

Minutes of the Meetings of the Board of Aldermen, Book 4, Page 1

September 9, 1925.

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 5 P.M., Mayor Roberson presiding. The Aldermen present were Messrs. G.M.Braune, R.D.W.Connor, M.E.Hogan and C.L.Wills. Aldermen C.T.Durham and B.S.Williams were not present and they did execute the following waivers of notice of this meeting:

We, the undersigned, being Aldermen of the Town of Chapel Hill, N.C., do hereby waive all of the requirements of the Charter of the Town of Chapel Hill as to notice of this meeting, and we do consent to the transaction of such business as may come before said meeting.

Witness our several hands this the 9th day of September, 1925.

C. T. Durham
B. S. Williams

The Manager brought up for discussion the construction of a sewer line to serve the area in the northeastern part of the Town. Dr. W.B.McNider was present and joined in the discussion. After much discussion and upon the motion of Alderman Hogan, seconded by Alderman Connor, the following resolution was duly passed.

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That a sewer line shall be constructed to serve that portion of the town east of Glenburnie Street and north of Franklin Street in accordance with the plan submitted by W.C.Olsen Co., Inc.

Section 2. That the committee of the department of Public Works is hereby instructed to work out a suitable method of financing so that by an assessment against the vacant lots served, the revenue derived from the extension will pay the interest on the investment and provide an amortization fund.

In accordance with recommendation of Mr. J.L.Morehead, Bond Attorney employed by the Town to approve the bond issues authorized by the Board of Aldermen, the following ordinances were brought up for discussion and upon motion and vote as recorded below were duly passed.

Upon motion of Alderman Connor, seconded by Alderman Hogan, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Connor, Braune, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of April

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April, 1924, authorizing the issuance of \$2,000 of Sewer Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Braune, seconded by Alderman Wills, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of May, 1924, authorizing the issuance of \$1,600 of Sewer Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Hogan, seconded by Alderman Braune, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of May, 1924, authorizing the issuance of \$3,050 Equipment Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Wills, seconded by Alderman Connor, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of May, 1924, authorizing the issuance of \$1,000 Real Estate and Building Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Braune, seconded by Alderman Hogan, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of December, 1924, authorizing the issuance of \$8,000.00 Curb and Gutter Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Connor, seconded by Alderman Wills, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

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BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 22nd day of December, 1924, authorizing the issuance of \$1,200 Storm Drainage, Sewer and Curb Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Connor, Seconded by Alderman Braune, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills., Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 6th day of July, 1925, authorizing the issuance of \$1,600 Sewer Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Hogan, seconded by Alderman Braune, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 6th day of July, 1925, authorizing the issuance of \$39,700.00 Curb and Gutter Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Wills, seconded by Alderman Connor, the following ordinance was adopted by the following vote. Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 6th day of July, 1925, authorizing the issuance of \$3,800 Sidewalk Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Upon motion of Alderman Hogan, seconded by Alderman Connor, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no" Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 6th day of July, 1925, authorizing the issuance of \$36,000 Street Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

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Upon motion of Alderman Braune, seconded by Alderman Wills, the following ordinance was adopted by the following vote: Those voting "aye", Aldermen Braune, Connor, Hogan and Wills. Those voting "no", Aldermen, none.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That that certain ordinance heretofore adopted by the Board of Aldermen of the Town of Chapel Hill on the 6th day of July, 1925, authorizing the issuance of \$10,700 Funding Bonds, be and the same is hereby repealed, rescinded, made null and void and of no effect.

Alderman Braune then introduced certain bond ordinances entitled, "AN ORDINANCE AUTHORIZING \$80,000 STREET IMPROVEMENT BONDS", and "AN ORDINANCE AUTHORIZING \$27,500 SEWER BONDS", and "AN ORDINANCE AUTHORIZING \$4,500 STREET EQUIPMENT BONDS", and "AN ORDINANCE AUTHORIZING \$4,500 FUNDING BONDS".

The Board then designated the Town Manager as the officer to make and file with the Clerk of the Board a statement of the debt, and assessed valuation of the Town. The Manager then made and filed said statement.

