

August 12 1929

There was a regular meeting of the Board of Aldermen of the Town of Chapel Hill at 8 p. m., with Mayor Council presiding, and with the following Aldermen present: Messrs. Eubanks, Burch and Hogan.

The minutes of the meetings of the Board of Aldermen on June 10, June 24, and July 1 and 8 were read and approved.

Mayor Council stated that the matter of the Lloyd house had been somewhat exaggerated and that unsanitary conditions that did exist had been corrected.

Messrs. Hibberd, Murchison and McClamroch appeared before the Board in regard to the improvement of Senlac Road. There was some discussion as to the estimated cost of the project. After much discussion of the matter and upon motion of Alderman Hogan, seconded by Alderman Burch, the following resolution was duly adopted, all of the Board of 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 improvements be made on Senlac Road from Battle Street to Boundary Street, the said improvement consisting of the construction of concrete curb and gutter, all necessary excavation, construction of all necessary storm drains and the surfacing of the street and sidewalk with disintegrated granite,

And Whereas, from the certification of the Clerk this day submitted, it appears that the said petition does in every way conform to the Chapter 56 of the Public Laws of 1915, and amendments thereto, Consolidated Statutes 2703, and signed by a majority of the property owners representing a majority of all the lineal 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 instructed to secure bids for the project and to make necessary arrangements to issue bonds for the financing of the project;

Section 3. That one hundred per cent. of the total cost of said

improvement, exclusive of such costs as are incurred at street intersections, shall be especially assessed against all the property owners of the abutting property on said street proportionately as provided by law, and that the assessments hereby provided for shall be paid with the municipal tax, and due and payable beginning with the year 1930 and ending with the year 1939.

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

Section 5. Provided that no contract shall be let if the contract price is greater than the estimated cost, and provided further that no work shall begin unless the necessary financial arrangement has been made, with the approval of the State Sinking Fund Commission.

The Manager read a letter from Mr. Dan C. Boney, State Fire Insurance Commissioner, stating that there was no state law prohibiting the erection of dry cleaning plants within the fire district, and suggested that local ordinances be passed to take care of this matter. After some discussion, and upon motion of Alderman Hogan, seconded by Alderman Burch, it was moved that the City Manager write the Insurance Commissioner and request that he send an inspector over to look at Leonard's Dry Cleaning Plant, and advise us that the structure is safe or if it constitutes an unwarranted fire hazard.

The Manager read a letter from Mrs. Wagstaff, representing the King's Daughters, requesting that the Salvation Army be stopped from soliciting funds on the streets of Chapel Hill and from house to house canvassing. It was pointed out that the Salvation Army does no charity work in Chapel Hill, said work being done by the King's Daughters, and that the King's Daughters are dependent on Chapel Hill citizens for funds to do the work. Alderman Hogan moved that the Mayor and City Manager take this matter up with the Salvation Army.

The Clerk read the following petition:

"TO THE HONORABLE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

We, the undersigned citizens of the Town of Chapel Hill hereby protest as to the issuance of the \$2,000 bonds you are now advertising in the Chapel Hill Weekly, in view of the fact that you have increased the tax rate 21 cents, it seems that there will be ample revenue to buy fire hose or any other necessities without another bond issue. Therefore, we request that this matter be put before the citizens of the Town for a vote.

(SIGNED)

W. B. SORRELL

J. T. HARRIS

As required by law, the Clerk made the following answer to the petition:

In regard to the foregoing petition filed with me in regard to the proposed bond issue of \$2,000 for equipment, first published on June 28, 1929, I wish to report that said petition does not comply with requirements of Section 2947 of the Consolidated Statutes of North Carolina, which is as follows:

2947. Ordinance requiring popular vote.

1. Petition filed. A petition demanding that bond ordinance be submitted to the voters may be filed with the clerk within thirty days after the first publication of the ordinance. The petition shall be in writing and signed by voters of the municipality equal in number to at least twenty five per centum of the total number of registered voters in the municipality as shown by the registration books for the last preceding election for municipal officers therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures), made by some adult resident freeholder of the municipality, under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not contain the text of the ordinance to which it refers. The petition need not

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be all on one sheet, and if on more than one sheet, it shall be verified as to each sheet.

