

## DRAFT MEETING MINUTES

**TOWN OF APEX  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, JUNE 24, 2025  
6:00 PM**

The Apex Town Council met for a Regular Town Council Meeting on Tuesday, June 24, 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=pR4ihjD6Prg>

### **[ATTENDANCE]**

#### Elected Body

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

#### Town Staff

Town Manager Randy Vosburg  
Deputy Town Manager Shawn Purvis  
Assistant Town Manager Demetria John  
Assistant Town Manager Marty Stone  
Town Attorney Laurie Hohe  
Town Clerk Allen Coleman

All other staff members are identified appropriately below.

### **[COMMENCEMENT]**

**Mayor Gilbert** called the meeting to order at **6:00 p.m.** and welcomed all who were in attendance and watching.

**Mayor Gilbert** recognized the new Town Clerk of Wake Forest, Evelyn Wright, who was shadowing Apex's Town Clerk Allen Coleman. He also recognized Jack Otepka with 621

Productions and congratulated him on 20 years in business. He then took a moment of silence and led those in attendance in the Pledge of Allegiance.

**[CONSENT AGENDA]**

Mayor Gilbert moved to the Consent Agenda. He noted that CN16 was modified with a corrected copy and requested that it be pulled from Consent Agenda and moved to New Business.

A **motion** was made by **Councilmember Gantt**, seconded by **Councilmember Zegerman**, to approve the Consent Agenda with Consent Item 16 moved to New Business.

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

**CN1 Agreement - Apex Chamber of Commerce - The Depot Lease Agreement - July 1, 2025 through June 30, 2028 (REF: CONT-2025-194)**

Council voted to approve a revised and restated lease agreement between the Apex Chamber of Commerce and the Town of Apex; effective July 1, 2025 through June 30, 2038; and authorize the Mayor Jacques K. Gilbert, to execute on behalf of the Town.

**CN2 Agreement Ratification - North Carolina Department of Transportation (NCDOT) - Supplemental Agreement No. 2 - Fred Smith Company - Beaver Creek Greenway (REF: CONT-2025-195)**

Council voted to ratify an oral Change Order to the existing Greenway Construction Contract between the Town of Apex and FSC II, LLC, dba Fred Smith Company, Inc., for additional services for underground water service location as a part of the construction of the Beaver Creek Greenway.

**CN3 Agreement - North Carolina Department of Transportation (NCDOT) - Traffic Review and Inspection Agreement - Tunstall Avenue and Center Street Sidewalk (REF: CONT-2025-196)**

Council voted to approve a Traffic Review and Inspection Agreement between North Carolina of Department of Transportation (NCDOT), to review and inspect signal upgrades at E. Williams Street at James Street and Center Street at N. Mason Street to provide signalized crosswalks as part of the Tunstall Avenue and Center Street Sidewalk Project, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

**CN4 Annexation No. 769 - Thriftwood Drive and Derry Down Lane - Insufficient (REF: RES-2025-036 and OTHER-2025-058)**

Council voted to adopt a Resolution Directing the Town Clerk to Investigate Petition Received and to accept the Statement of Insufficiency related to Annexation Petition No. 769 - Thriftwood and Derry Down Lane.

**CN5 Capital Improvement Plan (CIP) Adoption - Fiscal Year 2025-2026/2029-2030 - Capital Project Ordinance Amendments 2025-13, 2025-14, 2025-15, 2025-16, and 2025-17 (REF: ORD-2025-041, ORD-2025-042, ORD-2025-043, ORD-2025-044, and ORD-2025-045, and PLCY-2025-011)**

Council voted to adopt the Fiscal Year (FY) 2025-2026/2029-2030 Capital Improvement Plan and Capital Project Ordinance Amendment No. 2025-13, 2025-14, 2025-15, 2025-16, and 2025-17.

**CN6 Capital Project Ordinance Amendment No. 2025-12 - GoApex and Tunstall House Funding Allocations (REF: ORD-2025-046)**

Council voted to approve Capital Project Ordinance No. 2025-12 appropriating funds for the Tunstall House Project and Go Apex Improvements.

**CN7 Contract Amendment - Fred Smith Company - Change Order No. 3 - Middle Creek Greenway - Additional Costs and Extend Completion Date to September 19, 2025 (REF: CONT-2025-197)**

Council voted to approve Change Order No. 3 to extend the project completion date to September 19, 2025 and to cover additional project costs for the construction of Middle Creek Greenway, and to authorize the Town Manager or their designee to execute on behalf of the Town.

**CN8 Contract Amendment Ratification - Salisbury and Moore Construction Inc. - Apex Community Park Street Rinks Construction (CONT-2025-198)**

Council voted to ratify a Change Order to the existing Construction Contract between the Town of Apex and Salisbury & Moore Construction, Inc, for construction of the Apex Community Park Street Hockey Rinks.

**CN9 Contract Award - Down East Preservation Construction and Design LLC - Tunstall House Preservation Project - Buildings (CONT-2025-199)**

Council voted to award the Tunstall House Site and Utilities Construction Contract to C.T. Wilson Construction Co., Inc. and to authorize the Town Manager to execute the contract on behalf of the Town

**CN10 Contract Award - C.T. Wilson Construction Company - Tunstall House Preservation Project - Site and Utilities (REF: CONT-2025-200)**

Council voted to award the Tunstall House Building Construction contract to Down East Preservation Construction and Design, LLC and to authorize the Town Manager to execute the contract on behalf of the Town.

**CN11 Contract Award - Nature Trails, LLC - Design-Build Contract for Hunter Street Bike Track (REF: CONT-2025-201)**

Council voted to award a Design-Build contract with Nature Trails. LLC., and the Town of Apex, for Hunter Street Park Bike Track design build project totaling \$299,855.00 and authorize the Town Manager, or their designee, to execute on behalf of the Town.

**CN12 Contract Multi-Year Renewal - Zencity Technologies US Inc. - July 1, 2025 through June 30, 2028 (REF: CONT-2025-202)**

Council voted to approve a multi-year contract with Zencity Technologies US Inc. for a web-based platform to conduct community surveys and engage with residents, effective July 1, 2025 through June 30, 2028, and to authorize the Town Manager to execute on behalf of the Town.

**CN13 CSX Transportation Inc.- Authorize Project Initiation Form - Rail Relocation Study (REF: CONT-2025-203)**

Council voted to approve a New Project Initiation Form with CSX Transportation, Inc. for the Rail Switching Operations Relocation Study, and to authorize the Town Manager, or their designee, to execute the form on behalf of the Town.

**CN14 Council Meeting Minutes - Various**

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

May 27, 2025 - Regular Town Council Meeting Minutes

June 02, 2025 - Community Town Hall Meeting Minutes

**CN15 Ordinance Amendments - Chapter 2 - Administration and Chapter 15 - Parks and Recreation - Various Sections - Resident Advisory Board Structure Changes (REF: ORD-2025-047)**

Council voted to adopt an ordinance amending Chapter 2 - Administration and Chapter 15 - Parks and Recreation sections of the Apex Town Code of Ordinances to reflect various resident advisory board structure changes

**~~CN16 Resident Advisory Board Administrative Policy Adoption~~**

Council voted to move this item to New Business 3.

**CN17 Resolution - Abandon Existing Sanitary Sewer Easement - 505 and 513 South Hughes Street (RES-2025-038)**

Council voted to approve the Resolution to Abandon an Existing Sanitary Sewer Easement relating to the abandonment of a sewer easement across 505 and 513 South Hughes Street in Apex, North Carolina

**CN18 Resolution - Establishment of Peak Plan 2055 Task Force (REF: RES-2025-039)**

Council voted to adopt a resolution establishing a non-standing Peak Plan 2055 Task Force.

**CN19 Resolution - Water Resources Development Grant Program - Beaver Creek Nature Park Stream and Floodplain Restoration (REF: RES-2025-040)**

Council voted to approve a Resolution Entitled "Resolution Requesting Financial Assistance Through a Water Resources Development Grant Related to Beaver Creek Nature Park Stream and Floodplain Restoration".

**CN20 Resolution of Support Installation of Public Art in Public Right-Of-Way - Salem Street Crosswalk Mural (REF: RES-2025-041)**

Council voted to adopt a resolution titled "A Resolution of the Town Council of the Town of Apex, North Carolina, Supporting the Installation of Public Art in the Public Right-Of-Way at Salem Street Crosswalk"

**CN21 Surplus Badge and Service Weapon - Former Apex Police Captain Justin Rosser**

Council voted to declare one (1) badge and (1) service weapon (Glock Model 17 9mm handgun, with S/N Serial Number XTA-797) as surplus property, set the price for such weapon to be \$1.00 (One Dollar); and, award the stated badge and service weapon to Former Apex Police Captain Justin Rosser who resigned from the Apex Police Department effective June 22, 2025.

**[UPDATES BY TOWN MANAGER]**

Town Manager Vosburg gave updates on the following:

- **E Suite to MyAccount Transition** - Migration is taking place from **June 28 to July 6** and there will be a blackout period with no online, phone, or online banking payments during this time. There will be In-person payments only at Town Hall via cash, check, or money order and account history will still be viewable in E Suite.
- **Holiday Closure** - Town Hall will be closed on **July 4th** for Independence Day.
- **Fourth of July Events - Fireworks Frenzy** will be on **July 3<sup>rd</sup>, 5-10 pm** at Hunter Street including a drone light show that is new this year, and the **Old-Fashioned Fourth of July** is also held on **July 4, 9 am - 1 pm** in Downtown Apex.
- **Recent Community Events - Pride Festival** and **Juneteenth** were both held at Town Hall campus and were very successful.
- **Next Town Council Meeting** is scheduled for **August 12** after a brief summer break.

**Mayor Gilbert** thanked Town Manager Vosburg and asked if there were any questions, with no questions he moved to setting the Regular Meeting Agenda.

**[REGULAR MEETING AGENDA]**

**Mayor Gilbert** set the Regular Agenda with changes of Public Hearings No 1, 5, and 6 are requested to be continued until August 12, 2025 Council meeting, Consent Item number

16 is requested to be moved to New Business as well as the addition of a Closed Session Item to Consult with the Town Attorney.

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Zegerman** to approve the Regular Meeting Agenda with the changes of Public Hearings No. 1, 5, and 6 to be continued until the August 12, 2025 Council meeting, Consent Item number 16 to be moved to New Business, and the addition of a Closed Session to Consult with the Town Attorney.

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

**Mayor Gilbert** moved to Presentations.

**[PRESENTATIONS]**

**PR1 Apex Public School Foundation - Quarterly Peak S.T.A.R. Awards - 4th Quarter**

**Councilmember Terry Mahaffey** presented the Quarterly Peak S.T.A.R. Award. He said this the Town of Apex and the Apex Public School Foundation recognize and honors one of Apex's Public School's Employee for the work done to educate Apex's students. He asked Jack Otepka with the Apex Public School Foundation to come up and speak on the award.

**Jack Otepka with the Apex Public School Foundation** said that they currently support 19 Wake County Public Schools and were awarded over \$23,000.00 in grants this past year. He said that each Tuesday the Apex Public School Foundation celebrates exceptional education or educators. He introduced Ms. Cleo Morrisy and ESL teacher with Laurel Park Elementary as the quarterly Peak Star Award along with Laurel Park Elementary School Principal Charelle Lovett. He spoke about her dedication to helping every student feel at home, and her high energy, compassion, and inclusiveness in every space she enters. He congratulated Ms. Morrissey on being recognized for this Quarter's Peak Star Award.

**Ms. Morrissey** came up to receive the award and take pictures.

**Ms. Lovett** spoke about the Irreplaceable Report in the New Teacher Project, and it focusses on outstanding teachers in public schools. She said they are cultural carriers, consistent problem solvers and make others around them better.

**PR2 Proclamations - Apex Parks and Recreation Month 2025 (REF: PRO-2025-030)**

**Mayor Gilbert**, along with the rest of the Town Council, read the Proclamation - Apex Parks and Recreation Month 2025. He invited Director Craig Setzer and members of the Parks, Recreation, and Cultural Resources Department to accept the proclamation and take pictures. He also recognized members of the Public Art Committee for attending as well as the Advisory Board for Parks and Recreation. He invited Parks and Recreation Special Event Intern, Jacoby Kolanko to speak.

1       **Mr. Kolanko** gave information about the National Parks and Recreation monthly event,  
2 the Summer Slam Basketball Tournament on July 26<sup>th</sup> from 11:00 am to 3 pm with additional  
3 activities, free Acai samples, Food Trucks and Yard Games.

4 **[PUBLIC FORUM]**  
5

6       **Mayor Gilbert** moved to the Public Forum and invited the first speaker up.  
7

8       First to speak was **Shanae Artis** at 1118 Kissena Lane, Apex:

9       "I was invited here by Mr. Welch from the Housing Choice Advocates program, and  
10 they pretty much wanted me to come and just share a little bit about my homeownership  
11 journey thus far, so in 2014, I moved from New York to North Carolina, literally with only what  
12 could fit in my car, me and my 5-year-old daughter at the time, she's 16 now. We packed the  
13 car and drove down here to restart our life. We settled in Cary, North Carolina, and lived in a  
14 one-bedroom apartment with just an air mattress, a TV, and a TV stand for one whole year.  
15 While we were there, homeownership was never something I imagined for myself. My family  
16 grew up renting apartments and things like that, so it wasn't something that was the American  
17 Dream for me. It wasn't until I started going to a church here and I met a woman, an older  
18 woman but a young woman in spirit who specifically had a ministry for helping single  
19 mothers' own homes, that I even considered the idea of being a homeowner myself and so I  
20 started to get connected with different women, specifically women of color women who also  
21 had either been mothers or single mothers. I was able to see a lifestyle I did not see living in  
22 New York. This woman, she convinced me to start considering homeownership, and I took her  
23 up on the offer. She connected me with a lender and at that time, the lender let me know I  
24 needed to do some credit repair to be eligible. I was totally for it. I was working, so I had a  
25 small amount of income to do some of that work and so I started saving money and working  
26 on my credit. That took me about two years, so that lender, I don't know what happened to  
27 him, honestly. The second lender she told me about, I got connected to him, and he let me  
28 know, if you are not willing to move outside of Wake County, maybe to Rocky Mount or  
29 something like that, then I can't help you. His thought was that housing in Wake County is not  
30 affordable, but for me, being a solo parent with a child, going to Rocky Mount, I'm not from  
31 North Carolina I'm not doing that. It was already a culture shock coming all the way from New  
32 York here. So, to think that I would go to Rocky Mount on top of that was like, I'm not doing  
33 that, so we stayed where we were for a few more years. I got a better job, we got a bigger  
34 apartment, she got her own room, we modestly furnished it, and things improved. I got  
35 connected with a third lender a few years after that, and he let me know, I'll never forget, he  
36 called me, I was in Costco in Apex Pine Plaza, in my car. He called me to give me his  
37 evaluation of my situation, and he laughed at me, he said, "Ms. Artis, unfortunately, you don't  
38 make enough money. Either you need to get a better job, or you need to get a man" and I  
39 was like, excuse me? I didn't say anything. I took it for what it was worth, and I kept it pushing,  
40 but it kind of broke my spirit, because like I said, I never considered homeownership in the



1 first place, and then to be what I felt was a little bit close and to hear that, it was very  
2 frustrating. Long story short, I kind of let the dream go and went on about my life. At the time,  
3 I was working for a nonprofit assisting woman who were transitioning out of prison and so my  
4 role was to support them as they were preparing, and then once they got out, I would get  
5 them connected to our re-entry homes. I would literally go pick them up from prison in  
6 downtown Raleigh, take them to our transition home, support them while they were in the  
7 home, and then when they were ready to transition into their own, I would be the support for  
8 them to do that as well. While working with one of the women, she reached out to me and  
9 asked, "I want to apply for this program called Habitat for Humanity. Can you please do a  
10 landlord reference for me?" because technically, I was her landlord, being that she was in our  
11 re-entry program. I said, okay, fine. Perfect. I'll do that. I researched Habitat, because I had  
12 heard about it a little, like they build people homes and things like that, but I didn't know the  
13 gist of the program. I looked into it, did my research, signed the form, and let it go. A few  
14 months after that, I had other women coming to me going through the same program and I  
15 was like, this is amazing, these women coming out of prison are getting homes, like, what's  
16 going on? But the thought also came that that wasn't for me, because that wasn't my situation  
17 and me being someone who, yes, I may not have had the financial means at the time, I wasn't  
18 justice-involved, I wasn't in that dire need, so I didn't feel like it was for me, so I didn't go for it.  
19 Fast forward maybe a few weeks or a couple of months later, another woman I knew of, who  
20 was like a mentor to me, reached out and said, "Have you thought about applying for Habitat  
21 for Humanity?" And I said, "Actually, I have thought about that, but I don't think that's for me, I  
22 think that's for the women that I work with." She said, "I think you need to look into it, the  
23 application process is open." So, I said, "Okay, fine." In August or early September, I applied  
24 for the program, by the end of September, I got approved, by October 21, I was doing my  
25 hours. I was down here, off of Kissena Lane, helping to build the house and I remember  
26 saying to myself, I want to live here, having no idea that would actually be where I am today. I  
27 went through that program. It should have been an 18-month program, it took me six months,  
28 literally, to do my hours. I helped build my house and about three other houses on that block,  
29 which to me is just amazing but all of that to say, homeownership has given me and my  
30 daughter a sense of stability that, when we first got here, we did not have. We didn't know  
31 what to expect. I just knew I wanted better, and for me, being able to get into this space has  
32 not only been a blessing, but it's allowing me to create generational wealth for her and for the  
33 generations to come. My daughter is in a stable school environment. She goes to Apex High,  
34 she loves it, she hates it, but whatever, we know how it is being in high school, right? But she  
35 has a stable environment with kids she's going through the grades with, and she's learning  
36 and building relationships with people that hopefully she may go to college with, or she'll  
37 know years down the road. That's something I did not have, so being given an opportunity to  
38 create that for her has been such a blessing to me. Apex has welcomed us with open arms.  
39 Our community, we have about nine other Habitat homeowners, but we also have other  
40 homeowners who are not. They went the traditional way, but we all respect each other, we all  
41 look after each other. We have a community. We care for one another and I'm really  
42 appreciative of that and grateful. So, when Mr. Welch asked me if I would come and share my



1 story, I said, absolutely, because I really want to hopefully use my story to inspire you all and  
2 whoever makes those decisions to create opportunities like these for other people like  
3 myself, I understand there are stigmas that come with people, maybe with low income and  
4 things like that, but that's not always the case for everybody. Some people really just need an  
5 opportunity to do better for themselves and for their children, and when they get that, they're  
6 willing to give back and be the community member that they need to be to be productive.  
7 So, thank you all for welcoming me tonight. Thank you, Apex, for welcoming me into the  
8 community, and I hope we can create some more opportunities for others like me. Thank  
9 you."

