

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting at the Town Hall on May 23, 1961, at 7:30 P.M. o'clock with the following present: Mayor McClamroch; Aldermen Robinson, Giduz, Strowd, Wager and Page; Town Attorney LeGrand and Town Manager Rose. Absent: Alderman Walters.

Minutes for the May 8 meeting were adopted on a motion by Alderman Wager, subject to correcting page 230, paragraph 8 to read "to make Robinson Street parking on the East side only--", seconded by Alderman Strowd, and passed. (Ordinance to be drawn).

Oral Petitions

Milton Heath appeared before the Board and stated that the committee has reviewed the Compilation of Ordinances in detail. Alderman Wager moved the adoption of the following:

ORDINANCE TO REPEAL CERTAIN EXISTING ORDINANCES, TO AMEND CERTAIN EXISTING ORDINANCES, AND TO ADOPT NEW ORDINANCE PROVISIONS, IN CONNECTION WITH PROPOSED COMPILATION OF TOWN ORDINANCES.

③ The original of the ordinances inserted on pages 231A- 301A ~~a copy of which has been certified and filed with these minutes and contained in pages 231A- 301A~~

seconded by Alderman Strowd, and unanimously adopted.

Alderman Wager moved the adoption of the following:

ORDINANCE ADOPTING THE 1961 REVISED COMPILATION OF TOWN ORDINANCES

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

Section 1. There is hereby adopted by the Board of Aldermen of the Town of Chapel Hill a revised compilation of the existing ordinances of the Town consisting of eight numbered chapters and 259 numbered pages, omitting 170 and 234, mimeographed on white 8-1/2 by 11 inch paper, and bound and published in book form with red press board cover under the title of "1961 Revised Compilation of Chapel Hill Ordinances".

Section 2. One copy of said Revised Compilation shall be kept on file in the office of the town clerk, certified by the town clerk as an official Revised Compilation, and shall be available to all persons desiring to examine the same. The town clerk may certify additional copies of the Revised Compilation as official copies.

Section 3. It is the intention of the Board of Aldermen to include within said Revised Compilation all of the ordinances of the Town of Chapel Hill which were in effect on December 31, 1960, and which have not subsequently been repealed, except for the following ordinances; the zoning ordinance of March 14, 1955 (Bk. 9, P. 292), as amended, and all prior zoning ordinances still in effect; the residential building code, electrical code and plumbing code, all adopted January 20, 1949, (Bk. 8, P. 62) and re-adopted in connection with the 1961 Revised Compilation of Ordinances; and the fire prevention code of May 15, 1960 (Bk. 11, Page 117). However, the failure to include within said Revised Compilation any ordinance which was in effect on said date (and has not since been repealed) shall not be construed to repeal said ordinance.

Section 4. All ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall take effect on its adoption. This the 23rd day of May, 1961, seconded by Alderman Walters and Alderman Giduz and adopted.

Stagecoach Road - Mr. M.T. VanHecke appeared before the Board to discuss the possibility of residents of Stagecoach Road having curb and gutter installed at this time, and having the black topping done later. Town Manager Rose stated that after August the Town will be in better position to know about what funds may be available. No action was taken.

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Written Petitions - Harriss Land Company, et al, represented by Atty. Emery Denny came before the Board to request an emergency meeting with the Planning Board and Board of Aldermen to consider the request for a Special Use Permit for an area at the end of E. Rosemary Street now in RA-10 zoning. They stated that necessary advertising be done; that applicants have acted in good faith and that unnecessary delay will be a hardship to them; that this matter is an emergency. Alderman Giduz moved that this matter be considered at the regular meeting of the Aldermen on June 12, seconded by Alderman Page, and passed.

Beer License - A & P Company

The A & P Company have changed managers, and David Brooks Gillens now requests a beer license. Alderman Strowd moved that the request be granted, seconded by Alderman Robinson, and passed.

