

(1)

February 28, 1925.

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 12:15 P.M., Mayor Roberson presiding.

The Aldermen present were Messrs. G.M.Braune, J.M.Cheek and R.D.W. Connor.

Alderman-elect Mr. Carl T. Durham took the oath of office before Mayor Roberson as shown below:

NORTH CAROLINA

ORANGE COUNTY

I, C.T. Durham, do solemnly swear that I will faithfully and impartially discharge the duties of an alderman for the town of Chapel Hill, according to my best skill, ability and judgement.

Carl T. Durham

Subscribed and sworn to before me this the 28th day of February, 1925.

W. S. Roberson

Mayor of Chapel Hill.

The minutes of the meeting of the Board of Aldermen on January 30, 1925 were read and approved.

The Manager read a letter from the Attorney General stating the amendment to the charter of the Town of Chapel Hill providing for tax penalties was still in force but that he did not feel that the Town had the right to remit any portion of the tax penalty. Mayor Roberson stated that he was practically positive that the town did have this right. Upon motion of Alderman G.M.Braune, seconded by Alderman R.D.W. Connor the following resolution was duly passed, all the Aldermen present voting in the affirmative therefor.

Be It Resolved By The Board Of Aldermen Of The Town Of Chapel Hill:

Section 1. That in accordance with the ruling of the Attorney General of the State of North Carolina on February 5th, the amendment to the Charter of the Town of Chapel Hill in regard to tax penalties is hereby declared to be in full force and effect.

(2)

Section 2. That the penalty on taxes for the months of January, February and March is hereby remitted.

Section 3. That one-half the penalty imposed by law on taxes paid during the month of April is hereby remitted, making said penalty in April 2% instead of 4%.

Section 4. That the Tax Collector is hereby instructed to notify all persons who have not paid their taxes that there will be a 2% penalty on same after April 1st.

Alderman G.M.Braune stated that he was appointed as a committee of one to investigate the advisability of purchasing surveying instruments for the Town, and that he felt that he could get a 20% discount on the amount of \$635.00 reported at the last meeting for the cost of the complete equipment, but that he was not ready at the present time to recommend the purchase of this equipment. This matter was postponed until the next meeting of the Board.

The Clerk made the following certificate of the sufficiency of a petition received by him for the pavement of a portion of Franklin Street.

ORANGE COUNTY
NORTH CAROLINA

There having been lodged with me a petition requesting that certain improvements on Franklin Street from Columbia to Henderson Streets, said improvement to consist of paving the dirt portion on each side of the present concrete part of said street within the limits designated; having duly investigated the sufficiency of said petition as set up in Chapter 56, entitled, "An act Relating to Local Improvements in Municipalities", Public Laws of North Carolina, Session 1915, and it appears that more than 51 per centum of the abutting property owners representing more than 51 per centum of the property in said district have signed the said petition, I hereby certify that the said petition is sufficient in all respects, and complies with the act above referred to.

This the Ninth Day of February, 1925.

E. M. Knox
E. M. Knox, Clerk

Upon motion of Alderman R.D.W. Connor, seconded by Alderman G.M.Braune the following resolution was duly passed, all the Aldermen present voting in the affirmative therefor.

Be It Resolved By The Board Of Aldermen Of The Town Of Chapel Hill:

Section 1. That the petition for certain pavements on Franklin Street is hereby accepted.

(3)

Section 2. The Manager is hereby instructed to make all necessary plans and arrangements to ask for bids on this work so that the work can be started in the early spring.

The Manager for the Charter Committee reported that the Committee had changed its plan about a new Charter and proposed the following amendments to the present Charter, and that the old be enacted with these amendments included therein; the said amendments being as follows:

