1. COMMENCEMENT

1.1 Call to Order
1.2 Ceremonial Opening led by Council Member Robinson
1.3 Adoption of agenda

2. RECOGNITIONS, REPORTS, AND PRESENTATIONS

2.1 Manager's Update

3. PUBLIC SPEAKS OUT (one-hour time limit)
Public Speaks Out is the Town Council’s opportunity to hear comments from as many citizens as possible. During Public Speaks Out, the Town Council receives comments and refrains from speaking. If a citizen comments about an issue that appears to be something that can be addressed by staff members, Council may ask the manager to have an appropriate staff person follow up.

Thanks to everyone in the audience for respecting the business meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

Anyone who wants to speak during Public Speaks Out should do the following:
- Take a seat in the reserved seats;
- Complete the contact information card located at the seat;
- When it is your turn to speak, proceed to the town clerk from the aisle behind the clerk, and give the clerk your completed contact information card and any handouts you have for the Town Council;
- Step to the podium next to the clerk; state your name clearly;
- Be concise; avoid repetition; limit comments to three minutes or less; designate a spokesperson for large groups; direct comments to the full Town Council and not to an individual Town Council member;
- Speakers may return to their regular seats from any aisle.

4. CONSENT AGENDA
CONSENT AGENDA items are non-controversial items unanimously recommended for approval by all involved parties. A single vote may be taken for the approval of ALL consent agenda items. Any individual council member may pull items off the consent agenda to discuss them. Items pulled off the consent agenda will be handled with the “DISCUSSION ITEMS” agenda topic.

4.1 Athletic Committee - Committee Meeting - Jan 23, 2017 6:00 PM

4.2 Town Council - Joint Meeting - Feb 13, 2020 6:00 PM

4.3 19-A-17 Pendergraft, Evangelist, Hilliard and Presser Annexation
    Speaker: Wayne Nicholas, Planning and Development Services

   Executive Summary: The owners of property located at 2015, 2017, 2025, 2029 and 2033 Alston Avenue (approximately 1,300 feet southeast of the O’Kelly Chapel Road and Alston Avenue intersection) have petitioned for annexation of the property in association with a development plan currently under review. Pursuant to statute, the Town Council held a public hearing on this annexation request and the matter is now ready for final action.

   Associated Case(s): 19-DP-6076 (James Grove at Alston Town Center)

   Recommendation: That Council consider action on the requested annexation associated with Development Plan 19-DP-6076 (James Grove at Alston Town Center), which has been reviewed by the Zoning Board of Adjustment.

4.4 19-REZ-24 Carpenter Village PDD Amendment (Savaan)
    Speaker: Erin Puckett, Planning and Development Services

   Executive Summary: The applicant has requested to amend a portion of the previously approved Carpenter Village Planned Development District (PDD) located on the north side of Morrisville Carpenter Road at its intersection with Village View Lane. The proposed amendment seeks to specify a maximum building height of 42 feet for townhouse units within the subject PDD parcels. No other amendments to the previously approved PDD and associated preliminary development plan are proposed by this rezoning.

   Recommendation: Staff recommends approval of this rezoning request with the conditions as proposed by the applicant.

   Planning and Zoning Board Determination: The Planning and Zoning Board found the request to be consistent with the Imagine Cary Community Plan by a vote of 9-0.

4.5 Bid Award for the Holt Road to Davis Drive Water Line Project
    Speaker: Brian Drake, Utilities
Executive Summary: In 2019, the American Water Works Association recognized Cary as the “Water System of the Year”. One way we continue that commitment to excellence is by building a resilient water system. The Holt Road to Davis Drive Water Line project makes our water services more reliable by reinforcing the southern side of the central pressure zone. By closing a gap in Cary’s water system we have a backup for the integral Jenks-Carpenter Road water line.

Recommendation: Staff recommends that Council award the bid for construction of the Holt Road to Davis Drive Water Line Project to Garney Companies, Inc. for $2,383,184. Council’s award is a preliminary determination, and no legally binding acceptance of the bid or offer occurs until a written contract has been executed. The award is also subject to the contractor providing all bonds, insurance and other required documents.

4.6 Bid Award for the 2020 Water Main Replacement Project
Speaker: Alex Lopez, Utilities

Executive Summary: Reliable high-quality water service is an important element of any great community. The FY 2020 Water Main Replacement Project continues our annual water main replacement program by proactively replacing susceptible water mains throughout central Cary. Investment in this program helps to keep our water system robust and is one of the reasons why Cary consistently maintains lower than average water main break rates. This year’s investments will replace approximately 18,000 linear feet of water mains in five areas of Cary.

Recommendation: Staff recommends that Council award the bid for construction of the 2020 Water Main Replacement Project to Moffat Pipe, Inc. for $5,463,710.00, inclusive of the base bid plus bid alternate A. Council’s award is a preliminary determination, and no legally binding acceptance of the bid or offer occurs until a written contract has been executed. The award is also subject to the contractor providing all bonds, insurance and other required documents.

