

DRAFT MEETING MINUTES
TOWN OF APEX
REGULAR TOWN COUNCIL MEETING
TUESDAY, APRIL 22, 2025
6:00 PM

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, April 22nd, 2025 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=AKSez2jbuF0>

[ATTENDANCE]

Elected Body

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

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]

Mayor Gilbert called the meeting to order at **6:00 p.m.** and welcomed all those in attendance. He said that tonight they would be paying tribute to Samantha Faith Mele, an Apex High School student who was killed in a car accident. He invited those in attendance to join in a moment of silence in memory of Samantha. He asked the community to keep her family, friends, and school in their thoughts and prayers.


[SLIDE 1]



[SLIDE 2]

Public Participation

- Please sign in with the Town Clerk prior to the start of the meeting for all Public Hearings and Public Forum
- Public Forum speakers are requested to address only items that **do not** appear in the 'Public Hearings' section on tonight's agenda
- The Mayor will recognize those who would like to speak at the appropriate time
- Large groups are asked to select a representative to speak for the entire group and are limited to 9 minutes
- Individual comments must be limited to 3 minutes to allow others the opportunity to speak



[CONSENT AGENDA]

Mayor Gilbert noted that there was an update to an attachment for Consent Item 8, Resolution Opposing House Bill 765.

Mayor Pro Tempore Gray requested that Consent Item 6 be pulled from the Consent Agenda to make updates to the proposed map for the social district and consult with Legal, and bring it back to Council at the May 13, 2025 Regular Meeting.

Town Manager Vosburg confirmed that should still allow staff time to meet the planned start date of June 07, 2025.

A **motion** was made by **Mayor Pro Tempore Gray**, seconded by **Councilmember Mahaffey**, to approve the Consent Agenda, with the removal of Consent Item 6 to return on May 13th, 2025, and the update to the attachment for Consent Item 8.

VOTE: UNANIMOUS (5-0)

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CN1 Agreement - Magnet Forensics Software - Digital Evidence Examination - effective May 10, 2025 through May 09, 2026 (REF: CONT-2025-104)

Council voted to approve a license agreement with Magnet Forensics, effective May 10, 2025 through May 9, 2026, to examine digital evidence with mobile, cloud, and digital resources, and authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN2 Budget Ordinance Amendment No. 11 - Mills Property Acquisition (REF: ORD-2025-024)

Council voted to approve Budget Ordinance Amendment No. 11 appropriating funds for the Mills property acquisition in Downtown Apex.

CN3 Council Meeting Minutes - Various

Council voted to approve, as submitted or amended, Meeting Minutes from the following meetings:

March 18, 2025 - Town Council Work Session Minutes

March 25, 2025 - Regular Town Council Meeting Minutes

CN4 Memorandum of Understanding (MOU) between Town of Apex and Thales Academy - Emergency Evacuation Plan and Accommodations - effective through April 30, 2030 (REF: CONT-2025-105)

Council voted to approve a Memorandum of Understanding (MOU) between the Town of Apex and Thales Academy, effective May 01, 2025 through April 30, 2030, for the purpose of emergency evacuation and special accommodations.

CN5 Multi-Year Contract - LexisNexis - Legal Research Software - May 1, 2025 through April 30, 2028 (REF: CONT-2025-106)

Council voted to approve a multi-year Subscriber Amendment and Addendum with LexisNexis for legal research software, effective through April 30, 2028, and authorize the Apex Town Attorney to execute the same.

~~**CN6 Ordinance Amendment - Chapter 14 Offenses and Miscellaneous Provisions, Article I - Establishment of Social District Downtown Apex - Effective June 07, 2025**~~

~~Joanna Helms, Director, Economic Development Department~~

CN7 Ratify Amendment - Hazen and Sawyer, P.C. - Design Services Agreement Big Branch Force Main and Pump Station No. 2 (REF: CONT-2025-107)

Council voted to ratify an amendment to the existing Design Services Agreement between the Town of Apex and Hazen & Sawyer, P.C. for design of the Big Branch Pump Station and Force Main No. 2.

CN8 Resolution in Opposition of House Bill 765 - Local Govt. Development Regulations Omnibus (REF: RES-2025-018)

Council voted to adopt a Resolution in Opposition of House Bill 765, An Act to Reform Local Government Development Regulations in This State, and direct the Town Clerk to provide a certified copy of this resolution to all elected representatives representing the Town of Apex in the North Carolina General Assembly, and All Wake County Municipal Mayors, Town Councilmembers, and Town Clerks and request their support of this legislation.

CN9 Resolution Supporting Abandonment of a Portion of Chapel Ridge Road by North Carolina Department of Transportation (NCDOT) (REF: RES-2025-019)

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

CN10 Software License Agreement - Cellebrite Inc. - Digital Forensics Subscription - June 21, 2025 through June 20, 2026 (REF: CONT-2025-108)

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Council voted to approve a license agreement with Cellebrite Inc, effective June 21, 2025 through June 20, 2026, to examine digital evidence with mobile, cloud, and digital resources, and authorize the Town Manager, or their designee, to execute on behalf of the Town.

CN11 Tax Report - February 2025 (REF: OTHER-2025-035)

Council voted to approve the Apex Tax Report dated March 20, 2025.

CN12 Unified Development Ordinance Amendments (UDO) - March/April 2025 - Signs - Statement of the Town Council (REF: OTHER-2025-033)

Council voted to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of April 8, 2025 related to signs.

CN13 Unified Development Ordinance Amendments (UDO) - March/April 2025 - Staff - Statement of the Town Council (REF: OTHER-2025-034)

Council voted to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of April 8, 2025 proposed by staff.

[UPDATES BY TOWN MANAGER]

Town Manager Vosburg gave updates on the budget timelines, including the Finance Committee Meeting on April 24th, the Budget Work Session on May 8th, the Budget Public Hearing at the May 27th Regular Council Meeting, an if-needed Budget Work Session May 29th, and a planned Budget Adoption on June 10th. He said EarthFest was coming up this weekend, along with ThinkApex Day on Saturday. He said PeakFest will be held on May 3rd in Downtown. He added that Randall Haskins and Victorian Simmons with Communications received awards from the NC City and County Communicators Conference. He introduced Nora Skinner, the Town's new Environmental Programs Coordinator. Finally, he mentioned the Utility Billing update, and that they expect to have preliminary results available to review from the Third-Party Reviewer.

[PRESENTATIONS]

PR1 Proclamation - Apex Earth Day - Saturday, April 26, 2025 (REF: PRO-2025-013)

Mayor Gilbert and Town Council read the Earth Day Proclamation in unity. Mayor Gilbert invited Nora Skinner and Don Reaves, Sustainability Coordinator, to receive the Proclamation. He also invited John Garrison, Vice Chair of the Environmental Advisory Board as well.

PR2 Proclamation - Civilian Law Enforcement Professionals Week - Sunday, April 20 through Saturday, April 26, 2025 (REF: PRO-2025-014)

Mayor Gilbert and Town Council read the Civilian Law Enforcement Professionals Week Proclamation in unity. Mayor Gilbert invited Chief Johansen and Town of Apex Civilian Law Enforcement Professionals to receive the Proclamation.

PR3 Proclamation - National Tennis Month 2025 - May 2025 (REF: PRO-2025-015)

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Mayor Gilbert and Town Council read the National Tennis Month Proclamation in unity. He invited Laura Weygandt, Executive Director of the Western Wake Tennis Association, and Barbara Sinapoli, WWTB Board Member, to receive the Proclamation.

Ms. Weygandt said tennis was arguably the healthiest sport to play, and she said they were fortunate to have great support from the Town Council and the Parks and Recreation Department.

