

MINUTES OF A MEETING OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL,  
MUNICIPAL BUILDING, MONDAY, FEBRUARY 8, 1982, 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

Marilyn Boulton  
Winston Broadfoot  
Jonathan Howes  
Beverly Kawalec  
David Pasquini  
Joe Straley  
Jim Wallace

Councilmember Smith was an excused absence. Also present were Mr. David R. Taylor, Town Manager; Ms. Sonna Loewenthal, Assistant Town Manager; and Mr. Emery Denny, Town Attorney.

Petitions

Mr. Phil Cohen presented a petition to Council on behalf of 5,495 petitioners. The petition expressed opposition to "... thousands of tax dollars being spent on transit uniforms ...." and requested that the "... Town Council respond to public opinion, and reallocate these funds into more productive channels." Mr. Cohen stated that he believed that the resolution from the Carrboro Board of Aldermen, this petition, and multiple letters and phone calls received by the Chapel Hill Newspaper indicated the appropriateness of the re-examination of the issue.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO RECEIVE THE PETITION. There was no discussion. THE MOTION CARRIED UNANIMOUSLY.

Mr. Bob Anderson, representing the Village Bank, petitioned the Council to discuss at this meeting the possibility of retaining the opening between Lowes and Kroger Plaza. Mr. Anderson stated that there was not sufficient time for the bank to request an amendment to the Special Use Permit.

Mayor Nassif advised Mr. Anderson that it was Council policy to not place any items on the agenda without consent of the full Council. Due to the absence of Councilmember Smith, Council could not consider this request; however, this item could be placed on a future agenda.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO PLACE THIS PETITION ON THE FEBRUARY 22, 1982, AGENDA. THE MOTION CARRIED UNANIMOUSLY.

Mr. Jerome Levit, President of Residential Services, Inc., advised Council that he would be available to answer any questions Council might have regarding Agenda Item #8 (use of CD Grant funds for land acquisition).

Councilmember Wallace asked Council to return to their earlier discussions of R-1 and R-2 zones as well as the floodway ordinance. He also wished to receive a report from the Joint Planning Committee on the "extra-territorial jurisdiction question, as it becomes available."

Mr. Jennings informed Council that such discussions would be part of the re-evaluation of the Zoning Ordinance scheduled for February 22, 1982.

Mayor Nassif welcomed Mr. David R. Taylor, newly-appointed Town Manager.

Minutes

January 8, 1982. COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER KAWALEC, TO APPROVE THE MINUTES AS SUBMITTED. THE MOTION CARRIED UNANIMOUSLY.

January 18, 1982. COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO APPROVE THE MINUTES AS CIRCULATED. THE MOTION CARRIED UNANIMOUSLY.

January 25, 1982. COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER PASQUINI, TO APPROVE THE MINUTES AS DISTRIBUTED. THE MOTION CARRIED UNANIMOUSLY.

Resolution Granting a Planned Development-Housing Special Use Permit to Broad River Properties for Hickory Hill

At the Manager's request, Mr. Jennings, Planning Director, presented the staff report and responded to issues raised during the January 18, 1982, public hearing:

1. Improvement of Old Oxford Road.

- An alternate proposal (to improve Old Oxford Road from Booker Creek Subdivision to Erwin Road) would not be sufficient impetus for the Transportation Department to consider revision of the Alternate L route.
- The owner of the adjacent property might not consider an alternate proposal (to improve Old Oxford Road to Booker Creek) to be in his best interest as he currently supported the proposed improvements. Also, the currently proposed improvements would provide the best access for emergency vehicles to Booker Creek Apartments.
- Proposed improvements would hopefully encourage traffic through less densely developed residential streets and decrease traffic on the dangerous portion of Erwin Road (between Weaver Dairy Road and Old Oxford Road).

2. Regarding the construction or deletion of the proposed convenience store, staff felt that there were no compelling reasons to recommend denial of the proposed convenience store, even though it was not an essential part of the proposed development. Council had received a petition from the Booker Creek residents (refer to files in the Clerk's Office) requesting deletion of the proposed convenience store. The Planning Board concurred with the request to delete plans for the convenience store.

The applicant had revised his plans to comply with the Planned Development--Housing requirements, should Council choose to delete plans for the convenience store. Mr. Jennings stated that he felt that a small convenience center would be appropriate for this area.