10  
11 **Mayor Gilbert** thanked the speaker and called the next speaker.

12  
13 Next speaker was **Mary Miskimon** of 3177 Retama Run, New Hill:

14  
15 "Thank you. Good evening, Mayor Gilbert and council members. Thank you for addressing  
16 concerns over Apex's lack of reasonably priced entry-level housing, which we just heard  
17 about. I understand there were several workshops around affordable housing back in April,  
18 and I attended those, but tonight we find it's already under new business with no public  
19 hearing, so think this is a really big issue, as we've heard about, and I would have liked to  
20 have had a Public Hearing on it tonight so that more folks we already heard some, you're  
21 going to hear from me, could have addressed it. Over the past several years, I've heard from  
22 many, many Apex residents, hundreds, actually, about concerns regarding regulations that  
23 make doing business in Apex more expensive and that make housing more expensive,  
24 especially for our older folks and they have some questions which I am sharing with you  
25 tonight. Medium home prices are down in Apex over the last year. Inventory is up, and we've  
26 noticed apartments and home sellers either lowering their prices and/or offering incentives.  
27 Can you please list on the town's website your specific data that show there is a need for  
28 thousands of new affordable housing units? Can you also clearly define what you mean by  
29 affordable housing? Is it always the same definition used by the Federal Housing  
30 Administration, especially since municipalities can set their own limits? Would you please  
31 clearly post on the town's website, for each taxpayer-funded property, apartments, etc., what  
32 formula and/or guidelines were used to determine the AMI and other qualifiers for particular  
33 properties, and then justify it by showing the anticipated need? How will the taxpayer-funded,  
34 government-subsidized housing impact all housing across Apex? Can you guarantee it will  
35 not increase demand, thereby pushing up home prices further across the board? How will  
36 you prevent builders from passing along the cost of either building affordable housing or  
37 paying fees in lieu, or land in lieu, thereby raising the cost of housing across Apex? How will  
38 increasing density and otherwise altering the town's development standards, while reducing  
39 parking requirements, impact on the overall appearance of Apex and specifically its small-  
40 town appeal that is actively used as marketing to draw more residents to our area? And finally,

1 how will adding more subsidized housing impact an already stressed infrastructure? Since I  
2 have a little bit of time, is there another town or city upon which this affordable housing plan  
3 is based, that you can show, where it made the area more affordable while also protecting the  
4 quality of life of all residents? Thank you very much.”

5  
6 **Mayor Gilbert** thanked the speaker and called the next speaker.

7  
8 Next speaker was **Dawn Cozzolino** at 3632 Bosco Road:  
9

10 “I brought a little something with me tonight. I don't know if you see the New Hill  
11 horse, he's got the billboard back there, he's got his New Hill shirt on. It's not just a prop, it's a  
12 message, a symbol, a reminder that we show up. We show up at the meetings, we file public  
13 records requests, we analyze data. We propose reasonable alternatives. For years, we've  
14 engaged with the Town of Apex Town Council the right way, through the official channels,  
15 with respect, with facts, and with commitment to the truth. But what we've gotten back is  
16 often disappointing delays, deflection, misinformation, and a process that feels designed to  
17 wear down people. While there's no shortage of polished presentations and talking points,  
18 too often this chamber becomes a theater, while the real decisions happen offstage, away  
19 from public view, and that brings me to the elephant in the room, and we're not talking about  
20 Disneyland, I know you have your shirts on tonight. It's the continued and expanding use of  
21 eminent domain and forced land acquisition by the Town of Apex, not for public schools or  
22 critical infrastructure, but for private developers. Let's talk about Beverly Rubin's farm, the  
23 town took her land through a quick-take process to run sewer infrastructure, sewer that  
24 directly serves private Parkside Developers, not the surrounding community, we all have well  
25 and septic. She didn't volunteer that land, it was taken, or look at RXR Veridia development, a  
26 private development, where the town again pursued eminent domain, bypassing less  
27 disruptive routes and impacting historic farmland in New Hill and Friendship. There were  
28 other options that we have discussed time and time again that were less disruptive under  
29 utilities, not doing tree canopy destruction, but they were not chosen. And why? Because this  
30 process increasingly favors development timelines over community protection and every  
31 time, we ask for transparency, every time we ask for answers, we are told: “It's just a utility, it's  
32 not funded, it's in the Comprehensive Plan, there's nothing we can do.” Well, I'm here to tell  
33 you, we see it, and we're not going away. So yes, I brought the billboard, it's a stand, it's  
34 standing up for our residents and we're going to keep showing up and I hope that you will  
35 take this discussion tonight, what you're going to hear and take things seriously. Thank you.”

36 **Mayor Gilbert** thanked the speaker and called the next speaker.

37 Next speaker was **Elizabeth Stitt** at 3113 Friendship Road:  
38

1 "Mayor, Town Council, good evening, came with no notes tonight because there were  
2 like three different things rolling in my head, and I couldn't figure out what I wanted to talk  
3 about tonight, so, I'm going to do a short snippet of a couple topics. Pleasant Park, I did not  
4 necessarily pay attention to the agenda that today or July is the park month, but that is a heat  
5 island near my home, and I drove through it, and understandably, nobody was playing out  
6 there because there are no trees. Now, a short way down the road on Kelly Road, you have  
7 Kelly Park. Guess what? People were playing, because there were trees and so, you know, we  
8 talk about Apex being sustainable and good quality of life and how we're moving things  
9 forward, but Pleasant Park is not an example of that. We need more trees. I would love for you  
10 guys not to cut down my trees on my property that you're going to be cutting down at this  
11 point, but we need more trees, we do not need more heat islands. If you want affordable  
12 housing, it's not housing that you have to pay a lot of money to heat. If you would have trees,  
13 based on the 2018 study that the town did and then most recently the tree canopy study, if  
14 you want affordable housing, you shade your house so that it's more affordable. So, where  
15 Dawn made comments where we're told, hey, things can't be done a certain way, when you  
16 go and do these larger developments and you have to clear-cut, what about leaving enough  
17 space that that homeowner can actually plant a tree to maybe shade their house, so they have  
18 a sustainable way of cooling their house and not stressing the grid? So, you know, we talk  
19 about quality of life, we talk about, let's go to parks, we talk about sustainability but where are  
20 the results? Where are we moving the needle forward? This is my fourth year coming  
21 consistently to these meetings and raising issues and concerns that impact our community,  
22 and very little has changed and the question is, why? Because it doesn't have to be that way.  
23 So, you know, I followed the different public hearings, and most recently there was a special  
24 use permit for Peak City Church. I did get legal standing in that particular meeting because  
25 I'm directly impacted. We found out on April 8th that they are doing pretty much a 6-acre  
26 spray septic field, and the hearing was April 15th. The town knew about it months before and  
27 did not share it with us, and did not require them to share it with us. So, when we talk about a  
28 process that is stacked against people, it's these types of processes, we can raise the quality  
29 of life by actually working with each other. Thank you."

30 **Mayor Gilbert** thanked the speaker and called the next speaker.

31  
32 Next speaker was **Elizabeth Brunner** of 306 Hinton Street:

33  
34 "Twenty-minute Walk here, a little bit sweaty, and that's going to be relevant for my  
35 comments, I'm age 62, phasing into retirement after 24 years with Habitat for Humanity,  
36 primarily the international headquarters. Congratulations, yay for you, love the trees, like New  
37 Hill, appreciate the parks. I'm going to begin with a compliment. I am now a bus rider, and I  
38 relinquished my car six months ago. So, I walk everywhere, probably familiar if you go down  
39 Hunter Street and I take the bus. The bus in this heat is blissfully air-conditioned, bravo and  
40 thank you for the drivers for cranking that up. But it's a little bit uncomfortable waiting for that

1 bus and uncovered, you know, standing up at a stop. So, we should work on some of that. I  
2 am so excited that there is going to be a bus route that will include the parks, yay to the Parks  
3 Department and the library coming in 2028. So, for me, that's three long years of very sweaty  
4 walks, particularly to the library. For me, the Eva Perry Library, my favorite place in Apex, is a  
5 four-mile loop hauling a roller cart of books. I did that through the winter and the spring, and  
6 it's not too bad if you take the shortcut, the Greenbelt through Shepherd Vineyard. It's  
7 impossible now, the heat and misery, I can't do four miles there, or I can't do that walk  
8 anymore. So, I have a suggestion. I think we should use those two lovely new passenger  
9 buses from our friends at the Parks, Recreation, and Cultural Center. I actually, when I'm  
10 waiting for the 305 bus on Mason Street, I see them, I see them just sitting in the parking lot  
11 there unused, and I think, "Oh man, couldn't that bus take me every couple weeks to the  
12 library?" So that is my request. Similarly, when I hear about the wonderful park activities, I  
13 want to go to the Apex Nature Park, I want to go to the Pollinator Fest this week but that is  
14 impossible if you're walking from downtown Apex, because our current bus route doesn't  
15 serve the park, so, you've got three years. That's all you need to do, in which you can shuttle  
16 me and other bus-dependent people to the library. The checkout period for Eva Perry Library  
17 is three weeks, so we could just even do one loop there and back every three weeks, return  
18 my books while the weather is extreme. I would do some kind of celebratory dance if you'll  
19 do that. Thank you."

20  
21 **Mayor Gilbert** thanked the speaker and called the next speaker.

22 Next speaker was **Alexis Kennedy** of 106 Buck Haven Court:

23 " Good evening, Council members. As Council Member Ed and Brett know, I wasn't  
24 supposed to be here. My outfit at this time was supposed to be a cowboy theme for my son's  
25 swim meet, but instead, I'm in mourning garb. Today is different from my other times here,  
26 there are no smart remarks or looking to educate my community. I am here with a broken and  
27 angry heart. For the last several months, I've had the honor to be part of a group caring for a  
28 little boy from Gaza who was here in Raleigh. His name is Islam, and he is all of nine. He's here  
29 because a bomb was dropped on his house, and he lost his leg and his body was covered in  
30 scars. But that didn't stop him. I was his partner in the 5K run, and his heart demanded that we  
31 did the whole run. Three weeks ago, we threw a party for Islam and his mother, for his and her  
32 recovery, as we closed up the party, I kissed Islam's mother's cheek, today I hugged and  
33 kissed her again, but this time she's a widow. Yesterday, Israel dropped a bomb on their  
34 home, killing her beloved husband, maiming two more of her children. Her youngest, four  
35 years old, had his leg amputated, and her daughter has damage to her face and lost her eye. I  
36 just left a funeral and came here, and I'm angry. I'm angry at my fellow American. Multiple  
37 times I've come here educating my community that we are killing people. When we go to  
38 work, those taxes leave our pockets, and instead of staying in our community, it's being taken  
39 to go kill women, children, and innocent fathers. I hugged my grieving friend while knowing

1 that the money and the weapon to kill her husband and maim her children came out of my  
2 pocket. I have more friends who I love and know who are in Gaza that are starving right now,  
3 and I want to know how much longer we as citizens and politicians are going to stay silent  
4 while we murder innocent people. There are a million children in Gaza. What do you think  
5 2,000-pound bombs do to children? What do you think we're going to find under this rubble,  
6 I know everybody's seen the pictures. And if you don't know, if you're not sure, you have me, a  
7 community member, that can educate you and give you the videos and the personal  
8 testimonies. Thank you."

9  
10 **Mayor Gilbert** thanked Ms. Kennedy and asked her if she would meet him tomorrow  
11 for him to share some information with her. He called up Mr. Hastings to speak.

12  
13 Next to speak was **Jeff Hastings** of Friendship Road:

14 "Thank you, Mayor and Town Council. Real quick, I just want to give you an update  
15 about PeakFest. I wanted to thank the town for all they've done for us over the last 45 years  
16 with PeakFest, and I just want to give you a quick update. This week, over the next 10 days, we  
17 will be giving back to the community \$30,000 to the nonprofits that have signed up for our  
18 grants. I just want to say thank you for everything the town has done for the last 40-plus years  
19 and look forward to the next 40-plus years in helping out. Just very simply, I want to say thank  
20 you very much because we couldn't do it without, we couldn't do it without your help. I think  
21 it's a great event. Next year there's going to be some alterations, I'll say, because of Salem  
22 Street, but we're going to be working closely with the festival staff, with the Salem Street  
23 project and how that works but we'll make forward that it's a great event for the next years to  
24 come. So, I just want to say thank you, and sorry I didn't get here before. So, thank you all."

25  
26 **[PUBLIC HEARINGS]**

27  
28 **PH1 Annexation No. 799 - Saint Paul American Orthodox Church - Kelly Road/Holland**  
29 **Road - 4.0626 acres - ITEM TO BE CONTINUED**

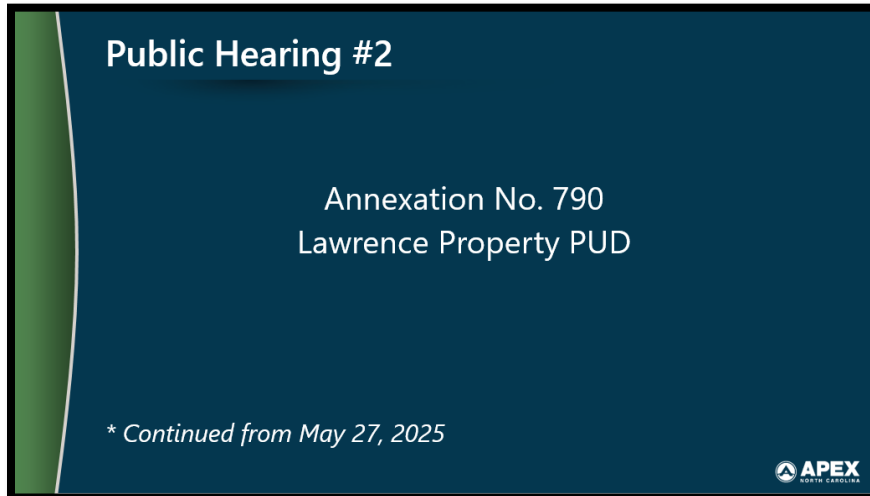
30 A **motion** was made by **Mayor Pro-Tempore Gray** and seconded by **Councilmember**  
31 **Zegerman** to move Annexation No. 799 - Saint Paul American Orthodox Church - Kelly  
32 Road/Holland Road - 4.0626 acres to August 12, 2025 Council meeting.

