

REGULAR MONTHLY MEETING
BOARD OF ALDERMEN
TOWN OF CHAPEL HILL
MAY 13, 1948

The Board of Aldermen of the Town of Chapel Hill held its regular monthly meeting at the Town Hall on Wednesday, May 13, 1948 at 8 o'clock. Mayor Madry presided and all members were present as well as Town Manager Ray, Town Attorney Hinshaw, and quite a number of visitors.

Motion pictures were taken of the group at work for a film of Chapel Hill which is being sponsored by the Merchants Association.

A discussion was held regarding the request of Miss Billie Curtis to build a 5 x 6 foot addition to the southeast corner of the Bason Cottage. The first petition which she presented had been denied by the Board and the Zoning Committee because this would put her in less than two feet of the line of property. However, she presented a second petition for this addition which would give her a legal clearance of 40 ft. and this second petition was approved by the Zoning Committee. Mr. Fitch moved that the Board accept the second petition of Miss Curtis, seconded by Mr. Lanier, and unanimously passed. (Miss Curtis stated that she would not build without the permission of Miss Bason.)

Mr. Paul E. Sexton, Commander of Chapel Hill Post No. 6 of the American Legion and Mr. D. M. Horner, Sr., Mr. Calvin Burch, and Mr. D. M. Horner, Jr. presented a petition to the Board requesting that the Chapel Hill Post No. 6 be given a permit to sell beer to members and their guests in the tap room in the basement of the American Legion hut. They stated that they wanted to obtain this license so that they could raise money to sponsor a Legion baseball team. Mr. P. L. Burch called to the attention of the Board that a petition had been made sometime back to change the east side of Rosemary Street from Residence Zone B to Business Zone II. A tentative check was made of past minutes of the Board and there was no indication that this petition had been passed. Mr. Hobbs and Lanier recommended that the minutes be searched more thoroughly to see if there was a rezoning, and if so, if it included the present hut, or just to the hut. It was suggested that the Legion representatives bring the date of their minutes on the matter of the petition (zoning) to the Board so that the Board would be in a better position to know just what dates of their minutes to recheck. Mr. Hobbs suggested that the people in the area of the Legion Hut be given an opportunity to express their feelings on the sale of beer in the tap room. Action was deferred on the petition under further information could be obtained by the Board on the zoning question.

Mr. Kenneth Gammage and Mr. Bill Spurling, representing the A.T.O. Fraternity, appeared before the Board. Mr. Gammage stated that a no parking sign has recently been placed on Pickard Lane on the side of the street adjoining the A.T.O. house. He pointed out that the fraternity boys had been parking their cars along a sandy strip, which to the best of his knowledge, belongs to the fraternity, adjacent to the fraternity house. Since they are not allowed to park on this strip he showed how much more congested the traffic was on this street, as well as there being a hazzard to people parking on the other side of the street because they had to park along a hedge and get out of their cars on the street side. Mr. Gammage requested that the sign be moved from the side of the street with the sand strip adjoining their property to the other side of the street. Mr. Burch moved that the Street Committee be appointed to look into this and brought in the fact that a church will be built on the same side of the street as the A.T.O. house in the future and that was another good reason why the sign should be moved. The motion was seconded by Mr. Lanier and unanimously passed.

Mr. Lanier presented a letter from Mr. Louis Graves regarding parking on Battle Lane and recommended that this be referred to the Street Committee for their study. Seconded by Mr. Hobbs and unanimously passed.

Mr. Madry questioned Mr. Gammage and Mr. Spurling regarding complaints from townspeople in the vicinity of the A.T.O. house on their garbage disposal. Mr. Spurling stated that they are making immediate preparations in accordance with the standards of the Health Department, and have constructed an 8 ft. fence around their garbage area.

Mr. J. Hampton Rich appeared before the Board accompanied by his attorney, Mr. William Dees. Mr. Dees pointed out that in 1942 Mr. Rich built a bungalow on N. Columbia Street and later in that year had Mr. Tom Yates secure a permit from the City to make connections from Mr. Rich's house to the town sewer, and this connection was inspected by the Town's inspector. Shortly after the house was occupied in the spring of 1943 the sewage was stopped up and flowed into the basement of the house. Mr. Rich asked Mr. Yates to inspect this, which he did and found that the manhole was stopped up which caused this backflow of sewage. Mr. Rich complained to the City Manager and he sent someone out to inspect this. Mr. Rich had the condition cleared up himself and since that time there has been no trouble. Mr. Rich had books in his basement which were damaged at an estimate of \$140.00. Mr. Rich was not put on the list of sewer rentals until late in 1944. (He lost his permit but later found it.) When Mr. Rich was put on the sewer rental list he did not pay the rental because he was under the impression that the town would make some adjustment between the sewer rental and the damages incurred to his property in 1943. To date Mr. Rich is charged with \$9.43 penalties and \$72.00 rental. He feels that he is due the adjustment because the city failed to furnish him service to which he was entitled. After further discussion by members of the Board, Mr. Rich, and Mr. Dees, Mr. Hobbs advised that the Board take the matter into advisement with City Attorney Hinshaw and have him inspect the sewer and take into consideration Mr. Dees statements. Mayor Madry and the Board were in accord with Mr. Hobbs suggestion. Mr. Hobbs was of the opinion that since Mr. Rich got the permit and hired a man to tap the city line and that the negligence was not the fault of the city but Mr. Rich's employee.