The ordinance to authorize the Town of Chapel Hill to issue \$80,000 Street Improvement Bonds, was then brought up for consideration and upon motion of Alderman Hogan, seconded by Alderman Connor, was duly adopted, all the Aldermen present voting in the affirmative therefor, to-wit: Aldermen G.M.Braune, R.D.W.Connor, M.E.Hogan, and C.L.Wills, said ordinance being as follows:

AN ORDINANCE

AUTHORIZING \$80,000

STREET IMPROVEMENT BONDS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the Town of Chapel Hill do issue its bonds pursuant to the Municipal Finance Act to an amount not exceeding \$80,000 for the purpose of constructing or reconstructing the surface of streets therein, including grading, and including the contemporaneous construction or reconstruction of curbs, gutters and drains, and sidewalks, at least one-fourth of the cost of which local improvements, exclusive of cost of paving at street intersections, is to be specially assessed.

Section 2. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 3. That a statement of the debt of the Town has been filed with the Clerk and is open to public inspection.

Section 4. That this ordinance shall take effect upon its passage and shall not be submitted to the voters.

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The ordinance to authorize the Town of Chapel Hill to issue \$27,500 Sewer Bonds was then brought up for consideration and upon motion of Alderman Braune, seconded by Alderman Wills, was duly adopted, all the Aldermen present voting in the affirmative therefor, to-wit: G.M.Braune, R.D.W.Connor, M.E.Hogan, and C.L.Wills, said ordinance being as follows:

AN ORDINANCE

AUTHORIZING \$27,500

Sewer Bonds.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the Town of Chapel Hill do issue its bonds pursuant to the Municipal Finance Act to an amount not exceeding \$27,500 for the purpose of extending the present existing sanitary sewer system.

Section 2. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 3. That a statement of the debt of the Town has been filed with the Clerk and is open to public inspection.

Section 4. That this ordinance shall take effect thirty days after its first publication unless in the meantime a petition for its submission to the voters is filed under said act, and that in such event it shall take effect when approved by the voters of the Town at an election as provided for in said act.

The ordinance to authorize the Town of Chapel Hill to issue \$4,500 Street Equipment Bonds was then brought up for consideration and upon motion of Alderman Connor, seconded by Alderman Wills, was duly adopted, all the Aldermen present voting in the affirmative therefor, to-wit: G.M.Braune, R.D.W.Connor, M.E.Hogan, and C.L.Wills, said ordinance being as follows:

AN ORDINANCE

AUTHORIZING \$4,500

STREET EQUIPMENT BONDS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the Town of Chapel Hill do issue its bonds pursuant to the Municipal Finance Act to an amount not exceeding \$4,500 for the purpose of purchasing equipment and apparatus for use in the street department of the municipality.

Section 2. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

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Section 3. That a statement of the debt of the Town has been filed with the Clerk and is open to public inspection.

Section 4. That this ordinance shall take effect thirty days after its first publication unless in the meantime a petition for its submission to the voters is filed under said act, and that in such event it shall take effect when approved by the voters of the Town at an election as provided for in said act.

The ordinance to authorize the Town of Chapel Hill to issue \$4,500 Funding Bonds was then brought up for consideration and upon motion of Alderman Hogan, seconded by Alderman Braune, was duly adopted, all the Aldermen present voting in the affirmative therefor, to-wit: G.M.Braune, R.D.W.Conner, M.E.Hogan and C.L.Wills, said ordinance being as follows:

AN ORDINANCE
AUTHORIZING \$4,500

FUNDING BONDS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the Town of Chapel Hill do issue its bonds pursuant to the Municipal Finance Act to an amount not exceeding \$4,500 for the purpose of funding and paying a like amount of valid subsisting indebtedness of said Town now outstanding and created before December 5, 1921, which indebtedness is evidenced by notes due or to become due within one year from the passage of this ordinance.

Section 2. That the face amount of all floating indebtedness of the Town of Chapel Hill, which is now outstanding and which was created and outstanding prior to December 5, 1921, the same having been canvassed and ascertained by this Board, is \$4,500.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Town has been filed with the Clerk and is now open to public inspection.

Section 5. That this ordinance shall take effect upon its passage and shall not be submitted to the voters.

THE QUESTION OF THE TAX RATES AND THE POLL FOR THE YEAR 1925-26 was then brought up for discussion and upon motion of Alderman M.E.Hogan, seconded by Alderman C.L.Wills, the following tax rates and polls were duly adopted:

TAXES.