PR4 Proclamation - Public Service Recognition Week - Sunday, May 4 through Saturday, May 10, 2025 (REF: PRO-2025-016)

Mayor Gilbert and Town Council read the Public Service Recognition Week Proclamation in unity. Mayor Gilbert invited Members of the Employee Extension Team up to receive the award.

Mariah Maheswaran, Co-Chair of the Employee Extension Team, said it was a new team designed to provide employee recognition, foster ideas across departments, and provide employee feedback to Town Council. She thanked the Town Council and Community for support of its employees.

Deputy Town Clerk Ashley Gentry also recognized Joshua Killian, the other Co-Chair of EXT, who could not be at the meeting.

PR5 Proclamation - Safe Drinking Water Week 2025 - Sunday, May 5 through Saturday, May 11, 2025 (REF: PRO-2025-017)

Mayor Gilbert and Town Council read the Safe Drinking Water Week Proclamation in unity. Mayor Gilbert then invited up members of the Water Resources Department to receive the Proclamation.

Water Resources Director Michael Deaton said his team works incredibly hard, and the work they do is vital to the quality of the water supply and health of the community. He thanked the Town Council and community.

PR6 Proclamation - Think Apex Day - Saturday April 26, 2025 (REF: PRO-2025-018)

Mayor Gilbert and Town Council read the Safe Drinking Water Week Proclamation in unity. He then invited Community Engagement Manager, Brianne Gill, and Department Director Marla Newman to receive the proclamation.

[REGULAR MEETING AGENDA]

A **motion** was made by **Councilmember Gantt**, seconded by **Mayor Pro Tempore Gray**, to approved the Regular Meeting Agenda as presented.

VOTE: UNANIMOUS (5-0)

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[PUBLIC FORUM]

Mayor Gilbert opened Public Forum, and invited up the first speakers.

First to speak was **Jessica Nance** of 600 Bladestone Court, and **Marina Galaka** 2412 Pecan Ridge Way:

"I'm concerned about the lack of affordable housing options here in Apex. I believe that solving this problem requires that elected officials, town staff, and community members collaborate on creative approaches that are affordable to all lower to moderate income households. That is households with annual incomes of less than 30,000 dollars, and up to 80% of the area median income, which in 2024 was 98,000 per family of 4. You'll hear in a moment from my dear friend Marina about her family's abrupt departure from their home in Ukraine, devastated by war, to their life with my family in Apex for 2 and a half years. Her story includes a struggle to find their own home, one that they could afford, closer to their kid's schools, their jobs, and their support network. After you hear her story, we ask you to consider the following. As elected officials, you have the responsibility and the power to make change. I ask for your leadership in this effort in 4 key ways: The first, building socioeconomic equity into the 2025 Affordable Housing Plan by requiring and ensuring that those who need affordable housing are the primary residents providing input into the plan, so you can recognize that there may be loss of trust between lower-income residents and town officials, and take steps to rebuild that trust. Move community engagement sessions into the communities most effected. Give power to their voices, back up their input with direct allocation of funding. Consider affordable housing as a core value in all zoning, planning, and policy actions. Make all decisions with this in mind, will it help or will it hurt in moving the needle for affordable housing. Third, set aside additional funding to support affordable housing choices, funding that is directly and 100% dedicated to funding for units dedicated to households making less than 80% of Ami and below. And lastly, ensure more integrated affordable housing, not clustering small units in targeted neighborhoods and segregated apartment complexes. Thank you so much, and now I am pleased to introduce you to my dear friends, Marina."

Ms. Galaka continued: "I am from Ukraine, from the eastern part, from a beautiful city Kharkiv, which is situated only 20 miles from the Russian border. Life there was beautiful, people there know how to love, how to be good friends, and they just know how to live a good, happy life. My family never was planning to move to another country, we were just happy to be at home. But one morning 2 years ago in February my husband woke me up around 4 AM, telling me that Russia started the war, that there was explosions all over the city, and that I don't have time to process this, we need to leave. My son was sleeping in another room, he was 9 years old, his backpack was all ready for school with homework done. My daughter was 2, she was sleeping too, so we had to wake them up early, I didn't have time to pack all of our stuff, some toys, some clothes, and we left. We had a car so we just started driving West, the goal was to drive far from the Russian border. So we ended up in Czech Republic, and we stayed there with some friends for a month, when one of my friends contacted me, her name is Laura, she lives in Raleigh, I met her during my college year in Ukraine when I was doing orphanage ministry, she came with a mission trip, so I haven't seen her for 15 years, and she contacted me on Facebook, telling me to please take your family to come to my house and we will figure it out and help you. It was a hard decision to make, but she was the only one who offered, and this is what we did. And it's hard to believe, but we landed in Raleigh on April

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22nd three years ago, so I met my friend's husband, who is a great teacher, and Laura used to work in Church. Their house is not big, but they opened the door, and me and my family started living there. We started to take care of all of our paperwork, work permits, and realized that it's not that easy, it took my husband 6 months to get his work permit, and only in October he started working. Of course, we couldn't live with my friend for a very long time, and we were very grateful for what she said, and we started looking for opportunities to rent something, and I'm not talking about a house, maybe about a condo or apartment, but very quickly understood that we can't afford it. My husband started working as an electrician assistant just to have money for groceries, and it truly helped us, but it was pretty desperate time, we couldn't see any future of how to stay here. So, then it happened that through some friend's Jessica's family heard about us, and they offered us to live with them, and we have lived with them for 2 years and 2 months. And last summer, we were ready to move from Jessica, and we started to rent our own place in Apex, without her help, I honestly don't see a good ending of our story because with all of the effort, with all the desire, unfortunately there are things in life that are too complicated, so what she has done was priceless, and I am forever thankful for that. This 2 years that we spent with this family were very special to us because emotionally we're having a very hard time, moving here and starting living here, and now we feel much better, and we're in such a good place surrounded by kindness and support of all the local people, and thank you so much for this opportunity I have to speak, and one more time I really want to thank Jessica for what she has done for me, and I want to thank you all for this wonderful community of Apex for all of your kindness and all your support, and my family feels it every day. And of course, there is no place like home, but if you can't live at home, you better live in the most wonderful place to live in America, the little Town of Apex. Thank you."

Next to speak was **Ceil Masella** of 2093 Tordelo Place:

"Good Evening Mayor and members of the Town Council, thank you for allowing me to speak to you tonight. I am president of the Madison at Evans Creek HOA. I have a lot to say with a small amount of time, so hold on. We're a small community of 39 homes, and 4 very large SCMs, I'll refer to them as ponds. Two of them are bioretention ponds, which are very expensive to maintain and repair. They have a filtration system installed, about 2 feet down, made specific stones and sand, and needs to be replaced every 20+ years. The price we were given 2 years ago was \$70,000 per pond. Our resident paid dues of 1,000 dollars per year per home, we have no amenities. Our entire budget goes towards necessities like pond maintenance, landscaping, and bills. The builders started the ponds in 2015. In 2019, we started engaging with town Water Resources with regard to ponds which had not been approved yet. For a long time, they were extremely cooperative with answering all of our questions, because of the financial burden of 4 ponds for 39 homes, we wanted to be sure that each pond was in the best condition possible when it was turned over to us. We had an engineering inspection done on all of the ponds at our expense so we would know their condition. The inspection revealed that there were slopes that were too soft in each pond, but bioretention pond 2, which is the first picture on your packet, had especially weak slopes. This means they were not built correctly and would likely not hold up. Rebuilding them is very expensive, all of the ponds had slopes that were steeper than the approved designed plans designated, we gave our inspection report to Water Resources and the builder to make them aware. I'm not sure the difference it made,

