September 15, 1926

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 8:15 P.M., Mayor Roberson presiding and the following Aldermen present: Messrs. G.M. Braune, R.D.W. Connor, C.L. Eubanks, C.L. Wills and B.S. Williams.

The minutes of the meetings of the Board of Aldermen on June 14, June 18, June 25, July 12, July 16, July 17, July 21, August 3, August 9, August 10, and September 8, were read and approved.

Alderman elect C.L. Eubanks took the oath of office as shown below:

NORTH CAROLINA

ORANGE COUNTY

I, C.L. Eubanks, 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 judgment.

Clyde Eubanks

Subscribed and sworn to before me, this the 15 day of September, 1926

W. S. Roberson

Mayor of Chapel Hill

The Manager reported to the Board that several complaints had been filed against the way in which the Plumbing Inspector was performing his duties and stated further that this matter had not been brought to the attention of the Board previously, on account of the fact that there was no available man to succeed Mr. Long in case these complaints were found to be true and in case it was necessary to ask him to resign. After much discussion and upon motion of Alderman Connor, seconded by Alderman Braune, the Manager was instructed to notify the Plumbing Inspector that complaints had been made against him and inform him to appear before the Board of Aldermen at their next meeting for the purpose of having an investigation of the said complaints, and that in case Mr. Long should tender his resignation before the next meeting of the Board, the Manager is hereby authorized to appoint his successor.

The Manager then brought up for consideration the necessity of passing an ordinance clearly defining the relation of the Manager to the Board of Aldermen and the duties and authority of the Manager. It was pointed out in the discussion that the ordinances authorizing the establishment of the position of Manager were very inaptly drawn and that there were many ways under which misunderstandings might arise. The Manager presented ordinances covering this idea and upon motion of Alderman Connor, seconded by Alderman Wills, the Manager was instructed to send to each member of the Board copies of the proposed ordinance and to obtain an expression in regard to the same from the Town Attorney.

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The Street Committee made the following report in regard to a petition from the abutting property owners for an alley between Franklin and Rosemary Streets extending from Henderson to Columbia Streets:

Hon. Mayor and Board of Aldermen,
Town of Chapel Hill

Gentlemen:

Concerning the petition from the abutting property owners for an alley between Franklin Street and Rosemary Street, extending from Henderson to Columbia Streets, your street committee have carefully considered this question.

In view of the opposition from certain abutting property owners and because, in the opinion of your street committee, of the great expense involved in opening up this alley, we respectfully report that in our opinion the petition should not be granted.

Respectfully yours,

B.S. Williams

G.M. Braune

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Upon motion of Alderman Connor, seconded by Alderman Wills, the said report of the Street Committee was duly accepted and the Manager was instructed to make arrangements with Mr. Sorrell for securing an easement on the back of the proposed building.

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The Improvement Committee recommended that the petition from the property owners be accepted and that concrete curb and gutter, along with the street grading and surfacing, including drainage, be constructed on Rosemary Street from Columbia to Church Streets.

The Improvement Committee recommended that the petition from the property owners be accepted and that concrete curb and gutter along with street grading, drainage and surfacing be constructed on Boundary Street from Franklin to North Street.

The question of the authorization in due form of these petitions was then brought up for consideration and upon motion of Alderman Wills, seconded by Alderman Connor, the following resolution was duly adopted:

Whereas, it appears to the Board of Aldermen that a petition has been lodged with the Clerk of said Town, requesting that certain local improvements be made on the streets of the Town as follows:

1. The construction of concrete curb and gutter, establishment of a permanent grade, the construction of drainage and surfacing on Rosemary Street from Columbia to Church Street.

2. The construction of concrete curb and gutter , the establishment of a permanent grade, the construction of drainage and surfacing on Boundary Street from Franklin to North Street.

"And, whereas, from the certification of the Clerk this day submitted, it appears that said petitions in every particular conform to the requirements of Chapter 56 of the Public Laws of 1915, and amendments thereto, (Consolidated Statutes 2703 etse), and are signed by a majority of the property owners on each of the said streets, representing a majority of all lineal feet of frontage on each of the said streets.

