

MINUTES OF MEETING OF BOARD OF ALDERMEN  
TOWN OF CHAPEL HILL  
AUGUST 8, 1945

P. 208

The Mayor presided. The following Aldermen were present: Lanier, Burch, Strowd, Wettach, Fitch and Hobbs.

The following visitors were present: Collier Cobb, E. Carrington Smith, L. J. Phipps, F. O. Bowman, A. T. Young, June Harris, Miss Nan Harris, Dr. David Garvin, Murphy Canady, Jeff Thomas, Louis Graves, Clyde Hornaday, Manning Simmons, N. M. Timmons, Ben Schriber, and Braxton Creel.

The reading of the minutes was delayed until after the question of the Ordinance to Ban the Sale of Beer and Wine on Sundays was dispensed with.

Tree on Miss Branson's Lot in Gimghoul

Mr. E. C. Smith brought up the subject of a tall pine tree on Miss Branson's lot in Gimghoul and stated that it was dangerous in its present condition. He asked that the Board have something done about it. After some discussion, the Mayor requested the Town Manager to telephone Miss Branson and suggest that she take care of this tree.

Shoe Shine Boys on Franklin St.

Mr. Smith also brought up before the Board the matter of shoe shine boys on Franklin Street, registering complaints from merchants on the street to the nuisance, blocking of traffic, fights among the boys, throwing of polish on windows, etc. After a discussion in which was brought out a real need for this service, and the necessity of segregating them, Alderman Lanier moved that for the months of August and September, shoe shining on Franklin Street be confined exclusively to the south side of Franklin Street, between Battle, Vance and Pettigrew Dormitory and the Graham Memorial gate. Motion seconded by Alderman Burch and unanimously passed.

Proposed Ordinance to Ban Sale of Beer and Wine on Sundays

329

Mr. Hinson was asked to read the proposed ordinance. (See proposed ordinance attached) Alderman Burch stated that this ordinance had been drawn up to be acted upon, provided the County of Orange would pass the same law; it being the understanding of this Board that the County wished to have such a law passed. Mr. L. J. Phipps, Attorney, was present to represent the Merchants Association. In his talk he pointed out that the State Law now prohibits beer being sold from 11:30 p.m. to 7:00 a.m. and that the proposed ordinance would prohibit the sale of beer and wine from 7:00 a.m. to 11:30 p.m. on Sundays. He pointed out that such an ordinance would not restrict the drinking of beer on Sundays - that beer could be bought on Saturdays and consumed on Sundays; that this law is not enforced in Durham; that beer can be bought in Durham from bootleggers on Sundays for 50¢ per bottle, and

that he could see no reason for curtailing the merchants who control their beer and wine selling and drinking because of one place which is causing the complaints. He pointed out that a much better solution would be to have an investigation by the N. C. Brewer and Bottling Assoc. of the place causing the trouble and, if possible, have their license revoked.

Mr. Smith, President of the Merchants Assoc.; Mr. Timmons, of The Porthole; Mr. Schriber, of Harry's Grill; Mr. Creel, of Creel's Service Station; Mr. Thomas, of The Carolina Confectionery; Mr. Bowman, Mr. Collier Cobb, Chairman of the Board of Commissioners of Orange County, were heard from. The merchants present were unanimous in their opinion that their right to sell beer and wine on Sundays should not be taken away as long as they sell it under orderly conditions. Mr. Cobb stated that the Board of Commissioners of Orange County were indifferent to the passing of this law, but they would probably follow with a law for the County if this Board passed this ordinance for the Town of Chapel Hill.

In the discussion it was brought out that the N. C. Bottlers Assoc. has the power to stop the supply of beer to a merchant if there is any complaint. Mr. Smith suggested that this Association be called and asked that the place causing the trouble (Charlie Merritt's Cafe on W. Franklin St.) be investigated and that their beer selling privilege be taken away.

There being no motion and second for the adoption of the proposed ordinance, Alderman Lanier moved that this question be tabled indefinitely, which motion was seconded by Alderman Burch, ~~but this motion was not voted on.~~ *Those in aff. W. Strowd, Burch, Lanier, against Fitch Hobbs.*

It was brought out by Mr. Hinshaw, Town Attorney, that his reason for suggesting this ordinance was the fact that practically all of the cases he tries are caused by "one bottle of beer."

Alderman Wettach made a motion that a resolution be adopted, asking the N. C. Bottlers Association to investigate the place in Chapel Hill (Charlie Merritt's Cafe) that the Police Department says is giving the trouble. This motion was seconded by Alderman Burch - ~~those voting in favor of this resolution were: Alderman Strowd, Burch, Lanier; those opposed: Alderman Fitch and Hobbs. The resolution was duly adopted.~~ *Unanimous*

At this point those interested in the Beer and Wine Ordinance were asked to be excused.