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because in late 2020 the town inspected and passed all of the ponds. We were there, the inspection was what I would consider negligent at best, and I shared that with them. Prior to the inspection, the builder's design engineer had to fill out forms called as-built supplements, in which he personally certified that all sloped were built according to Apex standards. We knew they were not. Fortunately, the approval process dictated that the builder needed us to sign off on slopes that were steeper than the plans showed, so we refused and the approval process was not finalized. The builder would have to correct the steepness of the slopes. Our concerns regarding soft slopes led us to the decision to do geotechnical testing of a few of the questionable slopes at our expense, and it was expensive, it's those big tubes they use to get samples from the slope to analyze. We tested 9 spots. Testing showed that the slopes did not have the right soil, or the right compaction, and were not built according to state and local standards. Proof positive that they were bad. We shared with the town and the builder, the town said that the builder engineer certified them, so they weren't really interested in our testing. Fast forward to today, 3 ponds have recently been completed and approved, they are much better than they were when we first encountered them. Bioretention pond 2 still needs to be rebuilt. Given that it was all built by the same construction company, we are suspect of the integrity of the rest of the pond. That was all background for our main complaint. If you go down to exhibit number 4, it cites the state law that was written when the project was submitted. The same law exists today. There must be a ten-foot maintenance buffer around the perimeter of each pond. As indicated in the law, which is cited on your packet, that perimeter maintenance buffer, must be included in the original drawings. If you look at drawing, which is number 2, it's not there. The wetlands weren't shown as required either, but that would have opened up a whole bucket of worms. So, none of our ponds have the required buffer. I think you'll agree that the state law was not paid attention to. We not only don't have a 10-foot buffer in bio 2, but if you look at the 2 photos in exhibit 3, you will see that the steep east outside slope, and that's the one that's very soft, practically overlaps the wetlands. That's where the buffer is supposed to be. You can see we can't get through there. The builder is going to place fabric and rip rap on that slope to stabilize it, if that rip rap slides how can we possibly repair it? You're not allowed to disturb the wetlands. Given what we know about bioretention pond number 2, we are very concerned about what's going to be handed over to us. If there are required repairs in that pond and we need large or heavy equipment to make them, we do not have the required buffer to do the job. We were told by our landscapers and our pond engineer that repairs where they really need that buffer will be much more expensive, it is incomprehensible that we would left in such a state of affairs. It violates the ordinance in Apex, the State regulations, and due to the presence of the wetlands, the Jordan Watershed regulations, which requires a greater buffer than 10 feet. Look at exhibit number 2, that's a drawing of the pond. The pond should really be partially on lot 13 where there is a house. The Town of Apex should be protecting their tax-paying residents. When I call the State level agencies they just say that Apex have to follow State laws, and refer us back to the local agency. This HOA should not be penalized by being denied the protection of laws that provide a work buffer. The town allowed homes to be built where ponds should have been. Why should this association bear the burden of mistakes made by the town and the builder. We have to have an engineer certify that all ponds are in tip-top shape annually, through a highly critical inspection process/. How ironic that we are mandated to follow that requirement, when we weren't protected by the requirements of the state of North Carolina. I'm asking this Town Council to please help us and use your voice to advocate on our behalf. If you look at Exhibit 2, you will see that there is an area north of the pond,

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that is designated as RCA. I would ask you to help us have that area reclassified, and have the pond reconfigured to allow us better access. If that's not feasible, then I ask you help to change the wording of the operations and maintenance agreement. The last page of your packet has the cover sheet of that agreement, which we must follow as new owners. The town handed out that agreement and the builder agreed to it. We had no input whatsoever. It designates us as 100% financially responsible for all violations and repairs in the ponds moving forward. That should not be the case where the repair is dependent on the absent buffer. Someone needs to share that burden of higher repair costs. This association honestly cannot afford to lay out expenses that are the fault of the town's inability to follow the rules of law, and on that diagram, do you see where the RCA is, to the right of the pond? If you notice, going directly above the pond, there is actually a high slope here, there is a bunch of trees. There is a note that says those are RCA trees that need to remain there. The builder actually has to remove those trees if we don't agree to that steep slope, so that leads me to believe that that RCA can be reclassified in some way, shape, or form.

Next to speak was **Beth Bland** of 3724 Friendship Road:

"I've spoken out at previous council Meeting concerning the information being shared out to the residents of Apex via the Town Council. You only share what you want the residents to know, and not everything that has taken place. By omitting information, you are manipulating the residents of Apex, who don't have time to fact check you, or to educate themselves. So, an example, today is Earth Day. And the Town is celebrating with Earth Fest, the town is promoting a tree planting celebration with members of Tree CAP. I would like to point out the history of Apex Tree CAP. It was a volunteer Board of residents who advocated for Apex trees and enabled Apex to claim and promote Apex's designation as a Tree City USA. For those of you who don't know, the Town Council voted on December 17th, 2024 to officially dissolve Apex Tree CAP. The volunteers were notified two days later. So, despite the Town Council dissolving Apex Tree CAP over 4 months ago, you have chosen to mislead the public by leaving the Tree CAP webpage up on the Town's website, and you are using the feel-good notion of a tree planting demonstration during Earth Fest, even though Apex Tree CAP no longer exists. So, it's an example of what you have chosen to omit. It seems rather pertinent to point this out on Earth Day. Thank you.

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

"Mayor and Town Council, good evening. As a part of Earth Fest, we must talk about what's happening to trees in Apex. For my neighbors who don't know Apex history, in 2018 Apex participated in a stormwater study, that highlighted Apex's need to increase its urban forest to better manage stormwater, to reduce heat islands which put pressure on the Apex electric grid, to improve air quality, and our overall quality of life. Some of this Council was in office in 2017, and the majority of this Council was in office in 2019, yet nothing has been done with these recommendations. For my neighbors who didn't read the 2023 Apex Tree Canopy Assessment, they may not know that Apex lost more trees than any other community in the last decade. The dismal results did not prompt this Council to create a plan for better protections, or for restoration, but rather takes steps such as disbanding Tree CAP from development. To be clear, Apex resource conservation areas

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ordinances are much like Trail Mix, they're full of a bunch of things. Apex allows many things in the RCA area that are not compatible with trees, such as sewer, power lines, and sidewalks, leaving much less space for trees than the 35% that is touted, and frankly is used to mislead the public. Furthermore, instead of using tree protections, we see Apex Public Projects such as Pleasant Park, with very few trees, that provide little to no shade for those visiting the park. Or we see the town's plan to remove 18 acres of trees for the planned Big Branch Force Main, with no plans to replant any of these trees elsewhere in our affected community. Or we see the town celebrating the development of Veridea, which will lead to the majority of 1100 Acres to be clear cut. The Council's actions ignoring the Apex study data, disbanding Tree CAP, asserting that the RCA actually protects trees when it doesn't. These actions have the effect of misleading and taking advantage of our neighbors who don't have time to fact check or advocate for better protections. Our environment deserves better, and I know you can do more. Thank you."

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

"Good evening Mayor and Town Council. I want to first thank Jessica from Apex's traffic safety for providing with the Traffic Impact Analysis and answering all of my questions. Me and my neighbors are very concerned that the Town of Apex is not hearing us on protecting the safety of the Friendship and New Hill Communities. As we continually experience traffic accidents or near missed. NCDOT and Apex are committed and actually pledged support for Vision Zero, it's a very critical objective. And this seems in contract with how Apex is highly developing high-density development all around us. So, I've promised you that I would do a traffic study, analysis of all the impacts in our area, and I have that tonight. So, let me talk about first the background on the assumptions. So, this is any of the approved or under construction projects in the area, this is old US 1, Highway 1, Veridea on one side, Depot 499 on the north side. Includes growth factors, includes the size of those housing, includes the commercial square footage., It also includes discussion on services levels. And I will say that most of them that I looked at had an F in at least one category, congestion, which would cause accidents of course, risky driving, that kind of thing. Basically, it says West of 540, there is going to 58,000 new cars every day on the road, and that's not talking about school caps or reassignment. You look East of this, there's 26,000 at Depot 499, the kicker is Veridea at 240,000. So, I don't know how the roads can possibly handle this, and we deserve some safety in our area, and I would like you to reach out, and I look forward to your response on this. Thank you."

