

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ALDERMEN OF THE TOWN  
OF CHAPEL HILL HELD ON JULY 5, 1939

Book 6, Page 796

The Board of Aldermen met in special session in the Town Hall at 8:00 P.M. to adopt a tentative Budget for the fiscal year 1939-40. The following Aldermen were present: Messrs, P. L. Burch, R. W. Madry, R. J. M. Hobbs, G. B. Hellen, F. O. Bowman, and P. H. Robertson. In the absence of Mayor Fosshee, Alderman Hobbs, Mayor Pro-tem, took charge.

Subject: Pin Wheel Tables.

The Town Manager stated that a man from Durham had placed eight pin wheel tables in town without inquiring concerning their legality. The president of the University had not given his consent and Mr. Caldwell stated that he was informed that Dr. Graham was opposed to them. Another man from Hillsboro was in to see the Town Manager and he was told that the Board and University would have to pass on it. Mr. Hinshaw stated that the Attorney General ruled that the machines were legal, since they did not pay off.

Upon motion by Alderman Burch, seconded by Alderman Madry, the Board of Aldermen deferred action until the next regular meeting and referred the matter to the Town Attorney for legal advice. Mr. Caldwell is to see if they can be persuaded to leave town and was instructed to not issue any license until after the next meeting when some definite action will be taken.

Subject: Ordinance Prohibiting Marking Upon or Defacing  
Walls of Town Hall.

Upon motion by Alderman Hellen and seconded by Alderman Bowman, the following members voting in the affirmative thereto: Aldermen P. H. Robertson, P. L. Burch, R. J. M. Hobbs, R. W. Madry, G. B. Hellen and F. O. Bowman, the ordinance herein set out was passed and adopted:

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

Section 1. That it shall be unlawful for any person, or persons, to make any mark upon or deface the walls of the Town Hall of the Town of Chapel Hill in any manner whatsoever.

Section 2. It shall be unlawful for any person to spit upon or throw cigarette or cigar butts upon any floor in the Town Hall of the Town of Chapel Hill.

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Section 3. Upon conviction before the recorder of the Recorder's Court of the Town of Chapel Hill or any other court of competent jurisdiction, any person violating the terms of this ordinance shall be subject to the payment of two dollars (\$2.00) penalty.

Section 4. Any ordinance or sections, or parts of ordinances in conflict herewith are hereby repealed.

This the 5th day of July, 1939.

W. H. Swain  
Clerk

Subject: Ordinance Prohibiting Disorderly Conduct in Streets or other Public Places or Meetings within City Limits.

Upon motion by Alderman Burch and seconded by Alderman Hellen, the following members voting in the affirmative thereto: Alderman R. J. M. Hobbs, R. W. Madry, F. O. Bowman, P. H. Robertson, G. B. Hellen and P. L. Burch, the ordinance herein set out was passed and adopted:

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

Section 1. That it shall be unlawful for any person, or persons, to conduct himself, or themselves, in a disorderly or boisterous manner by cursing or otherwise in any street or other public place or public meeting or gathering within the city limits of the Town of Chapel Hill.

Section 2. Any person, or persons, violating the terms of this ordinance shall be subject to forfeit and pay a penalty of five dollars (\$5.00).

Section 3. All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

This the 5th day of July, 1939.

W. H. Swain  
Clerk

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Subject: Refund to Mutual Building & Loan.

Attorney Hinshaw stated that the Mutual Building and Loan Association, of Durham, had paid Greater School District taxes for the years 1930, 1931 and 1932 on a piece of property known as old Louis Boothe home which is actually in the town limits, and thus subject to town taxes. Since these school taxes were paid, town taxes on the same property have been paid for the years 1930 through 1938. The town now owes the Building and Loan \$31.56, the amount of school taxes erroneously charged and paid for 1930, 31 and 32.

Upon motion by Alderman Bowman and seconded by Alderman Hellen, all the Aldermen present voting in the affirmative, The Board of Aldermen authorized the refunding of \$31.56 to the Mutual Building and Loan Association of Durham for school taxes erroneously charged and paid.

Subject: Schedule B Privilege License for Fiscal year 1939-40.

The Town Manager summarized the Schedule as drawn up by the Manager and Attorney. Discussion followed concerning whether the Candy Bars in the theatres were chain stores or not.

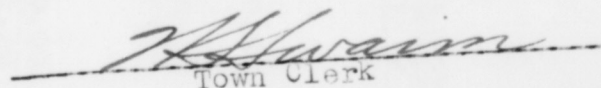
Upon motion by Alderman Burch and seconded by Alderman Bowman, all the Aldermen present voting in the affirmative, the Board of Aldermen adopted the Schedule B Privilege License appearing on the following Pages. Action as to whether the Candy Bars in the theatres are chain stores and thus subject to chain store tax was deferred until the regular meeting.

Subject: Tentative Budget 1939-40.

The Town Manager presented the Budget as recommended by the Manager, Auditor and finance committee after which the Board discussed several items.