3. The petition from the Booker Creek residents requested that Council not allow construction of buildings, parking areas, or roads within 150 feet of any contingent property. Staff felt that current Planned Development-Housing requirements were adequate and reasonable and ensured a more compatible development of the area (refer to Zoning Ordinance, Article 6.12.2 and 8.8.6.5a, on file in the Planning Department), and did not feel that this was a reasonable restriction upon the use of the property. Such a requirement would necessitate a redesign of the plan that would severely reduce the number of units that could be constructed. These restrictions would also not be reasonable if applied to comparable lots having the same development rights.

Imposition of such a requirement could discourage the development of Planned Development-Housing in R-1 and R-2 zones and encourage duplex subdivisions. Staff did not feel that this would be in the best interest of the Town.

Mr. Jennings explained that setback requirements were 11 feet. The nearest units were 50 feet from the property line. He felt it important for Council to realize that even though the proposed development appeared dense, it was being developed at a density level which was below that that was allowed.

Another issue raised by area residents was for adequate buffers and screening around the development. Staff felt that buffer and screening requirements were adequate and reasonable and would prevent any unreasonable loss of privacy or views.

4. The petition requested that Council require a drainage plan with hydrologic calculations to:

- insure that additional run-off would not increase the present maximum level of Booker Creek. Staff advised that this requirement was already covered by Town policy and standards.
- insure that additional run-off would not be directed across private property north of Millwood Court. Staff advised that drainage easements already existed across private property.

- insure that any disturbed sedimentation during and after construction would be contained on the property. Staff advised that the Orange County Sedimentation and Erosion Control Ordinance controlled such conditions.
- insure containment of residue (such as auto oil and grease) to prevent run-off onto private property and into Booker Creek. Staff advised that this was not presently being required of other residential developments.

Mr. Roscoe Reeve, Chairman of the Planning Board, stated that the Planning Board sought to be fair to the applicant and at the same time be sensitive to the concerns of area residents when applying setback requirements.

The Planning Board felt that the proposed convenience store was not an appropriate use of land as an activity area, as outlined in the Comprehensive Plan and therefore recommended its deletion.

Mr. Reeve responded to a question from Councilmember Broadfoot that a Special Use Permit would be required if the proposed convenience store were to ever consider selling gasoline.

Councilmember Boulton wondered if signs could be erected on Erwin Road that could more effectively deal with traffic concerns. Mr. Bill Morris, Town Engineer, stated that a 40-mph speed limit had recently been established by the State and that left turn lanes were being required. Mr. Jennings informed Council that the area was not inside the Town limits. Mayor Nassif stated that specific requests could be made to the State Department of Transportation.

Councilmember Howes asked Mr. Denny if Council was allowed to consider the applicant's revised plan, since it had not been presented at the January 11, 1982, public hearing.

Mr. Denny advised that the changes were of such a minor nature that it would not require a further public hearing.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO ADOPT RESOLUTION 82-R-21b, AMENDED AS FOLLOWS:

1. Paragraph 1 to read "...plans submitted February 8, 1982, ...." (instead of November 22, 1982).
2. Stipulation 11 to be rewritten to read: "...submitted to the Town Manager and approved by the Council prior to issuance ...." (instead of reading "...submitted to and be approved by the Town Manager prior to issuance ....").

Councilmember Straley expressed his dissatisfaction with the setback requirements, feeling that this development was not in conformance with the surrounding development.

Therefore, COUNCILMEMBER STRALEY MOVED TO AMEND THE MOTION BY ADDING A STIPULATION: "THAT NO BUILDING, PARKING AREA, OR ROAD BE PLACED WITHIN 75 FEET OF ANY OTHER PRIVATE PROPERTY LINE." COUNCILMEMBER PASQUINI SECONDED THE MOTION TO AMEND THE MAIN MOTION.

Councilmember Wallace asked Mr. Jennings to explain any impact that such a stipulation might have. Mr. Jennings explained that he felt that such a requirement would raise "severe public policy questions."

Mr. McAdams, developer, informed Council that the distance from the proposed development to the nearest private property line was 14 feet. Meeting a proposed 75-foot setback would severely reduce the number of units that could be constructed.

Councilmember Howes asked Mr. Denny if the stipulations required of this applicant were in line with requirements made of surrounding developers. Mr. Denny informed Council that the "rule of reasonableness" would be applied in making such requirements. This would be determined by comparing the compliance of structures on the surrounding properties.

Councilmember Howes asked what the shortest distance was from a building line within the proposed development to a building line outside the proposed development. Mr. McAdams replied that the closest distance was approximately 100 feet.

