



Cary Town Council
Thursday, October 12, 2017
6:30 PM

Council Chambers
316 N. Academy Street, Cary Town Hall, Cary, NC 27513

1. COMMENCEMENT

- 1.1 Call to Order
- 1.2 Ceremonial Opening led by Mayor Pro Tem Yerha
- 1.3 Adoption of agenda

2. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 2.1 **Recognition of Visiting Irish Delegation from Cary's Sister City, County Meath**
Speaker: Council Member Jack Smith
- 2.2 **Presentation of Cary Band Day Proclamation**
Speaker: Council Member Ken George
- 2.3 Manager's Report

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 a 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 Town Council - Regular Meeting - Sep 14, 2017 6:30 PM

4.2 Town Council - Quasi-Judicial Meeting - Aug 3, 2017 6:30 PM

4.3 17-A-09 Marcia A. Coleman Annexation

Speaker: Wayne Nicholas, Planning

Executive Summary: The owners of property located at 4121 Maple Springs Drive, (500 feet West of Maple Springs Drive and White Oak Church Road intersection) have petitioned for annexation of the property. Pursuant to statute, the Town Clerk has determined the petition to be sufficient, and Council must now consider whether to call for a public hearing on the request.

Associated Case(s): **Rezoning 17-REZ-22** (Maple Springs Drive)

Recommendation: Staff recommends adoption of a resolution calling for a public hearing on **11/16/2017**.

4.4 FY2017 Utility Reimbursement Contracts Update and Annual Reimbursements

Speaker: Jamie Bissonnette, Water Resources

Executive Summary: Utility System Infrastructure Reimbursement Agreements provide a means for the Town to participate with developers in providing efficient and orderly utility systems that comply with our master plans. These agreements sometimes provide for cash reimbursement for certain utility extensions, funded by collection of development fees from new development in the service area of the extension. Sufficient development fees were collected in FY2017 to provide reimbursement to the developer of the Weycroft Reserve subdivision, which provided an off-site waterline extension.

Recommendation: That Council authorize reimbursement to IPG Old Chatham, LLC in the amount of \$41,185.00 from current year revenues received in the Water Development Fee revenue account (071-0000-343.30-00).

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 17-REZ-11 Kildaire Farm Road and Penny Road Assemblage Rezoning
Speaker: Katie Drye, Planning

Executive Summary: The applicant has requested the Town consider an amendment to the Town of Cary Official Zoning Map by rezoning approximately 3.3 acres, located at 3000 and 3002 Kildaire Farm Road and 10617 and 10621 Penny Road, from Residential 40 (R-40) and General Commercial (GC) to General Commercial Conditional Use (GC-CU) with zoning conditions that limit the use to convenience store and vehicle filling station. Other proposed conditions include limiting the number of fueling positions, building size, and canopy location, limiting the hours of operation, increasing minimum requirements for stormwater control measures, and establishing buffer requirements.

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 Recommendation: The recommendation will be provided to Town Council following the P&Z Board meeting.

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

No discussion items.

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.

