This meeting was conducted through simultaneous communication pursuant to NCGS 166A-19.24. All votes were taken by roll call vote unless otherwise noted.

Present in Council Chambers: Mayor Harold Weinbrecht, District C Representative Jack Smith, District B Representative Don Frantz, At-Large Representative Lori Bush, District C Representative Jack Smith, District D Representative Ya Liu

Participating through simultaneous communication via Webex for the entire meeting: At-Large Representative Ed Yerha

1. Commencement
   1. Call to Order

   Weinbrecht called the meeting to order.

   2. Ceremonial Opening led by Council Member Yerha

   Yerha led the ceremonial opening.

3. Adoption of agenda

   Motion: Bush moved to adopt the agenda.
   Second: Frantz
   Vote: Unanimously Approved.

2. Recognitions, Reports, and Presentations

   1. Manager's Update

   Stegall introduced Karen Mills to present a financial update. Mill's presentation slides are attached to these minutes as an exhibit.

   No comments or questions from the Council.

3. Public Speaks Out

   Weinbrecht explained comments for Public Speaks Out were collected through email, voicemail, and online submission since Friday, July 17, and that an opportunity was provided
to people to request to present their comments at the hearing. He opened Public Speaks Out.

Johnson summarized the four comments that were received for Public Speaks Out through emails.

There were two call-in speakers:

Harrison Ager shared his complaint about lawnmower noise earlier than he would expect. He urged the Council to delay the start of lawnmower noise. He spoke of the negative effect these noises have on him.

Gabe Talton shared his support of the Bus Rapid Transit and spoke about how this route will benefit the community. He is glad that the Council can take bold action on transit that will have a positive effect on housing affordability and greenhouse emissions.

4. Consent Agenda

Motion: Bush moved to approve the consent agenda.
Second: Robinson
Vote: Unanimously Approved.

5. Public Hearings

1. Consideration of Right of Way Closing (portions of Old White Oak Church Road)

Real Estate Staff Kelly Promer presented the staff's report. The presentation slides are attached to the minutes as an exhibit.

Weinbrecht explained comments for this hearing were collected through email, voicemail, and online submission since Friday, July 10, and that an opportunity was provided for people to request to present their comments at the hearing. He opened the hearing.

Promer summarized the two comments that were received for the public hearing. Johnson confirmed there were no call-in speakers.

NCGS 166A-19.24 allows for public comment to be submitted prior to the hearing and for 24 hours after the public hearing. Comments submitted prior to the meeting were summarized at the meeting, and comments received after the meeting were emailed to the Council. All comments received, before and after the meeting, are attached to the minutes as an exhibit.

Weinbrecht closed the public hearing.

Bush asked about the goal of the developer. Doug Lori answered that the property would remain undeveloped.
Frantz asked who retains ownership of the property. Simpson answered the abutting property owners would own the half of the road closest to their property. It is typically on the property owner to deal with the maintenance of that area.

**Staff recommendation:** That Town Council conduct a public hearing on the Resolution of Intent to close sections of Old White Oak Church Road right of way and consider adopting the attached street closing order.

Motion: Robinson moved to approve the staff's recommendation.  
Second: Frantz  
Vote: Unanimously approved.

2. **20-A-01 7117 Carpenter Fire Station Road Annexation**

Assistant Planning Director Debra Grannan presented the staff's report. The presentation slides are attached to the minutes as an exhibit.

Weinbrecht explained comments for this hearing were collected through email, voicemail, and online submission since Friday, July 10 and that an opportunity was provided for people to request to present their comments at the hearing. He opened the hearing.

Grannan confirmed no comments were received. Johnson confirmed there were no call-in speakers.

NCGS 166A-19.24 allows for public comment to be submitted prior to the hearing and for 24 hours after the public hearing. Comments submitted prior to the meeting were summarized at the meeting, and comments received after the meeting were emailed to the Council. All comments received, before and after the meeting, are attached to the minutes as an exhibit.

Frantz asked a question about delaying approval. Simpson answered that the delay is recommended due to the remote meeting law that regulates public hearings. Weinbrecht closed the public hearing. The action will be at a future meeting.

3. **19-REZ-32 Cary Park SF-13 PDD Amendment**  
**Speaker:** Debra Grannan, Planning and Development Services

Assistant Planning Director Debra Grannan presented the staff's report. The presentation slides are attached to the minutes as an exhibit.

On behalf of the applicant, Glenda Toppe briefly highlighted changes to this request in response to the neighbor's concerns. She shared the constraints of the parcel limit the residential use and how this will provide a transition between adjacent neighborhoods. The buffer will remain, and the greenway will be dedicated; both additions will benefit the residents and neighbors.
Weinbrecht explained comments for this hearing were collected through email, voicemail, and online submission since Friday, July 10, and that an opportunity was provided for people to request to present their comments at the hearing. He opened the hearing.

Grannan summarized the 16 comments that were received for the public hearing.