Mayor Nassif advised Council that if the developers chose to subdivide the property, lots would be approved automatically (provided plans conformed to the Ordinance) and Council would have no authority to place restrictions on individual developers. He felt that the revised plans appropriately addressed neighborhood concerns and felt that it would be adequate and reasonable for Council to accept this proposal.

Councilmember Straley felt that the main motion with this amendment would adequately address citizen concerns and still show fairness to the developers.

THE MOTION TO AMEND FAILED WITH A VOTE OF 1 TO 7 WITH COUNCILMEMBER STRALEY SUPPORTING, AND COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, WALLACE, AND MAYOR NASSIF OPPOSING.

THE MAIN MOTION (TO ADOPT THE FOLLOWING RESOLUTION AS AMENDED BY COUNCILMEMBER HOWES) PASSED UNANIMOUSLY:

A RESOLUTION GRANTING A PLANNED DEVELOPMENT-HOUSING SPECIAL USE PERMIT TO BROAD RIVER PROPERTIES FOR HICKORY HILL (82-R-21b)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Planned Development-Housing Special Use Permit proposed by Broad River Properties if developed in accordance with the plans submitted February 8, 1982, and the stipulations and conditions set forth below:

1. That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. That the use or development complies with all required regulations and standards of the Zoning Ordinance, including all applicable provisions of Articles 4, 5 and 6, and the specific standards contained in Sections 8.7 and 8.8, and with all other applicable regulations;
3. That the use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and
4. That the use or development conforms with the general plans for the physical development of the Town as embodied in the Zoning Ordinance and in the Comprehensive Plan.

The stipulations upon which the above findings are based are as follows:

1. That the design for improvements to Old Oxford Road be approved by the Town Manager and the N.C. Department of Transportation prior to the issuance of a Zoning Compliance Permit.
2. That an additional 15 feet of right-of-way be dedicated along the property's frontage on both sides of Weaver Dairy Road.
3. That right turn deceleration lanes with tapers be provided at the entrance to the project on Weaver Dairy Road and at the intersection of Old Oxford Road and Erwin Road. The design of these improvements and the proposed left turn lanes shall be approved by the Town Engineer and the N.C. Department of Transportation prior to the issuance of a Zoning Compliance Permit.
4. That the requested convenience store be deleted and the proposal approved as a Planned Development-Housing.
5. That no parallel parking be allowed along the interior roads in the site.
6. That the applicant provide adequate maneuvering space in the proposed cul-de-sacs by eliminating interior plantings or, if interior plantings are to be provided, the cul-de-sacs be widened to provide a 33-foot radius on the inside and a 53-foot radius on the outside. Plans showing the revised cul-de-sacs shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
7. That the plans be redesigned to meet the design standards contained in Articles 5, 6 and 8.8.6.5 of the Zoning Ordinance. Plans showing these changes shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit, and shall not be considered a modification of the Special Use Permit.

8. That plans for water and sewer improvements, including necessary utility easements be approved by OWASA prior to issuance of a Zoning Compliance Permit.
9. That the pedestrian easement and sidewalk from the loop road in the development to the intersection of Honeysuckle and Foxwood Roads be relocated to the centerline of the Honeysuckle Road right-of-way and be maintained by the developer and/or the homeowner's association.
10. That detailed elevations be approved by the Appearance Commission prior to the issuance of a Zoning Compliance Permit.
11. That a drainage plan with hydrologic calculations be submitted to the Town Manager and approved by the Council prior to issuance of a Zoning Compliance Permit. Improvements included in the drainage plan shall be completed prior to issuance of a Certificate of Occupancy.
12. That the location of the dumpsters be approved by the Town Manager prior to installation.
13. That a plan dedicating all easements and public rights-of-way shown on the site plan be recorded in the Orange County Register of Deeds Office prior to issuance of a Zoning Compliance Permit.
14. That the location of fire hydrants be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
15. That the private streets be built to Town standards for a class D street. Rolled curbs acceptable to the Town Manager shall be allowed. Plans for these streets shall be approved by the Town Manager prior to construction.
16. That construction begin by February 28, 1984 and be completed by February 28, 1988.

BE IT FURTHER RESOLVED that the Council hereby grants a Planned Development-Housing Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 8th day of February, 1982.

Resolution Rescinding a Denial of and Granting a Drive-In Window Special Use Permit to Duane Hoover and Charles Hill for Wendy's Restaurant

At the January 18, 1982, public hearing, Council referred this request to the Manager and Attorney for a review of the public hearing records of September 29, 1981, and for a report back to Council.