33 **VOTE: UNANIMOUS (5-0)**  
34  
35

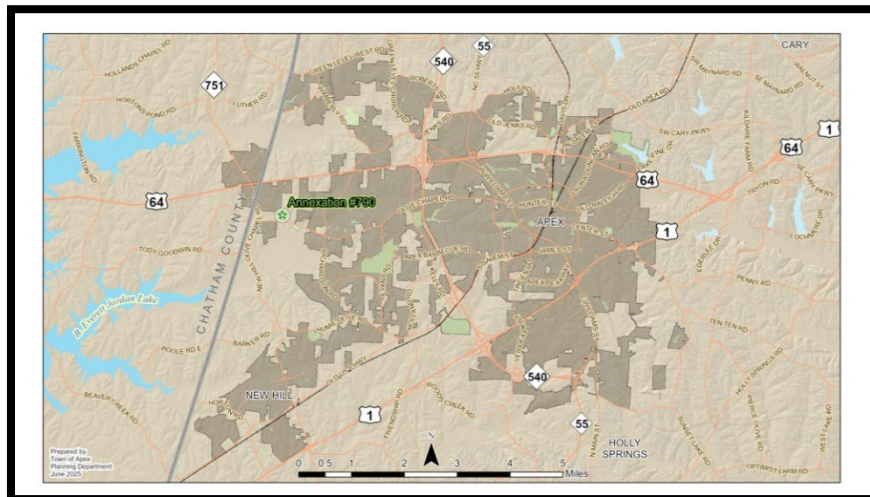
**PH2 Annexation No. 790 - Lawrence Property PUD - Olive Chapel Road - 37.98 acres -  
Continued from May 27, 2025 (REF: ORD-2025-049)**

**June Cowles**, Senior Planner, Planning Department gave the following presentation:

**[SLIDE 1]**

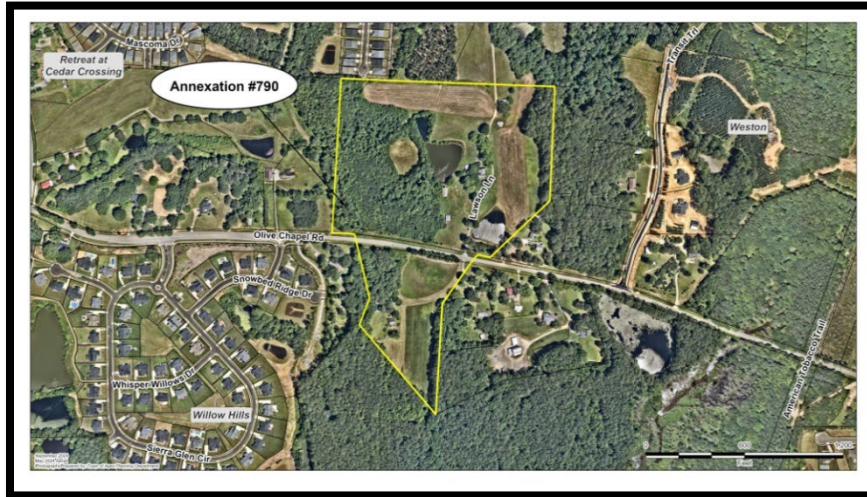


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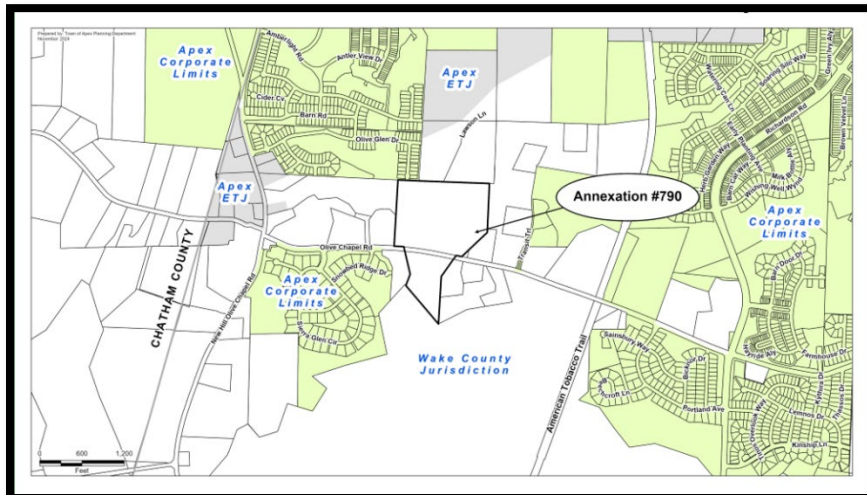




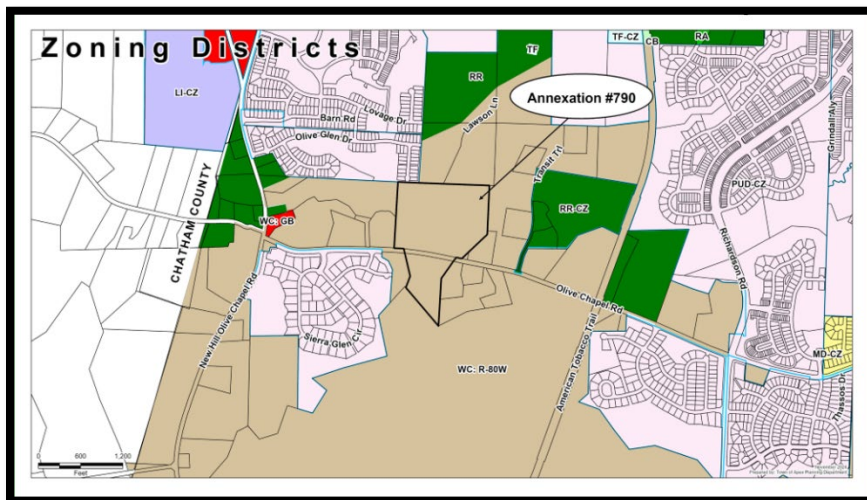
1 [SLIDE 3]



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3 [SLIDE 4]



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5 [SLIDE 5]



6  
7 **Mayor Gilbert** opened up Public Hearing and called up the first speaker.



First to speak was **Laticia Shapiro** with Morning Star:

"Good evening, Mayor, Town Council, we just wanted to let you know that we were here if you had any questions."

**Mayor Gilbert** called the next speaker.

Next to speak was **John Adcock** with Adcock Law Firm at 202 East Academy Street:

"Good evening. Members of the Town Council, John Adcock with the Adcock Law Firm at 202 East Academy Street in Fuquay-Varina. I represent the property owners that are subject to this, that own the property that this petition is part of. I'm just here to speak on their behalf. They're in favor of it, and to answer any questions if you have any. Thank you."

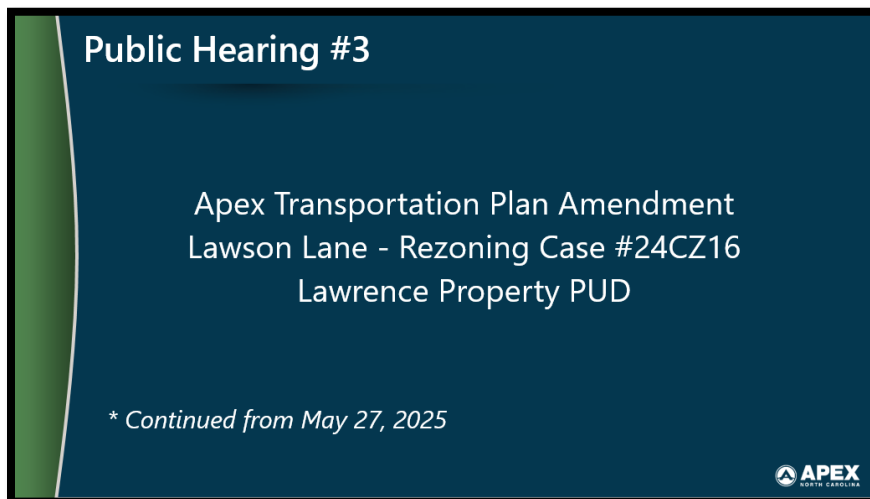
**Mayor Gilbert** closed the Public Hearing with no others signed up to speak.

*AND*

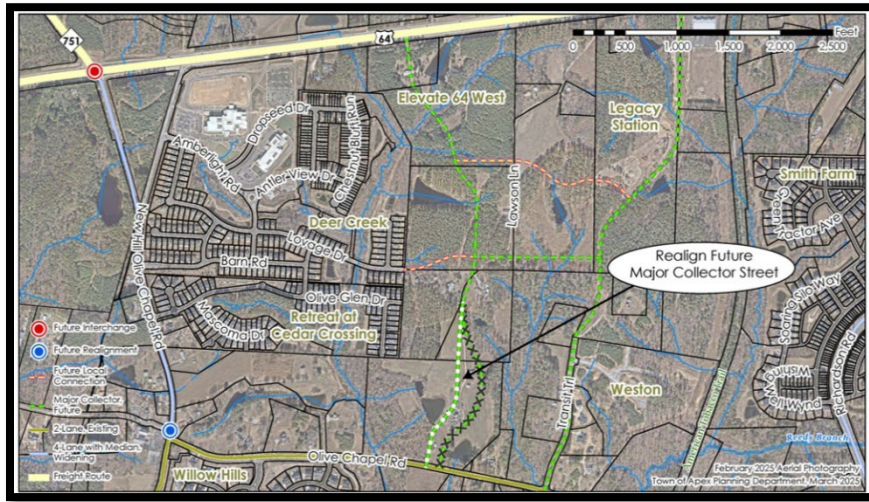
**PH3 Apex Transportation Plan Amendment - 24CZ16 Lawrence PUD - Continued from May 27, 2025**

**Shannon Cox**, Long Range Planning Manager, Planning Department gave the following presentation:

**[SLIDE 1]**



[SLIDE 2]



**Mayor Gilbert** asked if there were any questions for Ms. Cox.

**Councilmember Zegerman** asked if there are impacts to the wetland would there be mitigation or preservation that would need to be done to realign the road or any other consequences.

**Ms. Cox** said that she would like the applicant to respond to that.

**Bob Zewalt** with Kimley Horn said that there wouldn't be any impact on the wetlands. He said they had surveyed the wetlands and located the collector to not have any other impacts.

**Mayor Gilbert** asked if there were any other questions, with no other questions he opened up Public Hearing and called the first speaker.

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

"Good evening again. I'm here tonight to express serious concerns on any transportation planning, specifically this amendment for the thoroughfare. It seems very innocuous, but I know that it's really not that way. So, what I have tonight, and I haven't had a chance to really go through this, if you can hear me, just take a look at this. But basically, what I'm indicating here is our community on this particular map, and this is the subject of sewer and roadway taking. Okay, the whole area. So, when I see something like that, it looks like the same thing to me. I want to talk about traffic because that's always ignored. Traffic impacts, these are always ignored. My analysis on all the TIAs for our whole entire area yields over 330 new vehicle trips a day, a day, in our area. And I had to add stickies because you keep zoning and adding on new developments every week. Okay, so that one was just produced a couple weeks ago, and I want to share with you tonight, DOT AADT, annual average daily trips. This is our area. This is a map of our area. What does it show you? It's about 651,000 based on 2024 data, 651,000 daily trips. That's the baseline. This is what's happening. So, we're up to a million. We're up to a million. And you're going to do this. And you're going to keep going. So, I just want the public to know this is the end game, to take everything, make it a roadway,

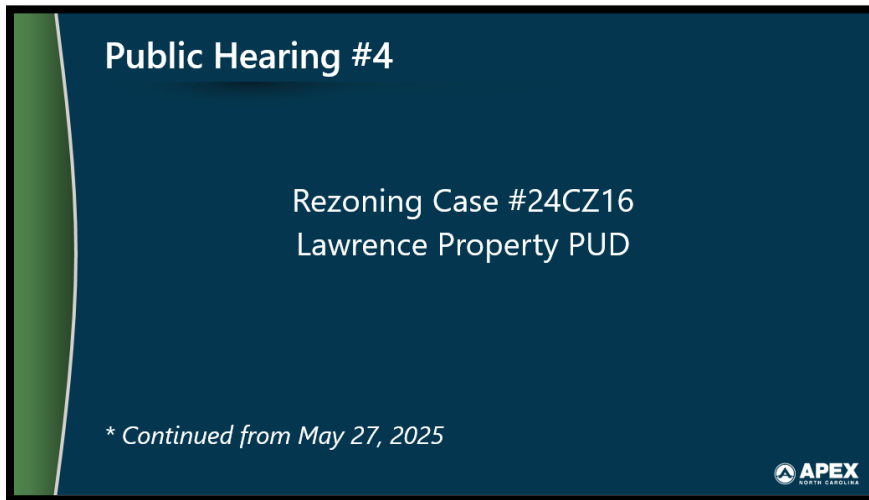
and then you're going to have gridlock. Because you got service level F roads everywhere, even with mitigation. So, it's going to be a traffic light everywhere, and the roads can't handle it, and the DOT knows the roads can't handle it, and this is the DOT roads. So, I don't know how Apex has jurisdiction over something that the DOT is responsible for maintaining and maintaining Vision Zero safety. Thank you."

**Mayor Gilbert** thanked the speaker and closed Public Hearing.

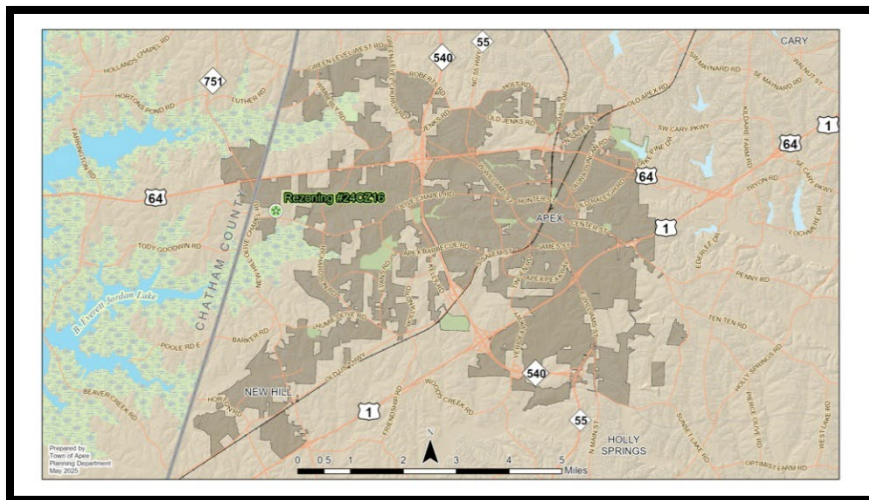
*AND*

**PH4 Rezoning Case No. 24CZ16 - Lawrence Property PUD - Continued from May 27, 2025 (REF: ORD-2025-050)**

**June Cowles**, Senior Planner, Planning Department gave the following presentation:  
[SLIDE 1]

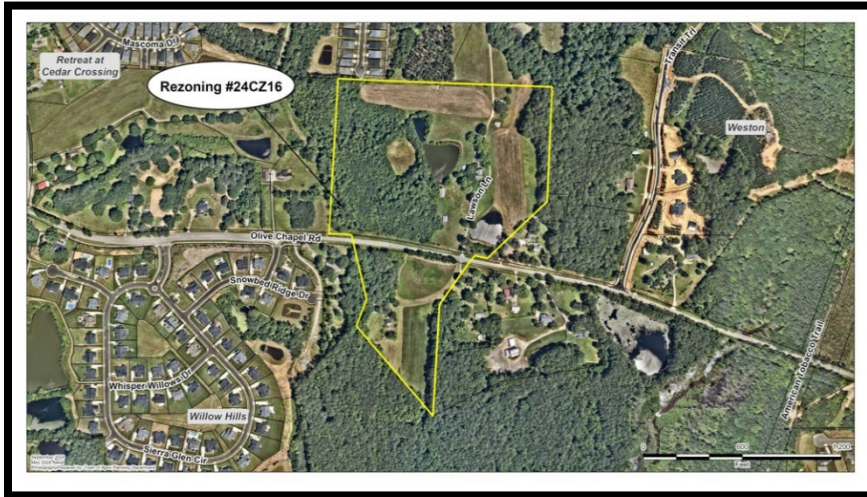


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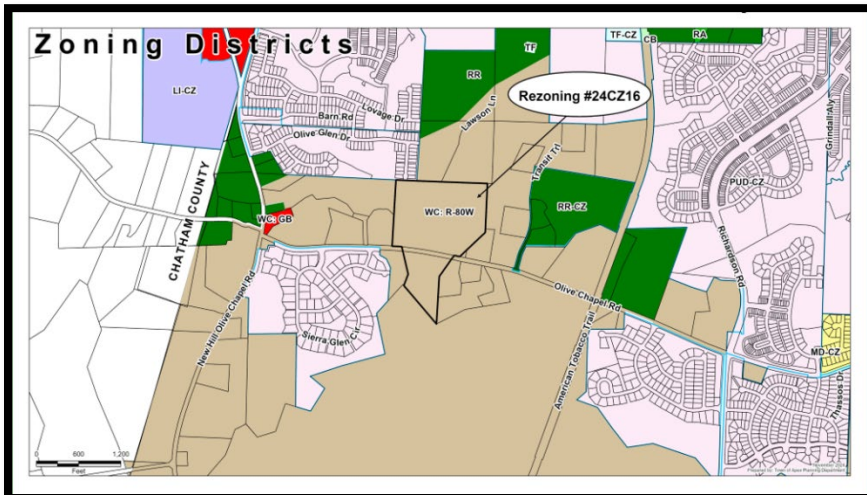