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

Section 1. That said petition enumerated above are hereby determined to be sufficient and to be in full conformity with the provisions of the law above referred to, to-wit: Chapter 56 of the Public Laws of 1915, and amendments thereto.

Section 2. That the Manager is hereby instructed to do the said work enumerated above in accordance with contracts and previous resolutions of the Board of Aldermen.

Section 3. That 50% of the total costs of said improvements on Rosemary Lane and Boundary Street, exclusive of such costs as is incurred at street intersections, be specially assessed against the property owners on property abutting on said streets, proportionately as provided by the law, and that the assessments herein provided for shall be payable in ten equal annual installments on the date on which taxes are due and payable, beginninb with the year 1927 and ending with the year 1936.

Section 4. That the owners of all property abutting on said streets within said limits shall connect their premises with water lines and sewer mains located in streets adjacent to their premises in the manner prescribed by the law and the ordinances of the Town.

Section 5. That notices of assessments shall be made as provided in Section 3 against the property owners and their property, shall be given when such assessments shall have been made as is required by the said

Chapter 56 of the Public Laws of 1915, and amendments thereto; and that these notices be published as required by said act, and such publication shall consitute notices to all persons owning said property, as provided by law.

Section 6. That the said local improvements shall not be made until bonds of the Town of Chapel Hill shall have been authorized for said purpose

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The Improvement Committee recommended that the pavement of Columbia Street be widened three feet on the East side and six feet on the West side of said street, making the total width of the street 64.4 ft. Upon motion of Alderman Wills, seconded by Alderman Connor, this recommendation was accepted and the Manager was instructed to incorporate this within the improvements.

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The Street Committee recommended that the Town take over and maintain the street known as Senlac Road through the Booker Development and the street through what is know as Patterson Place . Upon motion of Alderman Braune, seconded by Alderman Eubanks, the following resolution was duly adopted:

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

Section 1. That the report of the Street Committee is hereby accepted and that the street known as Senlac Road through the Booker Development and the street known as Patterson street through Patterson Place are hereby accepted by the Town and shall be forever maintained by the Town, provided that a deed showing the length and width of these streets be presented to the Town.

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The Street Committee further recommended that the petitioners for the taking over and maintaining of the following streets be advised of the Town's requirements in regard to the taking over of new streets and informed that when same has been completed the Street Committee will meet at any time to determine if the requirements have been complied with, the streets being as follows:

Sunset Drive and Craig Street
West University Drive
Kenan Street
Gimghoul Road from Raleigh Road to corporate limits.

Upon motion of Alderman Wills, seconded by Alderman Connor, this report of the Street Committee was accepted and the Manager was instructed to inform the said petitioners that the Town required that all streets be graded, surfaced and adequate drainage provided thereon, all to the approval and

under the supervision of the Street Committee.

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The Manager called attention to the fact that the Cemetery Committee had not made a report concerning the locating of a new cemetery.

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Alderman Wills brought up for consideration the question of taxes charged W.S. Hogan for back taxes. In the discussion it was brought out that Mr. Hogan's property had always been listed for taxation as being without the corporate limits of the Town and that in April, 1925, the Town did establish the corporate lines and at that time it was determined that Mr. Hogan's property was within the corporate limits of the Town and thereupon taxes were charged to him for the years 1924, 1923 and 1922. It was clearly brought out that Mr. Hogan acted in good faith when he had failed to list his property for Town taxes and that it seemed unjust, after determining the line, to tax him for three years previous to this time. Upon motion of Alderman Connor, seconded by Alderman Wills, the Manager was authorized to refund to Mr. Hogan the taxes charged against him for the years 1922, 1923 and 1924.

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The Manager brought up again for consideration the claim by a former employee of the Town's Street Division for damages which he was supposed to have sustained while in the employ of the Town. Correspondence in regard to this matter was read to the Board. Upon motion of Alderman Connor seconded by Alderman Williams, the Manager was instructed to confer with the Attorney on this question and report to the Board.

