
1. **COMMENCEMENT**

1.1 **Call to Order**

Weinbrecht called the meeting to order.

1.2 **Ceremonial Opening led by Council Member Yerha**

Council Member Yerha provided the ceremonial opening. He spoke about the restoration work occurring at Hillcrest Cemetery and encouraged people to sign up for the upcoming cemetery workday.

1.3 **Adoption of agenda**

Weinbrecht shared there is one modification to the agenda: the applicant of 5.5 19-A-05 Hoke and Said Annexation has requested the item be removed from the agenda to allow more time to work with the staff.

RESULT: ADOPTED WITH AMENDMENTS [UNANIMOUS]

MOVER: Lori Bush, At-Large Representative
SECONDER: Don Frantz, District B Representative
AYES: George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha

2. **RECOGNITIONS, REPORTS, AND PRESENTATIONS**

Weinbrecht recognized a boy scout in attendance who is working on Citizenship in the Community merit badge.

2.1 **Recognition of the NC Courage Women's Professional Soccer Team**

Weinbrecht presented the proclamation proclaiming July as NC Courage Month to NC Courage Coach Paul Riley in honor of their outstanding year and congratulating the seven players who participated in the World Cup. Riley thanked the Mayor for the proclamation and expressed their gratitude to council and the community for the hospitality the team has received from Cary.

2.2 **Manager's Update**

Town Manager Stegall gave an update to council and citizens on the
impact of fiber installation throughout the community. He detailed how installation contractors have contributed to gas and water breaks, how to increase safety in those areas, and the upcoming training to installers to help prevent these issues in the future.

3. **PUBLIC SPEAKS OUT (one hour time limit)**

Weinbrecht opened Public Speaks Out.

George McDowell spoke about the regulation of the runoff from developed property. He shared that the current section in the Land Development Ordinance (LDO) did not address the volume of the runoff. He provided an example to show there is no regulation of the amount of flow that flows from developed land.

David Hallan encouraged council to adopt a resolution to oppose the lease of public land, next to Umstead Park and RDU, to Wake Stone for a rock quarry. He spoke about his personal connection to this land and the harm it would bring to Cary citizens. He explained the different ways people could get involved.

Weinbrecht closed Public Speaks Out.

4. **CONSENT AGENDA**

| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER:  | Jack Smith, District C Representative |
| SECONDER: | Ed Yerha, At-Large Representative |
| AYES: | George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha |

Minutes for the June 13 and June 27 meeting will be on the August 15 agenda for review

4.1 Ratification of Resolution - Anchor Auto Outlet

4.2 Ratification of Resolution - CPS Clinic

4.3 Agreement to allow Verizon communication equipment to remain on the Fire Station 3 monopole

5. **PUBLIC HEARINGS**

5.1 Bond Referendum Public Hearing
Chief Financial Officer Karen Mills presented staff’s report. Her presentation is attached to the staff report.

Weinbrecht opened the public hearing and no one spoke. He shared the importance of these bonds and how the approval of these bonds ensure the implementation of the Cary Community Plan.

**Recommendation:** Staff recommends that Council 1) conduct a public hearing; 2) adopt the two attached Orders authorizing bonds (Attachment A); and 3) adopt the attached “Resolution Calling for a Bond Referendum” (Attachment B).

No discussion by council. There were three motions taken by council.

**ACTION:**
Motion: To adopt an order authorizing $112,000,000 Parks and Recreational Facilities Bonds
Mover: Bush
Second: Frantz
Vote: Unanimous (7-0)

**ACTION:**
Motion: To adopt an order authorizing $113,000,000 Transportation Bonds
Mover: Robinson
Second: George
Vote: Unanimous (7-0)

**ACTION:**
Motion: To adopt the Resolution Calling for a Bond Referendum
Mover: Yerha
Second: Frantz
Vote: Unanimous (7-0)

**RESULT:** MULTIPLE VOTES TAKEN.

5.2 ACT 11 Amendments to the Land Development Ordinance (LDO) and Town Code

Deputy Town Manager Russ Overton presented staff’s report. His presentation is attached to the staff report.

Weinbrecht opened the public hearing and no one spoke.

Weinbrecht shared this amendment would go to the advisory Planning and Zoning Board for review and recommendation before returning to council at a future meeting for action.
RESULT: REFERRED TO PLANNING & ZONING

5.3 18-REZ-30 Twyla Road North PDD Rezoning
Principal Planner Katie Drye presented staff’s report. Her presentation is attached to staff’s report.

Glenda Toppe with Glenda S. Toppe and Associates, on behalf of the applicant, shared how the applicant has been in contact with the property owners who spoke at the last public hearing and addressed their concerns.

Weinbrecht opened the public hearing.

Olu Ogunnaike shared his reflections from the last public hearing. He felt the voices of the hundreds of families that live in the adjoining neighborhood were not heard. He shared his disappointment that the petition that was emailed to the council did not hold more merit on the council’s decision. He shared that this parcel should be rezoned for commercial development in the future but was disappointed in how the process made him feel.

Weinbrecht closed the public hearing.

Weinbrecht responded that council does take public input on the rezoning very seriously. He encouraged the member to continue to watch the process, including attending the advisory Planning and Zoning Board meeting and welcomed him to share his concerns through email or attending upcoming Public Speaks Out at any council meetings.

Robinson explained how this council votes at the table, unlike other municipal councils that may decide the vote beforehand. She told how she is impressed in the integrity of this council and how everyone votes on their values. She also explained the high bar set by this council to hold developers to conditions on the rezoning, which result in the community receiving the development promised through the rezoning.

Bush thanked the staff for following up on her question about the possibility of curb and gutter. She stressed to the applicant of the interest to have no private streets in this development and building to the higher standard of curb and gutter. She shared that she would feel more comfortable if she saw this promise as a condition.

George echoed Robinson’s comments that the council takes all input into consideration into review before deciding on a case. He shared that there are never any predetermined outcomes.
Frantz shared council has heard feedback from two groups that this rezoning would affect; the residents on Twyla Road and the adjoining neighborhood to the future development. He shared that expressed empathy for any group should not be confused about any predetermined outcome.

Weinbrecht shared this case would be referred to the Advisory Planning and Zoning Board for review and return to a future council meeting for final action.

RESULT: REFERRED TO PLANNING & ZONING

5.4 19-REZ-05 Searstone Phase II PDD Amendment

Assistant Planning Director Debra Grannan presented staff’s report. Her presentation is attached to the staff’s report.

Tony Teague of Green Brier Development and consultant for Samaritan Housing Foundation, gave an overview of the products offered at Searstone. He shared that the complex needs to expand as they are full in independent living and have a waitlist of seventy people. When the rezoning case started, the consultants met with residents to hear what they wanted to see in their community. Some outcomes of that meeting were requests for better pedestrian connectivity, additional dining options, more amenity spaces, and activity areas that would be accomplished through this development.

Weinbrecht opened the public hearing.

Alford Port, a resident of Searstone, spoke about the loss he would experience if this building, as shown in the new site plan, were constructed. He shared that when they bought their unit, they knew a new building would be built, but it would not block their existing view. He acknowledged that Phase Two is needed but cannot support it as proposed.

John Cooke, representing Samaritan Housing Foundation (non-profit) shared that the original site plan was made in 2001 before residents moved into the complex. The site has remained dormant for eighteen years as the surrounding area has grown. He shared that the original planned Conservatory predated The Cary Arts Center and the Cary Theatre so the need for such a facility is no longer there. The site also lacked a traffic management plan to support this type of facility. The parcel was acquired in the bankruptcy proceedings and he spoke about their vision for the site since acquiring it.
Weinbrecht closed the public hearing.