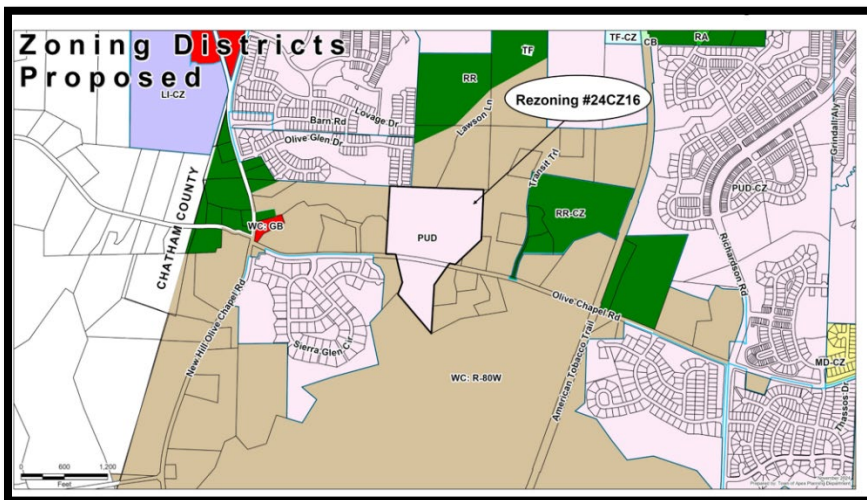
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5 [SLIDE 5]

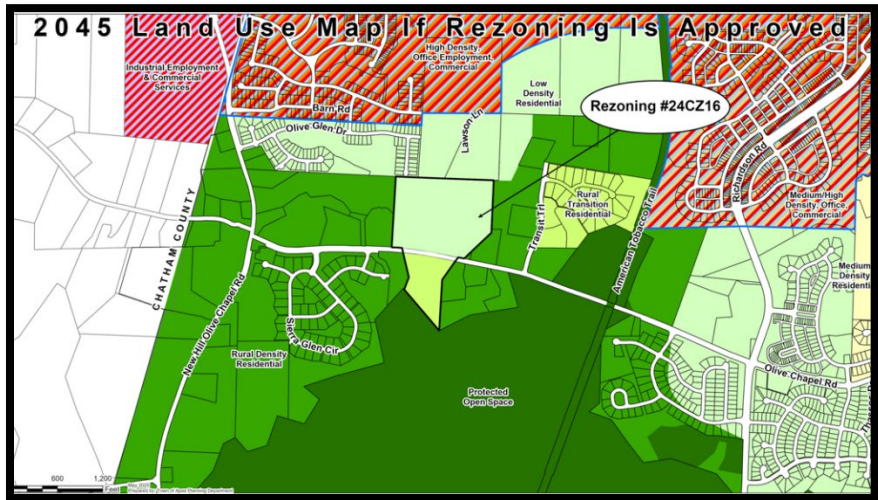


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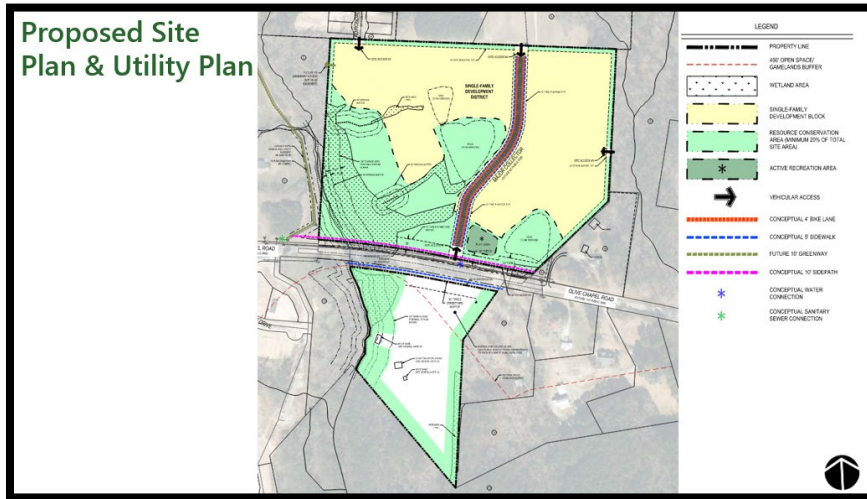
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5 [SLIDE 8]



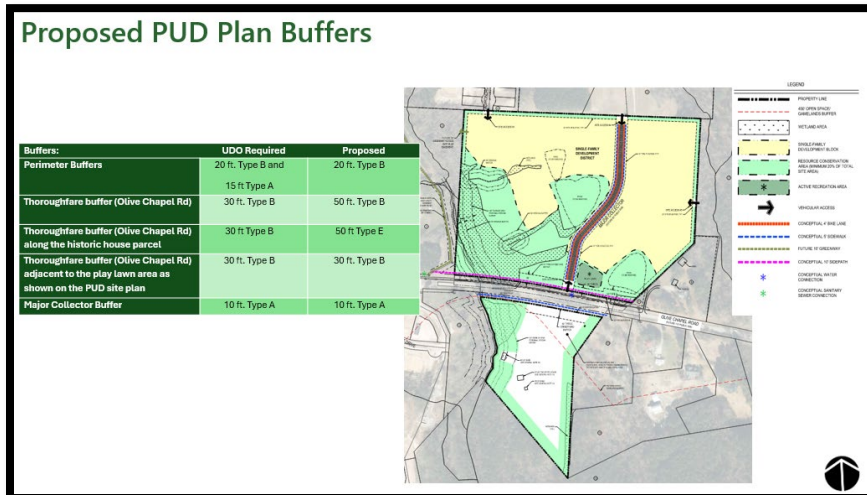
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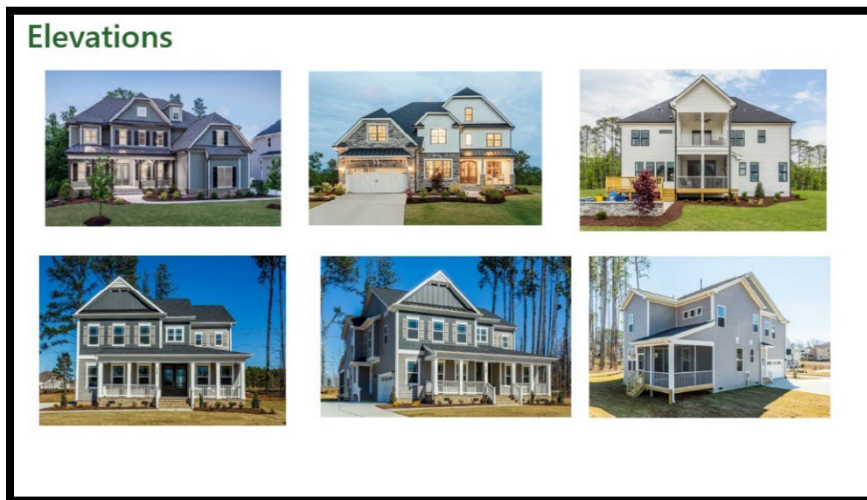
1 [SLIDE 9]



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3 [SLIDE 10]

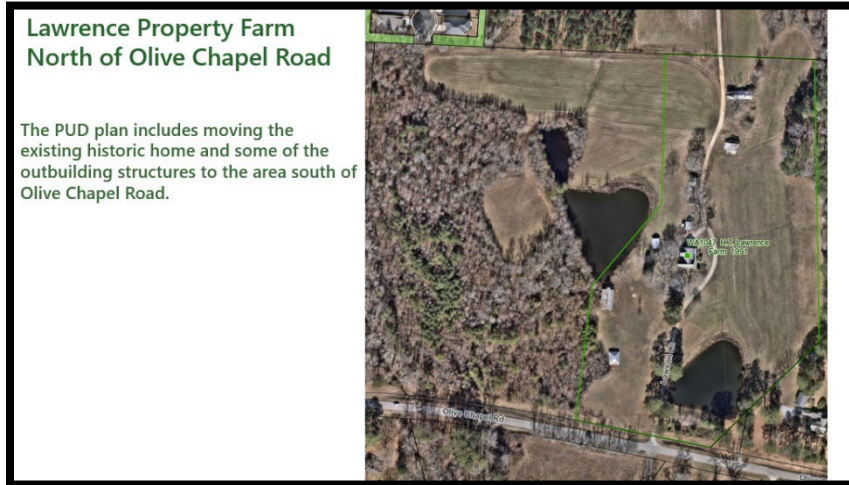


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5 [SLIDE 11]

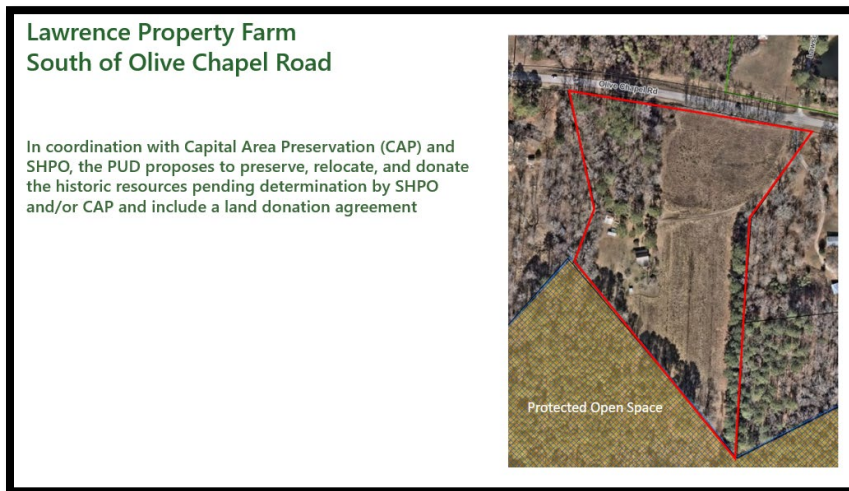


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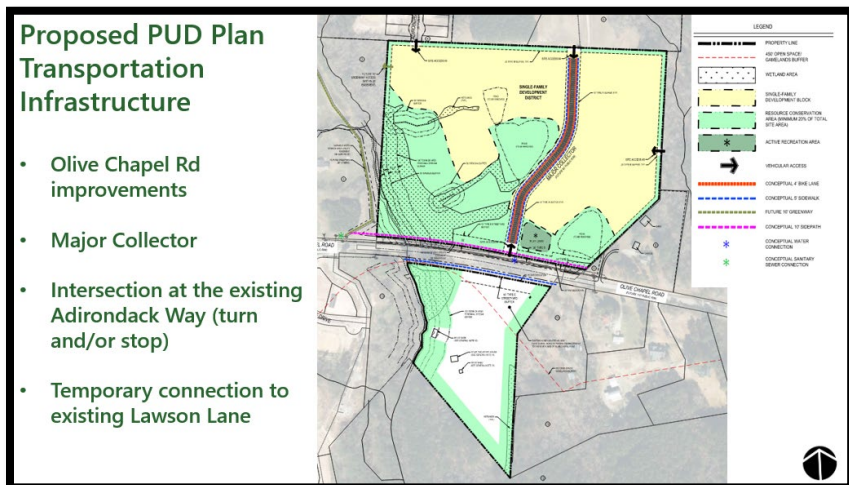
1 **[SLIDE 12]**



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3 **[SLIDE 13]**



4  
5 **[SLIDE 14]**



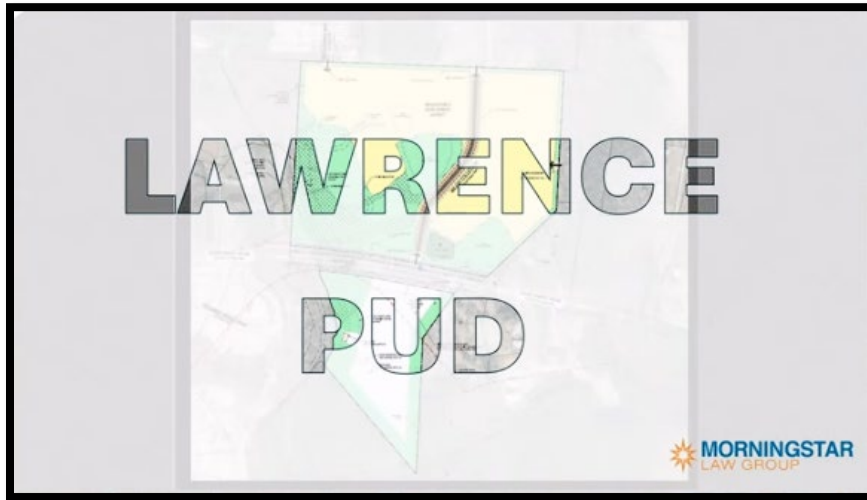
6  
7 **Ms. Cowles** asked if there were any questions for her or the applicant.



**Mayor Gilbert** asked if there were any questions. He asked for the applicant to speak.

**Leticia Shapiro** of Morning Star Law Group, representing Baker Residential, spoke in support of a rezoning application and gave an overview of the rezoning. She gave the following presentation:

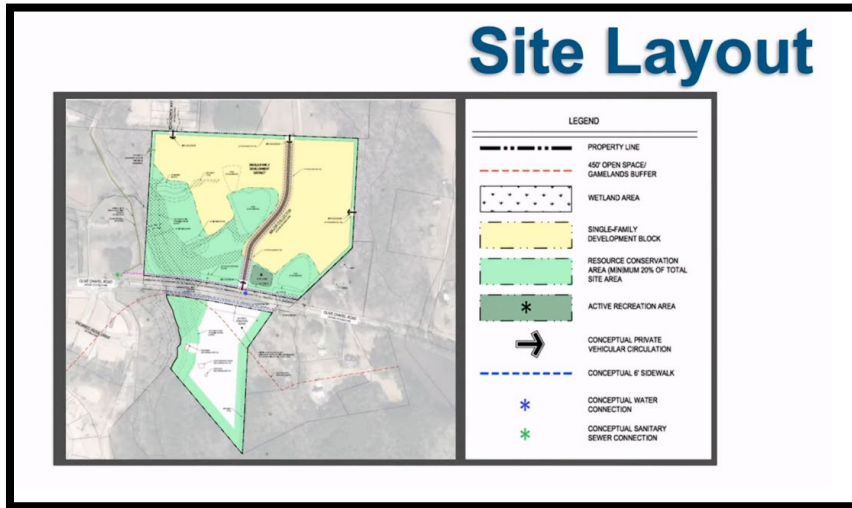
**[SLIDE 1]**



**[SLIDE 2]**



[SLIDE 3]



[SLIDE 4]



**Ms. Shapiro** asked if there were any questions.

**Councilmember Zegerman** asked if there was any construction on the south side of Chapel Olive Road.

**Ms. Shapiro** confirmed that there was no construction on the south side of Chapel Olive Road.

**Mayor Gilbert** said that with no other questions he would open up Public Hearing and called the first speaker.

First to speak was **Frank Aegis** of 1357 Mascoma Drive:

"Good evening, my name is Frank Aegis, 1357 Mascoma Drive, that's in the Retreat at Cedar Crossing. I'm also on the Board of Directors of the HOA at Retreat at Cedar Crossing, and I'm speaking for several of our members. I appreciate the opportunity to speak with you. Over the past six months, I've been in discussions with the Lawrence Farm project developers

1 and with the Town of Apex staff regarding the plans for this new subdivision, so I've been the  
2 main point of contact with the developers. The proposed development of single-family  
3 homes fits well with the character of the area. However, the Retreat residents, especially those  
4 on the connecting street Adirondack Way, Adirondack Way is going to connect into Lawrence  
5 Farms, are extremely concerned about the potential negative impacts with respect to traffic.  
6 The major roads and intersections surrounding the developments, Olive Chapel, New Hill  
7 Olive Chapel, Route 64—are increasingly congested. With the 2024 opening of the TMSA  
8 High School, morning and afternoon traffic backups around the Retreat and Deer Creek are  
9 really excessive. The roads are almost impassable. Add to that the coming construction  
10 projects in the coming years, starting in the next two years, the DOT is going to be realigning  
11 Olive Chapel and New Hill. They're going to be widening New Hill to 64 to four lanes. They're  
12 going to be adding a roundabout at Amber Light and New Hill, all should help, but in six to  
13 ten years that those are in construction, traffic is going to be increasingly problematic in our  
14 area. We feel that the opening of Adirondack Way, which is currently a closed street, is going  
15 to provide an alternate path for travelers that are westbound on Olive Chapel and  
16 northbound on New Hill, they're likely to try and bypass New Hill Chapel and go through our  
17 subdivisions, go through the Lawrence Farms, go through the Retreat, and go through Deer  
18 Creek to get to the school and to get to 64, because there is a way you can use those roads  
19 and bypass the intersection of Route 64 and 751. How many will do that? We don't know,  
20 because we don't have any data. There has been no traffic study, and there's been no traffic  
21 study that's been required for this application and this rezoning. You need data to be able to  
22 make a decision, to look at the plans and see if the plans for the roads are adequate for what  
23 the projected use of those roads is and the only way you can do that is to have the data and  
24 to have a traffic study to see what kind of traffic we can expect. Now, when I brought this to  
25 the developer and to the Town Planning, I was told, "Well, your subdivisions are too small,  
26 there's not likely to be that much traffic because it's only 55 homes," and that just ignores the  
27 fact that most of the traffic is not going to originate within the subdivision. It's going to  
28 originate outside the subdivisions, people using these as cut throughs. So, we would really  
29 feel that having a traffic study must be done so that you can understand what the levels of  
30 traffic are going to be and that the design of the roads, as they're presented to you, are  
31 adequate to handle those traffic loads. We don't want to have to come back here two years  
32 from now, three years from now, four years from now and complain about the horrendous  
33 traffic conditions and then have to try and figure out how to mitigate those. We have an  
34 opportunity now to make the right decisions, and to do that, we need to understand what's  
35 coming and so we would urge that a traffic study be required as part of this rezoning process.  
36 Thank you."

