

November 8, 1926

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 7:45 P. M., with Mayor Roberson presiding and the following Aldermen present:- Messrs. G. M. Braune, R.D.W. Connor, M.E. Hogan, C. L. Wills and B.S. Williams.

The minutes of the meeting of the Board of Aldermen on October 11th and October 20th were read and approved.

Mr. Pendergraft, representing the Durham Auction Co., was present to request that the Board rebate to them a fee of \$50.00 charged under the regular license ordinance for conducting an auction sale of real estate in town. The matter was discussed but no action was taken.

The manager read the following communication from Mr. B.B. Lane concerning damages to his automobile caused by running into the mushroom traffic light at the intersection of Hillsboro and Franklin Streets when the same was unlighted:

Chapel Hill, N. C.,
November 4, 1926

Mr. E. M. Knox,
City Manager,
Chapel Hill, N. C.

Dear Sir:

The lights in the middle of Franklin street to guide automobiles in turning have been out several nights for a week or more those by the Baptist Church and Strowd's filling station have been out, and some two or three nights the one by the post office has been out. On the night of October 30, I was coming up Franklin street westward, following a car at a distance of about 25 feet. The light by the post office was not shining. Suddenly the car ahead shied to the right to avoid the glass and metal obstruction in the middle of the street there. A moment afterwards a car was coming into Franklin street from the north: to turn as far to the right as the man ahead did would have meant a collision. It was impossible to see the covering for the light that should have been shining in the middle of the street, and thought I had to turn out to avoid it, my rear left wheel struck it. A hole was torn in it, through both casing and inner tube. A new casing and tube cost me that night \$17.00. The tire that was damaged was a new tire. I was traveling at a moderate rate

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of speed, and with no light showing at the corner, it was impossible to avoid the damage. I will thank you to file this claim, therefore, for \$17.00 damage, and for prompt consideration and allowances of the claim. The damaged car is licensed by the city and state in the name of Mr. B.B. Lane.

Very truly yours,

Benjamin B. Lane.

After discussion and upon motion of Aldermen Connor, seconded by Alderman Braune, the claim was granted and the manager was instructed to pay to Mr. Lane \$17.00 in accordance with claim filed.

The manager reported for the Pavement Local Improvement Committee the approval of the construction of concrete curbs and gutters on Gimghoul Road from its intersection with Raleigh Road to the Eastern limits of the Town in accordance with a petition received from the property owners, provided that the Gimghoul Fraternity would pay the cost of all grading and surfacing. Mr. Hickerson, representing the Gimghoul Fraternity, stated that he could not agree to pay the cost of the surfacing and grading because the road was put in good condition and properly surfaced when petition was first made to the Town to take over and maintain the same two years ago, and that he felt that this work should be on the same basis it was done in other sections of Town and in accordance with the petition received from the property owners. Mr. D.D. Carroll, representing the property owners was present and took part in the discussion. Finally, Mr. Hickerson stated that the Gimghoul Fraternity would pay the sum of \$300.00 on the surfacing and would furnish the gravel from its pit. After much discussion and upon motion of Aldermen Connor, the following resolution was duly adopted, all the Aldermen present voting in the Affirmative therefor.

Whereas, it appears to the Board of Aldermen of the Town of Chapel Hill that a petition has been lodged to the Clerk of said Board, requesting that certain local improvements be made on Gimghoul Road from Raleigh Road to the Eastern Limits of the Town, the said improvements consisting of the construction of concrete curbs and gutters.

And, whereas, from the certification of the Clerk this day submitted it appears that the said petition in every particular conforms to the requirements of Chapter 56 of the Public Laws of North Carolina of 1925 and amendments thereto, (Consolidated Statutes, Section 2703, Ect.), and is signed by a majority of the property owners, representing a majority of all linear feet of frontage on said street.

And, whereas, the Gimghoul Fraternity has agreed to pay the sum of \$300. on the surfacing of the said street after the construction of the said curb and gutter and the further agreed to furnish all gravel necessary for said surfacing without cost to the Town; now therefore,

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

Section 1. That the said petition is 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 and authorized to immediately take such steps as may be necessary to have the said improvements constructed in accordance with contracts and previous resolutions of the said Board of Aldermen.