-----  
The minutes of the last meeting were read and approved.

330

#### STREET LIGHTING COMMITTEE REPORT

Mr. Wettach, Chairman of the Committee on Street Lighting, reported that a survey had been made of the town streets and that some streets in the white area were found to be darker than those in the colored areas. They recommended that another light be placed in the middle of McDade Street. He also reported that the street at the entrance of the U. S. Rubber Company on W. Franklin Street is very dark. This Committee also recommended a general tree trimming around the lights, which will improve the lighting,



and the use of larger bulbs was mentioned. Another dark place is on Senlac Road, at the Booker and McClamroch alley, and another light was recommended for this spot. It was the opinion of this Committee that there were enough lights on W. Rosemary Street, if the trees were trimmed and stronger bulbs were used. Upon motion of Alderman Burch, seconded by Alderman Lanier, this Committee's report was accepted and the matter was left in the hands of the Street Committee and the Town Manager to carry out its recommendations.

#### Citizens Housing Committee Report

Mr. Collier Cobb gave a report from the Citizens Housing Committee, in the absence of Chairman O. K. Cornwell. He reported that Durham and Greensboro have permission to build 200 units each, and so far about 75 units are being constructed in each city. The F. H. A. in Greensboro has recommended priority for 50 units to be built right away in Chapel Hill, with ceiling rent at \$60.00 per month. Mr. Cobb quoted Mr. Cornwell as saying that plans have been drawn for 16 apartments in the two barracks on Pittsboro Street, but that he is having them re-drawn to provide 32 living units, which would take care of 32 G.I. families. It was stated that there are already applications from 50 married G. I.'s for living units, and that the rent ceiling on the proposed 50 units will prohibit their use by G. I.'s.

The Mayor thanked Mr. Cobb for the work of the Committee and asked that this Committee continue its efforts toward getting priorities for building units in Chapel Hill. Mr. Burch announced, unofficially, that there was a strong possibility that the Pre-Flight School would soon release two dormitories for use by the University.

Alderman Lanier made a motion that the members of this Committee be thanked for their work and that they continue their work; seconded by Alderman Fitch, and unanimously passed.

#### Rent Control

The Mayor reported that he had received several complaints regarding exorbitant rents and increases in rents recently, and cited these cases. Alderman Fitch asked what per cent of the total property for rent was there a complaint on. It was judged to be a very small per cent, and it was the opinion of the Board that it is now too late to do anything about rent ceilings in Chapel Hill, except to bring a little moral pressure to bear. Mr. Graves was asked if he could help in this respect and he said he would by writing a general article, but that he would refuse to cite specific cases.

#### Application for Position of Town Clerk

Mr. Hinson announced that the Town has application from Miss Mae Wilkie for the position of Town Clerk. He and Mr. Peacock recommended that the Board appoint her as Town Clerk at a salary of \$150.00 per month, beginning September 1, 1945, with the provision that she be allowed to take two courses in the University. After some discussion as to the time allowed for her courses and her qualifications, Alderman Wettach made a motion that Miss Mae Wilkie be appointed as Town Clerk, beginning September 1, at a salary of \$150.00 per month, for one year, with the understanding that she will be allowed to take not more than two courses at a time in the University.

Motion was seconded by Alderman Fitch and unanimously passed.

Privilege Licenses - Amusements

Town Manager Hinson brought up the matter of Privilege Licenses for the year 1945-46, and pointed out that under the State law this Board has the authority to levy license taxes for amusements based on a seating capacity and population scale. Upon motion of Alderman Hobbs, seconded by Alderman Fitch, and unanimously passed, the Town Attorney was authorized to draw the necessary ordinances making necessary changes in the amusement section to correspond with existing State law.

Indemnity Bond

The Town Manager brought up the question of transferring an Indemnity Bond of \$100.00, for which there is a Certificate of Deposit, to the Cemetery Savings Account. Upon motion of Alderman Hobbs, seconded by Alderman Fitch, all members voting in the affirmative, the following resolution was adopted:

Section 1. Whereas, there is on deposit in the Bank of Chapel Hill the sum of one hundred dollars in the account carried by the Cemetery Committee, and evidenced by Certificate of Deposit No. 20839; and whereas, the Board of Aldermen of the Town of Chapel Hill desire to have this fund transferred to its Cemetery Savings Account and to transfer the one hundred dollars represented by said Certificate which has been lost; and whereas, the said Board desires to indemnify the Bank for any damages it may suffer by reason of transferring the one hundred dollar credit above described to the Town of Chapel Hill Cemetery Savings Account.

Therefore, the Mayor, R. W. Maddry, and the Town Clerk, Miss Mae Wilkie, are hereby authorized, empowered and directed to execute an Indemnity Bond to the Bank of Chapel Hill as follows: