

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE TOWN OF
CHAPEL HILL HELD IN THE TOWN HALL ON MAY
10, 1939

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The Board of Aldermen of the Town of Chapel Hill held their regular meeting on May 10, 1939, in the Town Hall, Mayor Foushee presided and the following were present: Aldermen R. J. M. Hobbs, P. L. Burch, P. H. Robertson, G. B. Hellen, R. W. Madry and F. O. Bowman; also J. L. Caldwell, E. E. Peacock and C. P. Hinshaw.

After the meeting was called to order by the Mayor, the Clerk read the minutes of the last two preceding meetings and the board approved.

The order of business to be followed at Board meetings was discussed after which the Board adopted Mr. Robertson's suggestion that any deferred matters should be taken up first unless there are visitors, in which case they would be given the floor first.

The Board adopted the Mayor's suggestion that any correspondence between the Town Manager and the University be taken up with Mr. Rogerson and that any communication between the Board and University be in the form of a letter signed by the Clerk and addressed to Dean House with a copy to President Graham.

Subject: Water Hydrant for Westwood Area declared in Town.

The Board asked that a letter be addressed to Dean House stating the facts and asking for the additional hydrant.

Subject: Taxi-cab Liability Insurance.

Upon motion by Alderman Robertson and seconded by Aldermen Burch, the Board of Aldermen adopted and passed the following ordinance:

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

Section 1. No person, firm or corporation shall operate, or cause to be operated, upon the streets of the Town of Chapel Hill, any cabs, taxi-cabs, U-Drive-It or for-hire car or automobile unless (A) said person, firm or corporation shall have filed with the treasurer of the Town of Chapel Hill, a policy or policies of liability insurance with a reliable and responsible company authorized to do business in the State of North Carolina, in form to be approved by the city attorney, indemnifying the licensee as to each cab, taxi-cab, U-Drive-It, or for-hire car or automobile in the sum of Five Thousand Dollars (\$5,000) for injury to one person, or Ten Thousand Dollars (\$10,000) for injury to more than one person in any one action for which said driver or owner of cab, taxi-cab, U-Drive-It, or for-hire car or automobile may be held liable. (B) In lieu of such insurance policy or policies, said

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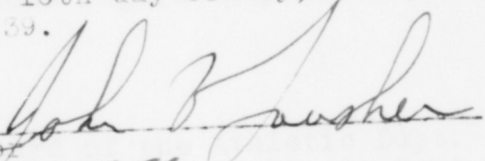
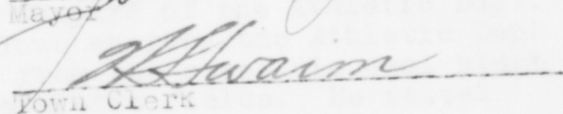
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person, firm or corporation may deposit like amounts with the treasurer of the Town of Chapel Hill, in cash, or securities to be approved by the city manager, indemnifying persons who may be injured by the negligent operation of such cabs, taxi-cabs, U-Drive-Its, or for-hire car or automobiles upon condition that action may be brought therein by any person for the amount of such damage to the full amount of such cash and securities deposited. (C) In lieu of such insurance policy or policies, or the depositing of cash or securities with the treasurer of the Town of Chapel Hill, said person, firm or corporation may deposit a bond signed by solvent personal surety or sureties with the town treasurer to be approved by the town attorney, in the amounts heretofore mentioned, indemnifying persons who may be injured by the negligent operation of such cabs, taxi-cabs, U-Drive-It or for-hire cars or automobiles as heretofore set out. (D) The expiration or cancellation of any policy or policies of liability insurance or the withdrawal of any cash and/or securities deposited as herein provided, or the cancellation of any bond executed by private surety or sureties shall deprive any person, firm or corporation of the right to continue further the operation of any cab, taxi-cab, U-Drive-It or for-hire car or automobile upon the streets of the Town of Chapel Hill.

Section 2. Any person, firm or corporation violating this ordinance shall forfeit and pay a penalty of Fifty Dollars (\$50.00) to the Town of Chapel Hill and each day any section of this ordinance shall be violated shall be and constitute a separate offense.

Section 3. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 4. Read, approved and adopted and declared to be an ordinance of the Town of Chapel Hill, this the 10th day of May, 1939, effective on and after the 1st day of July, 1939.


Mayor

Town Clerk

Subject: Volunteer Firemen.

Alderman Burch turned over to the Clerk a letter from the firemen which was read and later discussed. Mr. Burch stated that the department needed more ladders, a booster tank, some definite word from the Board regarding out of town fires, and some form of working agreement with Carrboro.

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Upon motion by Alderman Bowman and seconded by Alderman Madry, the Board of Aldermen asked that the Mayor appoint a committee to make recommendations to the Board. The Mayor appointed Alderman Burch, chairman, and aldermen Madry and Hellen on the committee.

Subject: Deptmental Reports.

The Clerk read the fire, police and nurse reports after which the Board accepted.

Subject: Auditor's Report.

Mr. Peacock stated that the gasoline check-up revealed an overage for the last month. The budget is 1.2% overspent to date. Several items overspent were brought to the attention of the Board and discussed by Mr. Peacock and Mr. Caldwell. Mr. Caldwell read a letter from Mr. Hollett setting forth the large increase in incineration during the past two years which helps to explain the overage in garbage collection department. Mr. Peacock further stated that all vouchers for April were in order and only one not supported.

Subject: Parking on Cameron Avenue between Pittsboro Road and Pittsboro Street.

Alderman Burch brought to the attention of the Board the fact that traffic was very much congested between Pittsboro Road and Pittsboro Street due to the vertical parking on both sides of the street.

Upon motion by Alderman Burch and seconded by Alderman Bowman, the Board resolved that in order to relieve traffic congestion between the two aforesaid streets on Cameron Avenue, that cars shall park parallel with the curb on the south side of Cameron Avenue, the side of the Carolina Inn, and also conform to regulations regarding parking distances from corners.

Subject: Disposal of Sludge.

Alderman Hobbs reported that Bo Shepard of the Athletic Dept. would like to make an agreement with the Town whereby the Athletic Dept. of the University could obtain all sludge from the sewer disposal plant at their own expense to be used upon the athletic fields. He stated that Mr. LeClair would treat it to eliminate all odor, and that the department would be willing to pay a small sum to get it.

A discussion followed concerning the proposal and use of sludge by residents of the town after which the Board asked Mr. Hobbs to

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determine what the university would be willing to pay for the sludge.

Subject: Trash on Mr. Davis' Lot from Open Drain.

Alderman Hellen stated that trash had been collecting on Mr. Davis' lot on North Street since the town constructed a rock drain. The City Manager stated that a catch basket had been constructed to remedy the situation.

Subject: Traffic Signs.

The Board asked that additional arrows be painted at the entrance to the alley by the Coffee Shop in order to better direct traffic in and out of the alley.

The City Manager was asked to write Mr. Jenkins of the Highway Department asking a reflector to be placed on the curve on the Durham Highway just inside the town limits.

Mr. Caldwell stated that the stop light had been erected at the intersection of McCauley Street, Pittsboro Road and Raleigh Road.

Subject: Codifying of Ordinances.

Mr. Caldwell stated that it would cost \$20.00 for the W.P.A. to codify the town ordinances. The Board authorized the expenditure.

Subject: Leaving open Front Door of Town Hall as per Request of Volunteer Firemen:

Upon motion of Alderman Burch and seconded by Alderman Hobbs, the Board of Aldermen approved the request of the volunteer firemen to leave the front door of the town hall open until 9:30 P.M. in order that they might have access to the recreation room.

Subject: Appointments.

Town Attorney. Upon motion by Alderman Hellen and seconded by Alderman Hobbs, the Board of Aldermen voted to retain Mr. C. P. Hinshaw as town attorney for the next two years.

Prosecuting Attorney. Upon motion by Alderman Burch and seconded by Alderman Bowman, the Board of Aldermen re-appointed Mr. Roy McGinnis as prosecuting attorney for the town during the next two years.

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Clerk of Court. Upon motion by Alderman Robertson and seconded by Alderman Hellen, the Board of Aldermen re-appointed Mr. M. W. Durham as Clerk of Recorder's Court for the two following years.

Town Clerk - Accountant. Upon motion by Alderman Hellen and seconded by Alderman Burch, the Board of Aldermen re-appointed W. S. Swain as town clerk and accountant for the following two years.

Vice-Recorder. Appointment was deferred until the next meeting.

Auditor. Upon motion by Alderman Burch and seconded by Alderman Hellen, the Board of Aldermen re-appointed Mr. ~~E.E.~~ Peacock as Town Auditor for the next two years.

Subject: Clean up and Paint up Week

Action was deferred until the next meeting.