4.7 Clean Fuel Advanced Technology Grant
Speaker: Danna Widmar, Town Manager’s Office

Executive Summary: In support of the fleet-focused tactics in Council’s Strategic Energy Action Plan (SEAP), staff pursued and won the Clean Fuel Advanced Technology Grant from North Carolina State University’s North Carolina Clean Energy Technology Center. This grant provides for the purchase and testing of a battery to reduce idling in a bucket truck, and for the purchase and installation of one dual-port electric vehicle charging station at Town Hall.
Recommendation: Staff recommends that Council approve the award of this Clean Fuel Advanced Technology grant and appropriate the $57,965 in grant funds to the GG1175 Clean Fuel Advanced Technology capital project. Staff further requests that Council approve the transfer of $14,491 of already-appropriated general fund dollars to this project as matching funds.

5. PUBLIC HEARINGS

The rules printed on the agenda for “Public Speaks Out” apply to the remainder of the public hearings, except that speakers are allowed five minutes. Thank you for respecting the business meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

5.1 19-A-10 Young, Emerson and Hill Annexation
Speaker: Erin Puckett, Planning and Development Services

Executive Summary: The owners of two properties, one located at 10201 Morrisville Parkway in Wake County and the other located at 10209 Morrisville Parkway in Wake County and Lewter Shop Road in Chatham County (approximately 900 feet west of the White Oak Church Road and Morrisville Parkway intersection), have petitioned for annexation in association with a request to rezone the properties. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request.

Associated Case(s): 19-REZ-18 (Young Property Rezoning)

Recommendation: That Council conduct a public hearing and defer action on requested annexation to a future council meeting to allow final vote on the annexation to coincide with the final action on the associated Rezoning 19-REZ-18 (Young Property Rezoning).

5.2 19-A-18 Colonial Baptist Church of Cary, Inc. Annexation
Speaker: Erin Puckett, Planning and Development Services

Executive Summary: The owners of two unaddressed properties on Tryon Road (approximately 1,550 feet west of the Holly Springs Road and Tryon Road intersection) have petitioned for annexation of the property. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request.

Associated Case(s): None.

Recommendation: That Council conduct a public hearing and consider action on the requested annexation.

5.3 19-REZ-16 Silverton PDD Amendment Parcel G (O&I Portion)
Speaker: Debra Grannan, Planning and Development Services

Executive Summary: The applicant has requested Cary consider an amendment to Cary’s Official Zoning Map by amending a portion of the previously approved Silverton Planned Development District consisting of approximately 2.24 acres, located at 1700 Evans Road, with zoning conditions that include limiting the use and density to 60 multi-family residential units, providing a minimum of 1,200 square feet of community gathering space, and providing a preliminary development plan (PDP) showing the general location of buildings and parking as well as the provision of a public art element. The existing Mixed Use Overlay District (MUOD) will remain.

Recommendation: That Council conduct a public hearing on the proposed rezoning request and forward to the Planning and Zoning Board. Staff will provide a recommendation on the rezoning request when the case is brought back to Council for action.

Planning and Zoning Board Determination: A written determination of the Planning and Zoning Board regarding consistency with the Imagine Cary Community Plan will be provided to Town Council following the P&Z Board meeting.

5.4 Consideration of a Downtown Development Project Agreement involving Sale of Town Property

Speaker: Ted Boyd, Town Manager’s Office

Executive Summary: For downtown development purposes and in support of the Downtown Business Improvement District and the Imagine Cary Community Plan, a downtown development project, sometimes called the Academy Park Project (“Project”), is proposed for Town-owned property adjacent to Cary’s new parking deck, Wake County’s new regional library, and the Downtown Park. The Project involves the sale by Cary of one lot to Academy Park Cary, LLC for development of a mixed-use multi-family building and the sale of one lot to Academy Park Commercial, LLC for development of an office and retail commercial building. The buildings will wrap and connect to Cary’s parking deck. Both lots will be sold for their appraised value subject to reservation of easements, restrictive covenants, and development obligations detailed in the Downtown Development Project Agreement. The Project includes development of associated public facilities including streetscape and stormwater management facilities.

Recommendation: That following the public hearing, Council make the determinations necessary pursuant to N.C.G.S. 160A-458.3 and N.C.G.S. 160A-457(4) and (1) adopt the attached Resolution approving the Downtown Development Project Agreement attached to Resolution and the sale of Cary property and matters related thereto as described in Resolution, and (2)
appropriate $810,000 of general fund balance to the DT - Academy Park Development project to satisfy Cary’s development fee commitment.

6. **DISCUSSION ITEMS** (any item pulled from the **CONSENT AGENDA** [item 4 on this agenda] will be discussed during this portion of the agenda)

7. **CLOSED SESSION**

   Closed Session will be called if necessary.

8. **ADJOURNMENT**

   Please contact Town Clerk Virginia Johnson with any questions about this agenda or to request an auxiliary aid or service to participate in the meeting:
   virginia.johnson@townofcary.org, 919-469-4011, TDD 919-469-4012.

Meetings are cablecast live on Cary TV on the following channels: AT&T Uverse Channel 99, Google Channel 142 and Spectrum Channel 11. Meetings are available the following day at www.youtube.com/TownofCaryChannel.