

1 **DRAFT MINUTES**
2 **TOWN OF APEX**
3 **REGULAR TOWN COUNCIL MEETING**
4 **TUESDAY, FEBRUARY 13, 2024**
5 **6:00 PM**
6

7 The Apex Town Council met for a Regular Town Council Meeting on Tuesday, February 13, 2024 at
8 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North
9 Carolina.

10
11 This meeting was open to the public. Members of the public were able to attend this meeting in-
12 person or watch online via the livestream on the Town’s YouTube Channel. The recording of this
13 meeting can be viewed here: <https://www.youtube.com/watch?v=8r5geZhdujQ>

14
15 **[ATTENDANCE]**
16

17 Elected Body

18 Mayor Jacques K. Gilbert (presiding)
19 Councilmember Audra Killingsworth
20 Councilmember Arno Zegerman
21 Councilmember Terry Mahaffey
22 Councilmember Brett Gantt
23 Absent: Mayor Pro Tempore Ed Gray
24

25 Town Staff

26 Interim Town Manager Shawn Purvis
27 Assistant Town Manager Demetria John
28 Assistant Town Manager Marty Stone
29 Town Attorney Laurie Hohe
30 Town Clerk Allen Coleman
31 Deputy Town Clerk Ashley Gentry
32 Planning Director Dianne Khin
33 All other staff members will be identified appropriately below
34

35 **[COMMENCEMENT]**
36

37 **Mayor Gilbert** called the meeting to order and welcomed all who were in attendance and
38 watching. He said Apex is celebrating Black History Month and not just for the month of February but
39 throughout the entire year. He said he would like to reflect on the significance that many people
40 have made contributions in our community. He then said the invocations will be delivered by Jedah
41 Dancy who is apart of the Mayors Internship Program and is an Ambassador on the champion Apex
42 team and is also a Senior at Apex Friendship High School.

43 **Jediah Dancy** introduced herself and shared what Black History Month means to her. She
44 said “As I look back on Black History Month I see unwavering resilience courage and strength. I am

1 inspired by the black leaders, activists, artists, scientists, and everyday heroes who in the face of
2 adversity pave the way for Progress, Justice, and Equality from the fight against oppression to the
3 triumphs of innovation the journey from then to now has been a testament to a different kind of
4 power, a power that truly exemplifies what it means to be black and beautiful. For me black history
5 isn't just about remembering the past it is about building our future. We all have to remember that in
6 challenging times there is power and unity the work is not yet done but together we can continue to
7 work towards a better future for all we must continue to stand firm in the face of Injustice advocate
8 for change and celebrate our differences because that is how we as a society can continue and
9 honor the work of those who came before us. I consider myself a very fortunate person to be born
10 and raised right here in Apex, in a community where a sentiment of unity and inclusion is the
11 standard. Apex is growing we all know it we all see it but what I love most about the growth is that as
12 we grow in numbers we also grow in recognition what I mean by this is that in these past few years I
13 have loved to see our community's focus on diversity truly flourish. I have attended festivals and
14 celebrations where I've been able to experience different cultures food music and other Arts. I can
15 also remember walking through the downtown area in protest with the black lives matter movement
16 and just a week or so ago one of my best friends was able to set up a try on hijab Booth kind of right
17 downtown in honor of world her job day and I thought that was pretty cool as well um being able to
18 hear from and learn about other cultures is truly amazing. Apex has been coined the peak of good
19 living and I say that we keep earning this Honor by ensuring that we continue to be the welcoming
20 community that I love and more. like I mentioned before the work is not done yet but I can't wait to
21 see what we do next and before I go I just want to leave off with this quote from former president
22 Barack Obama. "Change will not come if we wait for some other person or some other time we are
23 the ones we've been waiting for we are the change that we seek" thank you"

24 **Mayor Gilbert** then led those in attendance in the Pledge of Allegiance.

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26
27 **[CONSENT AGENDA]**

28
29 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Gantt**,
30 to approve the Consent Agenda as presented.

31
32 **VOTE: UNANIMOUS (4-0)**

33
34 **CN1 Agreement - Magnet Forensics Software - Digital Evidence Examination (REF: CONT-**
35 **2024-027)**

36 Council voted to approve a license agreement with Magnet Forensics, effective January 1, 2024
37 through December 31, 2024, to examine digital evidence with mobile, cloud, and digital resources,
38 and authorize the Interim Town Manager, or their designee, to execute on behalf of the Town

39 **CN2 Annexation No. 773 - 1075 South Hughes Street - Chick-Fil-A - 3.431 acres (REF: RES-**
40 **2024-005, RES-2024-006, and OTHER-2024-028)**

41 Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to
42 accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of
43 a Public Hearing for February 27, 2024, on the Question of Annexation - Apex Town Council's intent

1 to annex 3.431 acres, located at 1075 South Hughes Street, Chick-Fil-A, Annexation No. 773 into the
2 Town Corporate limits.

3 **CN3 Annexation No. 775 - 1133 Twin Creek Road - 2.80 acres (REF: RES-2024-007, RES-
4 2024-008, and OTHER-2024-029)**

5 Council voted to adopt 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 Date of
7 a Public Hearing for February 27, 2024, on the Question of Annexation - Apex Town Council's intent
8 to annex 2.80 acres, located at 1133 Twin Creek Road, Annexation No. 775 into the Town Corporate
9 limits.

10 **CN4 Annexation No. 776 - Sundance of NC, LLC - Salem Church Road - 2.90 acres (REF: RES-
11 2024-009, RES-2024-010, and OTHER-2024-030)**

12 Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to
13 accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of
14 a Public Hearing for February 27, 2024, on the Question of Annexation - Apex Town Council's intent
15 to annex 2.90 acres, Sundance of NC, LLC, located on Salem Church Road, Annexation No. 776 into
16 the Town Corporate limits.

17 **CN5 Appointments - Environmental Advisory Board (EAB)**

18 Council voted to reappoint the following Apex Environmental Advisory Board (EAB) members each
19 for a three-year (3) term expiring December 31, 2026:

20 EAB-001 - Suzanne Mason - reappointment for 2nd Term

21 EAB-003 - Katie Schaaf - reappointment for 3rd Term

22 EAB-004 - Patrick Adams - reappointment for 2nd Term

23 Council voted to appoint Njeri Moller to the Apex Environmental Advisory Board (EAB) for a three-
24 year (3) term expiring December 31, 2026:

25 EAB-008 - Njeri Moller - appointment for 1st Term

26 **CN6 Appointments - Environmental Advisory Board (EAB) - Chair/Vice-Chair**

27 Council voted to confirm the following leadership positions on the Environmental Advisory Board
28 (EAB) for calendar year 2024:

29 Suzanne Mason, Chair of the Environmental Advisory Board (EAB)

30 John Garrison, Vice-Chair of the Environmental Advisory Board (EAB)

31 **CN7 Budget Ordinance Amendment No. 12 - Electric Utility Operations (REF: ORD-2024-
32 006)**

33 Council voted to adopt Budget Ordinance Amendment No. 12 allocating additional funds for
34 expansion of Apex's electric utility distribution system

35 **CN8 Construction Contract Award - Hollins Construction Services, Inc. (HCS) - Reedy Branch
36 Greenway and Capital Project Ordinance Amendment 2024-11 (REF: CONT-2024-008
37 and ORD-2024-012)**

38 Council voted to award a construction contract with Hollins Construction Services, Inc (HCS) for
39 Reedy Branch Greenway (Sweetwater Gap) construction and adopt corresponding Capital Project
40 Ordinance Amendment 2024-11, and to authorize the Interim Town Manager, or their designee, to
41 execute on behalf of the Town.

42 **CN9 Council Meeting Minutes - Various**

43 Council voted to approve Meeting Minutes from the following meeting:

44 January 16, 2024 - Town Council Work Session Minutes

- 1 January 23, 2024 - Regular Town Council Minutes
- 2 February 3, 2024 - Special Town Council Meeting Minutes
- 3 February 4, 2024 - Special Town Council Meeting Minutes

4 **CN10 Friendship Village Subdivision - Fee-in-Lieu (FIL)**

5 Council voted to approve a Fee-in-Lieu (FIL) in the amount of \$10,870.95 for an 8-inch DIP Sewer
6 Main located in the Friendship Village Subdivision.

7 **CN11 Resolution - Abandon Existing Utility Easements - Primrose School Site (REF: RES-2024-
8 011)**

9 Council voted to approve a resolution entitled Resolution to Abandon Portion of Existing Public
10 Utility Easement at Primrose School Property, located at 614 Old Mill Village Drive.

11 **CN12 Rezoning Case No. 23CZ13 Seymour Mixed Use PUD - Statement and Ordinance (REF:
12 ORD-2024-007)**

13 Council voted to approve Statement of the Town Council and Ordinance for Rezoning Case No.
14 23CZ13 Seymour Mixed Use PUD, Barnett Properties, LLC, petitioner, for the property located at 0,
15 0, and 0 Tingen Road (PINs 0741142574; 0741152543; 0741155913).

16 **CN13 Rezoning Case No. 23CZ14 Salem Street Townhome PUD - Statement an Ordinance
17 (REF: ORD-2024-008)**

18 Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Case No.
19 23CZ14 Salem Street Townhome PUD, Bateman Civil Survey Company, petitioner, for the property
20 located at 0, 0, 720 South Salem Street (PINs 0741178829, 0741179910, 0741179971).