Section 3. That 50% of the total cost of the said improvement, exclusive of such costs as are incurred at street intersection, be especially assessed against the property owners of all the abutting property on the said street, proportionately, as provided by law, and that the assessment hereby provided for shall be payable in ten equal annual installments to be paid with the municipal taxes and due and payable, beginning with the year 1927 and ending with the year 1936.

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

Section 5. That assessments shall be made, as provided in Section 3, against the property owners of their property, and notice shall be given when such assessment shall have been made as required by the said Chapter 56 of the Public Law of North Carolina and amendments thereto; and these notices shall be published as required by the said act, and such publication shall constitute notices to all property owners on said street as required 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 the said purpose.

The Manager further reported for the Permanent Local Improvement Committee that it had approved the construction of concrete curbs and gutters on West University Drive from Pittsboro Street to Ransome Street in accordance with the petition from the property owners asking that seventy-five per cent (75%) of the cost be assessed against them; and, the construction of concrete curbs and gutters on Ransome Street from West University Drive to Vance Street in accordance with the petition from the property owners asking that seventy-five per cent (75%) of the cost be assessed against them; and, the construction of concrete curb and gutters on Ransome Street from Vance Street from McCauley Street in accordance with the petition received from the property owners asking that 50% of the cost assessed against them. In the discussion it was pointed out that the

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difference in the assessment was due to the fact that west University Drive and Ransome Street from McCauley Street to West University Drive had never been taken over by the Town. The additional Twenty-five per cent (25%) of the Cost being calculated to pay the entire cost of grading and surfacing. Upon motion of Alderman Wills, seconded by Alderman Connor, all the Aldermen present voting in the affirmative therefor.

Whereas, it appears to the Board of Aldermen of the Town of Chapel Hill that a petition has been lodged with the Clerk of said Board requesting that certain local improvements be made

1. On West University Drive from Pittsboro Street to Ransome Street
2. On Ransome Street from West University Drive to Vance Street.
3. On Ransome Street from Vance Street to McCauley Street

the said improvements consisting of the construction of concrete curbs and gutters.

And, whereas, from the certification of the Clerk this day submitted, it appears that the said petitions in every particular conforms to the requirements of Chapter 56 of the Public Laws of North Carolina of 1915 and amendments thereto, (Consolidated Statutes, Section 2703). and are signed by a majority of the property ~~of~~ owners on each street, representing a majority of all linear feet of frontage on each of the said streets; and therefor;

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

Section 1. That the said petitions 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 amendment thereto.

Section 2. That the manager is hereby instructed and authorized to immediately take such steps as may be necessary to have the said improvements constructed in accordance with contracts and previous resolutions of the said Board of Aldermen.

Section 3. That seventy - five per cent (75%) of the total cost of the said improvements on West University Drive, Seventy - five per cent (75%) of the total cost of the said improvement on Ransome Street from West University Drive to Vance Street, and fifty per cent (50%) of the total cost of the said improvement on Ransome Street from Vance Street to McCauley Street, exclusive of such costs as are incurred at street intersections, be especially assessed against the property owners of all the abutting property on each of the said streets; proportionately, as provided by law, and the assessment hereby provided for shall be payable in ten equal annual installments, beginning with the year 1927 and ending with the year 1936.

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

Section 5. That assessment shall be made, as provided in Section 3, against the property owners on their property, and notice shall be given when such assessments shall have been made as required by the said Chapter 56 of the Public Laws of North Carolina and amendments thereto; and these notices shall be published as required by the said act, and such publication shall constitute notice to all property owners of said street as required 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 the said purpose.

The manager, reporting further for the Permanent Local Improvement Committee, presented a petition from the property owners requesting that concrete curb and gutter be constructed on North Street from Hillsboro to Boundary Streets and stated that the committee had not approved this petition because it did not consider it wise to attempt further construction work before next spring. Upon motion of Aldermen Connor, seconded by Alderman Wills 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 Permanent Local Improvement Committee be accepted and approved and no further street improvements are to be attempted before next spring.