Town Operation	\$.50 per \$100.00
Town Bonds	.15
Total Town	\$0.65

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TAXES CON'T.

School Operation	.50	per \$100.00	
School Bonds	<u>.20</u>	" "	
Total School			<u>\$0.70</u>
Total all taxes			\$1.35

POLLS

Town Operation	\$1.00	per \$100.00	
Town Bonds	<u>.45</u>	" "	
Total Town			\$1.45

School operation	\$1.50	per \$100.00	
School Bonds	<u>.60</u>	" "	
Total Poll			<u>2.10</u>
			3.55

The Manager presented petition from the property owners:

For curb and gutter construction:

Vance Street
Ransome Street

For street light installation:

East Rosemary Lane
Ginghous Development
Cook Street
Booker Development

These petitions were referred to the Aldermen committees.

The Board of Aldermen of the Town of Chapel Hill adjourned at 6:15 P.M.

W.S.Reberson, Mayor

W.S. Reberson
Clerk

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September 17, 1925.

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 5:30 P.M., Mayor Roberson presiding. The Aldermen present were Messrs. C.T.Durham, M.E.Hogan, B.S.Williams and C.L.Wills. Aldermen R.D.W.Connor and G.M.Braune were not present and they did execute the following waivers of notice of this meeting:

We, the undersigned, being Aldermen of the Town of Chapel Hill, N.C., do hereby waive all of the requirements of the Charter of the Town of Chapel Hill as to notice of this meeting, and we do consent to the transaction of such business as may come Before said meeting.

Witness our hands, this the 17th day of September, 1925.

G.M. Braune

THE QUESTION OF BORROWING MONEY TO CARRY ON THE STREET IMPROVEMENTS was then brought up for consideration and upon the motion of Alderman C.T.Durham, seconded by Alderman C.L.Wills, the following resolution was duly passed, all the Aldermen present voting in the affirmative therefor, to-wit: Aldermen C.T.Durham, M.E.Hogan, B.S.Williams and C.L.Wills; said resolution being as follows:

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That in order to anticipate the receipts of the proceeds from the sale of \$80,000.00 Street Improvement Bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the 9th day of September, 1925; said ordinance having duly taken effect upon its passage, and for the purpose of carrying on and completing the work for which the bonds were issued it is necessary to borrow the sum of \$15,000 in anticipation of the said sale.

Section 2. That a temporary loan of \$15,000 shall be made bearing interest of not more than 6% per annum and maturing not later than September 9, 1927, said loan shall be evidenced by a note and the Mayor and the Clerk are hereby instructed to fix the face amount of said note and the rate of interest it shall bear and to fix the date of maturity, all within the limitations herein set forth, and with the power to dispose of said note to the best advantage.

Section 3. That the said note shall be signed by the Mayor and countersigned by the Clerk under the corporate seal of the Town and shall be substantially in the following form:

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UNITED STATES OF AMERICA

STATE OF NORTH CAROLINA

TOWN OF CHAPEL HILL

BOND ANTICIPATION NOTE.

No. _____

\$15,000.00

KNOW ALL MEN BY THESE PRESENTS that the Town of Chapel Hill in the State of North Carolina for value received hereby promises to pay to _____ on _____ the principal sum of FIFTYTHREE THOUSAND DOLLARS (\$53,000), with interest at six percent per annum payable at the Town Office, Chapel Hill, N.C., in advance.

THIS NOTE IS GIVEN FOR MONEY borrowed in the amount of the face of this note in anticipation of the receipt of the proceeds from the sale of bonds in full compliance with the Municipal Finance Act and resolutions duly passed by the Board of Aldermen of said Town.

IT IS HEREBY CERTIFIED AND RECEITED that all acts, conditions and things required by the laws and constitutions of North Carolina to happen, exist, and be performed precedent to and in the issuance of this note, have happened, existed and have been performed in regular and due form and time as so required, and that the total indebtedness of the town, including this note, does not exceed any constitutional or statutory limitations thereon.

IN WITNESS WHEREOF the Town of Chapel Hill has caused this note to be signed by its Mayor and countersigned by its Clerk, under its corporate seal, all as of the _____ day of _____, 1925.