21 **CN14 Rezoning Case No. 23CZ15 Apex Gateway Ph. 2 Amendment Statement and Ordinance
22 (REF: ORD-2024-009)**

23 Council voted to approve Statement of the Town Council and Ordinance for Rezoning Case No.
24 23CZ15 Apex Gateway Phase 2 Amendment. The applicant is Gray Harrell, Beacon Development for
25 the properties located at: 314, 450, 482, 472, 546, 610, 696, 527, 0, & 0 NC Hwy 751; 0, 0, & 0 Hwy
26 64 East; 0 & 44 New Hill Road (PINs 071200461386, 071200460876, 071200367945,
27 071200470121, 071200378303, 071200376549, 071200372751, 071200261673, 071200350755,
28 071200245813, 071200245419, 071200246438, 071200435356, 071200452105, and
29 071200543241).

30 **CN15 Rezoning Case No. 23CZ20 Sweetwater PUD Amendment - Statement and Ordinance
31 (REF: ORD-2024-010)**

32 Council voted to approve the Statement of the Town Council and Ordinance for Rezoning Case No.
33 23CZ12 Sweetwater PUD Amendment, David Schmidt, ExperienceOne Homes, LLC, petitioner, for
34 the properties located at 1451 Richardson Rd; 1051 & 1075 Newland Ave; 2800, 2810 Teachey Pl, &
35 2820 Teachey Pl; 0 Core Banks St and 0 Little Gem Lane (PINs 0722550034, 0722544876,
36 0722544404, 0722457646, 0722454406, 0722443942, 0722441499, and 0722441386).

37 **CN16 Software License - Gladiator Forensics**

38 Council voted to approve the terms and conditions for purchase and use of Gladiator Forensics'
39 software license and permission to use Wake County Sheriff's Office Gladiator Forensics Server, and
40 to authorize the Interim Town Manager, or their designee, to execute on behalf of the Town.

41 **CN17 Surplus Badge and Service Weapon - Retiring Sergeant John Jones**

42 Council voted to declare one badge and service weapon (Glock Model 19, 9mm handgun, Serial
43 Number XWZ747) as surplus property, and award these items to retired Sergeant John Jones.

44 **CN18 Surplus Vehicles - 1999 GMC C8500 and 2008 International Workstar 7300**

1 Council voted to declare the following two (2) vehicles as surplus, authorize the sale of both vehicles,
2 and authorize the Purchasing Manager and Interim Town Manager, or their designee, to sign
3 documents necessary to complete the sale:

4 **Vehicle A** - 1999 GMC C8500 Vin # 1GDP7H1CXXJ512964

5 **Vehicle B** - 2008 International Workstar 7300 Vin # 1HTZZAAR98J047097

6 **CN19 Tax Report - December 2023 (REF: OTHER-2024-031)**

7 Council voted to approve Apex Tax Reports dated January 9, 2024.

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10 **[PRESENTATIONS]**

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12 **PR1 Apex Public School Foundation - Quarterly Peak S.T.A.R. Awards - 2nd Quarter**

13 **Councilmember Mahaffey** introduced the Peak S.T.A.R Award, which is meant to honor the
14 hard work of a school faculty member in Apex Schools. He introduced Barb Conroy, President and
15 Co-Founder of the Apex Public School Foundation (APSF), who would be honoring the recipient.

16 **Ms. Conroy** said the APSF represents 19 schools, and would be expanding to 20 next year.
17 She said their main program is their teacher grant programs, which funds programs to enhance
18 student engagement. She introduced Erin Muse of Salem Middle School, Math Interventionist, who
19 was the recipient of this quarter's Peak S.T.A.R Award. She said she is a school-wide leader, and
20 works hard to support all students.

21 **Councilmember Mahaffey** gave the award to Ms. Muse, and thanked her for all she does for
22 the students in Apex.

23 **Ms. Conroy** spoke about the grants that the APSF has recently provided.

24
25 **PR2 Proclamation - Black History Month - February 2024 (REF: PRO-2024-003)**

26 **Mayor Gilbert**, along with the rest of Council, read the Black History Month 2024
27 Proclamation in unity.

28 Phyllis Daniel received a copy Proclamation in honor of Clarice Atwater, who was the first
29 Black Mayor Pro-Tempore in the town's history.

30 Kim Davis received a copy of the Proclamation in honor of her mother Sarah Davis, an Apex
31 resident who rode a bus to Washington, D.C. to hear Martin Luther King Jr.'s "I Have a Dream"
32 Speech, and her father Rev. William Davis, who was a longtime minister in the Town of Apex. Mayor
33 Gilbert noted that this couple was a "voice of hope" for the Black community in Apex.

34 Several members of the Justice family received a copy of the Proclamation, In honor of
35 Abraham and Correnna Justice, who developed the land near what is now knows as Justice Heights
36 Street in order to provide homes for the Black Community in Justice Heights.

37 Karen Lee received a copy of the Proclamation in honor of her great-grandfather Waylon
38 Matthews, one of the first businessmen to establish a general store in the Town of Apex

39 Pender Beckwith received a copy of the Proclamation, in honor of his uncle John Wayne
40 Beckwith, who became the first Black police officer with the Apex Police Department in 1962.

41 Anthony Bowens Jr. and Tyler Evans received a copy of the Proclamation, who were two of
42 the driving forces behind bringing a Juneteenth celebration to the Town of Apex.

1 **Ms. Lee** thanked Councilmember Killingsworth and former Councilmember Nicole Dozier,
2 who helped establish a town-led celebration of Black History Month in Apex. She said she used to
3 have to go to neighboring towns to celebrate, and she is happy she can celebrate great Black
4 History Month events here in the town.

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6 **PR3 Wake County 2024 Revaluation Results**

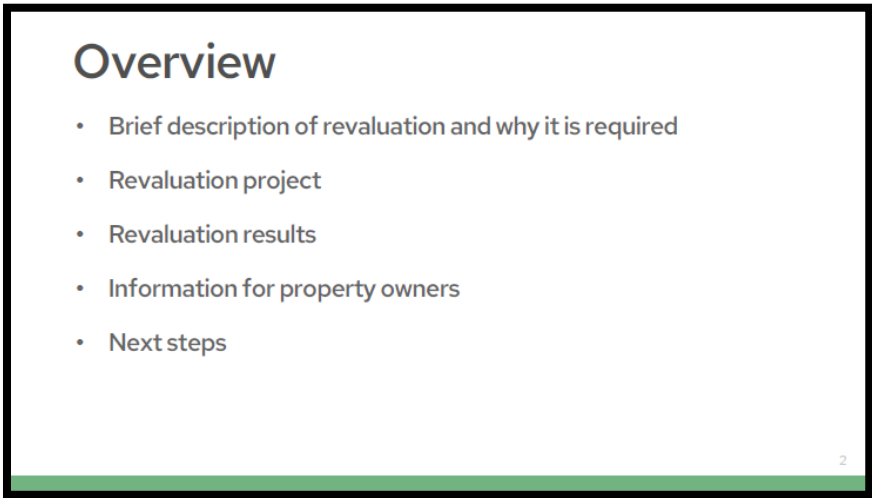
7 **Nicole Kreiser**, Deputy Tax Administrator for Wake County, gave the following presentation
8 regarding the Wake County 2024 Revaluation Results.

9 **[PR3 - SLIDE 1]**



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[PR3 - SLIDE 2]



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1 [PR3 - SLIDE 3]

What is Revaluation?

The process of updating Wake County's **real property** values to reflect **fair market value** as of **January 1, 2024**



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3 [PR4 - SLIDE 4]

Why Perform a Revaluation?

- ▶ **Required by NC General Statutes**
North Carolina law requires all counties to revalue real property at least once every 8 years.
Note: Wake County transitioned from an 8-year to a 4-year revaluation cycle in 2016.
- ▶ **Tax Equity and Fairness**
Revaluation ensures property values accurately reflect their market value, so that the property tax burden is spread equitably across all taxpayers.

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7 [PR3 - SLIDE 5]

Revaluation Includes:




- Real property or all residential and commercial land and structures, which includes homes, apartments, condominiums, office buildings, stores and warehouses.
- Fair market value is the most probable price a property would bring at sale in an open and competitive market.
- Effective date is January 1, 2024. The last revaluation was conducted 4 years ago with an effective date of January 1, 2020.

Revaluation impacts approximately 89% of Apex's property tax base.

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1 [PR3 - SLIDE 6]

Revaluation Excludes:

- ▶ Personal property such as business computers, office furniture, machinery, manufacturing equipment 
- ▶ Vehicles: registered motor vehicles, other vehicles, trailers, campers, boats, airplanes 
- ▶ Public utility property: electric/nuclear power generation, gas companies, bus lines, railroads 

These property types are appraised annually; 11 percent of Apex's tax base.

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3 [PR3 - SLIDE 7]

Mass Appraisal

- Mass appraisal is the process of appraising a large number of properties as of a given effective date, using data, standardized methods, and statistical analysis to arrive at uniform and equitable values.
- General revaluations are conducted by applying mass appraisal techniques, with thorough analysis from appraisal staff and the use of computer-assisted mass appraisal (CAMA) software system.
- The sales approach, cost approach, and income approach to value are all considered when applicable to appraise all real property.

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7 [PR3 - SLIDE 8]

Revaluation Steps

<p>Neighborhooding</p> 	<p>Land and Building Pricing</p> 	<p>Field and Office Review</p> 	<p>Notice of Assessment Appeal Review</p> 
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1 [PR3 - SLIDE 9]

Wake County Revaluation Review Activity

Property Type	Office Reviews	Field Reviews
 Residential	220,553	151,798
 Rural	13,744	16,457
 Commercial	14,534	9,200
 Total Reviewed	248,831	177,455

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3 [PR3 - SLIDE 10]




Wake County Revaluation History

	1992	2000	2008	2016	2020
Total Parcels	165,000	230,000	325,000	360,000	395,000
Single Family	105,000	150,000	258,000	283,700	312,000
% Change from Reappraisal	43%	43%	40%	5%	23%
Taxable Value Post Reappraisal	\$21 B	\$43 B	\$94 B	\$118.3 B	\$162.2 B
Taxable Value After Growth (New Construction)	\$30 B	\$67 B	\$112.3 B	\$131.3 B	\$178.5 B

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7 [PR3 - SLIDE 11]

Wake County Real Property as of 1/1/24

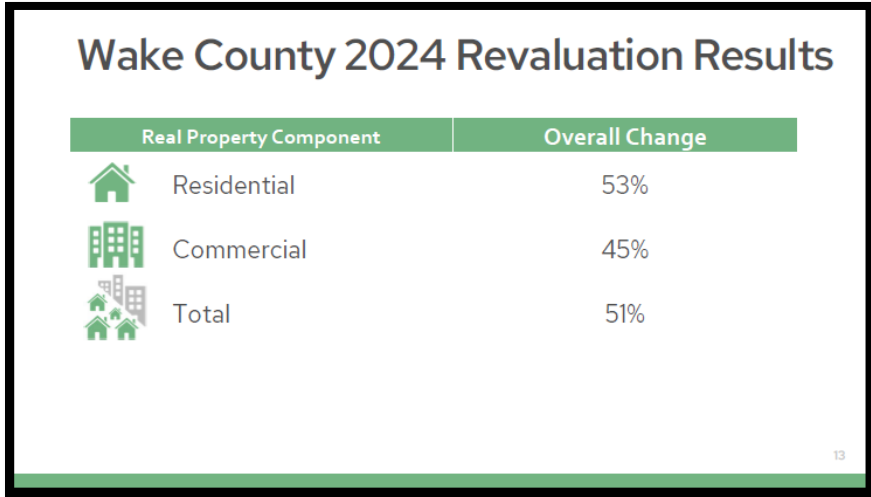
 Residential Parcels	403,886
 Commercial Parcels	23,641
 Total Parcels	427,527

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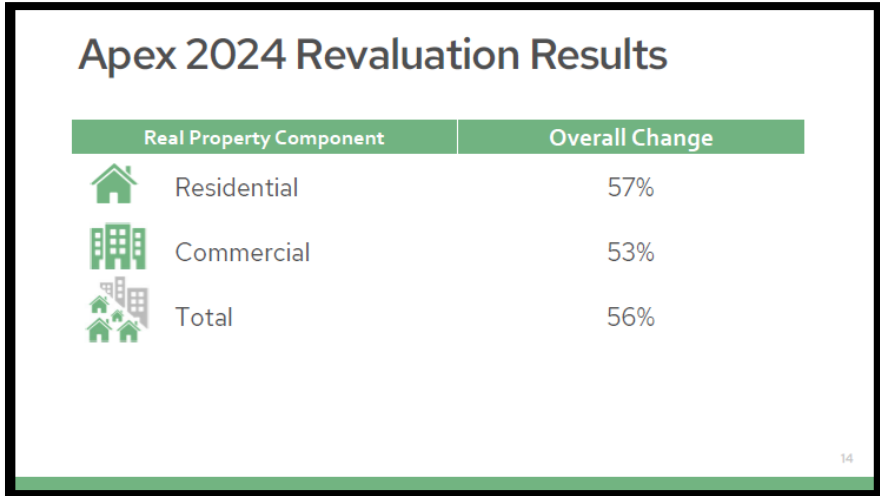
1 [PR3 - SLIDE 12]



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3 [PR3 - SLIDE 13]



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7 [PR3 - SLIDE 14]



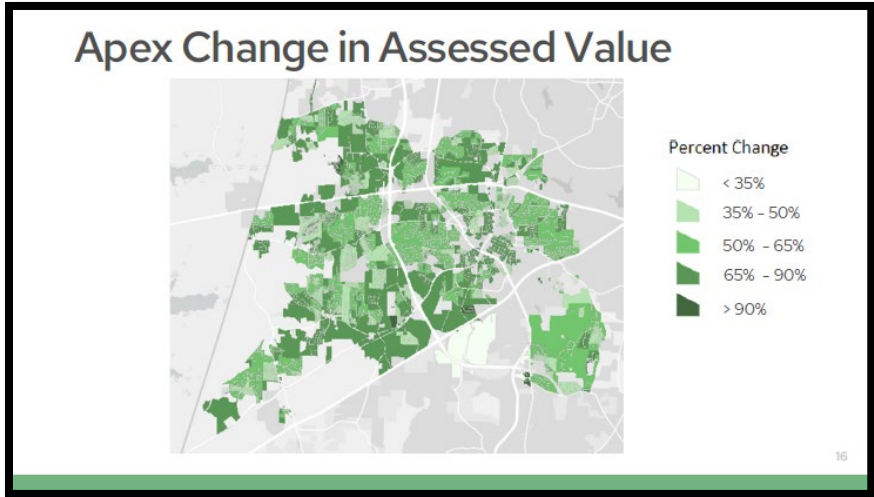
1 [PR3 - SLIDE 15]

Percent Change by Jurisdiction

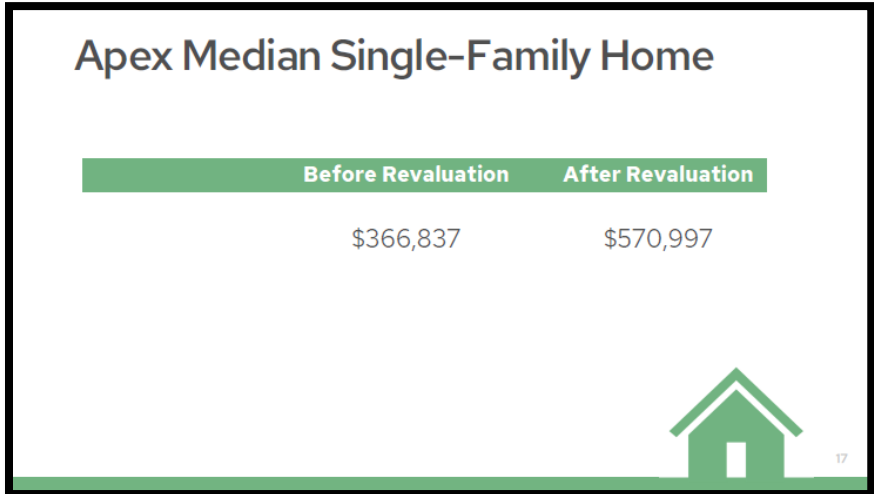
Jurisdiction	Residential Change	Commercial Change	Overall Change
Apex	57%	53%	56%
Cary	56%	39%	51%
Fuquay-Varina	54%	52%	54%
Garner	54%	59%	56%
Holly Springs	53%	80%	58%
Knightdale	51%	67%	57%
Morrisville	55%	37%	45%
Raleigh	52%	43%	48%
Rolesville	51%	52%	51%
Wake Forest	51%	50%	51%
Wendell	63%	75%	65%
Zebulon	48%	50%	49%
Unincorporated	52%	41%	51%
Wake County Overall	53%	45%	51%

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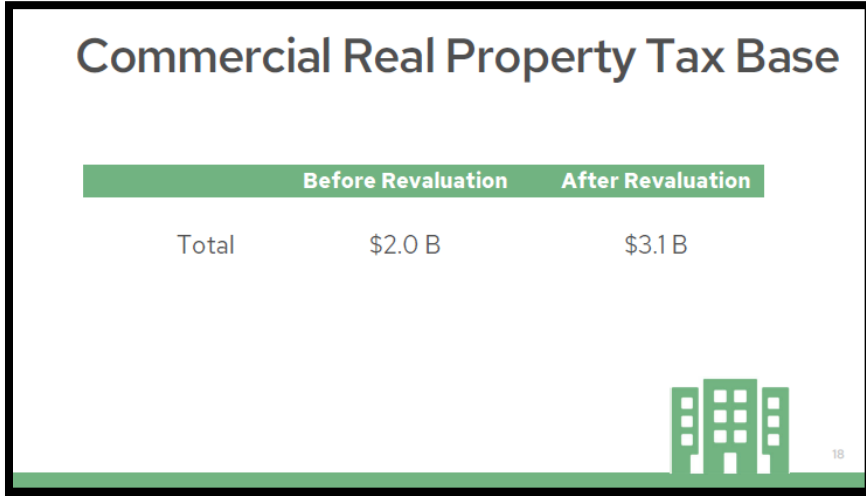
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3 [PR3 - SLIDE 16]



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7 [PR3 - SLIDE 17]




1 [PR3 - SLIDE 18]



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3 [PR3 - SLIDE 19]

Apex Commercial Value Drivers

Property Type	Total Change
Mini-Storage	119%
Industrial	78%
Apartment	52%
Retail	42%
Restaurants	26%
Office	18%