Mr. Edwin Lanier made the statement that he would like for the following statement to go on record in the minutes. "Mr. William Dees from Goldsboro, N.C. has recently graduated from the University of North Carolina Law School and obtained his license to practice law. We are honored by Mr. Dees in that this is his first appearance as an attorney in behalf of a client, and we wish him a useful and successful career in the legal profession."

Mr. T. F. Hickerson presented very interesting drawings to the Board which he had worked out regarding traffic control at the corner of the Post Office on Franklin Street and also at the intersection at Carolina Inn. Mr. Lanier moved that the charts and suggestions by Mr. Hickerson be referred to the committee that drew up plans for the traffic control system at the Post Office, composed of Mr. Ray and Mr. Obie, for further study. This suggestion met with the approval of the Board.

Davis

Mr. T. A. Hudson appeared before the Board and stated that he is completing a home in Westwood, and did not know until about two weeks of the ruling prohibiting the tapping of any sewers outside of the city limits. Mr. Yates' plumber made the connection for him and did not inform him of the matter. Mr. Hudson stated that he would not have started the house had he known about this ruling. It was pointed out by Dr. Garvin, who was also present at the meeting, that it would be very difficult to put in a septic tank on Mr. Hudson's property due to the trees and low elevation of the land. Mr. Hudson requested of the Board that he be allowed to keep this sewer connection. After Mr. Hudson left the meeting and there was further discussion of the matter by Board members, Mr. Fitch moved that he be granted a permit for the sewer connection, seconded by Mr. Fowler. Motion Passed. Hobbs and Davis voted No. Fitch, Lanier, Fowler, and Burch Yes.

An application was received from Edward G. Danziger for a permit to sell beer in the basement of Danziger's Old World Coffee House. Mr. Burch moved it be granted and this was seconded by Mr. Fowler. The motion was passed. Mr. Fitch did not vote.

Mrs. John M. Booker sent a letter to the Board requesting a street light on the curve in Senlac Road. This matter was referred to the Street Committee. The matter of a light on Gimghoul Road in front of the intersection of Ridge Lane not being in line with the intersection but in front of the first house (Jim Phipps) was also referred to the Street Committee.

Atlas Durham, Negro citizen, asked Mr. Ray, Town Manager to speak the following on his behalf. He was charged with sewer rental on two houses for the year 1947 and he only owned one house in town which was connected to the sewer system. The records indicate that this is correct. He also paid a dog tax of \$1.00 and had not owned a dog in two years. Mr. Burch moved that he be refunded \$13.00 on the grounds of charge through error. This was seconded by Mr. Hobbs and unanimously passed.

Mr. Ray and Mr. Earl Peacock had previously been appointed to obtain information from the University as to the water consumption of property owners for the year 1947 in connection with the sewer system. Mr. Ray reported that Mr. Culbreth of the University Utilities Department has this information.

Mr. Hinshaw, Town Attorney, presented the following proposed ordinance to the Board:
"The Board of Aldermen of the Town of Chapel Hill do ordain and enact:

Sec. I. That on and after this date no person, firm, or corporation may make a connection directly or indirectly to a sewer line without first obtaining a permit for a sewer connection from the City Manager.

Sec. II. That any builder, contractor, or plumber making a sewer connection without first obtaining a permit therefor shall forfeit and pay a penalty of \$50.00 per day for each day said connection exists without a permit.

Sec. III. All past ordinances in conflict herewith are hereby repealed."
Mr. Burch moved that the ordinance be accepted and Mr. Hobbs seconded. Passed unanimously.

Mr. Lanier moved that the City Manager be instructed to revise the Plumber's Permit to show whether the connection would be for a sewer line or septic tank and whether or not the connection would be within or outside of the city limits. Seconded by Mr. Hobbs and unanimously passed.

Mayor Madry stated that a meeting would be arranged in the near future composed of representatives of the Board and Mr. Carmichael, Teague, and Bennett of the University to discuss the possible purchase of electric facilities from the University.

Meeting Adjourned 11:30 P.M.

Mae W. Gzment, Clerk