37 **Mayor Gilbert** thanked the speaker and called the next speaker.

38 Next to speak was **Karen Foust** of 1318 Adirondack Way:

39 "Thank you for your time. I am actually the president and treasurer of the HOA for the  
40 Retreat at Cedar Crossing, but I also live on Adirondack Way. So, I'm going to be one of the

1 residents who's most impacted by the connection of the Retreat at Cedar Crossing to the new  
2 neighborhood. As Frank eloquently said, our residents are extremely concerned with the  
3 increase in traffic that will result with this connection to the new neighborhood and the  
4 Science and Math Academy. We've already seen a significant amount of increase in traffic, not  
5 necessarily on my street, but we anticipate that when the roads do connect, the residents of  
6 the new neighborhood as well as any residents coming off of Olive Chapel are going to start  
7 coming through our street. So, we just want to reinforce with you that a traffic study is needed,  
8 and if you're not willing to do that, consider traffic calming measures that will at least slow  
9 down the traffic or reduce the traffic that's coming through our street. Thank you for your  
10 time."

11  
12 **Mayor Gilbert** thanked the speaker and called the next speaker.

13 Next to speak was **Lea Burnett** of 1335 Adirondack Way:

14 "Hello, thank you for your time. I also live at Retreat at Cedar Crossing, and I'm at 1335  
15 Adirondack Way, which is next door to where the new development's going to be planned,  
16 so I'm at the end of the street. I don't know if y'all know this, but we are a small 55-and-up  
17 community. We only have 88 homes. It's quiet and peaceful and is perfect for our senior  
18 residents. The current traffic concerns that we have, we're at the end of our neighborhood, if  
19 we go out, we cannot turn left onto Olive Chapel. It's the same when we're coming back  
20 home, we cannot turn left into our entrance. So, this is extremely inconvenient for all of us that  
21 we cannot make a left-hand turn there. This forces us to drive into Deer Creek, which is the  
22 subdivision right next to us. Deer Creek is a large community with mostly young families.  
23 There's a multitude of small children, and they play outside, which they should, but they play  
24 in the street. They're in the street on their little bicycles or little Razor things, and they're  
25 playing ball and stuff, and balls come out into the street. There's a good deal of pedestrian  
26 traffic as well, so you can imagine, I know they've had some close calls in that neighborhood,  
27 and there are safety issues and concerns there. We don't want to go through their  
28 neighborhood, but we have no choice if we want to turn left out of our subdivision, so I know  
29 they don't want us going through their neighborhood, and I know they don't appreciate the  
30 extra traffic that we add to their neighborhood as well. In my mind, it would be better to  
31 separate, of course we can't separate from Deer Creek because that's already a done deal  
32 but to separate our community from the new proposed community, because they're going to  
33 have a main street going out of this new community, and they can go left or right, well, lucky  
34 them. There's also the TMSA high school and elementary that borders Deer Creek and of  
35 course connects to our neighborhood. There are 2,000 students in these schools combined,  
36 and they are, the vast majority, probably 99.9% of them are driven by parents."

37 **Mayor Gilbert** thanked the speaker and called the next speaker.

38 Next to speak was **Dawn Cozzolino** at 3632 Bosco Road:

1 "So, you've heard a lot about traffic. I just want to quickly mention, and I'm going to  
2 run out of time about the school. So, I think it was read out loud, and that was great, but it  
3 emphasizes a serious issue here in this area. People coming from out of the area don't realize  
4 the schools are capped, and you can't go to a school that's local to you. You have to get in the  
5 car and drive your kids somewhere. So, these traffic studies too even if we have them done  
6 and there's 602 new trips for the Lawrence, it's just a traffic letter, it's not a study, but you  
7 forget that's not added, okay? And all that good stuff. But anyway, it says here on the zoning  
8 application: anticipated to have insufficient capacity for future students, transportation to  
9 schools outside the current assignment area. So where do the kids go? I don't understand it.  
10 You have no plan for that. You're not going to do a traffic study, because we know you didn't  
11 do one on Peak Landing, which is on top of a hill on Old US 1 by our area. You didn't do it.  
12 600 feet for the closest street because it was too low in houses. Of course, Cary will put the  
13 traffic study on their website for the public to see on 100 trips. You do 10 times as many. You  
14 wait till it's a thousand cars, and yeah, of course it's a dangerous situation because of all the  
15 traffic we've had. And this is outdated, folks. This is \$1.2 to \$2 million of estimated crashes,  
16 not damage, lifelong injuries. I mapped this all out. Why don't you have that information?  
17 Because Apex only counts Apex roads. Most of this is NC DOT road, okay, so we're just  
18 fabricating good facts. Another thing is, okay, I'm from New Jersey, the other lady was from  
19 New York. You come down here, it's beautiful. You are happier than heck to be down here.  
20 You love the weather. You're so happy. You see the zoning maps, rural, rural, it's green  
21 everywhere. What do you do? You do amendments, and you change it like the snap of a  
22 finger. What does that allow? You talk to the developers. You figure it out, how are you going  
23 to plot this whole area and take it down? Okay, that's all this is. This is just a game. It's a game  
24 and then it's a money game. That's all you're doing. So, I hate coming up here and talking  
25 about this because it upsets me so much. This area is so freaking beautiful, and it's a disgrace  
26 what you are doing in your official capacity to it. And I'm sorry to say, but I've done all the  
27 proper channels, and I'm going to go, I'm going to go further up the chain because this is  
28 ridiculous. We've been coming here for years, and you just look at us and ignore us and think  
29 we're stupid. There're no schools, there's no safe roads. Calming a traffic situation down is not  
30 mitigating the problem, there's too much housing and there's no economic jobs to support it.  
31 Thank you."

32 **Mayor Gilbert** thanked the last speaker and closed Public Hearing.

33 Council moved onto votes for PH2, PH3, and PH4, which were presented and heard  
34 together.

35 A **motion** was made by **Councilmember Zegerman** and seconded by  
36 **Councilmember Gantt** to adopt an Ordinance on the Question of Annexation - Apex Town  
37 Council's intent to annex 37.98 acres project entitled Lawrence Property PUD, located on  
38 Olive Chapel Road, Annexation No. 790, into the Town Corporate limits.

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

1 A **motion** was made by **Councilmember Gantt** seconded by **Councilmember**  
2 **Killingsworth** to amend the Apex Transportation Plan to realign a future major collector  
3 street in the vicinity of Lawson Lane.  
4

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

6 **Councilmember Mahaffey** said this was well done and supported the rezoning case  
7 for Lawrence property and complimented the fact that it was preserving the property below it  
8 and the RCA on the property was 40%.

9 **Councilmember Zegerman** said that with the entire property south of Olive Chapel is  
10 preserved it gives a transition period that is envisioned when the Land Use Map was  
11 developed and with very low density housing and what is expected in the area.

12 **Councilmember Gantt** said that they stub these roads with the intent that the more  
13 connections the less pressure at the intersections with traffic. He said that with there not being  
14 a left turn off of Adirondack Road, that the neighborhood will be used for a way to get out but  
15 when the major collector is built to Highway 64, then Highway 751 will be the way to get to  
16 Highway 64 to connect to Olive Chapel Road. He said that with the additional connections  
17 that are being planned then residents in this neighborhood north and residents will be able  
18 to turn left on to Olive Chapel instead of going through the neighborhood to take a left onto  
19 New Hill Chapel Road. He said that traffic calming would be a way to slow traffic.

20 **Councilmember Killingsworth** said that her neighborhood was a perfect example of  
21 example of a neighborhood with a cut through to get to 64 to the Peakway and traffic calming  
22 is something to consider. She said that with all the conditions being offered it was a good  
23 rezoning.

24 **Councilmember Mahaffey** said that over time there has been concerns about traffic  
25 and the extension of Adirondack Way is the solution with the extra connections.

26 A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember**  
27 **Gantt** to approve Rezoning No. 24CZ16 - Lawrence Property PUD - Rezone approximately  
28 41.02 acres from Wake County Residential-80W (R-80W) to Planned Unit Development-  
29 Conditional Zoning (PUD-CZ), at 3228 Olive Chapel Road.

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

31  
32 **PH5 Annexation No. 800 - Atkins Hudson Davidson Homes Assemblage - New Hill**  
33 **Olive Chapel Road - 16.80 acres - ITEM TO BE CONTINUED**

34 *Dianne Khin, Director, Planning Department*  
35

36 **PH6 Rezoning Case No. 25CZ06 New Hill Olive Chapel Assemblage - ITEM TO BE**  
37 **CONTINUED**

38 *Bruce Venable, Planner II, Planning Department*



A **motion** was made by **Councilmember Killingsworth**, seconded by **Mayor Pro-Tempore Gray** to continue PH5 - Annexation No. 800 - Atkins Hudson Davidson Homes Assemblage - New Hill Olive and PH6 - Rezoning Case No. 25CZ06 New Hill Olive Chapel Assemblage until Council meeting August 12, 2025.

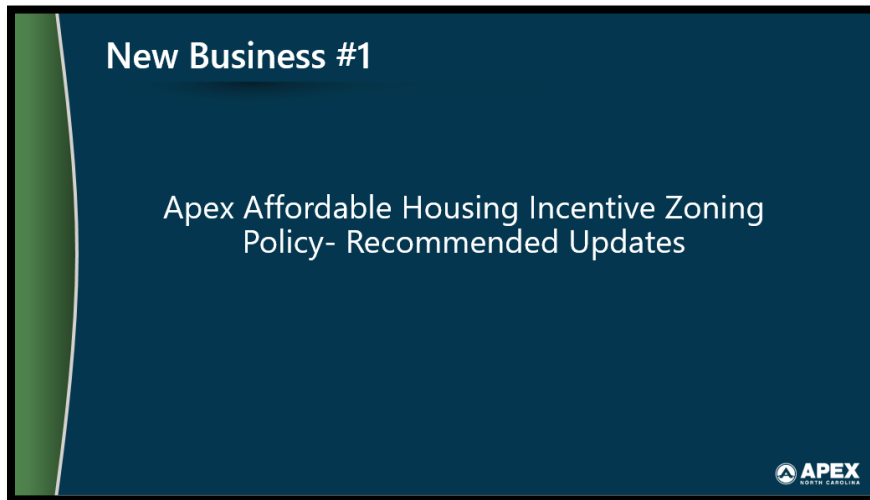
**VOTE: UNANIMOUS (5-0)**

**[NEW BUSINESS]**

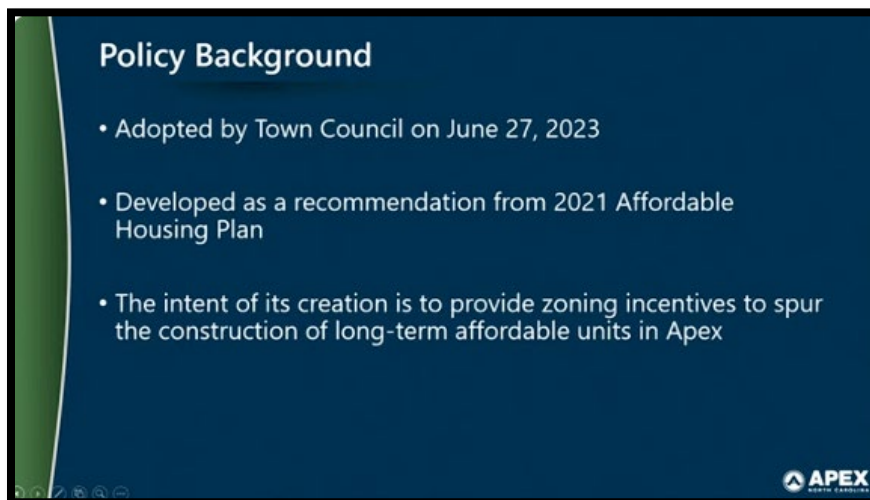
**NB1 Apex Affordable Housing Incentive Zoning Policy - Recommended Updates (REF: PLCY-2025-013)**

**Marla Newman**, Director, Community Development and Neighborhood Connections gave the following presentation:

**[SLIDE 1]**



**[SLIDE 2]**






1 [SLIDE 3]

## Section 1. Overview

### 1.3 Applicability

Minimum Applicability Standards	Current Policy	Proposed Policy Enhancement
Minimum Development Threshold Unit Size Threshold	20 units/lots	10 units/lots
Minimum Affordable Housing Rental/Ownership On-site Unit/Lot Percentage (%)	5%	10%
Maximum Affordable AMI Percentage (%) – Ownership	135%	120%
Maximum Affordable AMI Percentage (%) – Rental	100%	80%
Minimum Affordability Period - Ownership	20 years	20 years
Minimum Affordability Period – Rental	Negotiable	30 years
Targeted Prices – Ownership	-	HUD Home Initial Sales Price
Targeted Prices – Rental	-	NCHFA Rent Limits




2  
3 [SLIDE 4]

## Section 1. Overview

### 1.4.1 Fee-in-Lieu

Proposals that differ from the minimum Policy recommendations will be considered alternative proposals. The applicant should specify if the alternatives are less than, equivalent to, or greater than the minimum Policy recommendations in the Affordable Housing Proposal (AHP). An applicant is not precluded from requesting one or more zoning-based, non-financial, or financial incentives if proposing an alternative proposal (i.e. different on-site residential affordable housing unit or lot percentage, different Area Median Income (AMI) percentage, different affordability term, etc.), that differs from the Town's minimum Policy recommendation. **As an alternative to on-site units, a fee in lieu is recommended to be dedicated to the Affordable Housing Fund. The equivalent of 10% of the development units should be provided to the Town as gap financing for the development for future affordable rental units.** The Town Council may approve, conditionally approve, or deny any proposal including an alternative proposal. The Town may retain the services of a consultant or outside legal counsel to review the reasonableness of the submitted proposal.