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7 [PR3 - SLIDE 20]

Apex: Percent Residential/Commercial

Real Property Component	Before Revaluation	Percent	After Revaluation	Percent
Residential	\$9.5 B	82%	\$14.8 B	83%
Commercial	\$2.0 B	18%	\$3.1 B	17%
Total	\$11.5 B	100%	\$17.9 B	100%



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1 [PR3 - SLIDE 21]




Municipal Total Tax Base

Jurisdiction	Estimated FY 24 Base	Estimated FY 25 Base	Average Annual Growth
Apex	\$12.49 B	\$19.39 B	6.43%
Cary	\$34.40 B	\$49.68 B	2.10%
Fuquay-Varina	\$6.46 B	\$10.24 B	10.88%
Garner	\$5.89 B	\$9.00 B	7.91%
Holly Springs	\$8.12 B	\$12.56 B	8.60%
Knightdale	\$2.75 B	\$4.27 B	4.19%
Morrisville	\$6.87 B	\$9.42 B	3.84%
Raleigh	\$81.77 B	\$115.63 B	2.41%
Rolesville	\$1.63 B	\$2.51 B	8.12%
Wake Forest	\$7.64 B	\$11.36 B	4.67%
Wendell	\$1.60 B	\$2.79 B	13.31%
Zebulon	\$1.82 B	\$2.47 B	10.21%
Wake County Overall	\$207.2 B	\$301.05 B	3.44%

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3 [PR3 - SLIDE 22]

Resources Available to the Public

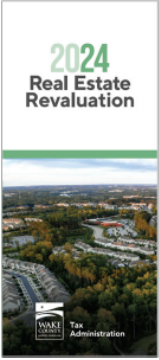




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7 [PR3 - SLIDE 23]

Tools for Property Owners: Informational Brochure

- Included in each Notice of Assessment
 - What is Revaluation and Why is it Important?
 - How is Revaluation Conducted?
 - Will My Value Stay The Same Between Revaluations?
 - Will This Affect My Property Tax Bill?
 - What if I Disagree With My Value?
 - How Do I File an Appeal?
 - Tax Relief Programs




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1 [PR3 - SLIDE 24]

Tools for Property Owners: Updated Information Online

- Wake.gov/revaluation
 - Frequently Asked Questions
 - Appeals
 - Revaluation Statistics
 - Tax Portal
 - Property Search
 - Comparable Sales
 - Revenue-Neutral Calculator
 - Schedule of Values

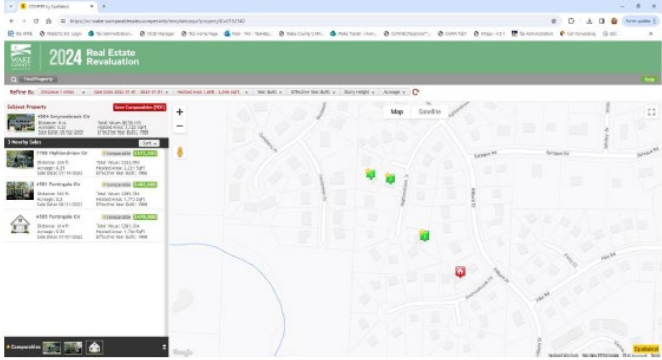


About Revaluation
 Every four years, Wake County revalues real estate to ensure all properties are valued and taxed equitably. Real estate revaluations are required by law in North Carolina, and they set the tax value of all residential and commercial land and structures such as homes, office buildings, stores, and farms. They do not include what is classified as individual personal property, such as vehicles, boats, airplanes, and business equipment, which are valued annually.



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3 [PR3 - SLIDE 25]

Tools for Property Owners: Residential Comparable Sales Search



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7 [PR3 - SLIDE 26]

Tools for Property Owners: Revenue Neutral Calculator

Wake County Tax Administration Home | Real Estate Search | Tax Bill Search | AMAPS

Revenue Neutral Tax Calculator

Effective Jan 1, 2024 all real property in Wake County was revalued at 100% fair market value. The prior assessed value represented 100% fair market value as of Jan 1, 2020.

The purpose of the revaluation is to re-establish tax equity and fairness between properties that may have changed in value at different rates depending on property type and location.

Wake County currently operates on a four-year revaluation cycle. State law requires the calculation of a revenue neutral rate. Revenue neutral is a budget term that means the revenue brought in by property taxes in a revaluation year would be approximately the same as if the revaluation had not taken place. It is computed by increasing the fiscal year 2023-2024 jurisdictional operating budget by the average annual growth in the tax base since the 2020 revaluation, then dividing the result by the revalued tax base. The revenue neutral rate is not property-specific. This revenue neutral rate serves as the starting point for fiscal year 2024-2025 budget deliberations and must be reported in the fiscal year 2024-2025 operating budget, but it may not ultimately be adopted.

Changes in tax liability for individual properties depend on two factors:

1. How much the property changed in value between 2020 and 2024, and
2. The final tax rates adopted by each taxing jurisdiction in June 2024.

Learn more about tax relief programs for the permanent residence of qualified homeowners.
 Learn more about revenue neutral tax rates.

Search by Real Estate ID (REID): Enter your Real Estate ID number as it appears on your Notice of Appraised Value. If you have lost or misplaced your notice, you can look it up by using the Property Search tool in the Real Estate menu on the left side of the screen.

Real Estate ID:

Search by REID

1 [PR3 - SLIDE 27]

Tools for Property Owners: Online Tutorial about Appeals

WAKE COUNTY
NORTH CAROLINA

2024
Real Estate Revaluation

How to File an Appeal

27

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3 [PR3 - SLIDE 28]

Tax Relief Programs: 2024

	Seniors and Disabled Program (Elderly or Disabled Homestead Exclusion)	Tax Deferment Program (Circuit Breaker Tax Deferment Program)	Disabled Veterans Program (Disabled Veterans Exclusion)
Who Can Apply (These requirements MUST be met as of January 1, 2024)	65 years & older OR Anyone totally and permanently disabled	65 years & older OR Anyone totally and permanently disabled AND Owned and occupied home for at least five years	Veterans of any age with a total & permanent disability connected to their military service or their unmarried surviving spouse
Gross Income Requirement (Income BEFORE taxes or other deductions are taken out. It is NOT adjusted income.)	\$36,700 or less during 2023 (Combined income for married couples)	\$55,050 or less during 2023 (Combined income for married couples)	NONE
Tax Relief Benefit (Home value includes the residence, related improvements, and up to one acre of the building site.)	\$25,000 or 50% off home value, whichever is greater.	Taxes limited to 4% of income if gross income is \$36,700 or less Taxes limited to 5% of income if gross income is \$36,700 to \$55,050 Last 3 years of deferred taxes (with interest) may become due if a disqualifying event occurs.	Home value is reduced by \$45,000

Deadline to Apply: June 1, 2024
Late applications may be accepted on a case-by-case basis. Forgetting or not knowing about the program are typically not valid reasons for lateness. Examples of good cause may include: physical or mental illness, death of an immediate family member, military deployment, or delay in receiving disability certification.

To find out more, visit wake.gov/taxrelief or call 919-856-5400

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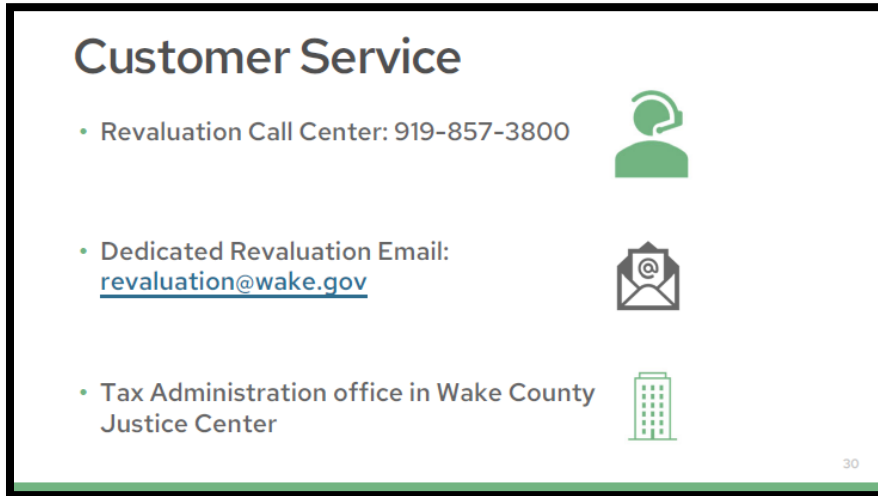
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6
7 [PR3 - SLIDE 29]

Remaining 2024 Revaluation Schedule




- January 16, 2024 • Presentation of Revaluation Results
• Information online at wake.gov/revaluation
- January 17, 2024 • New assessed value notices mailed
- March 1, 2024 • Deadline for property owners to file informal assessment reviews
- April 24, 2024 • Board of Equalization and Review (BOER) convenes for 2024
- May 15, 2024 • Deadline for property owners to file a formal appeal to the BOER
- Through Fall 2024 • BOER considers all timely filed formal appeals

29

1 [PR3 - SLIDE 30]