Mayor Gilbert thanked all those who came out to speak, and moved the meeting on to Public Hearings.

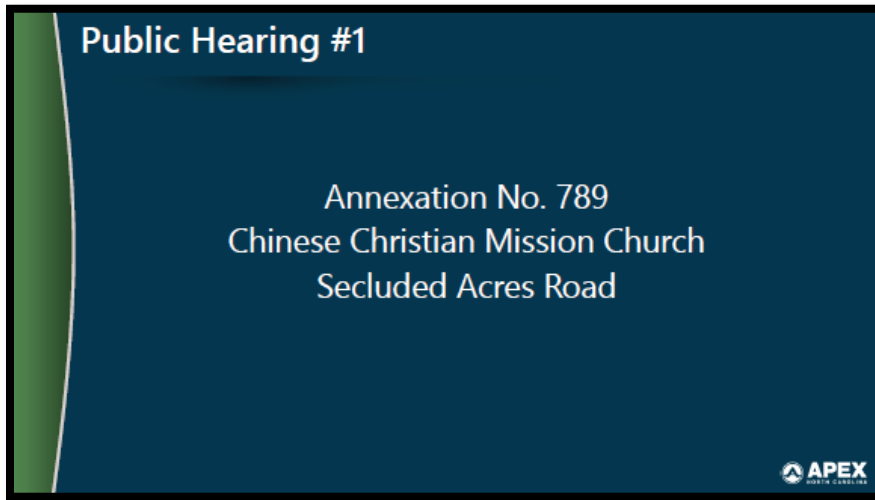
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[PUBLIC HEARINGS]

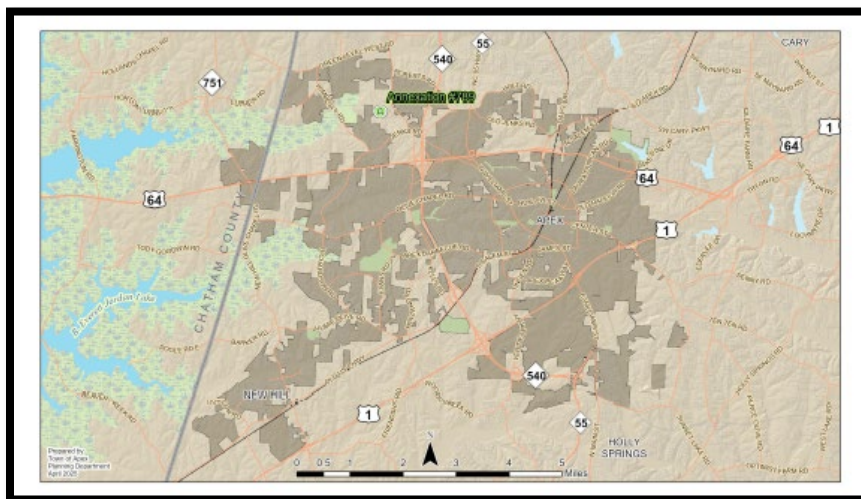
PH1 Annexation No. 789 - Chinese Christian Mission Church - Secluded Acres Road - 4.72 acres (REF: ORD-2025-026)

Dianne Khin, Planning Director, gave the following presentation:

[SLIDE 3]



[SLIDE 4]



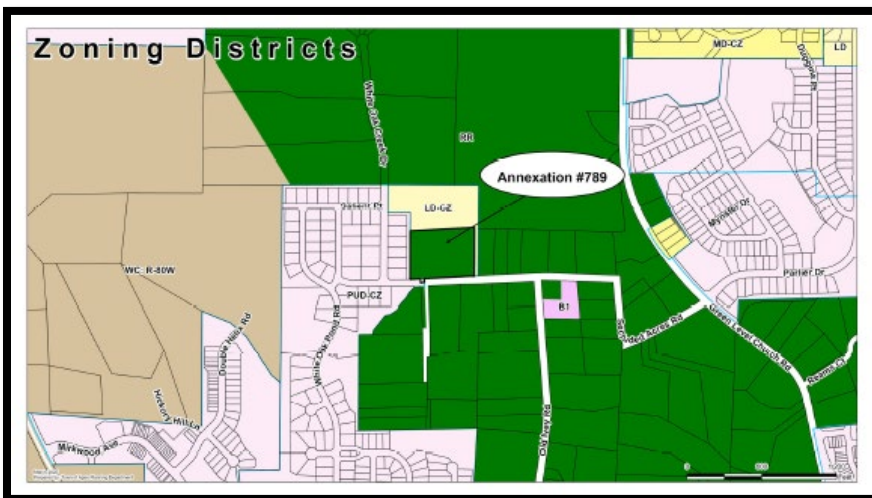
[SLIDE 5]



[SLIDE 6]



[SLIDE 7]



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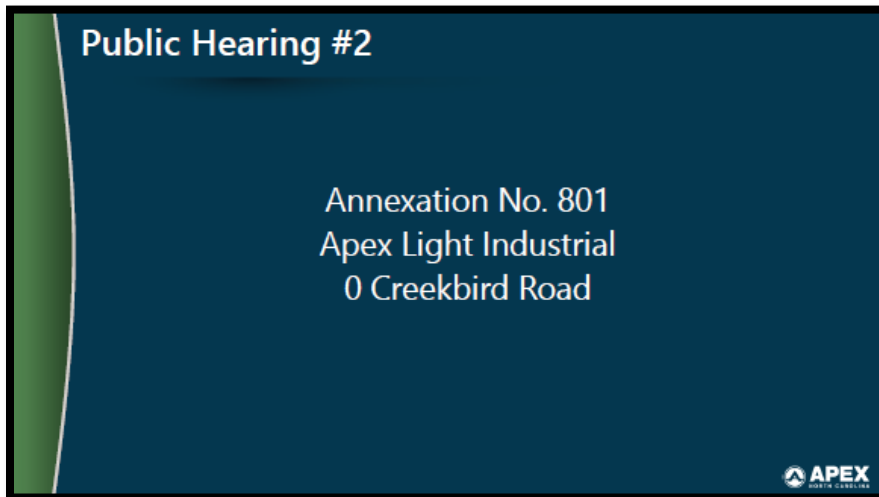
Mayor Gilbert opened Public Hearing for this item. With no one signed up, he closed Public Hearing and moved the item back to Council.

A **motion** was made by **Councilmember Killingsworth**, seconded by **Councilmember Zegerman**, to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 4.72 acres, commonly referred to as Chinese Christian Mission Church, located on Secluded Acres Road, Annexation No. 789, into the Town Corporate limits.

