

Minutes of the Meeting of the Board of Aldermen, Book 4, Page 251

November 30, 1927

There was a call meeting of the Board of Aldermen of the Town of Chapel Hill at 7:30 P. M., Mayor Council presiding and with the following Aldermen present:- Messrs. G. M. Braune, P. L. Burch, C. L. Eubanks, M. E. Hogan, R. D. W. Connor and B. S. Thompson.

The Manager stated that the meeting had been called in order to receive a report from the committee appointed by the Board of Aldermen to investigate the advisability of purchasing property on which a municipal building might be constructed. Mr. M. E. Hogan, Chairman of this Committee, reported that the Committee had determined that the property owned by Mr. W. T. McGalliard on the corner of Rosemary and Columbia Streets was ideally situated for the construction of a Municipal building and was more valuable to the Town because of the fact that the Town already owned a lot adjoining this property. Mr. McGalliard's lot has a frontage of 100 ft. on Columbia Street and 60 ft. on Rosemary Street, which he has offered to sell to the Town of Chapel Hill for \$7,500. Mr. McGalliard's first price which he asked for this property was \$8,000 and he had reduced this price to \$7,500 without any suggestion from the Committee. Mr. McGalliard further agreed to rent this property for \$40.00 per month as long as his health might permit him to use the same. The Committee recommended that this property be purchased by the Town and further pointed out that it might be used in its present condition by the Town as offices if it was necessary. Upon motion of Alderman Braune, seconded by Alderman Connor, 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 City Manager is hereby authorized and instructed to purchase the lot owned by Mr. W. T. McGalliard on the corner of Rosemary and Columbia Streets at a cost not in excess of \$7,500 and that the City Manager shall attempt to purchase this property at a lower price if possible.

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Alderman Hogan then introduced certain bond ordinances entitled, "An Ordinance authorizing the issuance of \$7,500 Real Estate Bonds and an Ordinance authorizing the issuance of \$12,000 Street Improvement Bonds."

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

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THE ORDINANCE TO AUTHORIZE \$7,500 Real Estate Bonds was then brought up for consideration and upon motion of Alderman Connor, seconded by Alderman Burch, was duly adopted, all the aldermen present voting in the affirmative therefor, to wit:- Aldermen G. M. Braune, P. L. Burch, R. D.W. Connor, C. L. Eubanks, M. E. Hogan and B. S. Thompson; said ordinance being as follows:

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 exceeding \$7,500 for the purpose of purchasing real estate on which a municipal building might be constructed.

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

SECTION 3. That a statement of the debt of the Town of Chapel Hill is filed with the Clerk and is now open for 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 of the municipality is filed under the said Act, and in such event it shall take effect when approved by the voters of the Town and in an election as provided for in the said Act.

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The Manager stated that in accordance with the request by Mr. W. O. LaCock he desired to bring up for discussion the question of lowering the storm sewer which connects with the catch basin on Franklin Street in front of Mr. LaCock's property and runs in a northerly direction therefrom. Mr. LaCock had petitioned to the Board of Aldermen to lower this drain two (2) ft. in order to make it possible for him to construct a basement under the store which he is now building. The Board did not take any action regarding this matter because it did not feel that the Town should bear the cost of lowering this drain, insomuch as Mr. LaCock had purchased this property knowing that the drain passed through the same in such a manner as not to allow room for a basement. However, upon motion of Alderman Hogan, seconded by Alderman Burch, the following resolution was duly adopted.

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

SECTION 1. That Mr. W. O. LaCock is hereby given permission to lower the storm sewer which passes through his property at his own expense, and in case that he should desire to change this storm sewer, it shall be done in accordance with the specifications furnished by the Engineering Division of the Town.

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The Manager stated that he had removed from office the present plumbing inspector, Mr. D. S. Long, on account of incompetence and failure to carry out the provisions of the Plumbing Ordinance and he had appointed Mr. Joe Sparrow to succeed Mr. Long in this capacity, and was now presenting this removal and appointment to the Board for action. Upon motion of Alderman Connor, seconded by Alderman Thompson, the following resolution was duly adopted, all the Aldermen voting in the affirmative therefor,

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

SECTION 1. That the removal from office of the present Plumbing Inspector, Mr. D. S. Long, by the City Manager is hereby approved.

SECTION 2. That the appointment of Mr. Joe Sparrow as Plumbing Inspector by the City Manager is hereby approved.

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The Manager requested that the Board of Aldermen adopt a resolution regarding the financing of tree planting on the north side of Franklin Street and stated that no provision had been made in the Budget for this work. The Manager further reported that he had estimated the cost of planting fifteen (15) trees on the north side of Franklin Street at \$200.00. Upon motion of Alderman Hogan, seconded by Alderman Connor, the following resolution was duly adopted, all the Aldermen present voting in the affirmative therefor.

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

SECTION 1. That the sum of \$200.00 is hereby appropriated from the General Fund Surplus account for the planting of trees on the north side of Franklin Street between Columbia Street and Henderson Street in order to provide for the execution of the resolution duly adopted by the Board of Aldermen at a meeting on November 14th.

The Manager reported that in order to meet the payment which was then due to the Street Contractor, it was necessary to borrow \$12,000 for Street Improvement.

THE QUESTION OF AUTHORIZING THE ISSUANCE OF \$12,000 STREET IMPROVEMENT BONDS was then brought up for consideration 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, to wit:- Aldermen G. M. Braune, P. L. Burch, R. D. W. Connor, C. L. Eubanks, M. R. Hogan and B. S. Thomposn; said resolution being as follows:

AN ORDINANCE  
AUTHORIZING \$12,000  
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 \$12,000 for the purpose of constructing or re-constructing the surface of its streets therein, including grading,



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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.

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 passage and shall not be submitted to the voters.

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THE QUESTION OF BORROWING \$12,000 IN ANTICIPATION OF THE RECEIPTS FROM THE PROCEEDS OF THE SALE OF \$12,000 STREET IMPROVEMENT BONDS was then brought up for consideration and upon motion of Alderman Connor, seconded by Alderman Hogan, the following resolution was duly adopted, all the aldermen present voting in the affirmative therefor, to wit:- Aldermen G. M. Braune, P. L. Burch, C. L. Eubanks, M. E. Hogan, R. D. W. Connor and B. S. Thompson; 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 proceeds from the sale of \$12,000 Street Improvement Bonds of the Town of Chapel Hill, authorized by the Board of Aldermen on the Thirtieth day of November, 1927, said ordinance having duly taken effect upon its passage, it is necessary to borrow the sum of \$12,000 for the purpose set forth in said ordinance.

SECTION 2. That a temporary loan of \$12,000 shall be made bearing interest at not more than 6% per annum and maturing not later than November 30, 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 the date thereof and the date of maturity, all within the limits designated, and with the power to dispose of said note to the best advantage.

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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 WHERE 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



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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

Mr. H. A. Whitfield, Attorney for Dr. Wade H. Marshall, requested the Board of Aldermen to lower the tax valuation of Dr. Marshall to make the same agree with the valuation as shown on the County tax books. After much discussion and upon motion of Alderman Connor, seconded by Alderman Braune, the City Manager was authorized to assess the taxes against Dr. Marshall in accordance with the abstract which he filed in May, 1927, regardless of the manner in which this was copied forward to the regular county tax books.

There being no further business, the Board of Aldermen adjourned at 9:30 P. M.

Z. P. Council, Mayor

*Ernest P. Council*, Clerk