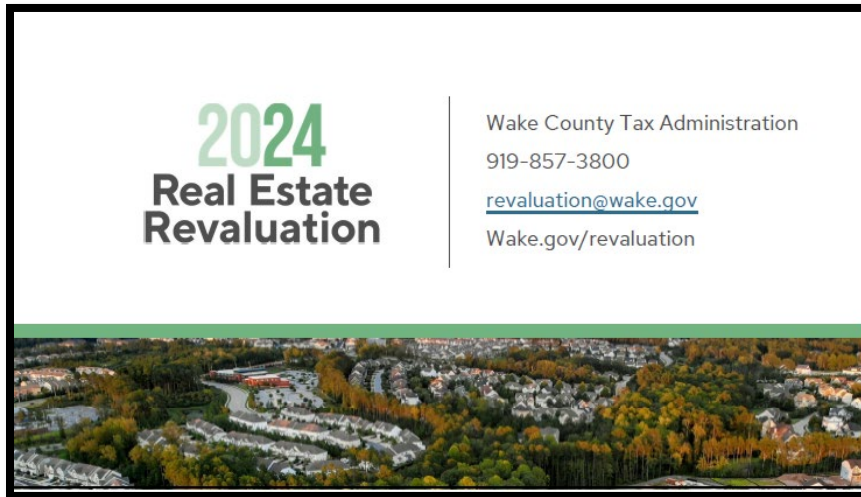


Customer Service

- Revaluation Call Center: 919-857-3800 
- Dedicated Revaluation Email: revaluation@wake.gov 
- Tax Administration office in Wake County Justice Center 


30

2
3 [PR3 - SLIDE 31]



**2024
Real Estate
Revaluation**

Wake County Tax Administration
919-857-3800
revaluation@wake.gov
Wake.gov/revaluation



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6
7 **Councilmember Mahaffey** thanked Ms. Kreiser for providing this information, and he was
8 glad she gave some resources for folks with questions. He said the appeals process is important, and
9 asked if it was a possibility that an appeal would lead to the property value increasing.

10 **Ms. Kreiser** said that was a possibility. She said anything is a possibility when looking at
11 things again, but she did not want that to discourage people from applying.

12 **Councilmember Mahaffey** said he wanted to make a point that not everyone should just
13 apply, he said it would be advisable to look at your own data first and determine if there is reason to
14 appeal the results. He said there were also two different appeals process, and asked if she suggest
15 people using both.

16 **Ms. Kreiser** said it is up to the discretion of the property owner, but she said a quicker and
17 easier way to start is an informal review. She said after that, if they chose, they could still appeal to
18 the Board of Equalization and Review for a formal review. She said people can do both, or either.

19 **Councilmember Mahaffey** asked about the revenue-neutral tax calculator on the County's
20 website not including Apex.

1 **Ms. Kreiser** said town's who chose to participate are included, so Apex properties currently
2 only show County rates.

3 **Councilmember Mahaffey** asked if they could be included if they provided the necessary
4 data.

5 **Ms. Kreiser** said yes.

6 **Councilmember Mahaffey** said he would look into that and follow up.

7 **Councilmember Zegerman** asked why some properties within neighborhoods had higher
8 rates of increase than the other properties near them.

9 **Ms. Kreiser** said she didn't want to specify without looking at the data, but they may have a
10 larger square footage, or a different characteristic than other homes in that neighborhood. She
11 encouraged anyone who was curious about a case like that to reach out to their office to speak to an
12 appraiser and walk through the data.

13 **Councilmember Mahaffey** asked if this was the process where getting a home addition
14 would roll into the new property value.

15 **Ms. Kreiser** said yes.

16 **Councilmember Gantt** said for him the land value went up a lot for him. He said he noticed
17 large parcels went up more than others, so the land seems to have gone up more than buildings.

18 **Mr. Kreiser** said they had been lower on land value in the 2020 revaluation, so this time both
19 land and building value were at market value.

20 **Councilmember Zegerman** said it was also noticeable that older areas of town seem to have
21 appreciated much more than the newer areas. He said this seems backwards, since newer homes
22 are larger and with more amenities. He asked if this was a common trend in Wake County.

23 **Ms. Kreiser** said she doesn't have the data for that in front of her, but they did a targeted
24 project at what they called "legacy homes", which were homes from before 1980's that haven't had
25 ownership changes, and since there haven't been permits taken out for many of those, there was an
26 assumption that many of those homes hadn't had some modernizations.

27 **Councilmember Zegerman** said the Justice Heights neighborhood really stands out to him,
28 since it had a high rate of revaluation increase and is a poorer area of town. He said something feels
29 off about that.

30 **Ms. Kreiser** suggested any homeowner in that area with questions or concerns, and they will
31 look at the data to ensure the value is reflecting fair market value. She said they included a
32 downward adjustment for homeowners who had lived there for a long time and hadn't made
33 alterations to their home, in order to try to account for changes in properties around them.

34 **Councilmember Gantt** said he would argue that Apex is so new that many of the older
35 homes are near downtown, so the desirability of living in those neighborhoods has gone up over
36 time, and especially recently. He asked about land vs. building tax rates, and that he thinks it would
37 be beneficial to have different tax rates for those two things. He said he thinks it may be beneficial
38 for the Board of Commissioners to add to their legislative agenda a differential tax rate for those
39 things, since State law currently requires they be the same. He said other states do that, and he
40 thinks they have had good outcomes.

41 **Ms. Kreiser** said Article 5, Section 2 of the North Carolina Constitution has a uniformity
42 clause, which requires local governments to tax land and buildings at the same rate, and follow the
43 same rules for exclusions and exemptions. She said it may be a pretty uphill battle for that to change.

1 **Councilmember Mahaffey** said it would seem better to tax buildings higher than land, since
2 older lots typically have larger land amounts and smaller homes.

3 **Councilmember Gantt** said typically taxing land higher is done in order to encourage
4 development, and it could be an incentive to develop land in Apex, especially near downtown.

5 **Councilmember Mahaffey** said that could encourage development, but it wouldn't help
6 homeowners. He said a more comprehensive list of tax relief programs would be good, but that a lot
7 of people cannot qualify for them.

8 **Councilmember Gantt** said there could be a progressive property tax rate, but that would
9 be even less likely to happen.

10 **Councilmember Zegerman** said as much as the town would want to be able to give people
11 a break on their property taxes, they are not able to.

12 **Ms. Kreiser** said last week they gave tax relief information to municipalities and other
13 organizations. She said last year urban counties worked to try to get a bill passed that would change
14 how the tax relief would be done to be on a percentage basis, but the General Assembly told them
15 that would violate the uniformity clause.

16 **Councilmember Mahaffey** said he wanted people to understand that the change in the
17 home value is more relevant based on the relative value to the rest of Apex. He said if your property
18 went up 50%, but lots of other properties nearby went up 60%, your tax bill will probably decrease.
19 He said the tax rate is going to do down dramatically in order to compensate for much higher values.
20 He said he also wanted to highlight the appeals process and how there was a limited time to file
21 those. He also said there were resources available for people to utilize tax relief, that different
22 people are able to qualify for. He said he was also frustrated that the revaluation shifted some of the
23 relative tax burden more to residences, but he said that shows they should shift the development in
24 the town to more commercial properties.

25 **Councilmember Gantt** said they have been doing that in recent years.

26 **Councilmember Mahaffey** said yes, but they are still 83% residential.

27 **Councilmember Gantt** said he thinks that will be different in 2028 based on the things they
28 have been doing in the last couple years.

29
30
31
32 **[REGULAR MEETING AGENDA]**

33
34 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember**
35 **Killingsworth**, to approve the Regular Meeting Agenda as presented.

36
37 **VOTE: UNANIMOUS (4-0)**

38
39 **[PUBLIC FORUM] (Note: To view Public Forum and Public Hearing Sign Up Sheets, see OTHER-**
40 **2024-034)**

41
42 First to speak was **Beth Bland** of Friendship Road

1 "So tonight, this is basically just for you Mayor Gilbert, I just got this in the mail, I don't know if you all
2 have seen this but it's a great article about the Mayor. I wanted to congratulate you being featured in
3 the cap trust magazine. My family has known you for a very long time, and I enjoyed reading the
4 article and learning more about you and your family. I personally have experience how you truly care
5 about the people you know and serve. So, it's been 13 years now, but I have never forgotten your
6 kindness the day I told you about my late husband passing. You're a man of great integrity and
7 sincerity. I can't imagine the number of hats you wear in your job, or all of the different agendas that
8 cross your desk, and I'm going to Segway just a little bit. So, for those of us being affected by the Big
9 Branch Force Main, we have appreciated your listening and encouragement in our effort to move it
10 to the south side of US 1. Some of your advice in the article was to show up. So, I have never been to
11 a Town Council meeting before until about 18 month ago, I have learned a lot, and I will keep
12 showing up. Another advice was to speak up. The big branch force main to myself, to Tom, and
13 many of our neighbors, needs to be moved, and there is a solution out there. So, I appreciated
14 being able to be heard, and I appreciate you and the work that you do. Thank you. "

15
16 **Mayor Gilbert** thanked Ms. Bland for her comments.