Section 2. That the petition from the property owners on North Street be retained by the Clerk for further consideration.

The Manager reported, for the Committee appointed to investigate charges against the official conduct of the Plumbing Inspector, that the committee had obtained the services of Mr. J. T. Still, Plumbing Inspector of the City of Durham, and Mr. Paschall, a plumbing contractor in Durham, to make an inspection of a number of plumbing jobs which had been inspected and approved by the local Plumbing Inspector, and that their report was contained in the following letter.

October 26th, 1926.

Mr. E. M. Knox,
City Manager,
Chapel Hill, N. C.

Dear Sir:

As requested by you, we, the undersigned made a survey of the following plumbing Installations in Chapel Hill and beg to submit our report on conditions as found. To insure this report being unbiased we had the houses numbered in rotation, so that we would not know which of the plumbing contractors did the work.

1 Short quarter bend at foot of soil stack, without cleanout plug, instead of proper fittings with cleanout plug, water pipe fittings used in waste pipes instead of full bore drainage fittings. Tub trap made of same kind of fittings, which has a tendency to cause stoppage in the pipes. Slip joint traps at lavatory instead of screwed trap.

2 Water pipe fittings used in sink waste pipe Workmanship poor.

#3 Tub & Lavatory is not vented, or cannot be seen.

5 Bell trap connected to sewer, this is extremely dangerous. Work very badly arranged.

5 Green: Same as # 5

6 Waste pipe from sink has fall to house instead of sewer X Next to Victor Wade.

Lead spud under closet too short.

7 Water pipe fittings in sink waste pipe. Galvanized pipe in ground (this should be cast iron) waste pipe open from sewer

8 Lavatory & Tub waste pipe too small, with water pipe fittings. No fall in waste pipe. Wrong trap or lavatory ad sink. Soil pipe very badly arranged water pipes have no protection. Soil pipes not supported properly.

9 O. K. ----- # 10 O.K.

12 Lead spud under closed too short, wrong fitting at foot of soil no roof flasing.

13-----O. K. ----- # 14----- O. K.

Fowler House

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The 4 inch vent stops under roof. (should be carried above roof # 16 Bell strap in toilet room connected to sewer waste pipe not properly graded for fall.

The above survey has, in our opinion, clearly demonstrated the necessity of having a competent inspector to pass on the work, because no law is better than its enforcement, and we would therefor recommend that a good plumbing code be procured and enforced, and that your inspector be a man of practical experience in plumbing, giving his whole time to municipal work if possible.

Signed

John F. Still
L.P. Paschall

Mr. D. S. Long, Plumbing Inspector, was present and upon being asked, stated that as he understood plumbing ordinances, all of the jobs he had approved complied with the provisions of the same. In the discussion, it was brought out that the Plumbing Inspector had not issued a certificate of final inspection, as provided for by the ordinance, during the five or six years he had been in office because he had not been specifically called upon for the same. The Manager stated that the Plumbing Inspector received his salary on the basis of inspections made and the signed inspections on file in his office. The suggestion was made that the Plumbing Inspector be allowed to inspect some of the work again in company with the committee to be certain that no charges had been made since his inspections. This matter was referred back to the Committee with this suggestion.

Fire District

The Manager stated that it had come to his attention that several buildings had been constructed in the Fire District which did not comply with the State Building Code, and that upon his request Mr. Sherwood Brockwell from the State Insurance Department had made an inspection of these buildings. Mr. Brockwell, who was present, was then introduced to the Board. Mr. Brockwell stated that he had made an inspection of the Fire District and had found several buildings therein which did not comply with the requirements of the State Building Laws. The State Laws regarding construction of building within the Fire Districts were then fully explained. Mr. Brockwell suggested that immediate steps be taken to have all buildings removed from the Fire District which did not comply with the Building Laws. It was suggested that the Town should have a complete Building Code of its own supplementing the State Laws. Mr. Brockwell stated that he would be glad to render any assistance possible in this matter. Upon motion this matter was referred to the Committee of Public Safety and Aldermen Hogan and Connor were asked to serve with Alderman Wills, chairman of the Committee of Public Safety in working out this matter.