1. That section 11, Chapter 283, Private Laws of 1899 be amended by striking out this section and inserting in lieu thereof the words, "That on the first Tuesday after the first Monday in May, 1925, the qualified, registered voters of the Town of Chapel Hill, shall elect a Mayor and six Aldermen. Only qualified voters of said town shall be eligible to be elected Mayor or Alderman. The Mayor shall serve during a term of two years. The three candidates for aldermen receiving the highest number of votes shall serve for a term of four years; the three candidates for aldermen receiving the next highest number of votes shall serve for a term of two years. Biennially thereafter there shall be elected by the qualified registered voters of the Town of Chapel Hill a Mayor to serve for two years, and three aldermen to serve for four years. The said three aldermen shall fill the places of the three aldermen whose terms are expired."
2. That section 14, Chapter 283, Private Laws of 1899 is hereby amended by adding thereto the following, "And the names of the candidates shall be so printed on the official ballot that the name of each shall appear at the top of the list in an equal number of such ballots. Provided that this shall apply only to the official ballots printed by the town. In the election of May 1925, immediately above the names of the candidates for Aldermen shall appear the words, "Vote for Six," in subsequent elections immediately above such names shall appear the words, "Vote for Three." The ballots shall be printed upon plain substantial white paper, and shall be headed, "Candidates for the Office of Mayor of the Town of Chapel Hill," and, "Candidates for the Office of Aldermen of the Town of Chapel Hill," respectively.
3. That line 2, section 19, Chapter 283, Private Laws of 1899 be amended by striking out the words, "or justice of the peace," and inserting therein the words, "or any person empowered to administer oaths."
4. That Line 20, Section 26, Chapter 283, Private Laws of 1899 be amended by inserting after the words, "and determine all causes of action," the words, "in criminal cases."
5. That Line 1, Section 27, Chapter 283, Private Laws of 1899 be amended by striking out the words, "constables," and inserting in lieu thereof the words, "police officers."
6. That Lines 3, 4 and 5, Section 35, Chapter 283, Private Laws of 1899 be and the same are hereby declared amended by striking out the words, "who shall respectively hold their offices during the official term of the Aldermen and until their successors are qualified," and inserting in lieu thereof the words, "who shall hold their offices at the pleasure of the Board of Aldermen."

(4)

7. That Section 35, Chapter 283, Private Laws of 1899 be amended by adding thereto the words, "The Board of Aldermen may appoint a City Manager, prescribe his duties, fix his term of office, rate of compensation, and delegate to him such authority as it may deem advisable for the proper execution of his duties."

8. That Section 38, Chapter 283, Private Laws of 1899 be amended by striking out this section and inserting in lieu thereof the following:—"That every citizen shall be allowed to inspect the journals and papers of the Board of Aldermen, in the presence of the clerk, at all reasonable times."

9. That Section 40, Chapter 283, Private Laws of 1899 be amended by striking out this section and inserting in lieu thereof the following:—"That the Treasurer shall, under the direction of the Board of Aldermen, prepare and publish annually a statement of the financial condition of the Town and a statement of receipts and disbursements for the previous year. The account books of the Town shall be kept in such manner as prescribed by the Board of Aldermen. The Board of Aldermen shall have the power to require such audits of the accounts of the Town Officials as it may deem advisable."

10. That Sections 50, 51, and 52, Chapter 283, Private Laws of 1899, Chapter 467, Private Laws of 1913 and Chapter 212, Private Laws of 1917 be repealed and amended by inserting in lieu thereof the following:—"In order to raise funds for the current expenses of the Town, and thereafter for the improvement of same, and the payment of interest on its bonded debt, and the creation of a fund to meet the principal of that debt when due, the said Board of Aldermen shall at their first meeting in May, or as soon thereafter as practicable in every year, lay and provide for the collection of the following taxes: "A. (1) On real and personal property within the limits of the said town, and all other subjects taxable by the General Assembly of the State as specified and valued under the provisions of law, an ad valorem tax not exceeding the limit fixed by law on every one hundred dollars of such valuation of property for taxation for state and county purposes."

"a. (2) On all persons residing in said town on the first day of May in every year, subject to poll tax under the laws of the State, a poll tax not exceeding the limit fixed by law."

"B. (1) In addition to subjects listed for taxation, the Board of Aldermen is hereby authorized and empowered to impose taxes on trades, professions, franchises, privileges, licenses and other subjects of taxation, not inconsistent with the Laws and Constitution of the State of North Carolina. The Board of Aldermen shall have the power to graduate any of the license taxes on trades, professions, franchises, or any subject of taxation by dividing the same into classes, according to size, patronage, or income. Provided, the said taxes must be uniform for all of any class. Any person carrying on or practicing any franchise, business profession, or trade of any kind in said town upon which a license tax has been levied by the said Board of Aldermen without having first obtained a license therefor, shall be guilty of a misdemeanor."

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