17
18 Next to speak was **Dawn Cozzalino** of Bosco Road:

19
20 "While I wish this was a two-way forum where we could exchange ideas, I can only ask you to listen.
21 What I'm going to be mentioning tonight about Apex is not directed towards the Mayor, it's directed
22 towards Town Council and the staff. Apex has lost the people's trust. It's due to numerous reasons.
23 For example, not sharing information to the community, downplaying casually the effects of eminent
24 domain, quietly working behind the scenes communicating to state officials and developers. Apex
25 knew exactly what they were doing. They simply took a Sharpie to southwestern Wake County. We're
26 talking about little beaver conservation easement, we're talking about extension of Richardson Road,
27 we're talking about the extension of western big branch force main. Even when the community
28 provided other opportunities to course correct, Apex authoritarian culture could not adapt. The train
29 left the station, and is hurling down the tracks, So I've quoted from the movie The Terminator, "the
30 government machine can't be bargained with, can't be reasoned with, it doesn't feel pity or remorse
31 or fear, and it absolutely will not stop. Apex has also demonstrated that it does not care about our
32 community. Apex wants us to believe there is only one way, and that they must make take properties
33 in the name of eminent domain. When Apex fights for the benefits of citizens first and foremost, not
34 developers, there are always other ways of working with the community for meaningful outcomes.
35 Otherwise, all Apex is doing is weaponizing eminent domain to control and to conceal outright
36 stealing of properties. Thank you."

37
38 Next to speak was **Elizabeth Stitt** of 3113 Friendship Road:

39
40 "Mayor you may recognize my handwriting for all 3 speakers tonight because there was a major 3-
41 car accident at Old US 1 and Friendship Road, and I got out before the accident happened, so I
42 signed them up. So I'm going to talk a little bit about my tax value. One of my properties, my main
43 property, went up 84%. I have a smaller piece that went up over 100%. And it does not actually
44 encourage development, I think it makes it harder for development because for a developer to

1 come buy out my property, they're going to have to pay me a lot more, and what they can build on
2 my property have to have a greater TCO in order to make the project work. So if my value has gone
3 up a lot, people aren't going to be able to buy it, but I'm going to be able to go get loans against it.
4 And tap into my equity, bound equity just because the tax rate went up, and I can go buy my
5 neighbor's properties, and I can go buy other's properties. It helps me become more wealthy and
6 tap into other properties of other people who may not be able to continue to afford, you know sell
7 out. So the increasing land value is a benefit to those of us who have the land, it's not good for the
8 community, it's not good for development. I wanted to give that counterpoint because I was
9 listening to the conversation and saying we have a real problem with affordable housing, and these
10 values going up do not help that problem at all. And those of us that are still here, very few of us are
11 going to leave anytime soon because it is our forever homes, and where can we go in Wake County
12 where we can be this close to an airport, this close to hospitals, this close to shopping, this close to
13 food, this close to roads, we have more connectivity out in the Friendship county than anywhere else
14 in Wake County. If you look at the number of points that we have to 540, to US 1, to 64, to 55, we
15 have been made a unicorn based on what every one of my neighbors have told me. So you know
16 when we come up here and say hey we want to have a say in our community, we want to have a say,
17 because we're not going anywhere. And I had to walk out of the Town Council meeting last meeting
18 because I was so offended, because what I realized was we do care more about protecting our trees,
19 protecting our water, protecting conservation easements, things that are supposed to be protected.
20 We're the ones that are living and breathing that protection. And there was no opportunity to really
21 have a dialogue about the little beaver creek conservation easement the way it was put up. So I can
22 tell you what I do know is decisions can change, rezonings can change, and we can have some
23 discussions and have a better outcome. So I just encourage you consider having some more
24 dialogue with us. Thank you."

25
26 **Mayor Gilbert** thanked Ms. Stitt for her comments.

27
28 Next to speak was **Phil Welch** of 1471 Big Leaf Loop:

29
30 "My name is Phil Welch. I live at 1471 Big Leaf Loop in Apex. I'm an advocate for housing choices for
31 all of our residents and workers here. I want to speak to you about: A Case for Protecting Our Hard-
32 Working Neighbors. I'm referring to an older neighborhood in Apex where homes sprung up in the
33 late 1980s. The development was originally envisioned as a place where working-class families could
34 own modest, affordable homes. Over the ensuing 40 years, the neighborhood has changed
35 dramatically, along with the surrounding community. Initially, this neighborhood served as a
36 launchpad for younger families. They were able to save their money and move to larger homes as
37 their families grew. However, as their housing expenses increased and reasonably priced,
38 middle-market homes became scarce, there were far fewer families that could save and move on.
39 Also, as the homes aged and families struggled to maintain them, the neighborhood became less
40 desirable, except for the prices which, up until recently, continued to be reasonable.
41 Now, as with so many older neighborhoods in Apex, this neighborhood of about 100 affordable
42 homes is seriously threatened by rising land values and potential redevelopment. This would
43 displace families which have lived here for 10 years or more. Unfortunately, the land there is now
44 worth more than the homes which is a recipe for irresistible property sales, out-migration of lower-

1 income families, wholesale redevelopment and in-migration of higher-income households, also
2 known as gentrification. The possible removal of these long-time residents would also be
3 diametrically opposed to the vision in Apex's Affordable Housing Plan: Apex welcomes people of
4 diverse backgrounds, and supports opportunities for affordable, safe, sanitary, and quality housing
5 that meets the needs of people of all incomes, ages, and abilities. With that vision in mind, we need
6 to explore all possible ways to preserve the affordable homes and neighborhoods of these families.
7 Losing these homes would mean the displacement of families with deep roots in the community,
8 including their jobs, their children's schools, their extended families and their faith communities.
9 If this was a neighborhood of working-class, white families, these individuals would be showing up to
10 protest at Council meetings, taking to social media to state their case and organizing rallies and
11 marches. However, this is a marginalized community of people of color, including undocumented
12 adults, who are fearful of the publicity, discrimination and retaliation that would threaten their
13 families, almost as much as their relocation to other counties or states. I'm referring to one of Apex's
14 three manufactured home communities. I beg you to join me and other advocates, some of whom
15 are here with me tonight, in exploring creative ways to protect these beloved neighbors from
16 threatened displacements from their homes and community. Thank you!"

17

18 Next to speak was **Zoe Wampler** of 1011 Tender Drive:

19

20 "My name is Zoe, I am a Jewish resident of Apex and a member of the Triangle Chapter of Jewish
21 Voice for Peace. I'm here today to draw attention to a safety issue for our residents. As you may
22 already be aware, the current Israeli war on Gaza has been characterized as genocide, not to be
23 used lightly by the US-based Center for Constitutional Rights. The war has also led to a dramatic
24 increase in islamophobia and antisemitism here in the US, with the most recent incident taking place
25 in Austin, Texas when a group of Muslim-Americans were violently attacked in a suspected hate
26 crime. Last week I sent an email asking each of you to sign on to a letter co-drafted by Jewish Voice
27 for Peace, Muslim Women for, and NC General Assembly Representatives Harrison, Price, and
28 Cervania. This letter calls on the Biden Administration, and the NC Congressional Delegation to take
29 the following actions: number 1, support the ceasefire now resolution currently in the US House of
30 Representatives and introduce a companion resolution in the Senate. Number 2, urge the Biden
31 Administration to continue to work for the diplomatic release of all hostages, both those held by
32 Hamas and the Palestinians detained by the Israeli Government and Military. And number 3, urge
33 the US Department of State and Homeland Security to extend the temporary protected status and
34 authorize deferred enforced departure to Palestinian families currently residing in the United States,
35 so as to offer them the much-needed protection and stability they need in this time. I want to thank
36 Councilmembers Killingsworth and Zegerman, who have already courageously signed on to this
37 letter, and I urge the rest of the Council to join them. According to the US Campaign for Palestinian
38 Rights, every year North Carolina residents contribute over 90 million in federal tax dollars toward
39 the US funding of the Israeli military, which totals 3.8 billion dollars annually. Apex resident account
40 for just under \$750,000 of that sum. It is the responsibility of local elected officials such as yourselves
41 to ensure that our taxpayer money is used for the betterment and safety of the people you serve,
42 and not for supporting genocidal wars. I urge the Council to follow in the footsteps of our fellow
43 North Carolinians on the Carrboro Town Council, and put forth a ceasefire resolution against the
44 ongoing Israeli attack on Gaza. These symbolic measures represent the will of the people, as well as

1 put pressure on our Congressmembers, such as Representative Wiley Nickel, who have yet to sign
2 on to such resolutions. Jewish and Palestinian safety are thoroughly intertwined, and a permanent
3 ceasefire is the only way to achieve safety for all, both those living on the land of Israel and Palestine,
4 and those of the Jewish and Palestinian diaspora living here in North Carolina. Thank you for your
5 time.”

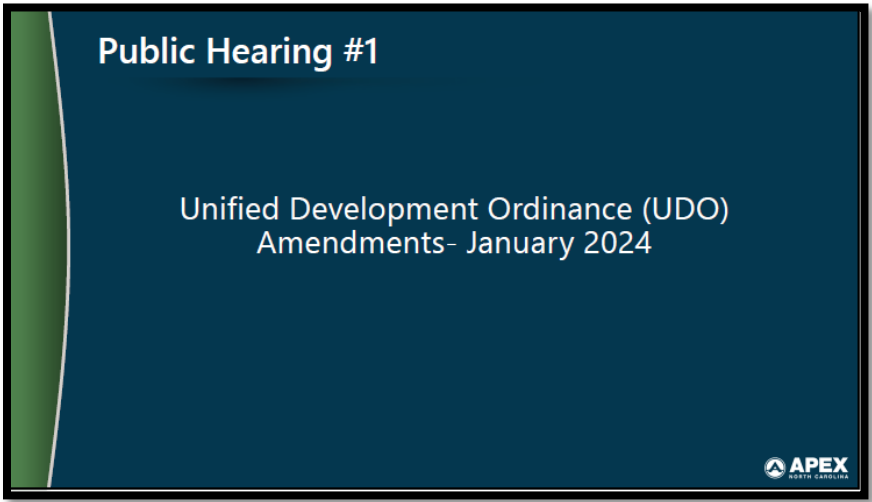
6
7 **Mayor Gilbert** thanked Ms. Wampler for her comments.

