the conversation about what we have to do. Does the community, do we
17 need to chip in to pay for the overtime hours to have an officer out there, do we go to DOT? I
18 don't know where we start but there is going to be an email in your boxes very shortly to say
19 and help us do something for our community. I love the fact that you approved this traffic
20 light, but we've got to do something between now and then. Thank you."

21
22 **Mayor Gilbert** thanked Ms. Cozzolina and asked for the next speaker to come up.

23
24 Next speaker was **Beth Bland** of 3724 Friendship Road:

25
26 "I was at the Ag Board meeting today where the properties being affected by the force
27 main that are in is a VAD or the enhanced VAD program presented their cases. There were
28 two things that I'd like to bring to your attention, you're going to get questions from the Ag
29 Board after that meeting, they'll be coming in probably tomorrow or Friday because I think
30 they have to have answers by Friday. But the first has to do with fiscal responsibility, the force
31 main and the way it's aligned down US 1 and with knowing that there's an interchange going
32 in there's widening of the road, question is how can you be fiscally responsible when you
33 know this Force main is going to get moved? The CAMPO study has just put an interchange
34 into their 2030 plan. What I heard today it's supposed to be completed, the Force main, as far
35 as how it's set now by 2026. So, within 5 to 10 years of putting this in the ground and the
36 millions of dollars spent to do that it's going to get moved it's going to be affected. So, I
37 would just ask that you look at this again with the DOT because either the town's going to pay
38 for it, or DOT is going to be paying for it and they won't want to do that. The other question
39 that arose that I want to bring to your attention is liability, so the easement that the town is
40 going to put on all of our properties, who is liable if someone gets hurt, if someone
41 trespasses on there because now our buffer to US 1 is being taken down? So we're very
42 concerned about people coming up into our properties how that gets prevented, I don't think

1 it does, and who is liable? You have to come and you have to check, on everything with the
2 force main, if someone gets hurt on the property is the property owner liable or is the town,
3 or how does that work? So, I just wanted to make you aware there were a lot of issues that
4 came up in that meeting and I'm sure you'll have some questions that you'll need to answer.
5 So, thank you."

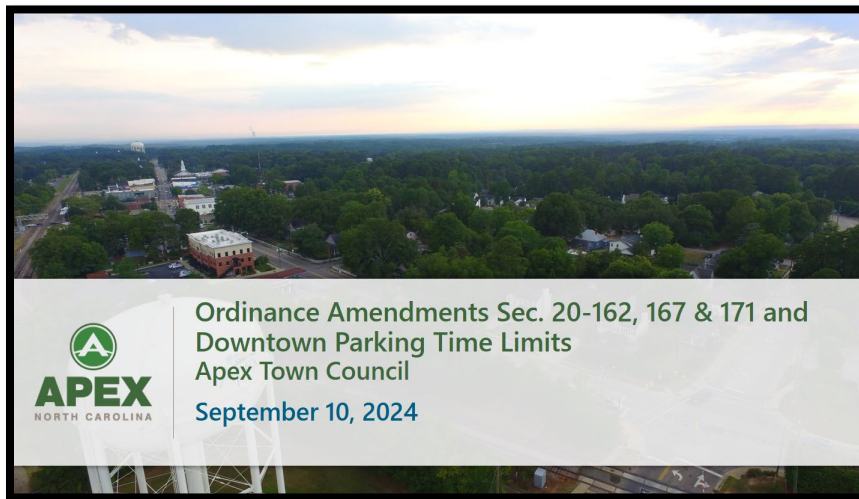
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7 **Mayor Gilbert** thanked Ms. Bland. He said with there being no other speakers he
8 closed the Public Hearing and moved to New Business.