(Throughout the areas covered by the Zon. Ord.)
Re: State Building Code - Mr. E. M. Gesell, manager of the Home Savings & Loan Association as spokesman for the Chapel Hill Board of Realtors, et al, discussed the matter of the Town obtaining authorization from the State to enforce the minimum building standards as enumerated in the State Building Code. The Board approved the recommendation that a bill (enabling act) be put before the General Assembly. Alderman Page moved that John Umstead be requested to proceed with the bill, seconded by Alderman Wager, and passed.

Town Attorney: Alderman Robinson moved the adoption of the following:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "RA-10, RESIDENTIAL" TO "SUBURBAN COMMERCIAL".

WHEREAS after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on February 27, 1961, to consider request for rezoning the area hereinafter described from RA-10, RESIDENTIAL to SUBURBAN COMMERCIAL; and,

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the area hereinafter described, as requested, from RA-10, Residential, to Suburban Commercial; and,

WHEREAS thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said area;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-10, Residential, to Suburban Commercial, and that the uses permitted in areas designated as SUBURBAN COMMERCIAL, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

BEGINNING at a point in the Western margin of East Franklin Street (U.S. 15A-501A), the said point being 1,270 feet along the said Street from the center line of Bolin Creek, and running thence with the western margin of said Street 75 feet; thence westerly at right angles to said Street 250 feet; thence northerly 75 feet thence easterly 250 feet, to the point of Beginning.

SECTION II.

All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

seconded by Alderman Strowd, and unanimously adopted.

TOWN MANAGER: Alderman Strowd moved the adoption of the following:

WHEREAS, the Registrars and Judges of Election appointed to hold the regular municipal election in the Town of Chapel Hill on May 2, 1961, have held said election and have made returns of the result thereof, and the Board of Canvassers has considered said returns and has canvassed said returns and judicially determined the result of said election and has filed with the Town Clerk a certificate containing an abstract showing the number of legal ballots cast in each precinct with respect to the bond ordinance submitted at said election, and the number of votes cast for and against said bond ordinances; and

WHEREAS, it appears from said certificates that the polls for said election were opened in each Election Precinct at the voting place specified in the notice of said election held in said Town of Chapel Hill on the 2nd day of May, 1961, at the hour of 6:30 o'clock, A.M. (Eastern Standard Time) and were continuously kept open until 6:30 o'clock, P.M. (Eastern Standard Time), and that the voters voting at said election on the bond ordinance submitted at said election were required to use ballots in the form prescribed for said election by the resolution adopted by the Board of Aldermen on the 28th day of March, 1961; and

WHEREAS, said certificates show that said election was held in the following Election Precincts in said Town, and that the total number of voters who were registered and qualified to vote at said election in each of said Election Precincts, and the total number of votes cast for the bond ordinance submitted at said election, said Election Precinct and the total number of votes cast against such bond ordinance in such Election Precinct were as follows:

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<u>Election Precinct</u>	<u>Number of Registered Voters</u>	<u>Number Votes Cast for Bond Ordinance</u>	<u>Number Votes Cast Against Bond Ordinance</u>
1	407	118	65
2	320	206	15
3	464	271	56
4	420	201	67
5	289	151	45
	<hr/> 1900	<hr/> 947	<hr/> 248

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that it be and hereby is determined and declared that the number of voters registered and qualified to vote at said election was 1900.

FURTHER RESOLVED that the number of votes cast at said election for the bond ordinance adopted by the Board of Aldermen of said Town on March 13, 1961, authorizing the issuance of \$160,000 bonds of said Town submitted at said election, and authorizing the levy of a tax sufficient to pay the principal of and interest on said bonds and for the indebtedness to be incurred by the issuance of said bonds was 947, and the number of votes cast at said election against said bond ordinance and against said proposed indebtedness was 248, and that the majority of the qualified voters of said Town voting at said election voted to approve said bond ordinance and said proposed indebtedness.

FURTHER RESOLVED that a statement showing the number of votes cast for and against said bond ordinance and the indebtedness proposed thereby, and the number of voters qualified to vote at said election and declaring the result of said regular municipal election shall be prepared and signed by at least a majority of the members of the Board of Aldermen and delivered to the Town Clerk so that such statement may be filed and recorded in accordance with law.