Planning Board and staff recommended granting the request.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADOPT RESOLUTION 82-R-22.

COUNCILMEMBER BROADFOOT MOVED, SECONDED BY COUNCILMEMBER PASQUINI, TO AMEND THE MOTION BY DELETING THE FOLLOWING STIPULATIONS:

1. Stipulation #3. That Scarlett Drive be widened along the entire property frontage to one-half of a 33-foot cross section to Town standards. Such plans shall be approved by the Town Manager prior to construction.
2. Stipulation #4. That a paved sidewalk be provided along the frontage of the property with Scarlett Drive. Such sidewalk shall be designed to Town standards and shall be approved by the Town Manager prior to construction.

Councilmember Broadfoot asserted that these stipulations were not pertinent to the request. Councilmember Wallace and Mayor Nassif concurred.

THE MOTION TO AMEND THE MAIN MOTION TIED 4 TO 4 WITH COUNCILMEMBERS WALLACE, PASQUINI, BROADFOOT, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBERS KAWALEC, STRALEY, HOWES AND BOULTON OPPOSING.

MAYOR NASSIF ASKED FOR A RECOUNT: THE MOTION TO AMEND THE MAIN MOTION CARRIED 5 TO 3 WITH COUNCILMEMBERS WALLACE, PASQUINI, BROADFOOT, BOULTON, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBERS KAWALEC, HOWES, AND STRALEY OPPOSING.

THE MOTION TO ADOPT THE FOLLOWING RESOLUTION AS AMENDED CARRIED 7 TO 1 WITH COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, WALLACE, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER STRALEY OPPOSING:

A RESOLUTION RESCINDING A DENIAL OF AND GRANTING A DRIVE-IN WINDOW SPECIAL USE PERMIT TO DUANE HOOVER AND CHARLES HILL FOR WENDY'S RESTAURANT (82-R-22)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby rescinds its October 12, 1982, denial of and hereby finds that the Drive-In Window Special Use Permit proposed by Duane Hoover and Charles Hill, if developed in accordance with the plans submitted August 25, 1981, and the stipulations and conditions set forth below:

- a) That the development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety and general welfare;
- b) That the development complies with all required regulations and standards of the Zoning Ordinance, including all applicable provisions of Articles 4, 5 and 6, and the applicable specific standards contained in Sections 8.7 and 8.8, and with all other applicable regulations;
- c) That the development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and
- d) That the development conforms with the general plans for the physical development of the Town as embodied in the Zoning Ordinance and in the Comprehensive Plan.

The stipulations upon which the above findings are based are as follows:

1. That detailed architectural elevations be submitted to and approved by the Community Appearance Commission prior to issuance of a Zoning Compliance Permit.
2. That provisions for trash collection be approved by the Town Manager.
5. That all improvements, as shown on the approved plans or required as part of the granting of the Special Use Permit, shall be completed prior to issuance of a Certificate of Occupancy.
6. That construction begin by February 28, 1983 and be completed by February 28, 1984.

This the 8th day of February, 1982.

Resolution Denying a Zoning Map Amendment Request by Richard A. and H. Josh Gurlitz

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO APPROVE ORDINANCE 82-O-9a (which would approve amending the Zoning Map by reclassifying the present R-1 zone to R-2).

Councilmember Howes stated that change in zoning of this property was both premature and unnecessary and was therefore not justified by the request. He would not support the motion.

Mayor Nassif opposed the motion, feeling there had not been ample time to "test" the appropriateness of the zoning of this area.

Councilmember Wallace stated that the request to rezone from R-1 to R-4 was not appropriate, but felt that to rezone from R-1 to R-2 was a reasonable exercise of the current ordinance.

Councilmember Kawalec stated that Council could not have possibly scrutinized each area of the Zoning Map when they approved it; therefore, it was natural to make changes. On the other hand, she felt that Council had spent a lot of time thinking about how the Town should be developed and therefore, she would oppose the motion.

Councilmember Boulton felt Planning staff had given a valid recommendation to Council and would support the motion.

Councilmember Straley felt that Council had a chance now to consider a zoning change and that Council should not feel "locked in" to a past decision.