9
10 **[NEW BUSINESS]**

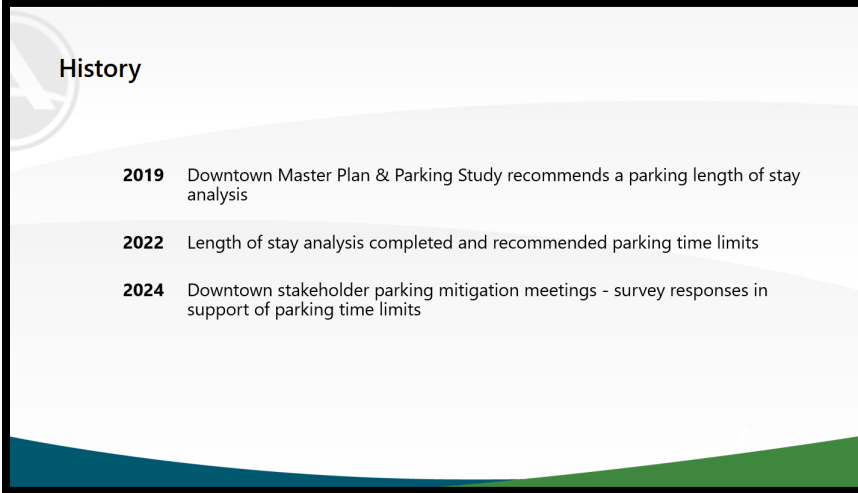
11
12 **NB1 Ordinance Amendments - Chapter 20 - Traffic, Article VIII. - Parking, Sub Sections**
13 **20-162, 167 and 171 - Downtown Parking Time Limits (REF: ORD-2024-074)**

14
15 **Russell Dalton**, Traffic Engineering Manager, Transportation and Infrastructure Dev.
16 Department gave the following presentation:

17
18 **[SLIDE 1]**



1 **[SLIDE 2]**

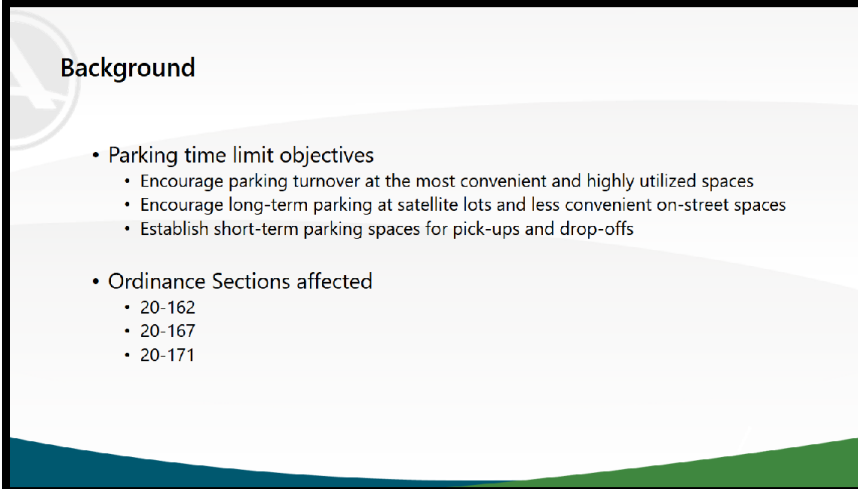


History

- 2019** Downtown Master Plan & Parking Study recommends a parking length of stay analysis
- 2022** Length of stay analysis completed and recommended parking time limits
- 2024** Downtown stakeholder parking mitigation meetings - survey responses in support of parking time limits