Alderman Robinson seconded the motion, and the motion was adopted. Those voting for the resolution were Messrs. Robinson, Giduz, Strowd, Wager and Page. No one voted against it.

Alderman Wager moved the adoption of the following:

STATEMENT OF RESULT OF VOTE ON A BOND ISSUE
SUBMITTED AT THE GENERAL MUNICIPAL ELECTION
HELD IN THE TOWN OF CHAPEL HILL, NORTH CAROLINA
ON THE 2nd DAY OF MAY, 1961.

WHEREAS, the Board of Aldermen of the Town of Chapel Hill, in the State of North Carolina, submitted at the general election held in said Town on May 2, 1961, to the qualified voters of said Town, for their approval or disapproval, (1) the indebtedness to be incurred by the issuance of bonds of said Town of the maximum principal amount of \$160,000 to finance the erection of one or more buildings to be used by the Town as a fire station, police station, court room and jail and Town offices, and for the housing of other departments of the Town government, including the acquisition of any land or rights in land required therefor and the acquisition and installation of original furnishings and equipment suitable for such use of such buildings, and the levy of a tax for the payment of such bonds, and (2) the bond ordinance adopted by the Board of Aldermen of said Town on March 13, 1961, which authorizes the issuance of said bonds for said purpose and the levy of such tax, and said Board of Aldermen has duly canvassed the certificates of the Registrars and Judges of Election appointed to hold said election and has determined the results of said election to be as hereinafter stated;

NOW, THEREFORE,

Said Board of Aldermen hereby makes the following statement of the result of said general municipal election, pursuant to The Municipal Finance Act, 1921, of North Carolina:

- (1) The number of voters registered and qualified to vote at said election was 1900.
- (2) The number of votes cast at said election "For the ordinance authorizing \$160,000 bonds for the erection and equipment of one or more buildings to be used as a fire station, police station, court room and jail and town offices and for the housing of other departments of the Town government, and a tax therefor" was 947.
- (3) The number of votes cast at said election "Against the ordinance authorizing \$160,000 bonds for the erection and equipment of one or more buildings to be used as fire station, police station, court room and jail and town offices and for the housing of other departments of the Town government, and a tax therefor" was 248.
- (4) The indebtedness to be incurred by the issuance of said bonds and the levy of a tax for the payment of said bonds and the bond ordinance authorizing said bonds were approved by the affirmative vote of a majority of those who voted thereon at said election.

IN WITNESS WHEREOF, WE, the undersigned members of the Board of Aldermen of the Town of Chapel Hill have hereunto set our hands, this 23rd day of May, 1961.

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Paul W. Wager
 F. E. Strowd
 Roland Giduz
 Hubert S. Robinson
 Joseph D. Page
 Members, Board of
 Aldermen

Alderman Wager moved that the Town Clerk be directed to file the original statement in her office and to publish a copy of the statement in the manner provided by law. Alderman Page seconded the motion and the motion was unanimously adopted.

State Highway - N.C. 54 Widening

Town Manager stated that the State Highway have supplied a breakdown as to costs involved in widening N.C. 54 which entailed about \$25,000. The Board authorized the Town Manager to offer to participate in the amount of \$5,000 to be paid during 1961-62 (budget year). *Start to*

Widening W. Rosemary Street

The Board discussed the acquisition of an 8 ft. right-of-way on the N/S of West Rosemary for a sidewalk. Town Manager stated that letters have been mailed to the property owners advising them that a committee will meet with them to review the widening. Aldermen Robinson, Walters and Wager compose the committee delegated to consult the property owners.

Plumbing Ordinance Aldermen Giduz moved the adoption of the following:
~~Alderman Giduz moved that an ordinance be drawn to correct the following ordinance which had been previously adopted:~~

AN ORDINANCE TO AMEND THE PLUMBING CODE

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the ordinance adopted February 27, 1961, entitled, "An Ordinance to Amend the Plumbing Code", be and the same is hereby repealed.

SECTION II.