Fee in lieu Calculation Example	
High Density Single-Family Residential Zoning Designation	Up to eight (8) units and acre
Development Acreage	10-acres
Projected Maximum Unit Count	80 units
Maximum AHIZP Unit Designation	80 x 10% = 8 affordable units
Median Development Sales Price	\$600,000
HUD HOME New Construction Sales Price (HUD, 2024)	\$382,000
Sales Price Difference	\$218,000
Total Fee in lieu Dedication	\$218,000 x 8 units = \$1,744,000




4  
5 [SLIDE 5]

## Section 1. Overview

### 1.4.2 Lots in Lieu

Proposals that differ from the minimum Policy recommendations will be considered alternative proposals. The applicant should specify if the alternatives are less than, equivalent to, or greater than the minimum Policy recommendations in the Affordable Housing Proposal (AHP). An applicant is not precluded from requesting one or more zoning-based, non-financial, or financial incentives if proposing an alternative proposal (i.e. different on-site residential affordable housing unit or lot percentage, different Area Median Income (AMI) percentage, different affordability term, etc.), that differs from the Town's minimum Policy recommendation. **As an alternative to developer built onsite affordable units, the equivalent to 10% of onsite lots is recommended to be dedicated to an affordable housing developer to develop as affordable housing.** The Town Council may approve, conditionally approve, or deny any proposal including an alternative proposal. The Town may retain the services of a consultant or outside legal counsel to review the reasonableness of the submitted proposal.

Lots in lieu Calculation Example	
High Density Single-Family Residential Zoning Designation	Up to eight (8) units and acre
Development Acreage	10-acres
Projected Maximum Lot Count	80 lots
Minimum Applicable Lot Designation	80 x 10% = 8 lots designated for affordability
Total Lots in lieu Dedication	8 onsite lots



6

1 [SLIDE 6]

## Section 1. Overview

### 1.4.3 Land in Lieu

Proposals that differ from the minimum Policy recommendations will be considered alternative proposals. The applicant should specify if the alternatives are less than, equivalent to, or greater than the minimum Policy recommendations in the Affordable Housing Proposal (AHP). An applicant is not precluded from requesting one or more zoning-based, non-financial, or financial incentives if proposing an alternative proposal (i.e. different on-site residential affordable housing unit or lot percentage, different Area Median Income (AMI) percentage, different affordability term, etc.), that differs from the Town's minimum Policy recommendation. **As an alternative to developer built onsite affordable units/lots, the equivalent to 10% of onsite lots – located offsite and developable – is recommended to be dedicated to the Town to develop affordable homes in the future.** The Town Council may approve, conditionally approve, or deny any proposal including an alternative proposal. The Town may retain the services of a consultant or outside legal counsel to review the reasonableness of the submitted proposal.

Land in lieu Calculation Example	
High Density Single-Family Residential Zoning Designation	Up to eight (8) units an acre
Development Acreage	10-acres
Projected Maximum Unit Count	80 Units
Projected Acreage per Unit	.125 acres
Minimum Applicable Unit/Lot Designation	80 x 10% = 8 units lots
Total Land in lieu Dedication	.125 acres x 8 units/lots = 1 acre of offsite developable land

**APEX**  
NORTH CAROLINA

2  
3 [SLIDE 7]

## Section 4. Town Incentives

### 4.1 Higher Density Zoning District

An applicant may apply for a zoning district that allows more housing types and density than otherwise indicated on the 2045 Land Use Map to increase overall project density to support the provision of affordable housing. **If the development designates a minimum 10% of the total unit amount as affordable.**

Higher Density Zoning District Incentive Example	
<b>Current Zoning Designation</b>	
Rural Residential:	One (1) single-family home per acre
<b>2045 Land Use Map Designation</b>	
Medium Density Residential:	Up to six (6) units per acre
<b>Higher Density Zoning Request</b>	
High Density Single-Family Residential:	Up to eight (8) units per acre
Development Acreage:	10-acres
Projected Maximum Unit Count Based on Zoning Designation:	80 units
Minimum Affordable Unit Designation:	80 units x 10% = 8 affordable units

**APEX**  
NORTH CAROLINA

4  
5 [SLIDE 8]

## Section 4. Town Incentives

### 4.1.2 Density Bonus

A density bonus encourages the production of affordable housing by allowing applicants to build more units or lots within the development than would otherwise be allowed by the proposed zoning district. If rezoning to the High-Density Multi-Family Residential-Conditional Zoning (HDMF-CZ), an applicant may propose a zoning condition that increases the allowed density above the 14 dwelling units per acre that the HDMF zoning district permits. An increase to at least 20 dwelling units per acre would be supported by this incentive. **Fifty percent (50%) of the units created through the density bonus must be designated towards affordability, in addition to the original ten percent (10%) that was designated as affordable.**

High Density Multi-Family Residential-Conditional Zoning – Density Bonus Example	
Development Acreage:	10-acres
Projected Maximum Unit Count:	140 units
Minimum Applicable Designation:	140 units x 10% = 14 Units
Projected Maximum Unit Count with Density Bonus	140 units + 60 Density Bonus Units (10 x 20 = 60)
<b>Unit Designation with the Density Bonus</b>	
Market Rate Units without Density Bonus:	126 units
AHIZP Affordable Units without Density Bonus:	14 units
Density Bonus Market Rate Units:	30 units
Density Bonus Affordable Units:	30 units
<b>Final Unit Designation</b>	
Market Rate Units	156 units (78% of total units)
Affordable Units	44 units (22% of units)

**EX**  
NORTH CAROLINA

6


1 [SLIDE 9]

## Section 4. Town Incentives

### 4.1.3 Development Standards

Adjustments to the development standards listed below may be requested in order to support the development of affordable housing. In all cases, the type and amount of incentives proposed will be reviewed in conjunction with the 2045 Land Use Plan (as amended from time to time by the Town Council), including the Land Use Map and Context Areas Map, and the character of the surrounding area. The incentives listed below in (a), (b) and (c) are applicable in any CZ district, without the need to rezone to a PUD-CZ district.

- a. Increased maximum building height  
**Applicants rezoning to High-Density Multi-Family-Conditional Zoning (HDMF-CZ) may request to increase the building height to accommodate the density bonus increase from 14 units an acre to 20 units an acre to ensure the inclusion of affordable units.**
- b. Reduced minimum building setbacks  
**Applicants may request a reduction of minimum building setbacks to accommodate the inclusion of affordable units.**
- c. Reduced minimum lot widths  
**Applicants may request to reduce minimum lot widths to accommodate the inclusion of affordable units.**




2  
3 [SLIDE 10]

## Section 4. Town Incentives

### 4.1.4 Resource Conservation Area (RCA) Reduction

**An applicant may request a Resource Conservation Area reduction of 10% as an incentive when the minimum 10% of total units within the proposed development is designated as affordable. The maximum reduction in Resource Conservation Area (RCA) that may be requested is 10%. The amount of reduction that may be supported by staff will depend upon the percentage of units or lots provided as affordable housing and the amount of RCA required for the property. This incentive is applicable in any CZ district, without the need to rezone to a PUD-CZ district.**




4  
5 [SLIDE 11]

## Section 4. Town Incentives

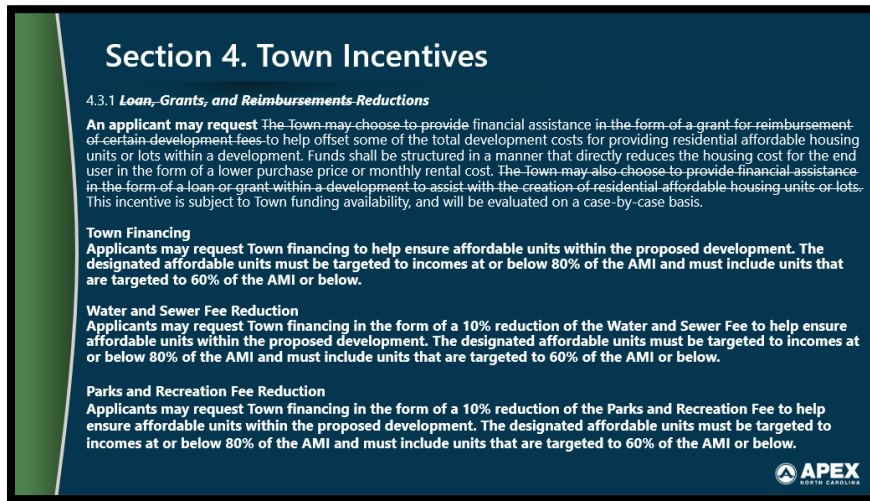
### 4.1.5 Parking Reductions

**An applicant may request a parking reduction for developments that are pedestrian-oriented mixed-use and/or within .25-mile of an existing or planned bus stop as an incentive when the minimum of 10% of total units within the proposed development is designated as affordable. This incentive is applicable in any CZ district, without the need to rezone to a PUD-CZ district.**

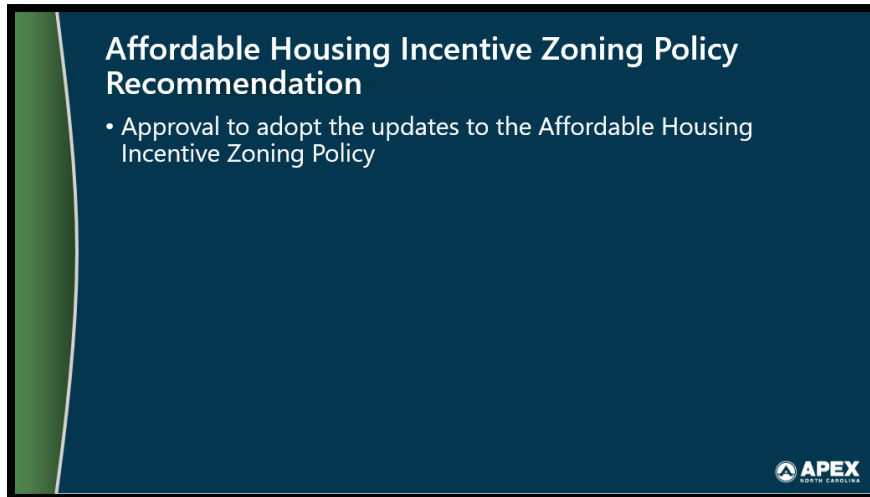


6

1 [SLIDE 12]



2  
3 [SLIDE 13]



4  
5 **Director Newman** said that they were requesting the Council to adopt these  
6 enhancements to the incentive zoning policy and would answer any questions.

7 **Councilmember Zegerman** referenced slide #4 about the summary of the changes  
8 and asked if the ownership percentages were in line with HUD standards and if so, where did  
9 this information come from.

10 **Director Newman** said that generally the HUD standards cap the threshold at 80%  
11 but workers in the community making the 120% threshold still struggle to afford living in the  
12 community and enable them to help more people.

13 **Councilmember Zegerman** asked why is the threshold 120 instead of 100.

14 **Director Newman** said that according to HUD standards moderate income is 80 to  
15 120 and this covers people in the moderate-income range who are struggling to compete in  
16 the market.

17 **Councilmember Zegerman** said that two-income scenarios of workforce employees  
18 targeted there is still a struggle to get up to the 100% mark and 120% may still not reach

1 those people that is trying to be reached, and would like to be more aggressive to target the  
2 policies towards the people that need it.

3 **Director Newman** said that they are open to any adjustment if Council wants to make  
4 an adjustment.

5 **Councilmember Zegerman** said that if Council asked staff to explore 100% AMI, the  
6 change could be made at any time, and he would like to look at the pros and cons and if  
7 there is anything being missed.

8 **Director Newman** said a higher percentage enables them to help more people that  
9 are still struggling in the marketplace.

10 **Councilmember Gantt** said that the discussion was how little uptake there has been  
11 in the program. He asked if this participation would be decreased because of it being stricter.

12 **Director Newman** said that it possibly could be because there may need to be more  
13 subsidies, and it depends on what Council is willing to do for that. She said that Wake County  
14 invests significantly and NCHFA invests in affordable housing, but it would depend on what  
15 Apex would invest. She said that once it is clear on who is being served then amounts can be  
16 discussed. She said they are considering additional incentives to target more home  
17 ownership with a developer incentive with a combination of fee waivers and other incentives  
18 as a combination that enables the developer to possibly build units without costs associated  
19 with that tend to increase overall development.

20 **Councilmember Gantt** said that 120 would be more stringent and would require  
21 more subsidy to encourage purchases. He asked if the properties are selling at 80% AMI  
22 versus 100% wouldn't it be thousands of dollars that the developer will have to go lower to  
23 make this work.

24 **Director Newman** said that 80% is for rentals.

25 **Councilmember Gantt** said that is correct, but he feels reducing this is going to make  
26 it harder for developers to want to take the incentives for reducing the AMI on some of the  
27 units, as it may not make financial sense.

28 **Director Newman** said this is why the other incentives should make it more  
29 appealing.

30 **Councilmember Killingsworth** said that when the incentive zoning policy was  
31 discussed it was compared to other municipalities and Durham's wasn't being utilized, but  
32 Apex has already had 3 developers using it in the short time that Apex has offered it. She said  
33 that Apex is making strides in the right direction.

34 **Councilmember Gantt** said that it was a balance, some things make it easier, and  
35 some things make it harder.

36 **Councilmember Zegerman** said that it is a bigger benefit, making the tradeoff in  
37 terms of expenses to make it worth it.

38 **Director Newman** said when the policy was adopted the idea was to bring back  
39 results, and she recommended continuing to give it some more time with the proposed  
40 changes here.

41 **Mayor Gilbert** said that this was a good start and moving forward the town can see

1 how it is doing and tweak if needed.

2 **Councilmember Zegerman** asked what the conditions of lots and land in lieu are.

3 **Director Newman** said that lots in lieu are in within the same development and will be  
4 developable land, the land in lieu requirements is that it also be developable land.

5 **Councilmember Gantt** asked if the parcels were required to be identified.

6 **Director Newman** said yes, it has to be a designated parcel of land or parcels of land.

7 **Mayor Pro-Tempore Gray** said that when the nature of the overall market is being  
8 looked at it has changed since the original affordable housing plan was developed and land  
9 availability is becoming limited, and it's the right time to adjust incentives to better support  
10 the town's goals.

11  
12 A **motion** was made by **Councilmember Killingsworth**, seconded by **Mayor Pro-**  
13 **Tempore Gray**, to approve the Apex Affordable Housing Incentive Zoning Policy Updates.

14  
15 **VOTE: UNANIMOUS (5-0)**

16  
17 **NB2 Apex Homeownership Incentive Pilot Program and Budget Ordinance**  
18 **Amendment No. 13 (REF: ORD-2025-051, and PLCY-2025-014)**

19 Marla Newman, Director, Community Development and Neighborhood Connections gave  
20 the following presentation:

21 **[SLIDE 1]**



**[SLIDE 2]**

### Homeownership Incentive Pilot Guidelines

To **incentivize** development of affordable homeownership units in market-rate projects, **the Town's pilot program would:**

- **target** households earning 80% - 120% of the area median income
- **provide** a per/unit subsidy of \$40,000
- **limit** the selling price to the HUD maximum sales price limit (adjusted annually) for the Raleigh Metropolitan Statistical Area, currently \$382,000 (allowing the builder to build a product valued at \$422,000)

**[SLIDE 3]**

### Homeownership Pilot Scenario – 80% AMI Buyer

Pilot Example	
Homeownership Unit Market Value	\$422,000
Less: Town Developer Incentive \$	(\$40,000)
Homeownership Unit Maximum Sales Price	\$382,000
Closing Costs	\$19,100
Amount Due at Closing	\$401,100
<b>Less: Homebuyer Cash and Subsidies</b>	
Homebuyer Cash Amount	(\$4,100)
NCHFA Community Partners Loan Pool Program (Subsidy)	(\$50,000)
NCHFA Home Advantage First-Time Homebuyer Down Payment Assistance Program (Subsidy)	(\$15,000)
Wake County Down-Payment Assistance Program (Subsidy)	(\$50,000)
Homebuyer's 1 <sup>st</sup> Mortgage Loan Amount	\$282,000

**Councilmember Gantt** asked if the subsidies from the County and the State are guaranteed if the qualifications are met.

**Director Newman** said yes, as long as the funding is still available.

**Councilmember Gantt** asked how long the funds usually last.

**Director Newman** said that was something that couldn't be predicted, but there was lots of demand for it.



1 **[SLIDE 4]**

## Homeownership Pilot Scenario – 80% AMI Buyer

### Homebuyer Underwriting Assumptions:

- Household Income: \$97,840 (80% of the AMI)
- Household Size: 4
- Buyer Cash: \$4,100
- Buyer meets industry-standard mortgage underwriting ratios

2  
3 **[SLIDE 5]**

## Homeownership Pilot Scenario – Over 80% of AMI (up to an annual income of \$140,000)

Pilot Example	
<b>Homeownership Unit Market Value</b> (current sales price limit for the NC 1st Home Advantage Down Payment – Wake County)	<b>\$490,000</b>
Less: Town Developer Incentive \$	(\$40,000)
Homeownership Unit Maximum Sales Price	<b>\$450,000</b>
Closing Costs	\$22,500
<b>Amount Due at Closing</b>	<b>\$472,500</b>
<b>Less: Homebuyer Cash and Subsidies</b>	
Homebuyer Cash Amount	(4,100)
NCHFA Home Advantage First-Time Homebuyer Down Payment Assistance Program (Subsidy)	(\$29,052)
<b>Homebuyer's 1<sup>st</sup> Mortgage Loan Amount</b>	<b>\$439,348</b>

For both first-time and move-up home buyers, the NCHFA NC Home Advantage Mortgage™ provides qualified homebuyers whose annual income doesn't exceed \$140,000 with mortgages and down payment assistance up to 3% of the loan amount. The Agency also offers a \$15,000 down payment assistance option—the NC 1st Home Advantage Down Payment—just for first-time buyers and military veterans who meet additional eligibility criteria.