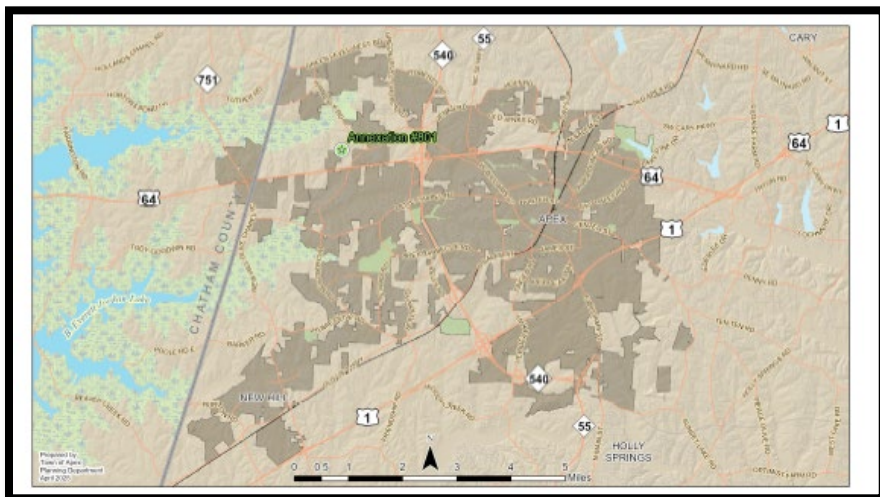
VOTE: UNANIMOUS (5-0)

PH2 Annexation No. 801 - Apex Light Industrial - 0 Creekbird Road - 3.19 acres (REF: ORD-2025-027)

Dianne Khin, Planning Director, gave the following presentation:
[SLIDE 8]



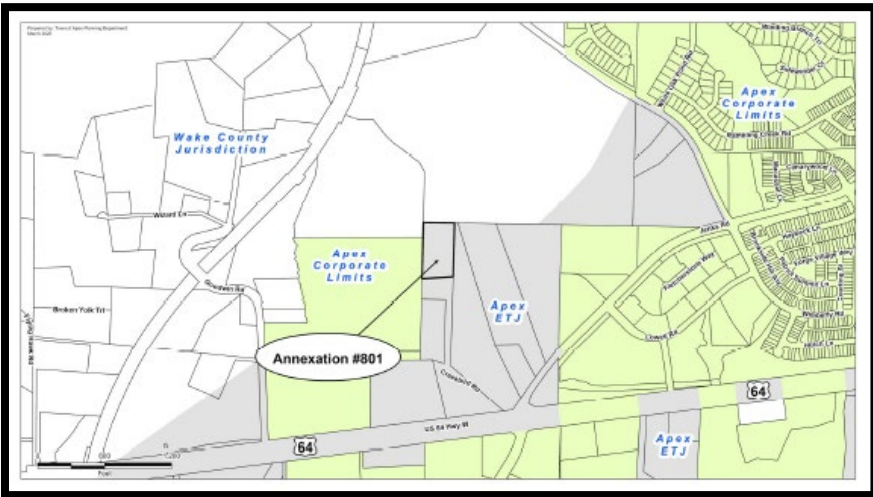
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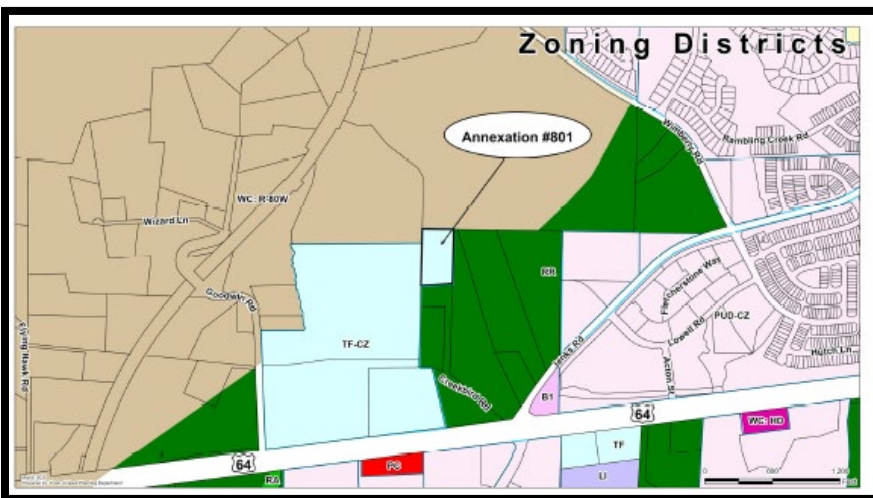
[SLIDE 10]



[SLIDE 11]



[SLIDE 12]



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Mayor Gilbert opened up Public Hearing for this item. With no one signed up, he closed Public Hearing and moved the item back to Council.

A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Gantt**, to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 3.19 acres, commonly referred to as Apex Light Industrial, located on Creekbird Road, Annexation No. 801, into the Town Corporate limits.

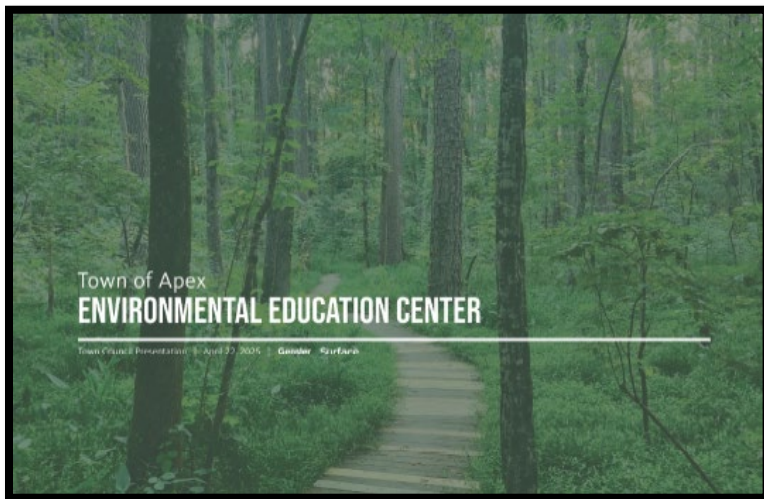
VOTE: UNANIMOUS (5-0)

NEW BUSINESS

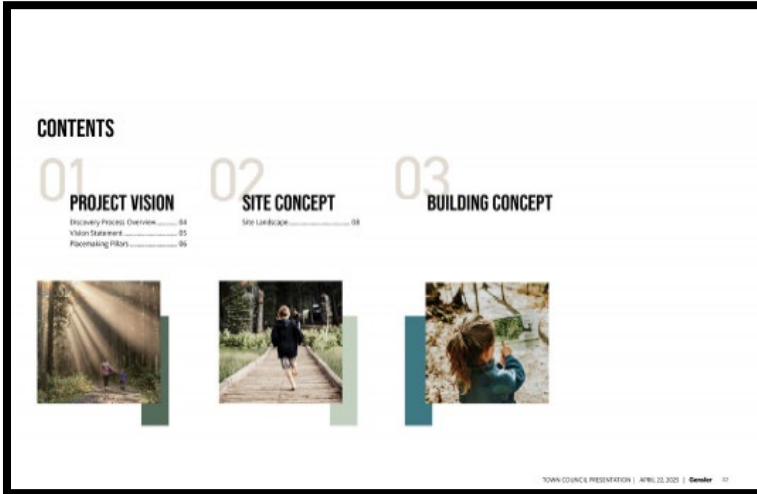
NB1 Town of Apex Environmental Education Center Update

Daniel Edwards, Capital Projects Management, introduced Lindsey Greitch and Lindsey Thompson, with Ginsler, to present the following presentation.