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2
3 **[SLIDE 3]**

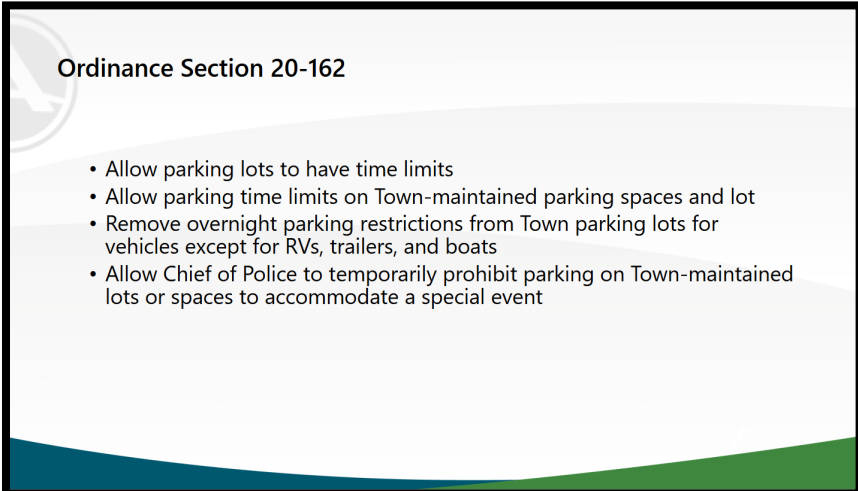


Background

- Parking time limit objectives
 - Encourage parking turnover at the most convenient and highly utilized spaces
 - Encourage long-term parking at satellite lots and less convenient on-street spaces
 - Establish short-term parking spaces for pick-ups and drop-offs
- Ordinance Sections affected
 - 20-162
 - 20-167
 - 20-171

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4
5 **[SLIDE 4]**



Ordinance Section 20-162

- Allow parking lots to have time limits
- Allow parking time limits on Town-maintained parking spaces and lot
- Remove overnight parking restrictions from Town parking lots for vehicles except for RVs, trailers, and boats
- Allow Chief of Police to temporarily prohibit parking on Town-maintained lots or spaces to accommodate a special event

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1 **[SLIDE 5]**

Ordinance Section 20-167

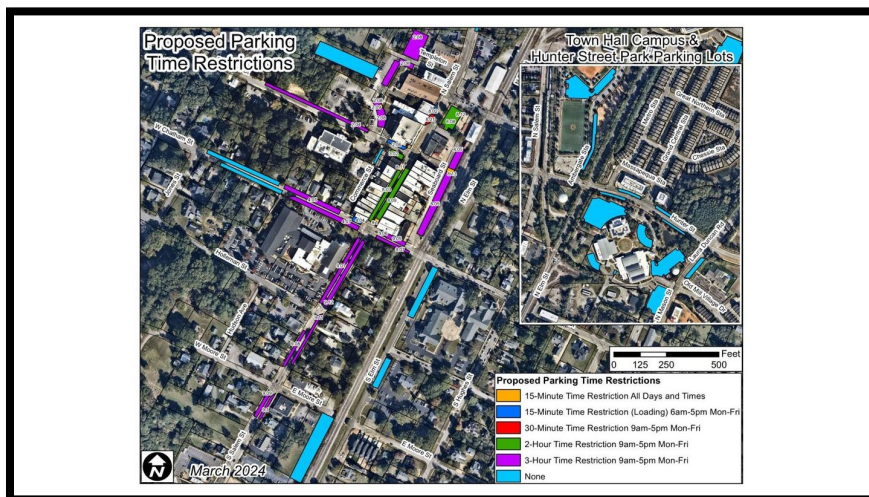
- Add a reference to the parking schedule – Traffic Schedule III, “Parking Time Limits”
- Separate violation for each interval of time a vehicle remains beyond the legal time interval designated for a limited time parking zone
- Allow the Chief of Police authority to temporarily prohibit parking in a time-limited parking area for emergency vehicle access