THE MOTION (TO ADOPT ORDINANCE 82-O-9a) FAILED 3 TO 5 WITH COUNCILMEMBERS WALLACE, BOULTON, AND STRALEY SUPPORTING, AND COUNCILMEMBERS KAWALEC, PASQUINI, BROADFOOT, HOWES, AND MAYOR NASSIF OPPOSING.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION DENYING A ZONING MAP AMENDMENT REQUESTED BY RICHARD A. AND H. JOSH GURLITZ (82-R-23)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the request of Richard A. & H. Josh Gurlitz for a zoning map amendment to change the zoning of 4.67 acres of land located approximately 600 feet east of Airport Road, south of Taylor Street and identified as Chapel Hill Township Tax Map 29, lot 2E from R-1 to R-4.

This the 8th day of February, 1982.

THE MOTION CARRIED 7 TO 1 WITH COUNCILMEMBERS WALLACE, KAWALEC, PASQUINI, BROADFOOT, BOULTON, HOWES, AND MAYOR NASSIF SUPPORTING, AND COUNCILMEMBER STRALEY OPPOSING.

#### Ordinance Amending the Chapel Hill Zoning Ordinance

This request had been presented at the January 18, 1982, public hearing. Planning Board and Manager recommended approval of the request to rezone the lot from R-3 to R-6.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO ADOPT THE FOLLOWING ORDINANCE:

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ORDINANCE (82-O-10)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Ordinance be amended as follows:

#### SECTION I

That the property identified as Chapel Hill Township Tax Map 80, Block G, Lot 6, located on the south side of North Street and containing approximately 20,000 square feet of land be reclassified from Residential-3 to Residential-6. The legal description of such property is as follows:

All that certain tract or parcel of land situated, lying, and being on the south side of North Street in the Town of Chapel Hill, N. C., and BEGINNING at a stake on the south property line of North Street, which is located south 64 degrees, 30 minutes, west 450 feet from the southwest corner of Henderson Street and North Street, Frank W. Saunders corner; running thence with said Saunders' line south 24 degrees, 30 minutes, east 200 feet to a stake; running thence south 64 degrees, 30 minutes, west 50 feet to a stake; running thence north 24 degrees, 30 minutes, west 200 feet to a stake in the south property line of North Street; running thence along the south property line of North Street north 64 degrees, 30 minutes, east 50 feet to the beginning and being the western one-half of the property conveyed by Walton P. Lloyd et al., to Charles Lawrence Saunders et ux, deed recorded in the Office of the Register of Deeds of Orange County, in Book of Deeds 124 at page 469.

SECTION II

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 8th day of February, 1982.

Councilmember Wallace supported the motion. Mayor Nassif, however, felt that rezoning an area should be considered as a whole and not just lot by lot.

Councilmember Straley felt that Council should work toward flexibility in considering changes of the Zoning Map.

Councilmember Kawalec felt Council should consider the rezoning of the whole street. Councilmember Howes felt that the fact that this had been discussed by Council on several previous occasions, and the fact that there had been no neighborhood opposition would encourage Council to consider rezoning the whole neighborhood.

Councilmember Wallace felt that there were some areas that should be considered one lot at a time to maintain necessary Special Use control, but that flexibility was needed in this type of location surrounded by this particular kind of neighborhood.

Mr. Roscoe Reeve, Chairman of the Planning Board, reminded Council that the opportunity for fraternities and sororities to exist had been severely diminished, as Council had expressed concerns about the impact of this type of use. Council had agreed that it would be more appropriate to consider a zoning change to allow the existence of this use.

THE MOTION CARRIED 7 TO 1 WITH COUNCILMEMBERS BOULTON, BROADFOOT, HOWES, KAWALEC, PASQUINI, STRALEY, AND WALLACE SUPPORTING, AND MAYOR NASSIF OPPOSING.

Zoning Text Amendments to Article 6.12 (Buffers and Screening) and Article 6.13 (Signs)

Mr. Jennings summarized that Council had reviewed the proposed amendments at the September 29, 1981, public hearing.

On November 12, 1981, staff had held a joint worksession with the Community Appearance Commission to discuss differences in recommendations. Staff now submitted resolutions that considered the issues that were discussed at the worksession. Staff and the Community Appearance Commission agreed on the amendments to Article 6.12 (Buffers and Screening), but were not in agreement on proposed amendments to Article 6.13 (Signs).

Mayor Nassif stated that he felt that the issue of sign sizes and contents was becoming increasingly complex. He stated that such complexity might warrant Council's consideration of using a Special Use Permit when dealing with signs, rather than continuing the present use of a sign ordinance.