[SLIDE 1]



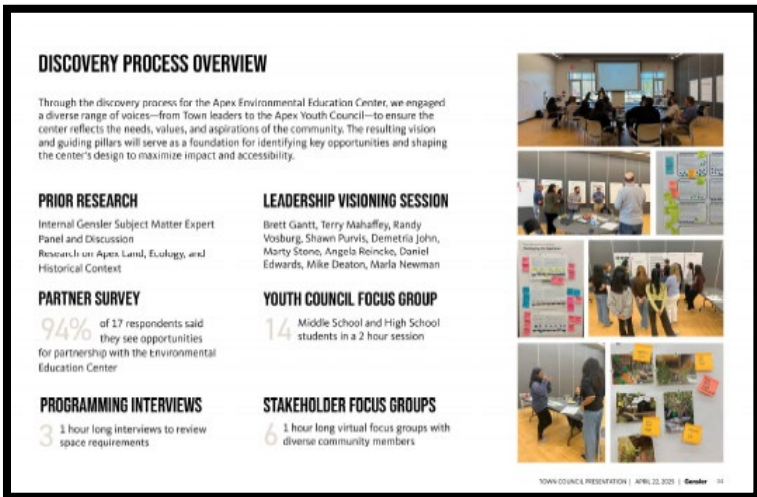
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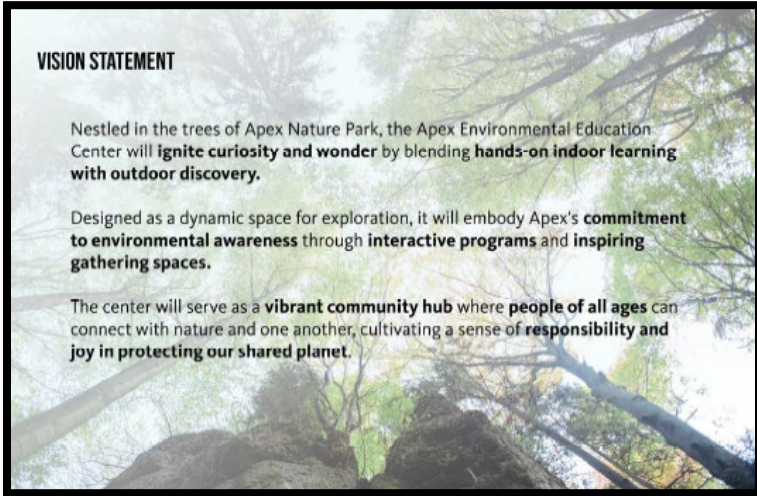
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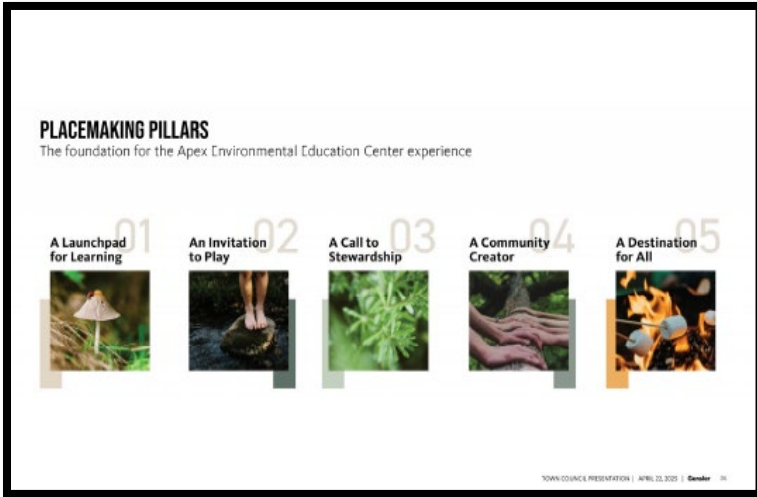
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[SLIDE 5]



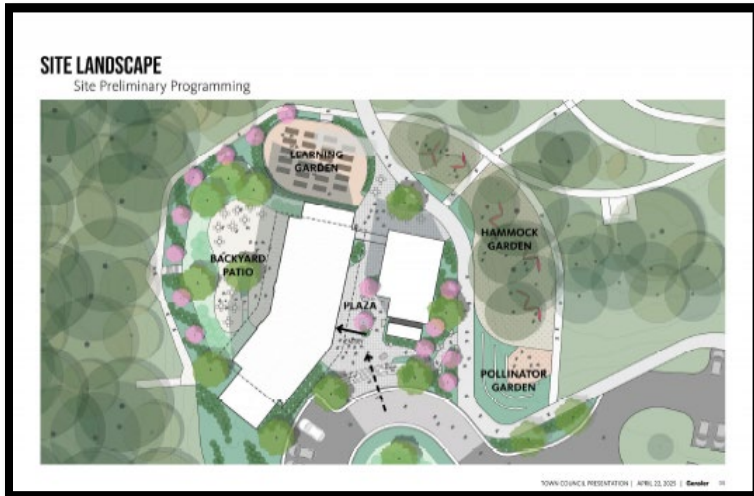
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[SLIDE 7]



[SLIDE 8]



[SLIDE 9]



[SLIDE 10]



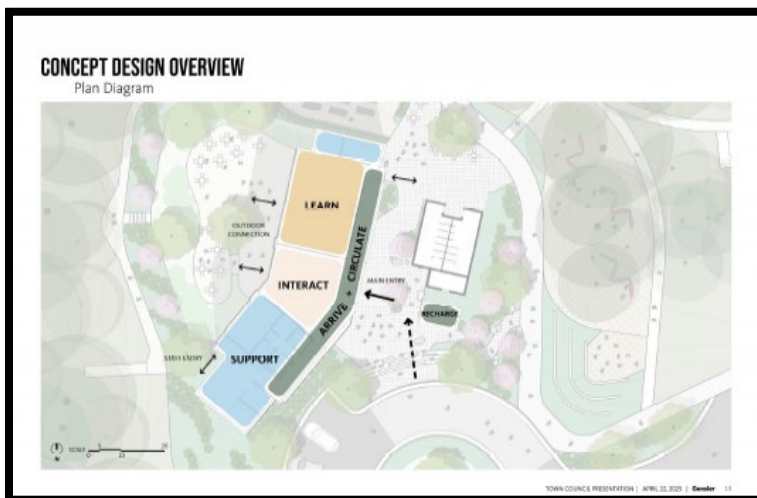
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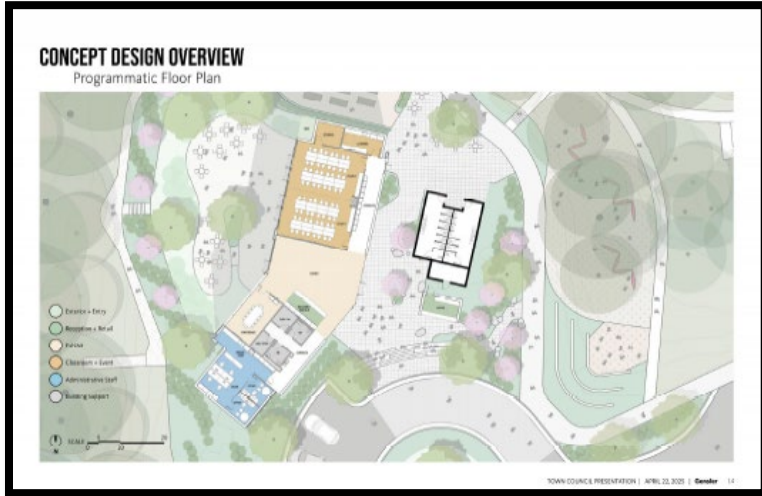
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[SLIDE 13]




[SLIDE 14]