Weinbrecht shared his frustration of the first plan where multiple promises were made but never met. He would like to see more conditions submitted to ensure that does not happen again and wants to know the compelling reason behind the request, including how the new amenities will be beneficial to the residents.

Robinson shared history about the original proposed Conservatory and explained how it was the way for Mr. Sears (original owner) to give back to the community. She shared how she sees the proposed changes are relevant, including providing more amenities. She recommended conditions to ensure that it is completed in such a way to be beneficial and useable space to the senior community. She would like the layout to be reconsidered in a way to not affect the people who are there already.

Bush added she would like to see the public value since the public use that would have been from the conservatory is being removed. She suggested creating a higher level of stormwater mitigation.

Frantz shared that he believes the public value is the need for assisted living and senior housing in our community. He agrees that the amenities and new site plan need to be at the highest level possible. He values the additional units that will be provided through the new site plan. He would like to see the new plan honor the high caliber development that was promised in the first site plan.

Yerha added that he was disappointed that the original plan did not see fruition. He also feels that the multiple amendments over the years have never met the high standard that was promised. He does not object to the plan.

Smith shared the vision for Searstone has slowly diminished through the approval of the amendments. He would like to see a compelling factor that will be part of this case and beneficial to the community.

George shared that he was not aware of what was happening in this area until he knocked on doors for his campaign. He is bothered by the amount of change the residents have had to endure, and now this proposal. He would like to see changes to the layout to not block the current resident’s view. He encouraged the developer to be creative to avoid affecting current residents.

Grannan shared that the developer is working within the parameters of the existing residential entitlement and building height.
Weinbrecht shared this case will be referred to the Advisory Planning and Zoning Board for their review and return to the council at a future meeting for action.

RESULT: REFERRED TO PLANNING & ZONING

5.5 19-A-05 Hoke and Said Annexation

This item was removed during the adoption of the agenda.

5.6 19-A-07 Deusdedi and Carrie Perez Annexation

Planning Manager Wayne Nicholas presented staff’s report. His presentation is attached to the staff’s report.

Weinbrecht opened the public hearing, and no one spoke.

No discussion by council.

Motion: To approve 19-A-07 Deusdedi and Carrie Perez Annexation.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Don Frantz, District B Representative
SECONDER: Lori Bush, At-Large Representative
AYES: George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha

5.7 19-A-06 Timothy G. Howard Annexation

Planning Manager Wayne Nicholas presented staff’s report. His presentation is attached to the staff’s report.

Weinbrecht opened the public hearing, and no one spoke.

No discussion by council.

Motion: To approve 19-A-06 Timothy G. Howard Annexation

RESULT: ADOPTED [UNANIMOUS]
MOVER: Lori Bush, At-Large Representative
SECONDER: Don Frantz, District B Representative
AYES: George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha

6. DISCUSSION ITEMS

No discussion items.

7. CLOSED SESSION

At 7:58 p.m., Bush made the following motion to go into closed session:
Pursuant to G.S. 143-318.11(A)(1), (3) and (4), moved to hold a closed session to 1) discuss matters relating to the location or expansion of industries or other businesses in the Town, including agreement on a tentative list of economic development incentives that may be offered by town in negotiations. 2) consult with attorneys employed by and/or retained by the town in order to preserve the attorney-client privilege between the attorneys and the Town. 3) to prevent the disclosure of information that is made privileged or confidential by G.S. 143-318.10(E).

RESULT: MOVED TO START CLOSED SESSION [UNANIMOUS]
MOVER: Lori Bush, At-Large Representative
SECONDER: Ed Yerha, At-Large Representative
AYES: George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha

8. ADJOURNMENT
The meeting was adjourned at 8:18 p.m.

RESULT: ADJOURNED [UNANIMOUS]
MOVER: Jack Smith, District C Representative
SECONDER: Lori Bush, At-Large Representative
AYES: George, Weinbrecht, Smith, Robinson, Frantz, Bush, Yerha