There were two call-in speakers:

Micheal Dixon shared concerns as that he was told this parcel would never be developed. Other concerns are the increased noise due to the removal of the buffer, impacts of adjoining property values, and significant stream bed on this parcel.

Richard Wilson urged the Council to consider the environmental policy of Chapter 8 Cary Community Plan. He would like to see the parcel stay as open space for the following reasons: buffer to highway, air quality benefits, cooling benefits and maintaining tree canopy.

NCGS 166A-19.24 allows for public comment to be submitted prior to the hearing and for 24 hours after the public hearing. Comments submitted prior to the meeting were summarized at the meeting, and comments received after the meeting were emailed to the Council. All comments received, before and after the meeting, are attached to the minutes as an exhibit.

Robinson shared that it was disingenuous that this land was sold as it was counted as open space for an earlier development. She is not supportive of rezoning land that has been set aside as open space. This open space should remain as open space, and it is not right to remove that promise of open space away from the citizens.

Bush agreed this is a disingenuous request, and she does not see any related requests to move this forward or change its zoning designation. She hopes the applicant considers withdrawing it.

Smith shared he believes the request will have a lot of hurdles to be approved. The key component of the land is to protect neighbors from Highway 540.

Liu agreed with the comments that have been shared. She wanted to emphasize that we are committed to keeping Cary green, and this is one actionable item that we can continue as open space. This decision will set the standard to avoid this practice in the future.

Yerha shared he would not be supporting the rezoning as presented.

Weinbrecht added that there are incredible hurdles to get over as there is not better than a proposal for open space.

Weinbrecht shared the case would be forwarded to the Planning and Zoning Advisory Board for their review.
4. **19-REZ-28 WakeMed Medical Office Park Amendment**

Assistant Planning Director Debra Grannan presented the staff's report. The presentation slides are attached to the minutes as an exhibit.

On behalf of the applicant, Richard Brown of Kimley-Horn shared this case will reinforce consistency between this request and the relevant chapters of the Cary Community Plan. The open space has been shifted to give a more urban space feel. He spoke about the timing of Phase One completion and Phase Two expected construction.

Weinbrecht explained comments for this hearing were collected through email, voicemail, and online submission since Friday, July 10 and that an opportunity was provided for people to request to present their comments at the hearing. He opened the hearing.

Grannan confirmed no comments were received. Johnson confirmed there were no call-in speakers.

NCGS 166A-19.24 allows for public comment to be submitted prior to the hearing and for 24 hours after the public hearing. Comments submitted prior to the meeting were summarized at the meeting, and comments received after the meeting were emailed to the Council. All comments received, before and after the meeting, are attached to the minutes as an exhibit.

No comments or questions from the Council. Weinbrecht shared the case would be forwarded to the Planning and Zoning Advisory Board for their review.

**6. Discussion Items**

1. **Wake Bus Rapid Transit (BRT): Western Corridor**

Transit Manager Kelly Blazey presented the staff's report. The presentation slides are attached to the minutes as an exhibit.

Robinson asked about a dedicated corridor on East Chatham Street. Blazey shared the design details will be in the next phase of the project.

Frantz shared it is a reasonable concern, but he feels the majority of East Chatham may be able to accommodate the dedicated lane. He believes this route is to the benefit of the community, and he is happy to see the next step implemented.

Liu asked about the timeline for the project. Blazey gave an overview of crucial milestones over the next couple of years.

Robinson asked if we can use any related funding to help the navigation of the busy areas, especially in the Eastern Gateway Corridor.
**Recommendation:** That Council endorse the Wake BRT: Western Corridor recommended Locally Preferred Alternative (LPA), including mode, alignment, and termini points, to allow for consideration by the City of Raleigh and the Capital Area Metropolitan Planning Organization (CAMPO). The recommended LPA supports the Imagine Cary Community Plan vision for Eastern Cary Gateway and Downtown Special Planning Areas.

Frantz moved to approve staff's recommendation
Second: Liu
Vote: Unanimously approved

**7. Closed Session**

Motion: Bush moved to go into a closed session at 7:50 p.m. using the following motion wordage.
Second: Yerha
Vote: Unanimously approved

Closed session motion wordage:

Pursuant to G.S. 143-318.11(a)(1), (3) and (5), I move that we hold a closed session to instruct the town staff concerning the position to be taken by or on behalf of the town in negotiating the price and material terms of contract or proposed contract for the acquisition of property owned by 4224 Green Level West Road, Lyn Carter Johnson; 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. Among other things, the Council expects to receive advice concerning the following: In re purdue pharma, lp, et al. Case no. 9-23649 (bankr. S.d.n.y.) ("purdue bankruptcy cases"), and to prevent the disclosure of information that is made privileged or confidential by g.s. 132-1.2 and/or 143-318.10(e).

**8. Adjournment**

Weinbrecht adjourned the meeting at 8:23 p.m.