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The Manager stated that the University Cafeteria was to give to the Firemen a banquet on Friday, November 12th, at 8P. M. and that all the Aldermen were especially requested to be present.

The purchase of the 1911 Power Bonds was approved as soon as some of the sinking fund money was available but that at the present time this money was invested and was not available for immediate use. When the sinking fund was placed in the ----- that this money would remain on deposit until the bonds became due in 1931.

The question of levying the tax rate was then brought up for consideration and upon motion of Aldermen Hogan seconded by Alderman Connor the following resolution was duly adopted, all the Aldermen present voting in the affirmative.

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

Section 1. That the tax rate for the year 1926 shall be as follows upon each \$100. valuation of real and personal property.

Town Operation	\$0.52	
Town Bond	.18	\$0.70
School Operation	0.50	
School Bond	.18	0.68
Total		<u>\$1.38</u>

Section 2. That the poll tax on each male resident of the Town between the ages of 21 and 50 shall be \$1.00

The Manager requested instructions from the Board concerning disposition to be made of certain trees encountered in the improvement work. This matter was referred to the Improvement Committee.

The Manager reported that on October 27th, the Highway Commission had agreed to pay the cost of an eighteen foot pavement from the intersection of Franklin and Columbia Streets to the school building in Carrboro and \$1,000.00 on the grading. And that the Carrboro Board of Commissioners had agreed to pay for necessary drainage, grading in excess of \$1,000.00 and rights-of-ways in Carrboro up to \$2,000.00.

The Manager, reporting for the Finance Committee, stated that the purchase of the 1911 Sewer Bonds was approved as soon as some of the Sinking Fund money was available but that at the present time this money was invested and was not available for immediate use. When the sinking fund was placed in the bank it was understood that this money would remain on deposit until the bonds became due in 1931.

The question of borrowing \$12,000.00 in anticipation of the receipt of the proceeds from the sale of \$50,000.00 Street Improvement Bonds was then brought up for consideration, and upon motion of Aldermen Hogan seconded by Alderman Williams, the following resolution was duly adopted, all the Aldermen present voting in the affirmative thereon. to-wit: - Aldermen G. M. Braune, R.D.W. Connor, M. E. Hogan, C. L. Wills and B. S. Williams; the 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 \$50,000.00 Street Improvement Bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the 10th day of August, 1926, said ordinance having duly taken effect upon its passage. It is necessary to borrow the sum of \$12,000.00 for the purpose of carrying on and completing the said work.

Section 2. That a temporary loan of \$12,000.00 shall be made bearing interest at not more than 6% per annum and maturing not later than August 10, 1927, said loan shall be evidenced by a note and the Mayor and Clerk are hereby instructed to fix the face amount of said note and the rate of interest it shall bear 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

principal sum of _____ on _____ the _____ 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 RECEITED that all acts, conditions and things required by laws and constitution of North Carolina to happen, exist, and be performed precedent to add 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 the corporate seal of the Town, all as of the _____ day of _____ 1928

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

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The question of authorizing the purchase of an automatic dirt scraper was then brought up for consideration and upon motion duly seconded and adopted the Manager was authorized to purchase this scraper in accordance with the bids received for street equipment on August 3, 1926.

Mrs Sarah Merritt presented her resignation as clerk to the Board of Aldermen upon motion of Alderman Wills, seconded by Alderman Braune, duly adopted, her resignation was accepted and the Manager was appointed Acting Clerk to the Board pending the making of a permanent appointment.

Alderman Wills brought up for consideration the question of securing fire protection for the section of Town which there were no hydrants. This matter was referred to the Committee of Public Utilities.

There being no further business the Board of Aldermen of the Town of Chapel Hill adjourned at 10:55 P. M.

W. S. Roberson, Mayor

Em Kuss Clerk