8
9 **[PUBLIC HEARING]**

10
11 **PH1 Unified Development Ordinance (UDO) Amendments - January 2024 (REF: ORD-2024-011)**

12
13 **Amanda Bunce**, Current Planning Manager, gave the following presentation regarding the
14 January 2024 UDO Amendments. She requested amendment 2 be pulled, and will be returning with
15 potential alterations.

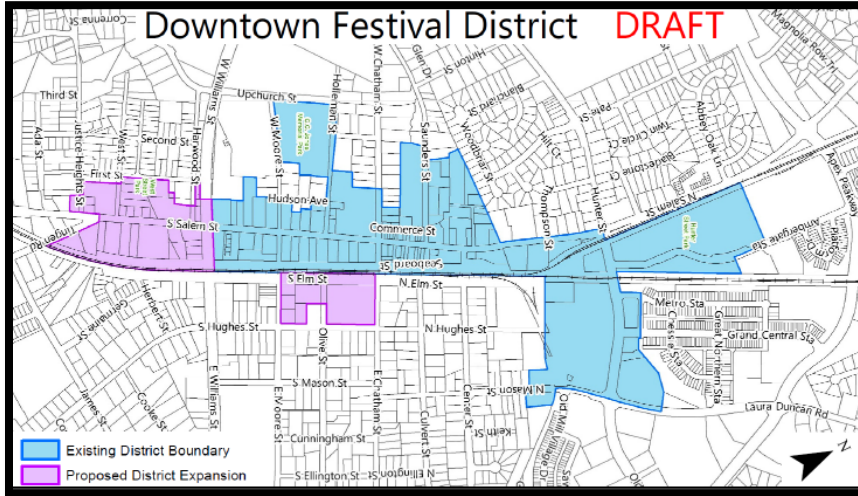
16 **[SLIDE 1]**



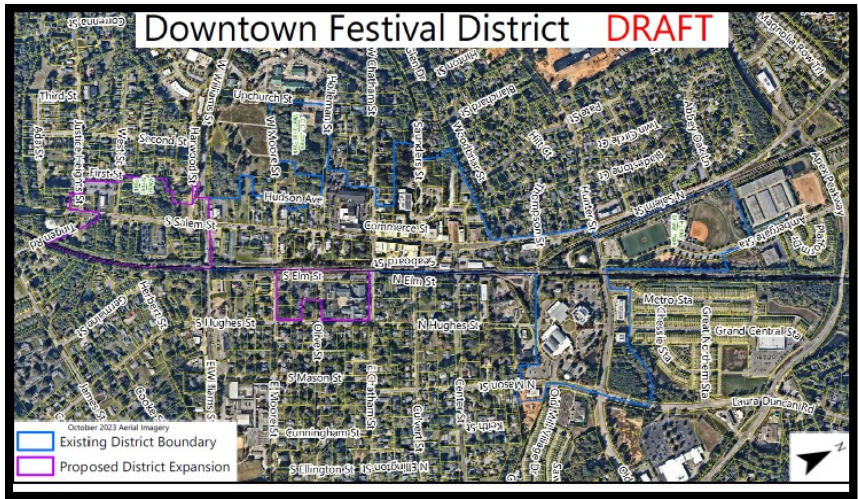
17
18 **[SLIDE 2]**



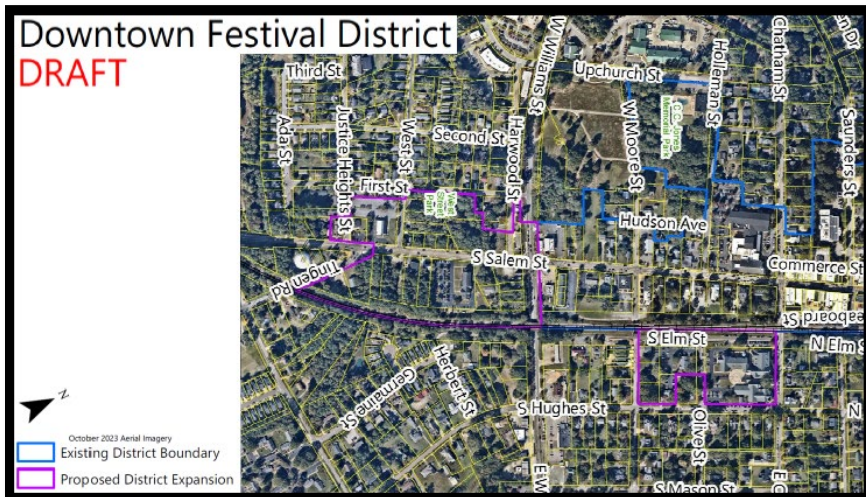
1 [SLIDE 3]



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3 [SLIDE 4]



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7 [SLIDE 5]



1 [SLIDE 6]

Amendment #3
Requested by Planning Staff

3. Amendments to Sec. 6.1.11.G Uses Permitted Within the Riparian Buffer in order clarify that screened porches are allowed to encroach into a riparian buffer in the same manner as sheds and gazebos based on interpretation from the North Carolina Department of Environmental Quality.

Table 6.1.11.G.1

Use	Exempt*	Allowable*	Allowable with Mitigation*
Recreational and accessory structures in Zones 2 and 3:			
• Sheds and gazebos, and screened porches in Zones 2 and 3, except along perennial waters in Neuse River Basin where high-density development option is utilized		X	
o Total footprint less than or equal to 150 square feet per lot			X
o Total footprint greater than 150 square feet per lot			
• Slatted uncovered decks and associated steps, provided the use meets the requirements of Sec. 6.1.11.E and F of this Ordinance:		X	
o Deck at least eight (8) feet in height in Zone 2 and no vegetation removed from Zone 1			X
o Deck less than eight (8) feet in height in Zone 2 or vegetation removed from Zone 1			
o Deck in Zone 3		X	

APEX NORTH CAROLINA

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Councilmember Mahaffey noted that he was disappointed Amendment 2 got pulled, as he was ready to speak against it for half an hour. He said he thinks it would be bad, and hopes they never bring it back.

A motion was made by Councilmember Gantt, seconded by Councilmember Killingsworth, to approve Amendments 1 and 3 of the Unified Development Ordinance Amendments of January 2024.

VOTE: UNANIMOUS (4-0)

[OLD BUSINESS]

OB1 Ordinance Amendment - Chapter 5 - Article 1 - Section 5 - Automatic Fire Sprinkler System Requirements (Discussion ONLY)

Mayor Gilbert said this originally discussed and passed 3-2 during the November 14th, 2023 meeting, and needed to come back for a second reading. He said he was originally concerned that this item did not receive enough public input initially, and there were also different staff measures that didn't have an opportunity to weigh in. He said this was an opportunity for Council to give direction to staff so they can bring this back for a second vote at a scheduled time. He asked each Councilmember to share with staff what direction they want them to go in, and what they would like to see in the staff report when it comes back to Council.

Councilmember Gantt asked if he wanted them to provide people they want to be involved in the process, or questions that they have.

Mayor Gilbert said anything that helps to give Interim Town Manager Purvis and staff a better idea of what they need in the staff report.

1 **Interim Town Manager Purvis** said the biggest thing they are looking for is what Council
2 would like to see and know, before they send staff down the avenues of research. He said the staff
3 report will be laying out the consideration to have.

4 **Councilmember Mahaffey** said he was a bit surprised that they were still on this in February,
5 as he said he thought they had decided they were going to be sharing with staff what they wanted to
6 see individually then, and then setting a public hearing to further the discussion. He said he sounds
7 like that is the plan now. He said he sent Interim Town Manager Purvis an email after the meeting in
8 November about the information he felt would be relevant. He said these types of ordinances are in
9 place around the country, and there has been lots of research done on those. He said he thought
10 other members would be sharing that information with staff then as well. He said he would like this
11 to move quickly, get the information they need, hold the public hearing, and then make a decision.

12 **Mayor Gilbert** said he wanted to have it this way for transparency. He said he wanted the
13 discussion to be public, and that he wouldn't see emails that Councilmember Mahaffey sent. He said
14 it would be good to have this discussion, and he thinks there could even be a work session
15 regarding this to hold a dialogue with staff. He said there are people that would really be impacted
16 by this in the community, and he said it's important that they hear this discussion.

17 **Councilmember Zegerman** said he would like to see a summary of changes to the building
18 fire code over the last 4 years. He said that would be good context. He said this would be for single
19 family and townhomes, since apartments already require sprinkler systems. He wants to see the
20 allowable building materials and if those have changed, and what the impact of that has been of the
21 fire safety of the structures. He said he was mostly concerned about townhomes, but was also
22 concerned about single-family residences since the lot offset has decreased. He said he'd like to see
23 how these changes change the building industry, so they can have more impact about what these
24 changes may bring.

25 **Councilmember Killingsworth** asked if he would prefer to have a work session or just a
26 public hearing once the information comes in.