Mayor

Countersigned:

Clerk

Section 4. That before the said note is issued, it shall be approved by the attorney for the Town, and his approval endorsed on said note in substantially the following form:

I, A.C. McIntosh, Attorney for the Town of Chapel Hill, North Carolina, do hereby approve the within note and do state that said note constitutes a valid and binding obligation of the Town of Chapel Hill.

Town Attorney

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The Manager brought up for discussion the disposition of petitions for the installation of street lights, which petitions were in the hands of Alderman R.D.W.Connor, Chairnam of the Street Light Committee. The Manager stated that Alderman Connor had indicated to him his approval of the street light on the East extension of Rosemary Lane. After considerable discussion and upon motion of Alderman C.T.Durham, seconded by Alderman C.L.Wills, the following resolution was duly adopted:

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That all action on petitions received by this Board for the installation of street lights shall be delayed until estimates of the cost of same shall have been received from the Supt. of the Electric Division of the Consolidated Service Plants.

Mayor Roberson stated that the School Board had not received payment for the site for the Sewage Treatment Plant due to the fact that he had been unable to secure a complete release from all parties holding mortgages on the property, but that the holder of the first mortgage and the holder of the third mortgage had signed the release that the holder of the second mortgage had agreed to sign said release. Upon motion of Alderman C.L.Wills, seconded by Alderman C.T.Durham, the Manager was instructed to make a payment to the School Board in the amount of \$4,000.00 on the condition that the additional mortgage holder should sign the release as required and that it should be filed for registration in the very near future.

Rev. Walter Patton appeared before the Board in regard to the use of private incinerators by the merchants in the business block. Mr. Patten stated that the smoke from the incinerators in the rear of the stores on the south side of Franklin Street was causing considerable damage to the exterior and interior of the new Methodist Church Building. Upon motion of Alderman M.E.Hogan, seconded by Alderman C.L.Wills, the following ordinance was duly passed, all the Aldermen present voting in the affirmative therefor, to-wit: Aldermen C.T.Durham, M.E.Hogan, B.S.Williams and C.L.Wills; said ordinance being as follows:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. That the private incinerators used in the rear of the business places on Franklin Street are hereby declared a fire hazard and a nuisance.

Section 2. That the use of the said incinerators is hereby prohibited in that section between Rosemary Lane on the North, the Presbyterian

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Church on the East, University Campus on the South and the Methodist Parsonage on the West.

Section 3. That this ordinance shall take effect upon its passage.

Section 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That any firm, person or corporation found guilty of violating any section of this ordinance shall be fined the sum of \$50.00 for each and every offense.

The Board of Aldermen of the Town of Chapel Hill adjourned at 6:15 P.M.

Section 1. That it is the duty of W.S. Roberson, Mayor, and E.M. Kuyf, Clerk, to issue and sell the \$27,000 Street Improvement Bonds and the \$27,000 Street Equipment Bonds, which were duly authorized by the Board of Aldermen on September 3, 1923, for the purposes set forth in said ordinance; said bonds shall be combined into one issue, aggregating \$54,000 Public Improvement Bonds.

Section 2. That the proceeds derived from the sale of said bonds shall be used only for the purposes set forth in the ordinance of September 3, 1923; and that the surface of the streets and highways constructed and reconstructed with the proceeds from the sale of the Street Improvement Bonds shall be of sheet asphalt, bitulithic or bituminous concrete laid on a solid foundation, or of concrete.

Section 3. That the petitions of property owners have been filed with this Board praying for street improvement of the character authorized by said Street Improvement Bond ordinance of September 3, 1923, and this resolution, praying that a certain portion of the cost thereof be specially assessed, which portion exceeds one-fourth of the estimated cost of the work, and that the estimated cost of the work so petitioned for is \$20,000.

Section 4. That the probable period of usefulness of the improvement of property for which the said bonds are to be issued is, respectively, for the Street Improvement Bonds twenty years from September 3, 1923; for the Street Equipment Bonds forty years from September 3, 1923; and for the Street Improvement Bonds ten years from September 3, 1923; and the average of said periods, taking into consideration the amount of bonds that is to be issued for each purpose or item for which a period is determined, is a period ending August 28, 1943; all of said dates being computed from a date one year after the date of the ordinance authorizing said bonds.