2
3 **[SLIDE 6]**

Proposed Downtown Apex Parking Time Limits

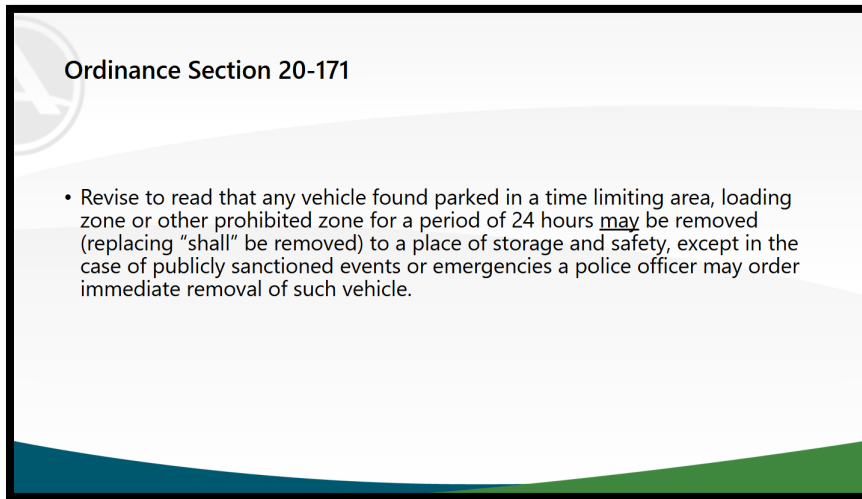
3-hour on-street parking	<ul style="list-style-type: none">• S Salem Street• E Chatham Street & W Chatham Street• Saunders Street
2-hour on-street parking	<ul style="list-style-type: none">• N Salem Street from Saunders Street to Chatham Street
3-hour off-street parking	<ul style="list-style-type: none">• Seaboard Lot• Saunders Lot spaces adjacent to businesses
2-hour off-street parking	<ul style="list-style-type: none">• Depot Lot
15-minute spaces	<ul style="list-style-type: none">• N Salem Street – one on each side• Seaboard Lot• Saunders Lot• Depot Lot

4
5 **[SLIDE 7]**

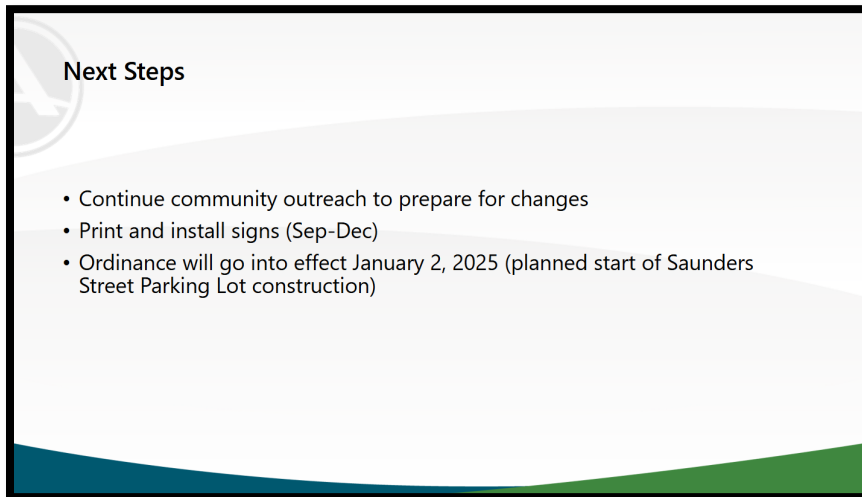


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1 **[SLIDE 8]**



2
3 **[SLIDE 9]**



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

6 **Councilmember Mahaffey** asked if there were any concerns about the bid process
7 and update for the Saunders Street Lot.

8 **Mr. Dalton** said that there were no major concerns, but that questions can come up
9 from these types of bids.

10 **Councilmember Mahaffey** asked if it was still scheduled to be awarded in October.

11 **Mr. Dalton** said that was correct.

12 **Councilmember Mahaffey** asked about enforcement, and if there dedicated parking
13 for Police Officers.

14 **Captain Rosser** said that from an enforcement standpoint it would be like any other
15 new ordinance. He said it would be educating through social media and other means to
16 make the public aware before they would start enforcing it. He said they are exploring
17 options of covering this due to staffing restraints.

18 **Councilmember Mahaffey** asked if this was something a civilian could cover.

1 **Captain Rosser** said yes, civilian is an option.

2 **Councilmember Gantt** asked if this would be a complaint-based system from
3 business owners and other people in downtown.

4 **Captain Rosser** said it could be, especially the Saunders lot construction, but there
5 will be continuous monitoring from PD.