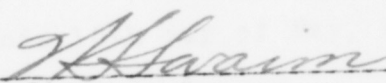
Subject: Sale of old Fire House.

Upon motion by Alderman Burch and seconded by Alderman Bowman, the Board instructed the City Manager to advertise for bids on the old fire house.

Subject: Dredging of Dolin Creek.

Mr. Caldwell stated that the creek below the sewer plant needed dredging again. Mr. Burch stated that he would see Mr. Rogerson and Mr. Hollett and try to secure university aid in getting it done by the W.P.A.

There being no further business, the meeting adjourned.


Town Clerk

I, Roy W. McGinnis, do solemnly swear that I will well and truly serve the State of North Carolina in the office of Prosecuting Attorney for the Town of Chapel Hill, and that I will, in the execution of my office, endeavor to have the criminal laws fairly and impartially administered, so far as in me lies, according to the best of my knowledge and ability, so help me, God.

Roy W. McGinnis
AFFIANT

Subscribed and sworn to before me this 15th day of May, 1939.

Andrew C. Cook
JUDGE OF RECORDER'S COURT.

NORTH CAROLINA, ORANGE COUNTY.

The above instrument was this day subscribed and sworn to for the purposes therein described by Roy W. McGinnis, same being done before me personally.

Witness my hand and Notarial Seal this 15th day of May, 1939.

Paul H. Robertson
NOTARY PUBLIC.

MY COMMISSION EXPIRES: 9-12-40.

NORTH CAROLINA,
ORANGE COUNTY.

I, M. W. Durham, do swear that I will well and truly execute the duties of the Office of Clerk of Chapel Hill Recorder's Court according to law and the best of my skill and ability, so help me, GOD.

M. W. Durham
AFFIANT.

Subscribed and sworn to before me this 15th day of May, 1939.

Andrew Mcintosh
JUDGE OF RECORDER'S COURT.

NORTH CAROLINA,
ORANGE COUNTY.

The above instrument was this day subscribed and sworn to before me personally by M. W. Durham, for the purposes therein described.

Witness my hand and Notarial Seal this 15th day of May, 1939.

Paul H. Robertson
NOTARY PUBLIC.

MY COMMISSION EXPIRES: 9-12-40.



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standing. I will not direct or cause to be directed to the parties any warrant by me made, but will direct all such warrants to the sheriffs or constables of the county, or other officers or ministers of the state, or other indifferent persons, to do execution thereof; and finally, in all things belonging to my office, during my continuance therein, I will faithfully, truly and justly, and according to the best of my skill and judgment, do equal and impartial justice to the public and to individuals; so help me, God.

Andrew McIntosh

NORTH CAROLINA

ORANGE COUNTY

TOWN OF CHAPEL HILL

The foregoing oaths of Andrew C. McIntosh were duly administered by me this day and were duly sworn to and subscribed in my presence.

Witness my hand and private seal, this 9th day of May, 1939.

Paul H. Roberts (SEAL)

NORTH CAROLINA
ORANGE COUNTY
TOWN OF CHAPEL HILL

The following oaths taken and subscribed before Paul H. Robertson, Justice of the Peace, in said State and County on the 9th day of May, 1939:

I, Andrew C. McIntosh, do solemnly swear that I will support the constitution of the United States; so help me, God.

Andrew C. McIntosh

I, Andrew C. McIntosh, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the state of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the constitution of said state, not inconsistent with the constitution of the United States, to the best of my knowledge and ability; so help me, God.

Andrew C. McIntosh

I, Andrew C. McIntosh, do solemnly swear that as Recorder of the Recorder's Court of the Town of Chapel Hill, Orange County, North Carolina, in all articles in the commission to me directed, I will do equal right to the poor and rich, to the best of my judgment and according to the laws of the state; I will not, privately or openly, by myself or any other person, be of counsel in any quarrel or suit depending before me; the fines and amercements that shall happen to be made, and the forfeitures that shall be incurred, I will cause to be duly entered without concealment; I will not wittingly or willingly take, by myself or by any other person for me, any fee, gift, gratuity or reward whatsoever for any matter or thing by me to be done by virtue of my office, except such fees as are or may be directed and limited by statute; but well and truly I will perform my office of Recorder of the Recorder's Court of the Town of Chapel Hill; I will not delay any person of common right, by reason of any letter or order from any person in authority to me directed, or for any other cause whatever; and if any letter or order come to me contrary to law I will proceed to enforce the law, such letter or order notwithstanding.