4  
5 **[SLIDE 6]**

## Homeownership Pilot Scenario – Over 80% AMI

### Homebuyer Underwriting Assumptions:

- Household Income: does not exceed \$140,000
- Buyer Cash: \$4,100
- Buyer meets industry-standard mortgage underwriting ratios

\*Wake County AMI: \$132,700 (effective 4/1/2025)

6

1 [SLIDE 7]

### Homeownership Incentive Pilot Program Guidelines

- Housing Counseling required by a HUD-approved counseling agency for the buyer
- Approved Mortgage Lender Pool
- Affordability Period: 30 Years/Deed Restriction

2  
3 [SLIDE 8]

### Homeownership Incentive Pilot Program Recommendation

A. **AUTHORIZE** the Town to implement a homeownership incentive pilot program to incentivize the inclusion of lower-priced for-sale units within market-rate developments.

B. **AUTHORIZE** the associated budget amendments and transfers of funds of up to \$400,000 for the homeownership incentive pilot program from available funding in the Affordable Housing Fund.

4  
5 **Director Newman** said that she would answer any questions.

6 **Councilmember Zegerman** asked how they could align the application period with  
7 the other programs to ensure that funds are still available.

8 **Director Newman** said that NCHFA does not have a deadline. She said that the buyer  
9 would work with their lender to collaborate with the programs. She said that the Wake County  
10 funds go more quickly so possibly publicizing the program may help, but that for Apex this is  
11 on the developer's side, and they would have to work with the developer and possibly add  
12 some guidelines for the process.

13 **Councilmember Zegerman** asked what the selection process was.

14 **Director Newman** said this is why they are asking to pilot this program, but it seems  
15 that first come, first serve would be the way to disperse the funds.

16 **Councilmember Gantt** asked how the developer's process works.

17 **Director Newman** said they have a qualifying process and gave an explanation.

18 **Councilmember Gantt** asked if the developer and the home buyer must both sign  
19 documentation with Apex.

1       **Director Newman** said that they connect the developer through different non-profit  
2 organizations to work with the buyer.

3       **Councilmember Gantt** confirmed that the developer applies to the program and then  
4 staff connects the developer to the non-profit organization.

5       **Director Newman** confirmed that was the beginning of the process for the program  
6 and this happens during development.

7       **Councilmember Killingsworth** said that we weren't the first municipality to do this.

8       **Director Newman** said that is correct.

9       **Councilmember Gantt** asked why this would not be for just the 80% AMI people and  
10 below.

11       **Director Newman** said that there are a range of people who are considered  
12 "moderate income" that are in the market and are competing with those who have additional  
13 income and would be able to buy them easier.

14       **Councilmember Gantt** asked if the allowance was 80% and below and if it gets used  
15 up, then they would be getting Wake County money and they are the people in most need.

16       **Director Newman** said it would only be 80% because this housing is not feasible below  
17 80% which those people would be eligible for Habitat and other resources.

18       **Councilmember Gantt** suggested keeping it at 80%.

19       **Director Newman** said that there were fewer resources for those from 80% to 120%.

20       **Councilmember Mahaffey** asked why this is being done on the developer side and  
21 not on the homeowner side as other programs are.

22       **Director Newman** said it is the ratios of what money comes in. She said that on the  
23 developer's side, it helps get the initial price lower and align with the HUD maximum sales  
24 price.

25       **Mayor Gilbert** asked how the developer community responded to this program.

26       **Director Newman** said that there had not been a lot of discussion but that these  
27 programs are in other areas and that staff wanted to discuss this with Council before working  
28 with the developers. She said that this is why it is a pilot program, and the funding would  
29 come from the Affordable Housing funds and not the general fund.

30       **Councilmember Gantt** suggested that after the first year and the 10 units have been  
31 allocated for staff to report back to Council on the range of the applicants and if they are all  
32 between the 80% to 120% that this program may need to be changed to target below 80%  
33 more.

34       **Mayor Gilbert** asked if there were any other questions or a motion.

35  
36       A **motion** was made by **Councilmember Killingsworth**, seconded by  
37 **Councilmember Zegerman**, approve the Apex Homeownership Incentive Pilot Program and  
38 Budget Ordinance Amendment No. 13.

39  
40       **VOTE: UNANIMOUS (5-0)**

41  
42       **Mayor Gilbert** called for a ten-minute recess at **8:12 p.m.**

1  
2 The meeting stood in recess.  
3

4 **Mayor Gilbert** reconvened the meeting at **8:25 p.m.**, with all voting members in  
5 attendance and seated.  
6

7 **NB3 - Resident Advisory Board Administrative Policy - Moved from Consent Item 16**  
8 **(REF: PLCY-2025-012)**

9 *Allen Coleman, Town Clerk*  
10

11 **Mayor Gilbert** said that NB3 - had been moved. He said that under Advisory Board  
12 Administrative Policy #4 where it speaks about member taxes and not having overdue  
13 financial liability to Apex, that people with financial hardships that want to serve the Town for  
14 the right reasons being excluded does not reflect that the Council is being inclusive, and to  
15 impose that on resident boards it is not a good look. He asked for this to be consistent. He  
16 said there may be more research and may need to be brought back to Council.

17 **Councilmember Zegerman** said that the intent with updating this policy is that they  
18 are in good standing with the town and it is a common requirement. He agreed that the  
19 language does not reflect this 100%. He proposed that for now they strike the overdue  
20 financial liabilities and keep the tax requirement, which is that Advisory or Board members be  
21 current on County and Town taxes and keep the piece about the litigation against the Town  
22 and revisit other financial liability language in the future.

23 **Mayor Gilbert** said that the other piece is trying to determine what is delinquent vs.  
24 overdue with the financial obligation part, and what happens if this is the case.

25 **Councilmember Mahaffey** said that in reading the policy and how it is written it is a  
26 difference in someone that isn't paying their taxes or their bills or someone who is paying it  
27 on an approved payment plan. He asked if as long as they are keeping their payment  
28 obligation they should be covered in the policy.

29 **Councilmember Zegerman** said that the language is not clear, and the language  
30 should be worked through with the Town to align the two policies for Council and  
31 Board/Advisory members.

32 **Councilmember Mahaffey** asked if there could be aligned policies because the  
33 Council criteria is set by State statute.

34 **Councilmember Zegerman** said that to some degree it can be.

35 **Mayor Gilbert** asked if there were any other municipalities that have this policy for  
36 their residents' boards.

37 **Town Clerk Coleman** said that the only other municipality he knew of was the City of  
38 Durham, and that was for the tax piece.

39 **Councilmember Zegerman** said that they will amend the existing language "other  
40 overdue financial liability" and keep the tax liabilities.

**Town Clerk Coleman** asked to restate the revised number four (4) under "Membership Eligibility - 18 years of age and above" in the policy as proposed and amended for clarification. He said the amended number four shall read:

"All members shall be current on their Town of Apex and Wake County taxes, ~~and shall not have any overdue financial liability to the Town~~. The Town Clerk has been authorized to verify tax status ~~and financial liability~~ for applicants to the Town's standing Advisory Boards. If appointed, all members shall remain non-delinquent on taxes. If the member's taxes become delinquent during their term of appointment, the member shall be allowed up to 30 days to bring the taxes current.

A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Killingsworth**, to approve the Resident Advisory Board Administrative Policy, with the change of removing language regarding overdue financial liability other than property taxes.

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

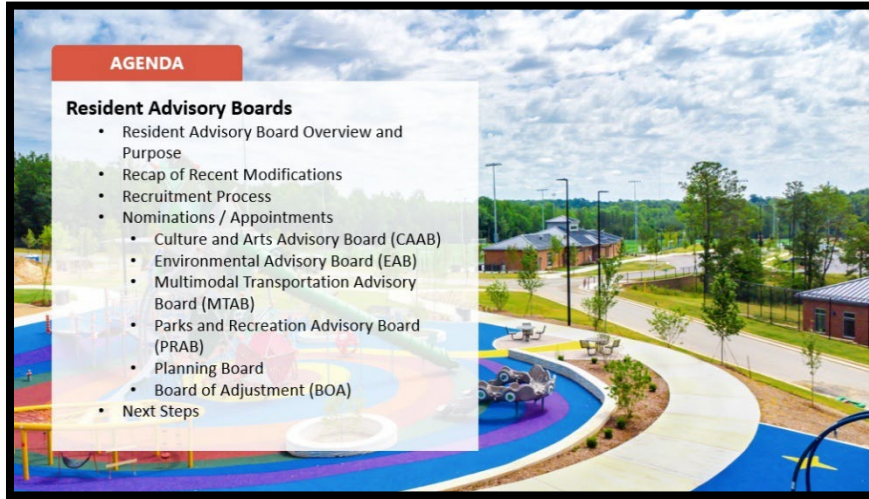
**NB4 Appointments - Culture and Arts Advisory Board (CAAB)** - formerly referred to as the Public Art Committee (PAC).

**Town Clerk Allen Coleman**, gave a PowerPoint presentation which provided an overview of the process for appointments, the amended scope of work for each Board, and the new membership structure for each of the Town's Resident Advisory Boards. He said this was in response to the ongoing project which started in December of 2024 and that the Town Clerk's Office has been in active recruitment to fill several vacancies. He said the vacancies were due to a variety of reasons but most particularly the newly established term limits.

**[SLIDE 1]**



1 **[SLIDE 2]**



2  
3 **[SLIDE 3]**

**Resident Advisory Board Overview and Purpose**

- The purpose of Town appointed boards is to provide expert advice, guidance, and recommendations to the elected body within the organization and community on a specific focus area or Town priority.
- Serving as an advisory board member is an opportunity to collaborate with local government officials and to help shape decisions and policies that impact our Town to ultimately make a difference.
- **Statutorily Required** vs. Town Established
- Six (6) Resident Advisory Boards
  - **Board of Adjustment (BOA)**
  - Culture and Arts Advisory Board (CAAB)
  - Environmental Advisory Board (EAB)
  - Multimodal Transportation Advisory Board (MTAB)
  - Parks and Recreation Advisory Board (PRAB)
  - **Planning Board (PB)**

4  
5 **[SLIDE 4]**

**Recap of Recent Changes – Town Established Resident Boards**



- **Culture and Arts Advisory Board – New**
  - Established the Former Ad-Hoc Public Art Committee as a stand-alone advisory board and modified the official name
  - Included the purpose, roles, and responsibilities of the Board (expanded scope)
  - Increased the membership to a total of nine (9) members, including one voting youth representative
  - Modified the length of terms and term limits
  - Clarified how officers are determined
  - Referenced the Resident Advisory Board Administrative Policy
- **Environmental Advisory Board – Modified**
  - Increased membership to a total of eleven (11) members, including one voting youth representative
  - Expanded scope to include all Environmentally related programs to include Bee City and Tree CAP
  - Increased rezoning exemption from 1 acre to 10 acres
  - Modified the length of terms and term limits
  - Clarifying how officers are determined
  - Referenced the Resident Advisory Board Administrative Policy



1 **[SLIDE 5]**

### Recap of Recent Changes – Town Established Resident Boards



- **Multimodal Transportation Advisory Board (MTAB) – Modified**
  - Moved this advisory board from the Town's Unified Development Ordinance (UDO) to the Town Code since it is not specifically development related
  - Modified the purpose and duties to include a broader array of functions including bicycle and pedestrian services as forms of transportation
  - Clarified that staff will not serve as ex-officio members to this board
  - Increased membership to a total of nine (9) members, including one-voting representative
  - Modified the length of terms and term limits
  - Clarified how officers are determined
  - Referenced the Resident Advisory Board Administrative Policy



2  
3 **[SLIDE 6]**

### Recap of Recent Changes – Town Established Resident Boards

- **Parks and Recreation Advisory Board (PRAB) – Modified**
  - Clarified the name of the Board and removed the cultural resources function as it was duplicative with the Culture and Arts Advisory Board
  - Increased membership to include one (1) non-voting youth representative
  - Modified the length of terms
  - Established term limits
  - Added sections consistent with other advisory boards including Compensation, Meetings, Removal, Conflicts of Interest, etc.
  - Clarified how officers are determined
  - Referenced the Resident Advisory Board Administrative Policy



4  
5 **[SLIDE 7]**

### Recap of Recent Changes – Statutorily Required Resident Boards

- **Planning Board (PB)**
  - Added One (1) Non-Voting Youth Position
  - Added voting authority for the one (1) Apex Historical Society Position
  - Modified the maximum term length
  - Referenced the Resident Advisory Board Administrative Policy
- **Board of Adjustment (BOA)**
  - No changes.

1 [SLIDE 8]



2  
3 [SLIDE 9]



4  
5 [SLIDE 10]



6

[SLIDE 11]

### Appointments – Culture and Arts Advisory Board (CAAB)

#### PURPOSE

The Culture and Arts Advisory Board (CAAB) is responsible for increasing community awareness for various of art and building a vital and ever-expanding creative community. The CAAB is responsible for gathering public input through surveys, focus groups, meeting with civic groups, neighborhood groups, etc. and liaising with Town Departments and other Town Resident Advisory Boards related to culture and arts initiatives.



**Total Positions:** 4 Expired or Vacant plus 1 Voting Youth

**Applicants (5):**

1. Corsetti, Juliana – Youth
2. Erickson, Bradley – Reappointment
3. Hakeem, Shagufta – Corporate Limits
4. Hota, Ranjit – Corporate Limits
5. Kirley Susan – Reappointment

**Current Board Member Stats:**

**Gender:** 5 Male, 2 Female

**Ethnicity:** 6 White, 1 Black

**Age Ranges:** 3 (30-45), 2 (46-54), 2 (Over 55)

**MAYOR RECOMMENDATION(S)**

A) Appoint applicants 2-5 as stated above for each a two-year term expiring June 30, 2027.

B) Appoint Juliana Corsetti for a one-year term expiring June 30, 2026.

A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Killingsworth**, to appoint the following individuals to serve on the Town’s Culture and Arts Advisory Board (CAAB):

- Reappoint Bradley Erickson to a Regular Member position for a two-year term, expiring June 30, 2027;
- Reappoint Susan Kirley to a Regular Member position for a two-year term, expiring June 30, 2027;
- Appoint Shagufta Hakeem to a Regular Member position for a two-year term expiring June 30, 2027;
- Appoint Ranjit Hota to a Regular Member position for a two-year term expiring June 30, 2027;
- Appoint Juliana Corsetti as a Voting Youth Representative for a one-year term expiring June 30, 2026.

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

**NB5 Appointments - Culture and Arts Advisory Board (CAAB) - Chair and Vice Chair**

**[SLIDE 1]**

**Appointments – Culture and Arts Advisory Board (CAAB) Leadership**

- No Change in Leadership Recommended.
- Motion needed to confirm a Chair for Fiscal Year 2025-2026
  - **Mayor Appoints: Tom Colwell as Chair for Culture and Arts Advisory Board (CAAB).**
- Motion needed to confirm a Vice-Chair for Fiscal Year 2025-2026
  - **Mayor Appoints: Sean Durham as Vice-Chair for Culture and Arts Advisory Board (CAAB).**

A **motion** was made by **Councilmember Zegerman**, seconded by **Councilmember Gantt**, to confirm Tom Colwell as Chair and Sean Durham as Vice-Chair of the Town’s Culture and Arts Advisory Board (CAAB) for Fiscal Year 2025-2026, both expiring June 30, 2026.

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

**NB6 Appointments - Environmental Advisory Board (EAB)**

**[SLIDE 1]**

**Appointments – Environmental Advisory Board (EAB)**

**PURPOSE**

The Environmental Advisory Board shall have the following powers and duties:

- Advise the Planning Committee of the Apex Town Council regarding suggested changes to the Unified Development Ordinance related to the impacts of development upon the natural environment.
- Review, with applicants, during the staff review phase of a proposal, certain requests for conditional rezoning and recommend zoning conditions to the applicant and Town Council that will mitigate anticipated impact to the natural environment as a result of the project under consideration. The following conditional rezoning requests shall be exempt from review by this Board:
  - Rezoning to amend zoning conditions which have no environmental impact on a site including but not limited to revisions to architectural standards, building height, setbacks, and uses;
  - Rezoning to resolve nonconformities;
  - Rezoning of ten (10) acres or less; and
  - Rezoning within the Small Town Character Overlay District.