6 **Mayor Pro Tempore Gray** said that this would be a new process for the community to
7 learn. He asked if there was a plan to bring the businesses into the educating plan.

8 **Captain Rosser** there is a plan. He said they have CPOs meeting with the Downtown
9 businesses. He said it was a joint communication plan.

10 **Councilmember Zegerman** asked Mr. Dalton what feedback from the Downtown
11 employees about parking and any vision of the mitigation solutions.

12 **Mr. Dalton** said that there is a special parking team that has worked on this. He said
13 that Shannon Cox may have more information.

14 **Ms. Cox** said that she was not prepared to do a full update. She said that recently
15 there was a Downtown business outreach and coordination survey. She said that it was
16 specifically focused on the employee shuttle that the Council had asked to be investigated.
17 She said that they are working on these results now.

18 **Mayor Gilbert** asked Captain Rosser how much the ticket violation would cost.

19 **Captain Rosser** said he was not sure, but would get that to him

20 **Mayor Gilbert** asked if it was the cost of court.

21 **Captain Rosser** said he thought \$30.00. He said that the penalty was changed to Civil
22 which took the court cost piece out, unless a criminal citation is writte..

23
24 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember**
25 **Gantt**, to adopt Ordinance Amendments - Chapter 20 - Traffic, Article VIII. - Parking, Sub
26 Sections 20-162, 167 and 171 - Downtown Parking Time Limits.

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

29
30 **Mayor Pro Tempore Gray** wished Mayor Gilbert a Happy Birthday. He asked anyone
31 attending to sing Happy Birthday.

32
33 **[UPDATES BY TOWN MANAGER]**

34
35 **Town Manager Vosburg** gave an update on the Utility Bill situation. He said they have
36 put more Customer Service in place and doubled the number of employees that are taking
37 calls to try to eliminate the wait times. He said the amount of time spent with each customer is
38 the reason for the long wait times. He said there are still some phone issues. He said they had
39 to go back to their old phone while this is being fixed, and they implemented a system for
40 leaving messages. He said that beginning on Thursday they would have extended hours, until
41 6:30 PM. He said that because of some of the issues with rebuilding the system, there is a
42 delay in the data entry which are trying to be caught up before the next billing cycle. He said

that they are avoiding service to be cut off and penalties, so residents should not be concerned about that. He said there upticks at certain times during the day, so they are encouraging citizens to use the off-peak times. He said that in the e-suite portal, the residents can analyze their data themselves, which can help with answering some of the questions. He said they will continue to generate paper bills. He will also be utilizing a 3rd party in the future to review the utility bills that were issued during this time to work on reconciliation and work with Apex. He said he wanted to thank the residents for their patience. He said he also wanted to thank the staff for how diligently they are working.

Councilmember Mahaffey thanked Town Manager Vosburg for the update. He was happy to see capacity for customer service increased for this. He said it was good to hear to have a 3rd party to be brought in to reconcile this.

Mayor Pro Tempore Gray said that throughout this billing disruption that the town is not turning off water or utilities if someone can't pay their bill.

[CLOSED SESSION]

A motion was made was made by **Councilmember Killingsworth** and seconded by **Councilmember Zegerman** to enter into closed session pursuant to **NCGS §143-318.11(a)(5) and NCGS §143-318.11(a)(3)**.

VOTE: UNANIMOUS (5-0)

Council entered into Closed Session at **7:16** p.m.

**CS1 Steve Adams, Utilities Acquisition and Real Estate Specialist
NCGS §143-318.11(a)(5):**

"To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease."

**CS2 Laurie Hohe, Town Attorney
NCGS § 143-318.11(a)(3)**

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

**CS3 - ADDED CS3 Mayor Gilbert - RE: Williams v. Town of Apex
NCGS § 143-318.11(a)(3)**

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

Council returned to Open Session at **7:52** p.m.

[ADJOURNMENT]

Mayor Gilbert adjourned the meeting at **7:53** 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 _____.