

March 23, 1927

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 7:30 P. M., Mayor Roberson presided and the following Aldermen were present:- Messrs. C. L. Eubanks, M. E. Hogan, G. M. Baune, and C. L. Wills.

The minutes of the meeting of the Board of Aldermen on February 14th were read and approved.

The Manager reported that the proposed charter of the Town of Chapel Hill as adopted by the Board of Aldermen on Feb. 14th had been given to Representative A. H. Graham for presentation to the State Legislature and that he had been informed by Mr. Graham that the bill had been passed by the State Legislature. However, an official copy of the bill has not been received.

The Manager reported that he had conferred with Mr. C. T. Woollen regarding the request from the University that the Town appropriate the sum of \$105.00 for the construction of a rock wall along Raleigh Street near the intersection with Franklin Street, and that the Building Committee of the University did feel that the Town should pay some portion of the cost of the improvement on Raleigh Street. After much discussion and upon motion of Alderman Baune, seconded by Alderman Eubanks, the following resolution was duly adopted; all the Aldermen present voting in the affirmative therefor:

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

Section 1. That the Town of Chapel Hill appropriate the sum of \$105.00 to the Building Committee of the University of North Carolina to be used in the construction of a rock wall along Raleigh Street.

Section 2. That the appropriation is made in accordance with a request from Dr. W. C. Coker, Chairman of the University Building Committee, on February 12th.

Section 3. That this appropriation will be turned over to Mr. W. C. Coker and he is thereby asked to take full supervision and control of this work.

The Manager reported that Mr. C. T. Woolen, Business Manager of the University, had given him the following report regarding complaints of Dr. C. H. Hemphill, and Mr. B. S. Williams of very poor and inadequate telephone service after 12 midnight; these reports being as follows:

Mr. B. S. Williams put in a call about 5 A. M., July 2, 1926 and could not get central. This was reported to us and it was investigated. Mr. Rush asked the operator and the operator told him the night bell did not ring. The operator sleeps at the switchboard from 12 until about 6 A. M. He puts on the alarm switch when he retires. When a call comes in it rings this alarm and wakes him. This alarm rings until he answers the call. This bell has failed to ring several times that we know of due to the condition of the equipment. We believe this is what happened this time. The operator could have failed to put the alarm switch on, but he says he did. The same circuit and bell was tested the next day and it worked o.k.

I was at Dr. Hemphill's fire and he told me about not being able to get central. I asked him how long he waited and he said about one minute. He told me that his wife got central and reported the fire just after he left home to run down town. From what he said I think this is what happened. He woke up with his room full of smoke, he went to the telephone and could not get central at once so he runs out to give the alarm. By the time the operator wakes up and answers the telephone, Dr. Hemphill has left the telephone and has started down town. The operator states that he answered the first call. I don't think there is any room for complaint in this case. Dr. Hemphill practically admitted this the night of the fire."

Upon motion of Alderman Wills, seconded by Alderman Baune, the Manager was instructed to request the University that an adequate alarm service of night calls be installed at the telephone office.

The Manager brought to the attention of the Board of Aldermen the condition of the tree on Franklin Street between Henderson and Columbia Streets and immediately in front of the Carolina Smoke Shop. In the discussion it was pointed out that the tree was decaying and was possibly dangerous if it remain in its present condition. Several members of the Board stated that they had examined this tree and considered it dangerous. Upon motion of Alderman Baune, seconded by Alderman Hogan, the following resolution was duly adopted.

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

Section 1. That it is the decision of the Board of Aldermen that the tree on Franklin Street between Henderson and Columbia Streets should be removed.

Section 2. That the Manager is hereby instructed to confer with Dr. Coker regarding removal of this tree.

Section 3. That unless Dr. Coker has a very serious objection, the Manager is hereby instructed and authorized to remove same.

The Manager reported that the Public Works Committee had failed to agree regarding the proposed taking out an an oak tree on Vance Street which is near the intersection with Ransome Street and that the Board was requested to pass resolution in regard to the same. There was much discussion in regard to the question and upon motion of Alderman Hogan, seconded by Alderman Wills, the following resolution was duly adopted; all the Aldermen voting in the affirmative.

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

Section 1. That the oak tree on Vance Street near the intersection of Ransome street is hereby declared unsafe and a menance to public safety and the Manager is hereby instructed to have the same removed from the street.

The Manager reported that he had received another proposal of compromise from Mr. William Foushee, Attorney for Mr. King in the case brought against the Town. The proposed compromise carried with it a payment of the sum of \$300.00 in full settlement of all claims by Mr. King against the Town. There was much discussion and upon motion of Alderman Wills, seconded by Alderman Eubanks, the following resolution was duly adopted.

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

Section 1. That the offer of compromise from Mr. Foushee, Attorney for Mr. King, is hereby refused and rejected and the Manager is instructed to inform Mr. Foushee of the decision.