27 **Councilmember Zegerman** said he would prefer to just have a public hearing, unless there
28 was more information presentation than the staff could put in the staff report. He said unless staff
29 requests a work session, he is fine with just having a public hearing.

30 **Councilmember Killingsworth** said she would like some clarifying information regarding
31 this has been implemented. She wanted additional information on how water damage insurance
32 would work if sprinklers went off, and if there were protections for homeowners for water damage in
33 these scenarios. She added that she'd like to see information regarding the flammability of what
34 houses are constructed with now versus a decade ago.

35 **Councilmember Zegerman** said that's similar to what he would like to see. He said he would
36 like to see the evolution of the fire code and the safety measures over recent times.

37 **Councilmember Killingsworth** said she also wanted to know what the cost estimate
38 difference between homes without sprinkler systems and homes with in case of fire. She said she
39 would like to see this on a local level if possible, or at least to a comparable area. She said she would
40 definitely like to have input from the public, but she would prefer that to be in the form of a work
41 session, which she says they have done similar in the past. She said this would be a time for plenty of
42 discussion and public input, but not when they would expect to make the decision.

43 **Councilmember Mahaffey** asked if that would be separate from the Public Hearing.

44 **Councilmember Killingsworth** said yes.

1 **Councilmember Mahaffey** asked how it would be different.

2 **Councilmember Killingsworth** said it would just be a time for them to gather information.

3 **Councilmember Gantt** said he would be interested in a discussion about the setbacks, cul-
4 de-sac lengths, and what planning changes could benefit from the sprinklers being in the houses
5 based on safety. He asked if staff would recommend any changes to the ordinances to go along with
6 it. He said he would also love to love to get a cost estimate per square foot that was based on Apex,
7 Wake County, and/or North Carolina, or a comparable community in another state. He wanted to
8 know what the actual cost would have been in the last few years. He said he would also prefer a work
9 session on this topic in order to do a deeper dive on it.

10 **Councilmember Killingsworth** asked if Interim Town Manager Purvis needed any clarifying
11 information on that.

12 **Interim Town Manager Purvis** said he didn't think so. He said he would be getting in touch
13 with staff to determine the time needed to put this research and information together.

14 **Councilmember Gantt** asked if they agreed that they wanted the data to be based on Apex
15 in the past couple years to get a best estimate.

16 **Councilmember Mahaffey** said not really. He said there really won't be any residential
17 sprinkler information in Apex in the past 2 years. He said he thinks data regarding how it behaves on
18 homes is applicable across the country because of industry standards.

19 **Councilmember Gantt** said he sees the national estimates, but he isn't sure how it would
20 translate to here very well. He said lots of houses in Apex are using a different option for siding in
21 construction than many houses nationwide.

22 **Councilmember Mahaffey** said he understands his point, but he wanted to add that fire
23 safety of homes has been studied by every community in every country forever. He said the data is
24 out there, and he is saying it is okay to look at data for homes in other places because they live in
25 homes like we do.

26 **Councilmember Gantt** said the cost question is wondering about if more expensive homes
27 translate to more expensive sprinkler systems.

28 **Councilmember Mahaffey** said he thinks that was a good question.

29 **Mayor Gilbert** said he would like staff to gather input from stakeholders, including residents,
30 homebuilders, modelers, affordable housing advocates, and others, and he would like to have it
31 vetted by the Housing Advisory Board.

32 **Interim Town Manager Purvis** said he was wondering what the best venue to receive all of
33 this public input would be.

34 **Mayor Gilbert** said he was mostly wanting to make sure that they are able to gather input
35 from stakeholders and have a structured way of doing that.

36 **Interim Town Manager Purvis** said they can speak about what the best way to receive that
37 input may be, and that Housing Advisory Board would be one of those stakeholders.

38 **Mayor Gilbert** said he was concerned about voting on the same night as the public hearing
39 for something like this, as the public may present information they didn't account for, and that could
40 be problematic.

41 **Councilmember Zegerman** asked if it would be good if they did a work session and then a
42 public hearing.

43 **Mayor Gilbert** said he would hope so.

1 **Councilmember Gantt** asked if they would need a public hearing if they do the work session
2 to gather community input.

3 **Councilmember Killingsworth** said the idea of public hearing would be to get input from
4 residents and stakeholders, and her idea would be that they did not vote on it during the work
5 session when they gather all of this information together, and then at the next meeting be able to
6 vote.

7 **Councilmember Mahaffey** asked if they wanted to set dates.

8 **Town Clerk Coleman** said once they voted, anything they approved would have to go
9 before the Building Code Council, and they have already missed the deadline to have something go
10 before the Council in March. He said it also doesn't sound like they would be able to meet the June
11 deadline. He said at that point the next Building Code Council meeting would be September 9th, so
12 they could work their way back from there.

13 **Councilmember Zegerman** asked what the submission deadline was.

14 **Town Clerk Coleman** said it was normally the first day of the month prior, so to make the
15 September 9th meeting the deadline would be August 1st. He said this would mean they would need
16 to vote on it by June, since they don't meet in July.

17 **Councilmember Mahaffey** said in June they will be finalizing the budget.

18 **Mayor Gilbert** said this was a lot of work to get the information they are wanting, so it may
19 need to be pushed back.

20 **Interim Town Manager Purvis** suggested June 18th, as that could still meet the August 1st
21 deadline.

22 **Councilmember Zegerman** said that seemed a little late since there would only be one
23 Council meeting after that.

24 **Councilmember Mahaffey** said he was concerned about this overlapping with preparing the
25 budget. He asked if he would be more worried about this being in May or June.

26 **Interim Town Manager Purvis** said May. He said he hopes by the end of the May the budget
27 would be pretty much wrapped up. He said the budget Public Hearing was scheduled for May 21st,
28 and the follow-up workshop, if needed, was May 23rd. He said they were hoping to adopt the budget
29 on June 11th.

30 **Mayor Gilbert** said his concern was how this policy would impact the residents and
31 stakeholders in Apex.

32 **Councilmember Gantt** said it could be a work session in June, and then a public hearing
33 and vote on the second Council meeting date in June.

34 **Councilmember Zegerman** said he was concerned that it was a short turnaround between
35 the potential work session the last meeting in June. He said they could potentially call a special
36 session in July if necessary.

37 **Town Clerk Coleman** clarified that Council agreed to amend the calendar to hold a Work
38 Session for this item on June 18th, and a Public Hearing for this item on June 25th.

39
40 **[UPDATES BY TOWN MANAGER]**

41 **Interim Town Manager Purvis** reiterated the Counter History Ice Cream Social that was
42 upcoming at the Halle. He said Think Apex nominations were open through the end of the month,
43 and the town would be celebrating businesses, individuals, and nonprofits in the town. He said the

1 Wake Up and Read drive ends this week, and the town has collected about 500 books so far. He said
2 restaurant week was February 26-March 3, and there are 16 participating restaurants this year. He
3 said there was a full week this week, with a budget workshop this Thursday and Friday.
4
5
6

7 **[CLOSED SESSION]**
8

9 A **motion** was made by **Councilmember Mahaffey**, seconded by **Councilmember**
10 **Zegerman**, to enter into Closed Session pursuant to NCGS § 143-318.11(a)(3) and NCGS § 143-
11 318.11(a)(5).
12

13 **VOTE: UNANIMOUS (4-0)**
14

15 Council entered into Closed Session at **7:49 p.m.**
16

17 **CS1 Demetria John, Assistant Town Manager and**
18 **Steve Adams, Real Estate and Utilities Acquisition Specialist**
19

20 **NCGS § 143-318.11(a)(5)**

21 "To establish, or to instruct the public body's staff or negotiating agents concerning the position to
22 be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a
23 contract or proposed contract for the acquisition of real property by purchase, option, exchange, or
24 lease."
25

26 **CS2 Laurie Hohe, Town Attorney**
27

28 **RE: Town of Apex v. Briartac Family, LLC**
29

30 **NCGS § 143-318.11(a)(3):**

31 *"To consult with an attorney employed or retained by the public body in order to preserve the*
32 *attorney-client privilege between the attorney and the public body."*
33

34 **CS3 Laurie Hohe, Town Attorney**
35

36 **NCGS § 143-318.11(a)(3):**

37 *"To consult with an attorney employed or retained by the public body in order to preserve the*
38 *attorney-client privilege between the attorney and the public body."*
39
40

41 Council returned to open session at **8:39 p.m.**
42

43 A **motion** was made by **Councilmember Killingsworth**, seconded by **Councilmember**
44 **Zegerman**, to enter into Closed Session pursuant to NCGS § 143-318.11(a)(6)
45

1 **ADDED CS4 Mayor Jacques K. Gilbert**

2
3 **NCGS § 143-318.11(a)(6)**

4 *“To consider the qualifications, competence, performance, character, fitness, conditions of*
5 *appointment, or conditions of initial employment of an individual public officer or employee or*
6 *prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by*
7 *or against an individual public officer or employee”*

8 .
9
10 Council returned to open session at **9:25 p.m.**

11
12
13 **[ADJOURNEMENT]**

14
15 Mayor Gilbert adjourned the meeting at **9:26 p.m.**

16
17
18 Jacques K. Gilbert
19 Apex, Mayor

20
21 Allen Coleman, CMC, NCCCC

22
23 Town Clerk to the Apex Town Council

24
25 Submitted for approval by Apex Town Clerk Allen Coleman