That the Plumbing Code of the Town of Chapel Hill, as adopted February 1, 1949, be and the same is hereby amended by striking out all of ARTICLE III, entitled, "Fees", and re-writing the same to read as follows:

ARTICLE III. Fees

Sec. 20. Schedule of fees.

Prior to the issuance of any permit for plumbing work within the Town limits, fees for the inspection of the work covered by such permit shall be paid to the city in conformity with the following schedule: There shall be a fixture charge of two dollars (\$2.00) for the first fixture, plus one dollar (\$1.00) for each fixture thereafter, which shall include any trapped outlet and boiler and heater. The charge for each sewer connection made within the Town of Chapel Hill shall be three dollars (\$3.00). No permit shall be required for the renewal of hot water heater or storage tank of same capacity and design.

Sec. 21. Application of schedule.

The fees prescribed in the preceding section shall apply to all old work as well as new, and to inspections made necessary by moving any house from one location to another or by raising the house.

SECTION III.

All ordinances in conflict herewith are hereby repealed.

seconded by Alderman Strowd, and unanimously passed.

COMMITTEE REPORTS: In re: Proposed Budget

The Board discussed a meeting of the Town Manager with Mr. Henry Ferguson of the University in view of a Committee of the Whole meeting which was set for 4:30 Friday at Town Hall.

Street Committee: Mayor McClamroch stated that coming up Laurel Hill Road from Country Club Road a Yield Sign is needed.

New Business: Alderman Page stated that a resident of the Old Pittsboro Road near Valentine Lane has requested that sanitary sewer line be extended so that they may connect. Town Manager stated that going in behind Woodland Avenue is possible.

Alderman Robinson discussed a request to open Cleland Street through to Rogerson Drive; also the park areas on Oakwood Drive as to curb and gutter assessments, ownership etc. The matter was referred to the Recreation Committee on a motion by Alderman Strowd, seconded by Alderman Giduz, and passed. The Board of Alderman also agreed that Berkley Road should be included in the paving through to Oakwood Drive, and the right of way opened through to Rogerson Drive.

Meadowbrook Drive

The Board established that the street between Burlage Drive and Estes Drive (continuation) be named Meadowbrook Drive.

Appointments to Civil Defense

Mayor McClamroch recommended the appointment of Dr. Claude McClure as Director of Civil Defense, and Dr. Ralph Boatman as Assistant Director. The Board was unanimous in approving the appointments.

Study of Proposed Budget Needs

A Meeting with the Planning Board was set for Wednesday, June 7, at 4:00 P.M., o'clock as a time to review the proposed budget.

There being no further business to be considered at this time, the meeting was adjourned at 9:37 P.M. o'clock.

Robert McClamroch Mayor

Mary Konejny Town Clerk

May 23, 1961

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met jointly with the Planning Board at a Public Hearing in the Town Hall on May 29, 1961, at 7:30 P.M. o'clock with the following present: Mayor McClamroch; Aldermen Robinson, Giduz, Strowd, Walters, Wager and Page. Planning Board members present were: Messrs. Potter, Fowler, Conners, Stewart, Foushee, Alexander, Umstead and Exec. Sec. David Neville.

Mayor McClamroch stated that the purpose of the Public Hearing was to consider two (2) matters for rezoning:

I. From RA-10 Residential to RA-20 Residential an area described as follows: In the Town of Chapel Hill bounded on the south by the northern property line of E. Franklin St; on the west by the Horace Williams property, now owned by the University of N.C., & the East property line of Glenburnie St; on the lots facing Tenney Circle and the Carl Durham property; on the East by the West property line of Carolina Avenue extended.

A group of persons appeared before the Board to support the request to upgrade the area from RA-10 zoning to RA-20 zoning. Alderman Walters moved that the request be referred to the Planning Board for recommendation, seconded by Alderman Page, and passed.

II. From RA-20 Residential to Suburban Commercial, three acres lying East of Chapel Hill at the intersection of the Old Durham Road (NC Highway 75), the Chapel Hill-Durham Blvd. (U.S. Highway 15-501) and Henderson Street (known as Old Whipple Service Station) area. Mr.

IAA762