Mr. Jon Condoret, Chairman of the Community Appearance Commission, requested that Council consider tabling the issue as members of the Community Appearance Commission had not been informed that Council would be considering this issue at this meeting and had therefore not had sufficient opportunity to review the proposed changes.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO DELAY CONSIDERATION OF THIS ITEM UNTIL THE NEXT REGULAR MEETING OF THE COUNCIL.

Councilmember Straley concurred with the motion. THE MOTION CARRIED UNANIMOUSLY. The item would be placed on the February 22, 1982, agenda of the Council.

Resolution Approving a Loan of Community Development Grant Funds to Residential Services, Inc.

Ms. Sonna Loewenthal, Assistant Town Manager, relayed to Council that the request was to fund \$3,000 in option costs for a group home site. A request for financial assistance (estimated maximum of \$8,000) was also made for land acquisition if the purchase price of the site was more than HUD would allow.

Ms. Loewenthal explained that the function of Residential Services, Inc., was a community based intermediate care facility for mentally retarded persons and persons with multiple handicaps.

Ms. Nancy Aycock, Administrator for Residential Services, Inc., presented background information on this community service group. Residents of these homes were formerly institutionalized, but were now involved in vocational training or employment and were tax-paying citizens. Initially, state funds supported these homes; after certification, medicaid contributed funds.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION APPROVING A LOAN OF COMMUNITY DEVELOPMENT GRANT FUNDS TO RESIDENTIAL SERVICES, INC. (82-R-25)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to make a loan of \$3,000 to Residential Services, Inc., from the Community Development Small Cities fund, said loan to be used for an option payment for a site as approved by the U. S. Department of Housing and Urban Development and said loan to be repaid if federal funds reimburse the option payment in the future.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager to provide land acquisition assistance, if necessary, from the Community Development Small Cities fund to Residential Services, Inc., in an amount determined as follows:

The purchase price of land acquired by Residential Services, Inc., as a site for a group home, less the amount certified by the Department of Housing and Urban Development as the maximum amount HUD will pay toward said purchase; up to a maximum Town commitment of \$8,000.

This the 8th day of February, 1982.

Councilmember Kawalec asked the Manager if staff had considered making an outright grant. Mr. Taylor responded that the request was for the \$3,000 loan which would be an option payment. If funding were awarded from HUD 202, it would be repaid. The (up to) \$8,000 would be used to supplement the purchase price and would, in essence, be a grant. He further added that if funding from HUD 202 were not awarded, the \$3,000 would be a grant and the \$8,000 would not be called on.

THE MOTION CARRIED UNANIMOUSLY.

Ms. Loewenthal would arrange necessary correspondence and documents.

Resolution Accepting Bids and Awarding a Contract for Two (2) New 1982 Model Compact Long-Bed Pick-Up Trucks

The Manager recommended adoption of the resolution, and awarding of the bid to the low bidder.

COUNCILMEMBER WALLACE MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR TWO (2) NEW 1982 MODEL COMPACT LONG-BED PICK-UP TRUCKS (82-R-26)

WHEREAS, the Town of Chapel Hill has solicited formal bids on January 5, 1982, and the following bids have been received:

<u>Bidder</u>	<u>Unit Cost</u>	<u>Total</u>
Harriss-Conners Chevrolet Chapel Hill	\$6,797.28	\$13,594.56
Miller Truck Sales and Service, Inc. Durham	7,085.33	14,170.66
Rice's Toyota World, Inc. Greensboro	6,829.08	13,658.16

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Harriss-Conners Chevrolet in the amount of \$13,594.56.

This the 8th day of February, 1982.

Mr. Taylor advised Councilmember Howes that the pick-up trucks were Chevrolet LUVs, made in Japan.

THE MOTION CARRIED UNANIMOUSLY.

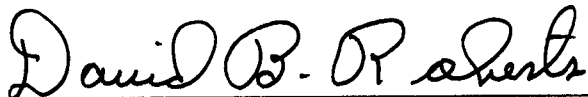
Other Business

Councilmember Pasquini asked if Council would be willing to set aside specific days in a week for their various meetings, making it easier to arrange personal business schedules. After discussion among Councilmembers, it was decided that Council would plan to meet on Mondays and Tuesdays, varying the meetings to either afternoons or evenings. Mayor Nassif and Councilmember Pasquini stated that there would be times when they would not be able to attend some of the meetings.

There being no further business to come before Council, the meeting was adjourned at 9:32 P.M.



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Joseph L. Nassif, Mayor



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David B. Roberts, Clerk