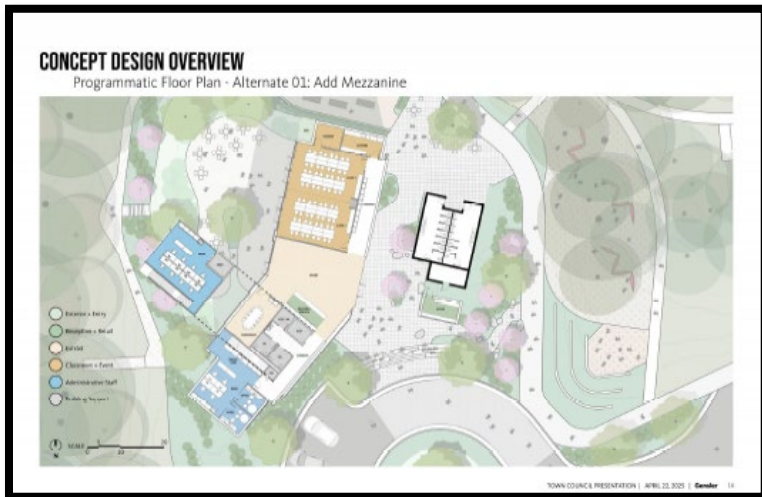
[SLIDE 15]

| PRICING ESTIMATE | |
|--|--------------------|
| Site | \$490,100 |
| Building | \$4,285,500 |
| Soft Costs | \$438,600 |
| Furniture | \$194,000 |
| Total Project Cost | \$5,408,200 |
| <hr/> | |
| Alternate 01: Add Mezzanine | \$774,400 |
| Alternate 02: Add Coffee Kiosk | \$74,100 |
| Alternate 03: Add Solar Array | \$475,000 |
| Alternate 04: Add Geothermal System | \$275,500 |
| Alternate 05: Add Cistern System | \$108,750 |
| Total Project Cost + Alternates | \$7,115,950 |



TOWN COUNCIL PRESENTATION | APRIL 22, 2025 | Consider 15

[SLIDE 16]



[SLIDE 17]



[SLIDE 18]



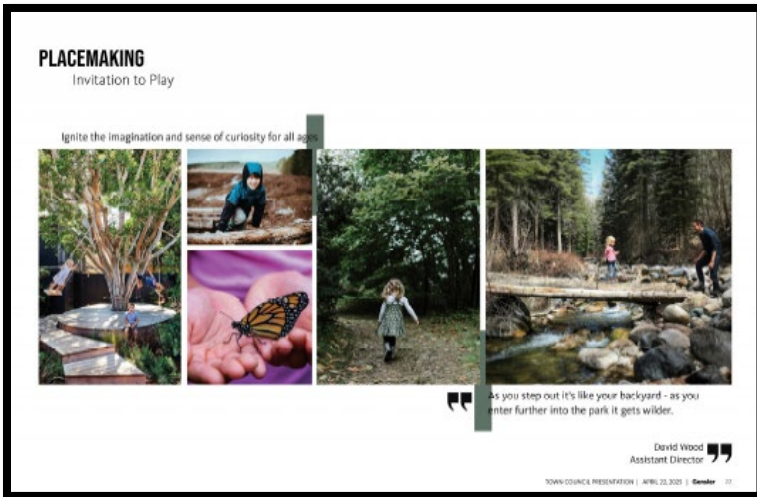
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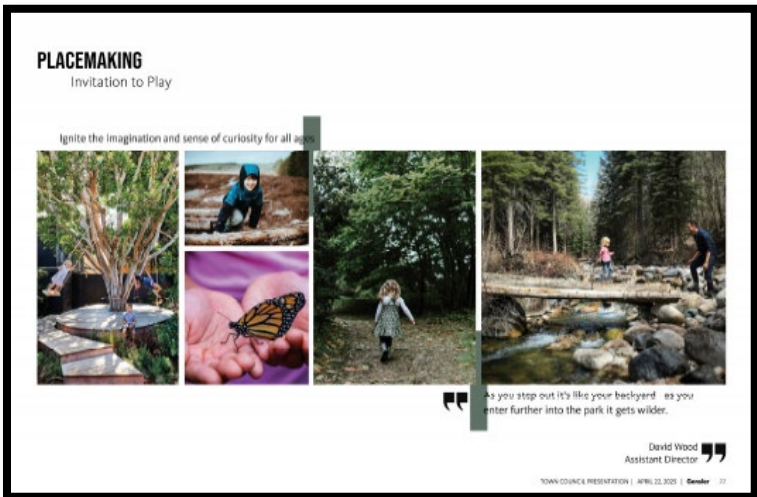
[SLIDE 20]



[SLIDE 21]



[SLIDE 22]



[SLIDE 23]

PLACEMAKING
A Call to Stewardship

Lead, educate, & activate stewardship for the environment



“ We want other communities to look to Apex for inspiration going above and beyond everyone else. ”

Shawn Purvis
Deputy Town Manager

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[SLIDE 24]

PLACEMAKING
Community Creator

Nurture meaningful connections & foster engagement among diverse groups



“ It should be a hub for different nature organizations, Audubon and other groups, a centralized home. ”

Hora Skinner
Environmental Programs Coordinator

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[SLIDE 25]

PLACEMAKING
Destination for All

Bring people together to build lasting memories



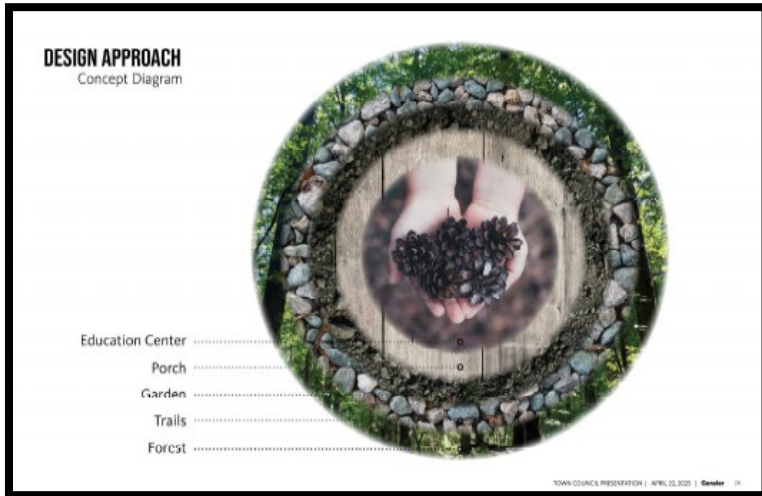
“ It should create a sense of belonging, shared experience with accessibility for all. ”

Demetria John
Assistant Town Manager

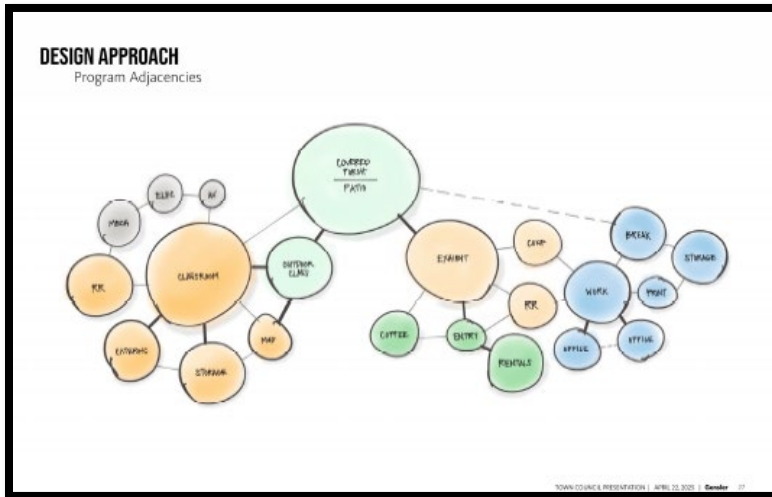
TOWN COUNCIL PRESENTATION | APRIL 22, 2025 | **Genesis** 25

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[SLIDE 26]



[SLIDE 27]



[SLIDE 28]

CONCEPT DESIGN OVERVIEW
Program Summary

| Location | Area | Notes |
|--------------------|-------------|--|
| Classroom | 1,200 sq ft | Classroom space for 20 students. |
| Outdoor Classroom | 1,200 sq ft | Outdoor classroom space for 20 students. |
| Covered Table Path | 1,200 sq ft | Covered table path for 20 students. |
| Support Spaces | 1,200 sq ft | Support spaces for 20 students. |

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DRAFT | APRIL 22, 2025 REGULAR TOWN COUNCIL MEETING MINUTES

1 **Mayor Gilbert** asked about the seating in the classroom and event area.