The finance committee of Aldermen Hobbs and Hellen moved the adoption of the Budget for fiscal year 1939-40 as recommended by the committee and read by the manager and set the tax rate at \$1.63 per \$100 valuation to be divided as follows: General Fund .86¢, Debt Service .45¢, School .32¢. A copy of the Budget appears on the following pages of these minutes. Alderman Robertson seconded the motion.

There being no further business, the meeting adjourned.

  
Town Clerk



TOWN OF CHAPEL HILL, N. C.  
GENERAL FUND BUDGET 1939-40  
COMPARED WITH FOUR PREVIOUS YEARS

TOTAL REQUIREMENTS:

	1935-36	1936-37	1937-38	1938-39	ESTIMATED 1939-40
1 Legislative					
101 Salary of Mayor	100.00	100.00	100.00	120.00	120.00
102 Election Expense	100.00	71.93	100.00	64.95	100.00
103 Attendance Fee - Aldermen	100.00	171.93	100.00	315.00	360.00
Total Legislative	100.00	171.93	100.00	499.95	480.00

2 Administrative					
Town Office					
201 Salary of Manager	2099.76	2500.54	3000.00	3000.00	3000.00
202 Salary of Attorney	299.52	299.52	300.00	300.00	300.00
203 Salary of Auditor	299.52	299.52	830.00	480.00	480.00
204 Salary of Office Asst't	650.00	780.00			780.00
205 Accounting Service	282.24	308.16	1571.42	1620.00	1800.00
205-A Clerical Help			172.70	537.10	1300.00
206 Postage, Tel. & Telephone	187.63	190.16	179.08	214.63	200.00
207 Printing and Binding	110.25	94.25	118.81	200.63	200.00
208 Office Supplies & Expense	35.02	87.54	81.66	71.47	75.00
209 Repairs to Equipment	25.50		25.98	.75	65.00
210 Repairs to Building	34.21				
211 Water, Heat, Light, Janitor	120.99	162.60	137.30	159.88	345.00
212 Tax Listing, Scroll	300.00	300.00			
212-A Use of Manager's Car	240.00	240.00	240.00	240.00	240.00
Total - Town Office	4682.64	5262.29	6556.95	6824.66	7005.00

General Expense					
213 Interest on Tax Anticipation Notes	530.83	438.80	635.69	172.27	300.00
214 Advertising	114.00	117.10	124.95	97.25	175.00
215 Workmen's Compensation Ins.	510.00	460.64	550.00	750.00	800.00
216 Other Insurance	525.00	503.00	407.47	161.82	225.00
216-A Assessments Firemen's Assn.				319.00	350.00
217 Auto License Plates	59.83	46.69	57.17	49.44	60.00
218 Official's Bonds			76.28	70.00	70.00
Total General Expense	1739.66	1568.43	2149.56	1319.78	1980.00
Total Administrative	6422.06	6830.72	8806.51	8444.44	8985.00

## LICENSE AND PRIVILEGE TAXES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL: 1939-40

Section 1. To raise revenue for general municipal purposes the license and privilege taxes hereinafter enumerated are hereby levied and assessed by the Board of Aldermen and directed to be collected by the Town Tax Collector, upon every person, firm, or corporation engaging in any trade, business, profession or calling mentioned in this ordinance within the limits of Chapel Hill; and it shall be the duty of every person, firm or corporation engaging in any such trade, business, profession, or calling within the limits of the Town of Chapel Hill to obtain on the First day of July, 1939, or within thirty days thereafter a license therefor in the sum herein specified.

Section 2. Any person exercising or carrying on any trade, business, profession or calling for the exercising, carrying on, or doing for which a license tax is required by this ordinance, without first taking out license required by this ordinance shall be deemed guilty of a misdemeanor and shall forfeit and pay a penalty of Fifty Dollars (\$50.00) for each offense, and for each day this section is violated such person, clerk or agent shall be guilty of a separate offense.

Section 3. All licenses issued under the ordinance on and after the first day of July, 1939, shall be for not less than the current fiscal year unless otherwise provided for in the section fixing the tax; PROVIDED that after six months of the fiscal year shall have expired, the tax shall be one-half the amount charged for the year.

Section 4. The adoption of this schedule of privilege and license taxes shall not abridge the right of the Board of Aldermen to change, alter, increase or decrease any of the taxes herein levied at any time and whenever any increase is made the license shall be revoked unless such increase be paid within thirty days.

Section 5. Any license issued under this ordinance shall be subject to revocation by the Board of Aldermen, or by the granting official, without refund of any part of the tax; PROVIDED, in the judgment of the Board or granting official the license by reason of its nature, manner or place in which it is conducted constitute a nuisance or is a menace to good order or to public health or morals. Upon the revocation of any such license, it shall be unlawful for the person to whom such license was issued to continue to conduct such business and upon the violation of this section the offender shall, upon conviction, forfeit and pay a penalty of Fifty Dollars (\$50.00); each day such business is conducted after the revocation of the license shall constitute a separate offense.