**Total Positions:** 4 Expired or Vacant plus 1 Voting Youth

**Applicants (5):**

- Garrison, John – Reappointment
- Gary, Anne – Corporate Limits (Former Tree CAP)
- Hu, Chagling – Corporate Limits
- Schwegel, Mark – Corporate Limits
- Spanioli, Mark – Corporate Limits

**Current Board Member Stats:**

**Gender:** 6 Male, 3 Female

**Ethnicity:** 8 White, 1 Black

**Age Ranges:** 5 (30-45), 2 (46-54), 2 (Over 55)

**MAYOR RECOMMENDATION(S)**

- Appoint applicants 1-4 as stated above for each a two-year term expiring December 31, 2026.
- Re-Advertise for Voting Youth Position.

A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro-Tempore Gray**, to appoint the following individuals to serve on the Town's Environmental Advisory Board (EAB):

- Reappoint John Garrison to a Regular Member position for a two-year term, expiring December 31, 2026;
- Appoint Anne Gary to a Regular Member position for a two-year term, expiring December 31, 2026;
- Appoint Changling Hu to a Regular Member position for a two-year term, expiring December 31, 2026; and,
- Appoint Mark Schwegel to a Regular Member position for a two-year term, expiring December 31, 2026; and,
- Re-advertise for the Voting Youth Representative position

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

**NB7 Appointments - Environmental Advisory Board (EAB) - Chair and Vice-Chair**

**[SLIDE 1]**

Appointments – Environmental Advisory Board (EAB) Leadership

- No Change in Leadership Recommended.
- Motion needed to confirm a Chair for Fiscal Year 2025-2026
  - Mayor Appoints: Suzanne Mason as Chair for Environmental Advisory Board (EAB).
- Motion needed to confirm a Vice-Chair for Fiscal Year 2025-2026
  - Mayor Appoints: John Garrison as Vice-Chair for Environmental Advisory Board (EAB).

A **motion** was made by **Councilmember Killingsworth**, seconded by **Mayor Pro-Tempore Gray** to confirm Suzanne Mason as Chair and John Garrison as Vice-Chair of the Town's Environmental Advisory Board for Fiscal Year 2025-2026, both expiring June 30, 2026.

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



**NB8 Appointments - Multimodal Transportation Advisory Board (MTAB)** – formerly referred to as the Transit Advisory Committee (TAC)

**[SLIDE 1]**

**Appointments – Multimodal Transportation Advisory Board (MTAB)**

**PURPOSE**

The Multimodal Transportation Advisory Board (MTAB) is responsible for supporting and expanding opportunities for biking, walking, and riding transit as a means of transportation in the Town of Apex. In addition, MTAB is responsible for:

- (a) Advise the Mayor and Town Council regarding proposed local multimodal plans, policies, priorities, capital improvements, and transit service changes.
- (b) Review regional transit plans, policies, capital improvements, and proposed services changes relevant to the Town of Apex and provide recommendations
- (c) Gather community input regarding the experience of biking, walking, and using transit in Apex and work to address identified needs.
- (d) Raise community awareness about using multimodal transportation in Apex

**Total Positions:** 5 Expired or Vacant plus 1 Voting Youth

**Applicants (4):**

- 1. Schado, Thanh – Corporate Limits
- 2. Spanioli, Mark – Corporate Limits (?)
- 3. Toppe, Noah – Corporate Limits (?)
- 4. Williams, Frances “Gaye” – Reappointment

**Current Board Member Stats:**

**Gender:** 3 Male, 3 Female

**Ethnicity:** 6 White

**Age Ranges:** 1 (30-45), 1 (46-54), 4 (Over 55)

**MAYOR RECOMMENDATION(S)**

- A) Appoint applicants 1-4 as stated above for each a two-year term expiring June 30, 2027.
- B) Re-Advertise for Voting Youth Position.

A **motion** was made by **Councilmember Mahaffey**, seconded by **Mayor Pro-Tempore Gray**, to appoint the following individuals to serve on the Town’s Multimodal Transportation Advisory Board (MTAB):

- Reappoint Gaye Williams to a Regular Member position for a two-year term, expiring July 31, 2027;
- Appoint Thanh Schado to a Regular Member position for a two-year term, expiring July 31, 2027,
- Appoint Mark Spanioli to a Regular Member position for a two-year term, expiring July 31, 2027,
- Appoint Noah Toppe to a Regular Member position for a two-year term, expiring July 31, 2027, and
- Re-advertise for a Voting Youth Representative position

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

**NB9 Appointments - Multimodal Transportation Advisory Board (MTAB) - Chair and Vice-Chair**

**[SLIDE 1]**

**Appointments – Multimodal Transportation Advisory Board (MTAB) Leadership**

- Changes Required.
- Motion needed to confirm a Chair for Fiscal Year 2025-2026
  - Mayor Appoints: Linda Barrett as Chair for Multimodal Transportation Advisory Board (MTAB).
- Motion needed to confirm a Vice-Chair for Fiscal Year 2025-2026
  - Mayor Appoints: Noah Toppe as Vice-Chair for Multimodal Transportation Advisory Board (MTAB).

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Gantt** to confirm Linda Barrett as Chair and Noah Thoppe as Vice-Chair for the Town's Multimodal Transportation Advisory Board for Fiscal Year 2025-2026, both expiring June 30, 2026.

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

**NB10 Appointments - Parks and Recreation Advisory Board (PRAB)** – formerly referred to as the Parks, Recreation, and Cultural Resources Advisory Commission (PRCRAC).

**[SLIDE 1]**

**Appointments – Parks and Recreation Advisory Board (PRAB)**

**PURPOSE**

The Parks and Recreation Advisory Board serves in an advisory capacity to department staff and the Town Council, providing recommendations on parks and recreation issues in the Apex community. The board also reviews and makes recommendations on public recreation requirements for proposed residential developments and provides input on long range plans related to parks and recreation.



**Total Positions:** 4 Expired or Vacant plus 1 Non-Voting Youth

**Applicants (7):**

1. Baber, Robert – Corporate Limits
2. Carusona, Matthew – Max Term (Reappt.)
3. Lanier, Darryl – Reappointment
4. Rao, Adhvik – Youth
5. Roach, Jeff – Max. Term (Reappt.)
6. Strickland, Johnnie- New
7. Vosburg, Nick – New

**Current Board Member Stats:**

**Gender:** 6 Male, 3 Female

**Ethnicity:** 7 White, 1 Black, 1 Other

**Age Ranges:** 4 (30-45), 3 (46-54), 2 (Over 55)

**MAYOR RECOMMENDATION(S)**

- A) Appoint applicants 3, 6, and 7 as stated above for each a two-year term expiring June 30, 2027.
- B) Appoint applicant 1 as stated above for a partial term expiring June 30, 2026
- C) Appoint applicant 4 as stated above for the non-voting youth position expiring June 30, 2026.

A motion was made by **Councilmember Killingsworth**, seconded by **Mayor Pro-Tempore Gray**, to appoint the following individuals to serve on the Town's Parks and Recreation Advisory Board (PRAB):

- Reappoint Darryl Lanier to a Regular Member position for a two-year term, expiring June 30, 2027,
- Appoint Robert Baber to a Regular Member position for a partial term expiring June 30, 2026 (position formerly held by Tom Colwell who transitioned to solely on the Culture and Arts Advisory Board (CAAB) effective July 1, 2025);
- Appoint Johnnie Strickland to a Regular Member position for a two-year term, expiring June 30, 2027,
- Appoint Nicholas Vosburg to a Regular Member position for a two-year term, expiring June 30, 2027, and
- Appoint Adhvik Rao as a Non-Voting Youth Representative for a one-year term, expiring June 30, 2026.

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

**NB11 Appointments - Parks and Recreation Advisory Board (PRAB) - Chair and Vice-Chair**

**[SLIDE 1]**

**Appointments – Parks and Recreation Advisory Board (PRAB) Leadership**

- Changes Required.
- Motion needed to confirm a Chair for Fiscal Year 2025-2026
  - Mayor Appoints: Darryl Lanier as Chair for Parks and Recreation Advisory Board (PRAB).
- Motion needed to confirm a Vice-Chair for Fiscal Year 2025-2026
  - Mayor Appoints: Michael Kanter as Vice-Chair for Parks and Recreation Advisory Board (PRAB).

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Gantt** to confirm Darryl Lanier as Chair and Michael Kanter as Vice-Chair for the Town's Parks and Recreation Advisory Board for Fiscal Year 2025-2026, both expiring June 30, 2026.

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

**NB12 Appointments - Planning Board**

**[SLIDE 1]**

### Appointment – Planning Board

#### PURPOSE

The Planning Board shall have the following powers and duties: 1) Review and make recommendations to approve or disapprove. To review, hear, consider, and make recommendations to the Town Council to approve or disapprove:

- The adoption of an ordinance to amend the Official Zoning District Map (Rezoning).
- The adoption of an ordinance to amend the text of this Ordinance (Text amendment).

2) Review and make recommendations to approve, approve with conditions, or disapprove. To hear, review, consider, and make recommendations to the Town Council to approve, approve with conditions, or disapprove:

- The adoption of an ordinance to amend the Official Zoning District Map.
- The adoption of an ordinance approving a PUD-CZ, SD-CZ, TND-CZ, or MEC-CZ zoning district designation.

3) Long range plans. To consider and/or make recommendations to the Town Council to adopt or amend long range plans.

4) Make special knowledge and expertise available. To make its special knowledge and expertise available upon written request and authorization of the Town Council to any official, department, board, commission or agency of the Town.

5) Studies. To make studies of the resources, possibilities and needs of the Town upon the authorization of the Town Council, and report its findings and recommendations, with reference thereto, to the Town Council.

6) Recommendations of recognition of Appearance Awards. To consider and make recommendations on nominees for Residential, Non Residential, and Tree Appearance Awards to the Town Council.

**Total Positions:** 4 Expired or Vacant plus 1 Non-Voting Youth

**Applicants (8):**

1. Braswell, Keith – Reappointment
2. Hastings, Jeff – Reappointment
3. Hatcher, Diane – New
4. Hein, Sean – New
5. Petersen, Mary – New (Apex Historical Society)
6. Soh, Sarah – Reappointment
7. Spanioli, Mark – New
8. Thapaliya, Janak – New
9. Toppe, Noah – New

**Current Board Member Stats:**

**Gender:** 6 Male, 3 Female

**Ethnicity:** 7 White, 1 Black, 1 AI/PA

**Age Ranges:** 3 (30-45), 4 (46-54), 2 (Over 55)

**MAYOR RECOMMENDATION(S)**

A) Appoint applicants 1, 2, 5, and 6 as stated above for each a two-year term expiring June 30, 2027.

B) Re-Advertise for Voting Youth Position.

A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro-Tempore Gray**, to appoint the following individuals to serve on the Town’s Planning Board (PB):

- Reappoint Keith Braswell to a Regular Member position for a two-year term, expiring, June 30, 2027,
- Reappoint Jeff Hastings to the Wake County Representative position for a two-year term, expiring, June 30, 2027,
- Reappoint Sarah Soh to a Regular Member position for a two-year term, expiring June 30, 2027,
- Appoint Mary Petersen to the Voting Apex Historical Society Representative position for a two-year term, expiring June 30, 2027; and
- Re-advertise for the Voting Youth Representative position for the Planning Board.

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

**NB13 Appointments - Planning Board - Chair and Vice-Chair**

**[SLIDE 1]**

**Appointments – Planning Board Leadership**

- No Changes in Leadership Recommended.
- Motion needed to confirm a Chair for Calendar Year 2025
  - **Mayor Appoints: Tina Sherman as Chair for the Planning Board.**
- Motion needed to confirm a Vice-Chair for Calendar Year 2025
  - **Mayor Appoints: Tim Royal as Vice-Chair for the Planning Board.**

A **motion** was made by **Mayor Pro-Tempore Gray**, seconded by **Councilmember Killingsworth** to confirm Tina Sherman as Chair and Tim Royal as Vice-Chair for the Town’s Planning Board for Calendar Year 2025, both expiring December 31, 2025.

**NB14 Appointments - Board of Adjustment (BOA)**

**[SLIDE 1]**

**Appointments – Board of Adjustment (BOA)**

**PURPOSE**

The Board of Adjustment shall:

1) Review and approve, approve with conditions, or deny. To review, hear, consider and approve, approve with conditions, or deny:

- a) Applications for Variance Permits.
- b) Applications for Special Use Permits.

2) Appeals. To review, hear, consider, and reverse or affirm, in whole or in part, or modify:

- a) Written orders, decisions, interpretations, requirements, or determinations of the Planning Director or other administrative officials charged with enforcement of any other ordinance that regulates land use or development.
- b) Master Subdivision Plans.
- c) Construction Plans.
- d) Master Subdivision Final Plans.
- e) Soil Erosion and Sedimentation Control Plans.

3) Studies. To make studies of the resources, possibilities, and needs of the Town upon the authorization of the Town Council and to report its findings and recommendations with reference thereto, from time to time, to the Town Council.

**Total Positions:** 2 Expired or Vacant

**Applicants (2):**

1. Carmac, Robert – ETJ
2. Taylor, Tracy– Corporate Limits

**Current Board Member Stats:**

**Gender:** 6 Male, 2 Female

**Ethnicity:** 7 White, 1 Other

**Age Ranges:** 3 (30-45), 3 (46-54), 2 (Over 55)

**MAYOR RECOMMENDATION(S)**

- A) **Appoint applicants 1 and 2 as stated above each for two-year terms expiring December 31, 2027.**

**Town Clerk Coleman** said that no additional applications had been received for the Board of Adjustment (BOA), however, a new recruitment period could be initiated. He said the Mayor’s recommendation was to reappoint the two current members and it was before the Town Council for direction and guidance.

**Councilmember Gantt** made a motion to strike-through current Board of Adjustment Board member’s name Dr. Tracy Taylor.



1       **Mayor Gilbert** said he was not accepting any amendments at this time and asked if  
2 there was a motion to approve.

3       **Councilmember Gantt** restated his position of striking through current Board of  
4 Adjustment Board members' name Dr. Tracy Taylor.

5       **Mayor Gilbert** said he was only accepting motions to approve.

6       **Councilmember Gantt** made a motion to deny the recommendation.

7       **Mayor Gilbert** announced that a motion to approve was not made and therefore the  
8 item would return to the him for further consideration. He announced the item was closed.

9       **NB15 Appointments - Board of Adjustment (BOA) - Chair and Vice-Chair**

10      **[SLIDE 1]**

Appointments – Board of Adjustment (BOA) Leadership

- No Changes in Leadership Recommended.
- Motion needed to confirm a Chair for Calendar Year 2025
  - Mayor Appoints: Robert Carmac as Chair for the Board of Adjustment (BOA).
- Motion needed to confirm a Vice-Chair for Calendar Year 2025
  - Mayor Appoints: Tracy Taylor as Vice-Chair for the Board of Adjustment (BOA).

11       **Town Clerk Coleman** asked Mayor and Town Council whether they would like this  
12 item to return for further consideration as both members served in leadership roles for the  
13 Town's Board of Adjustment (BOA).  
14

15       **Mayor Gilbert** said yes.  
16

17      **[CLOSED SESSION]**

18       A **motion** was made by **Councilmember Gantt** and seconded by **Mayor Pro-**  
19 **Tempore Ed Gray**, to enter into closed session pursuant to **NCGS §143-318.11(a)(1), NCGS**  
20 **§143-318.11(a)(3), and NCGS §143-318.11(a)(4).**

21       **VOTE: UNANIMOUS (5-0)**

22       Council entered into closed session at 8:45 p.m.

23      **CS1 Joanna Helms, Director, Economic Development Department**

24      **NCGS §143-318.11(a)(4):**

*"To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment."*

**CS2    ADDED - Laurie Hohe, Town Attorney**

**RE: Samuels v. Town of Apex**

**NCGS §143-318.11(a)(3):**

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

**CS3    ADDED - Laurie Hohe, Town Attorney**

**NCGS §143-318.11(a)(3):**

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

**CS4    Allen Coleman, Town Clerk**

**NCGS §143-318.11(a)(1):**

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

**[ADJOURNMENT]**

Council returned to open session at **10:13 p.m.**

With no further business being presented by the Town Council, **Mayor Gilbert** adjourned the meeting at **10:13 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\_\_\_\_\_.