3. Sufficiency of petition. The clerk shall investigate the sufficiency of the petition and present it to the governing body with a certificate stating the result of his investigation. The governing body shall thereupon determine the sufficiency of the petition and the determination of the governing body shall be conclusive. *BOOK 5 - PAGE 186*

'I hereby certify that said petition does not comply with the foregoing statute in the following respects:

It is only signed by two citizens, whose addresses are not given, and is not accompanied by any affidavit verifying the signatures of the two citizens who have signed same.

By referring to Minute Book 5, page 136, in the report of the Municipal Election held on May 7, 1929, the number of registered voters totaled 433, 25% of which number would be 108. Said petition had only two signatures.

Said petition does not refer to any proposed bond ordinance by date, and as there is no advertisement now running in the Chapel Hill Weekly, said petition does not specifically refer to the proposed bond issue which was published first on June 28, 1929, and one week thereafter, as required by law.

This 24th day of July, 1929.

Ruby Ross Clerk.

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A bill from Mr. J. A. Warren, requesting refund of \$81 for sewer rental was presented to the Board. Upon motion of Alderman Hogan, seconded by Alderman Burch, the matter was referred to the Town Attorney.

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The Manager presented a request from the Manager of Polly's Coffee Shop, requesting that she be allowed to obtain a license for one-half year, as she expects to go out of business on September 1. The request was denied as the Business License is transferable and she can sell it to other parties.

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The Manager stated that Mr. Morgan Vining had installed a septic tank at his property on North Street. This will do away with the immediate necessity of the Town constructing a sanitary sewer in this section of the Town.

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The Manager read a letter from the Service Insurance Agency, giving an opinion from the Attorney General, stating that the Town would be liable from damages occasioned by negligence of its employees while engaged in road machine work. The matter was referred to the Town Attorney.

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No action was taken on the proposed improvement of Glandon Drive, since Dr. Braune and Mr. Thompson of the Improvement Committee were both absent.

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The Manager stated that the 1929 Legislature gives the Town the authority to reinstate street installments past due, provided that all installments in arrears and the costs be paid, being in accord with Chapter 331 of the Public Laws of 1929. Upon motion of Alderman Hogan, seconded by Alderman Burch, it was moved that these assessments be reinstated, all members of the Board present voting in the affirmative therefor. The street assessments to be reinstated by this motion are against Sigma Chi Building Corporation and L. H. Hackney.

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Upon motion of Alderman Hogan, seconded by Alderman Eubanks, the following credit memorandums were authorized, all members of the Board present voting in the affirmative therefor, said list being as follows:

PAGE 4:

CREDIT MEMOS - FROM JUNE 1, 1929 to

NO.	NAME:	AMOUNT:	REASON FOR CANCELLATION:
99	J.S.Lloyd	\$47.19	- Error in listing- duplication - same as J.T.Lloyd
100	Mrs. Annie Herndon	31.05	- Has no Real Estate- property listed by Mrs. Logan and J. L. Matthews
101	L.B.Rochelle	25.09	- Error in listing - no such person
102	Mrs. Mary Foister	8.28	- Duplication of Tax paid by Chapel Hill Ins & R Co.

555.43

Less amounts which were
replaced by new bills

46.74

6.00

52.74

502.69

52.99

502.44

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and of no effect.

aud

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Upon motion of Alderman Eubanks, seconded by Alderman Burch, it was moved that Alderman Hogan and the City Manager examine all doubtful accounts and make a recommendation to the Board in regard to them, all members of the Board of Aldermen present voting in the affirmative therefor.

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Alderman Eubanks requested that the extension to the negro cemetery be completed as soon as possible in order that lots could be sold to the negroes. The Manager stated that the cemetery would be completed as soon as possible.

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Town Attorney Sawyer read a report in regard to billboards, stating that in his opinion the Town could not prohibit the erection of billboards or require existing billboards to be removed. Upon motion of Alderman Hogan, seconded by Alderman Burch, it was moved that the City Attorney be asked to investigate this matter further, all the Aldermen present voting in the affirmative therefor.

There being no further business, the meeting of the Board of Aldermen adjourned at 10:10 o'clock.

ZEB P. COUNCIL, MAYOR

Mrs. R. L. Wright, Acting Clerk.
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