The Manager asked for a ruling from the Board regarding the changing of sewer rental during the period when a house was vacant and the rebating of said charge. Upon motion of Alderman Hogan, seconded by Alderman Baune, the following resolution was duly adopted;

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

Section 1. That no rebate shall be made in the annual charge for sewer rental fees for houses being vacant unless the house shall have been vacant for a period of at least six months and notice of said vacancy shall have been filed in advance in the Town Office.

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The Manager read the following letter from Mr. W. E. Lindsay regarding the assessed valuation of his property at the intersection of Pittsboro and McCauley Streets.

Feb. 24, 1927

To the Board of Aldermen:-
Chapel Hill, N. C.

Gentlemen:

I paid Mr. Knox, your City Manager, \$165.60 tax for the year 1926 on a basis of valuation of \$12000, for my lot on corner of Pittsboro & McCauley Sts. which I feel is very excessive.

Mr. Knox advised me that the building permit contained an estimated cost of \$9500 for the two new houses, when as a matter of fact, the contract price for this was \$8500.

Considering it from an income view-point, it is not very attractive as one of the houses has been vacant since last July.

I think an assessed valuation of \$8000 would be nearer right and I would appreciate your giving this your consideration and refund me on this basis.

Yours very respectfully,

W.E. Lindsay

P. S. On this valuation, the County claims \$140.70 making a total of \$306.37.

Upon motion of Alderman Hogan, seconded by Alderman Wills, the request of Mr. W. E. Lindsay was denied and the valuation of \$12000 was approved.

The Mayor reported that in accordance with resolution adopted by the Board of Aldermen he had investigated the probable disadvantage which might arise from the changing of certain street names near the Battle development and that in-so-much as the deeds were already written calling for Battle Street he felt that it would be advantageous to officially change the name to Battle Street. The request that the matter be brought to the attention of the Board of Aldermen was contained in a letter from Mr. J. M. Booker on January 21st. Upon motion of Alderman Hogan, seconded by Alderman Baune, the following resolution was duly adopted;

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

Section 1. That the street known as "Caldwell" is hereby changed to Battle Street.

Section 2. That the proposal of changing the designation of the Street connecting Cameron Avenue at Raleigh Street with Boundary Street at Franklin Street be referred to the Building Committee of the University with request that in-so-much as this street was constructed under their supervision that they name the same for final approval by the Board of Aldermen.

Section 3. That the proposal of designating the Country Club Road as "Caldwell Road" be also referred to the above named Committee.

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The Manager recommended that a two ton dump truck be purchased for the Public Works Division and pointed out that for the reason of this recommendation was that the present truck was of a $\text{ton and } \frac{1}{2}$ capacity and had been in use for three years and that the maintenance of this truck under the heavy duties which was imposed upon it was getting to be prohibited. The recommendation carried out the retaining of the present truck for light hauling as the maintenance of the same could be very much reduced by relieving it of too heavy duties.

Upon motion of Alderman Wills, seconded by Alderman Hogan, the following resolution was adopted; all the Aldermen present voting in the affirmative.

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

Section 1. That the Manager is hereby instructed and authorized to advertise for bids on one two ton truck equiped with a steel dump body for the Public Works Division.

Section 2. That the bids on this truck shall be submitted to the Public Works Committee of the Board of Aldermen for final decision and recommended to the Manager prior to the purchase of the same.

THE QUESTION OF BORROWING \$3,000 IN ANTICIPATION OF THE RECEIPTS FROM THE PROCEEDS OF THE STATE IMPROVEMENT BONDS was then brought up for consideration and upon motion of Alderman Braune, seconded by Alderman Hogan, the following resolution was duly adopted; all the Aldermen present voting in the affirmative therefor, to wit:- Messrs. G. M. Baune, C. L. Habanks, M. E. Hogan, C. L. Wills;; the said resolution being as follows:

Countersigned

W. A. Robertson

Mayor

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

Section 1. That in order to anticipate the proceeds from the sale of \$20,000 street Improvement Bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the Twenty-seventh day of January, 1927, said ordinance having duly taken effect upon its passage, it is necessary to borrow the sum of \$3,000 for the purpose of carrying on and completing the said work.

Section 2. That a temporary loan of \$3,000 shall be made bearing interest at not more than 6% per annum and maturing not later than January 28, 1927, said loan to 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 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 _____ on _____ the principal sum of _____ DOLLARS with interest _____ 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 receipts 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 the laws and the constitution of the State of North Carolina to happen, exist, and be performed precedent to and in the issuance of this note, have happened, exist 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 _____, 1927.

Countersigned

W. S. Roberson

Mayor

Clerk

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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,
N. C., do hereby approve the within note and do state that said note constitutes
a binding obligation of the Town of Chapel Hill.

Attorney

There being no further Business the Board adjourned 10.30

P. M.

Mayor

Acting Clerk