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The assessments scroll for the improvement work completed in 1925 and 1926 was presented to the Board and upon motion of Alderman Braune, seconded by Alderman Wills, was duly approved; the assessments being as follows:

Curb and Gutter

Rosemary Street from Boundary to Hillsboro	$1.00	per Lineal ft.
Cameron Ave from Columbia to Mallett	.96	" "
Cameron Ave. from Mallett to corporate limits	1.03	" "
Mallett St. from Cameron to Franklin Street	.85	" "
Pittsboro from Cameron Ave to corporate limits	.98	" "
Henderson Street from Franklin to North	1.02	" "
Ransome from Cameron to McCauley	.69	" "
McCauley from Ransome to corporate limits	1.00	" "

Sidewalks

Henderson	.68	" "

Sewer Disposal Plant

University's portion $19,901.79

Pavement

Franklin from Columbia to Henderson	$3.45 per l. ft.
Franklin from Henderson to Hillsboro	2.71 " "
Columbia from Franklin to Cameron Ave.	3.00 " "

An Ordinance authorizing the Town of Chapel Hill to borrow $8,500.00 in anticipation of the sale of $8,500.00 Sewer Bonds was then brought up for consideration and upon motion of Alderman Wills, seconded by Alderman Braune, the following resolution was duly passed, all the Aldermen voting in the affirmative thereofr, to-wit: Aldermen G.M. Braune, R.D.W. Connor, C.L. Eubanks, C.L. Wills and B.S? Williams, said resolution 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 $8,500.00 sewer bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the 18th day of June,1926; said ordinance having taken effect on September 11, being 30 days after its first publication, it is necessary to borrow the sum of $8,500.00 in anticipation of the said sale.

Section 2. That a temporary loan of $8,500.00 shall be made bearing interest at not more than 6% per annum and maturing not later than September 11, 1927, said loan shall 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:

UNITED STATES OF AMERICA

STATE OF NORTH CAROLINA

TOWN OF CHAPEL HILL

BOND ANTICIPATION NOTE

No. ___ $_____

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 _____

_____ the principal sum of _____

_____ with interest at six per cent

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 FinanceAct and resolutions duly passed by the Boafd of Aldermen of said Town.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by laws and constitution of North Carolina to happen, exist and be performed precedent to and in the issuance of this note, have happended, 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 limitation 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 the copporate seal of the Town, all as of the _____ day of _____ 1926.

_____

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

_____

Town Attorney

An Ordinance authorizing the Town of Chapel Hill to borrow $7,000.00 in anticipation of the sale of $7,000.00 General Equipment Bonds was then brought up for consideration and upon motion of Alderman Connor, seconded by Alderman Wills, the following resolution was duly passed, all the Aldermen present voting in the affirmative therefor; to-wit: G.M. Braune, R.D.W. Connor, C.L. Eubanks, C.L. Wills and B.S. Williams, 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 receips of the proceeds from the sale of $7,000.00 General Equipment Bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the 10th day of August, 1926, said ordinance having taken effect on the 11th day of September, being 30 days after its first publication, it is necessary to borrow the sum of $7,000.00 in anticipation of the said sale.

Section 2. That a temporary loan of $7,000.00 shall be made bearing interest at not more than 6% per annum and maturing not later than September 11, 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:

UNITED STATES OF AMERICA

STATE OF NORTH CAROLINA

TOWN OF CHAPEL HILL

BOND ANTICPATION NOTE

No. ____ $ _____

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 _____ with interest at six per cent 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 RECITED that all acts, conditions and things required by laws and constitution of North Carolina to happen, exist and be 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 the corporate seal of the Town, all as of the _____ day of _____ 1926.

_____
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, _____, 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

There being no further business the Board of Aldermen of the Town of Chapel Hill adjourned at 10:15 P.M.

W.S. Roberson, Mayor

Sarah Merritt Clerk