

Minutes of the Meeting of the Board of Aldermen, Book 4, Page 191

May 17, 1927

There was a meeting of the Board of Aldermen of the Town of Chapel Hill at 8 P. M., Mayor Council presiding and the following Aldermen were present: Messrs. B. L. Burch, R. D. W. Connor, B. S. Thompson, G. L. Braune. Alderman Connor took the oath of office before Mayor Council as shown below.

NORTH CAROLINA
ORANGE COUNTY

I, R. D. W. Connor, 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.

R. D. W. Connor

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Subscribed and sworn before me this the 5th day of May, 1927.

Job. P. Council
Mayor of Chapel Hill

The question of ~~the~~ the construction of a Sanitary Sewer on Roberson Street between Franklin Street and Rosemary Lane was brought up for consideration and in the discussion it was pointed out that the cost of this installation would not exceed \$275.00 and there were three immediate connections for the line. Upon motion of Aldermen Braune, 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 Manager is ^{instructed} requested to install on Roberson Street between Church Street and Rosemary Lane a Sanitary Sewer System, the cost of which shall not exceed \$275.00.

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A petition from the property owners on Franklin Street from Columbia Street to Church Street, requesting that an additional pavement of 16 ft. in width be constructed along this said street, along said limits in lieu proposed planting area in the middle of said Street. After much idscussion and upon motion of Alderman Connor, seconded by Alderman Burch, the following resolution was duly adopted; all Aldermen present voting in the affirmative.

Whereas it appears to the Board of Aldermen of the Town of Chapel Hill that a petition has been lodged with the Clerk of the said Board, requesting that certain local improvements be made on Franklin Street from Columbia to Church Street, the said improvements consisting of the construction thereon of a 16 ft. payement in connection with the construction of two 18 ft. pavements, the said 16 ft. of pavement being installed instead of the planting space as originally planned:

And, whereas, from the certification of the Clerk this day submitted, it appears that the said petition in every particular conforms to the requiremrants of Chapter 56 of the Public Laws of North Carolina, 1925, and amendments thereto, by Consolidated Statutes 2703 etse, and ~~als~~ signed by a majority of the property owners, representing a majority of all lineal feet of frontage on said streets: therefore,

BE IT ORDAINED 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 66 2/3 percentum of the total cost of said improve- ment, exclusive of such costs as are incurred at street intersections, shall be especially assessed against the property owners of all the abutting property on the said street, proportionately, as provided by law, and that the assess- ment hereby provided for shall be payable in ten equal annual installments to be paid with the munciipal 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 Laws 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 purpose.

THE QUESTION OF AUTHORIZING THE ISSUANCE OF \$20,000 STREET IMPROVEMENT BONDS was then brought up for consideration and upon motion of Alderman Braune, seconded by Alderman Connor, was duly adopted on its final reading, all the Aldermen present voting in the affirmative therefor, to wit: Messrs. P. L. Burch, R. D. W. Connor, B. S. Thompson, G. L. Braune; said ordinance being as follows:

AN ORDINANCE
AUTHORIZING \$20,000
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 does issue its bonds pursuant to the Municipal Finance Act to an amount not in excess of \$20,000 for the purpose of constructing or reconstructing or surfacing its streets therein, including grading, and including the contemporaneous construction or reconstruction of curbs, gutters, drains and sidewalks, at least one-fourth of the cost of such local improvements, exclusive of the costs of paving at street intersections, is to be especially assessed.

Section 2. That a tax sufficient to pay the principal and the 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 now open to public inspection.

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

THE QUESTION OF BORROWING \$20,000 IN ANTICIPATION OF THE RECEIPTS FROM THE PROCEEDS OF THE SALE OF \$20,000 STREET IMPROVEMENT BONDS was then brought up for consideration and upon motion of Alderman Burch, seconded by Alderman Thompson, the following resolution was duly adopted, all the aldermen present voting in the affirmative therefor, to-wit:- Messrs. P. L. Burch, R. D. W. Connor, B. S. Thompson, G. L. Braune; the said resolution being as follows:

BE IT ORDAINED 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 Seventeenth day of May, 1927, said ordinance having duly taken effect upon its passage, it is necessary to borrow the sum of \$20,000 for the purpose of carrying on and completing the said work.

Section 2. That a temporary loan of \$20,000 shall be made bearing interest at not more than 6% per annum and maturing not later than April 17, 1928, 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 of Chapel Hill 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. _____ \$ _____
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.

Mayor

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, 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

Several property owners on North Street from Hillsboro to Boundary Street came into the meeting at this time to request that further consideration be given their petition for the construction of concrete curbs and gutters. The Manager explained to the Board that the Local Improvement Committee had deferred action on this petition because it was not certain that the property owners were very anxious that this work be done. Mr. J.G. deR. Hamilton, speaking for the property owners stated that this was an incorrect idea of their feelings and requested that the work be authorized at this time. Alderman Hogan, Chairman of the Local Improvement Committee was called to the meeting at this time. Alderman Eubanks also came to the meeting at this time. After further discussion regarding this matter and upon motion of Alderman Hogan seconded by Alderman Braune 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 with the Clerk of the said Board requesting that certain local improvements be made on North Street from Hillsboro Street to Boundary Street, the said improvement consisting of the construction of concrete curbs and gutters, all necessary excavation, construction of all necessary storm drains and the surfacing of the street and sidewalks with an approved top soil;

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, 1915, and amendments thereto (Consolidated Statutes 2703 etse), and is signed by a majority of the property owners representing a majority of all the linear feet of frontage on the said street; 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 City Manager is hereby instructed and authorized to immediately take such steps as may be necessary to have the said improvements made in accordance with contracts and previous resolutions of this Board of Aldermen.

Section 3. That fifty (50) percentum of the total cost of the said improvement, exclusive of such costs as are incurred at street intersections shall be especially assessed against the property owners of all the abutting property on 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 tax and due and payable, beginning with the year 1927 and ending with the year 1936.

Section 4. That assessments shall be made, as provided in Section 3, against the owners of their property, and notice shall be given when such assessment shall be made as required by law; and these notices shall be published as required by the said law and such publication shall constitute notices to all property owners as required by law.

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Section 5. That the said local improvement shall not be made until bonds of the Town of Chapel Hill shall have been authorized for the purpose.

Mr. B.S. Williams came into the meeting at this time and requested that the planting strip on Franklin Street from Roberson Street to Graham Avenue be omitted and the center portion of this street be paved or graveled. After Much discussion and upon motion the Manager was instructed to attempt to obtain from the property owners another petition for the paving of the central portion of Franklin street from Church Street to Merritt Street.

Mr. B.S. Williams also requested that the tax valuation on the J.E. Gooch property on Hillsboro Street be reduced for Town taxation on account of the fact that the majority of this property and about one-half of the house on this property was not within the boundaries of the Town. After discussion and upon motion of Alderman Hogan, seconded by Alderman Braune the following resolution was duly adopted:

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

Section 1. That the tax valuation of the J.E. Gooch property on Hillsboro Street be reduced from \$4,000 to \$1,500 for 1926 taxes.

Section 2. That the Manager is hereby instructed to make a rebate to the owners for 1926 taxes in accordance with Section 1 of this resolution.

There being no further business, The Board of Aldermen of the Town of Chapel Hill adjourned at 9:15 P.M.

Zeb P. Council, Mayor

Ernie Johnson Clerk