2 **Ms. Thompson** said it held about 32 people with tables and chairs.

3 **Councilmember Mahaffey** said this was part of the original vision of the Nature Park, and
4 said he was excited about the concepts. He asked about the programming.

5 **Ms. Thompson** said the plan is to focus on Piedmont ecology, through engaging things such
6 as the learning garden. She said the idea is for residents to learn things they can take back to their
7 own homes and the environments they live in.

8 **Councilmember Zegerman** asked if they planned to have this site host field trips, and if the
9 town could support that kind of thing programming wise.

10 **Director Setzer** said one of the primary focuses was on students and schools for the project.
11 He said they would need to look at whether they would want to focus on hosting camps there, or
12 focusing more on field trips, as it may be a matter of space. He said they are also running out of
13 camp space at the Community Center, but they could still host trips as well.

14 **Councilmember Mahaffey** said he was excited there would be an amenity schools could go
15 to. He said there was also space for existing staff at the Apex Nature Park.

16 **Councilmember Zegerman** asked about the space created for staff.

17 **Ms. Thompson** said the initial plans have 4 work stations, 2 offices, and 8 places that can
18 support working in the mezzanine. She said for the mezzanine cost, that would require sprinklers,
19 stairs, and an elevator.

20 **Councilmember Mahaffey** asked about if they were to raise the ceiling for that would it be
21 utilized or open space.

22 **Ms. Greitch** said they could look at opportunities to expand the mezzanine.

23 **Councilmember Mahaffey** said it may be good to extend that to look over the park. She said
24 this coming in will help the surrounding aspects of the park as well.

25 **Councilmember Gantt** said it looks like the mezzanine may block some of the light on that
26 part of the building.

27 **Ms. Greitch** said they don't believe it would block anything, and they raised the roof to allow
28 some additional light from there as well.

29 **Councilmember Zegerman** asked if there was an option to build out at ground level. He
30 said his main concern was having a two-story building and it being less attractive.

31 **Ms. Thompson** said there are some site challenges with topography, but they can study what
32 may be possible by extending or looking at a basement level.

33 **Councilmember Zegerman** said he thinks the staff space would be best on the north, and he
34 would like to see some additional options for how they can implement more staff space.

35 **Ms. Greitch** asked why he thought the staff space would be better on the north side.

36 **Councilmember Zegerman** said he thinks it would be better to have the staff space less
37 visible from the entrance, since the other portion would be more open and welcoming with the
38 façade and larger glass.

39 **Councilmember Gantt** asked about the flow of walking traffic. He confirmed most of the
40 parking would be to the right of the facility.

41 **Mayor Pro Tempore Gray** said he was curious as to why alternatives 3, 4 and 5 were
42 included there and not in the base price.

DRAFT | APRIL 22, 2025 REGULAR TOWN COUNCIL MEETING MINUTES

1 **Ms. Thompson** said they wanted to be transparent about the costs of the project, and that
2 these were just estimates at this stage. She said they wanted to show the potential costs if they
3 wanted to add on to what the team was proposing.

4 **Mayor Pro Tempore Gray** said he loves the concepts.

5 **Councilmember Killingsworth** said they are always going to need more office space and
6 more programming space. She doesn't think the town should even consider only having one story
7 here. She said they should use it to help bolster the programming space and office space. She said
8 there may be an idea to add basement space as well, but she thinks they should get all the space
9 they can here.

10 **Councilmember Zegerman** asked about the coffee kiosk, and asked about who would
11 operate it.

12 **Director Setzer** said he would foresee contracting that space.

13 **Ms. Greitch** said it seemed like Council wanted to see additional options to help maximize
14 space, and they could come back with additional plans and cost estimates.

15 **Councilmember Gantt** asked if some of the alternatives could be added in after the building
16 was constructed.

17 **Ms. Thompson** said some of them, like geothermal, would be best to add in as a basis of
18 design. Some things like the Solar Array can be designed in mind, but not fully installed.

19 **Councilmember Zegerman** said they should at least proceed with the possibility of having
20 those things added.

21 **Mr. Edwards** said they would like to have a decision from Council on moving forward with
22 design.

23 **Councilmember Mahaffey** encouraged Council to move forward with all of the addition
24 options. He said it will just end up coming back up for additional costs down the road.

25 **Councilmember Gantt** said some of the things may not be worth it if they payback period is
26 too long.

27 **Assistant Town Manager Stone** said it seemed like Council did not have a design they
28 could fully approve right now. He said they will need to go back and look at the options, and advised
29 to be sure not to overbuild for the parking that is out there. He said he would include the additions
30 in the proposal, but they could be evaluated at the time of the project a year or more out based on
31 the costs and available funds. He said he thinks they need to work with the design team more and
32 come back to Council with more options. He said they want to be sure they have the design
33 approved before fully proceeding.

34 **Mayor Pro Tempore Gray** said this was an update, and they didn't necessarily need a
35 motion at this time.

36 **Councilmember Gantt** asked about the analysis of parking with differences in programming
37 additions and staffing additions.

38 **Assistant Town Manager Stone** said they would look at both and bring information on that
39 back as well.

40 **Councilmember Mahaffey** said they also may run the risk of needing to add parking to
41 support what gets added here.

42 **Councilmember Killingsworth** said she thinks any buildings should be designed to help the
43 space needs.

DRAFT | APRIL 22, 2025 REGULAR TOWN COUNCIL MEETING MINUTES

Councilmember Mahaffey said this is their last chance to support the Nature Park in this way, so they need to get it right.

Town Manager Vosburg said with the direction given, the costs for this will go up. He said they could potentially look at phasing the project if that was feasible. He asked Ginsler the timeframe of when they could produce a new proposal with the feedback from Council.

Ms. Greitch said she would estimate about 2-3 months.

Councilmember Mahaffey said he would like this to specifically address the space needs of Nature Park staff. He added he was also happy that this first estimate was under the cost allocated in the CIP.

Councilmember Zegerman said he wanted to note that there may be an option to look at the maintenance building on site to expand that and help address staff space needs.

Director Setzer said any additions there would need to come with additional parking. He said he would not recommend adding anything to that building, as there are restrictions in that area of the park.

Councilmember Mahaffey asked about storage needs.

Director Setzer said in the long-term plan, they are looking at no longer using that building, and building a facility across the street where they can add parking.

Councilmember Mahaffey asked about if there have been discussions with NCDOT to pave the portions of Apex Barbecue where people park.

Director Setzer said they haven't discussed with DOT, but they have had help from PD to enforce that there.

Councilmember Killingsworth asked about the restroom size.

Ms. Thompson said they are oversized single-occupancy for family use.

Mayor Gilbert thanked the team, and said they would see them back again when they had the next update.

A **motion** was made by **Mayor Pro Tempore Gray**, seconded by **Councilmember Killingsworth**, to enter into Closed Session pursuant to NCGS §143-318.11(a)(5) for three items as listed on the meeting agenda.

VOTE: UNANIMOUS (5-0)

[CLOSED SESSION]

Council entered into Closed Session at **7:49 p.m.**

CS1 Steve Adams, Real Estate and Utilities Acquisition Sp., Trans. and Infra. Dev. Dept.
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;

DRAFT | APRIL 22, 2025 REGULAR TOWN COUNCIL MEETING MINUTES

CS2 Steve Adams, Real Estate and Utilities Acquisition Sp., Trans. and Infra. Dev. Dept.

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;

CS3 Steve Adams, Real Estate and Utilities Acquisition Sp., Trans. and Infra. Dev. Dept.

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;

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

[ADJOURNMENT]

Mayor Gilbert adjourned the meeting at **8:30 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_____.