

MINUTES OF REGULAR MEETING  
BOARD OF ALDERMEN TOWN OF CHAPEL HILL  
August 11, 1948

The regular meeting of the Board of Aldermen was held in the Town Hall, August 11, 1948, at 8:00 P.M.

Mayor Madry presided over the meeting. Aldermen present were Burch, Hobbs, Lanier, Davis and Fitch. Also present were Town Manager Ray, Town Attorney Hinshaw and Town Engineer Rose.

Minutes of previous meetings were read and approved.

Mayor Madry and Mr. Lanier reported to the Board their conversation with Mr. Bartlett with reference to the sub-station of the Carolina Cab Company at the corner of Hillsboro and E. Franklin Streets. Mr. Bartlett told them he would be willing to move the telephone, if they so recommended. The committee, appointed at a previous meeting, was asked to make further investigation and make a further report to the Board.

There was considerable discussion of the parking situation on Columbia Street. Motion was made by Mr. Burch to mark four parking spaces for Carolina Cab Company and all parking to be at an angle on the west side of Columbia Street between Rosemary and Franklin Streets. This was seconded by Mr. Hobbs and unanimously passed.

Hubert Roberson, J.C. Burnett, C.T. Boyd and Amelia Franklin appeared before the Board to find out what had been done about putting sewer lines on Sunset Drive and Nunn Street. They also requested that Sunset Drive and Nunn Street be paved. They were informed that the lines probably would be in by Christmas but they may not be put in use until the new sewerage plant is completed which will be sometime next year. After some discussion as to the paving of these streets, motion was made by Mr. Burch that the Street Committee make an investigation of the situation and make recommendation to the Board at a later date. This was seconded by Mr. Hobbs and unanimously passed.

Mr. John Humphreys advised the Board that he and Mrs. William T. Mattox own five lots each between Cameron Avenue and alley off Basnight Lane. Of this property, they will give to the Town of Chapel Hill enough land to make a street in exchange for running the sewer line the length of the street to serve their property. Motion made by Mr. Fitch that this proposition be referred to the Street Committee for investigation to see what can be done to continue the street across property of Leola Foust to the alley. This was seconded by Mr. Burch and unanimously passed.

Mr. Walker of Walker's Funeral Home appeared before the Board to protest the separate ambulance license fee being charged them. He stated that they do quite a bit of charity work with the ambulances and each year he provided from one to four ambulances at the athletic field for the football games. The number of ambulances provided is governed by the size of the crowd expected. Motion was made by Mr. Lanier that ambulance privilege license fee not be charged in Chapel Hill. This was seconded by Mr. Davis. Those voting for the motion were Burch, Lanier, Davis and Fitch. Against Hobbs.

There was further discussion of the sewerage project requested by Mrs. P.C. Gardner. After considerable discussion by the members of the Board, motion was made by Mr. Hobbs that the sewerage line be put in to run from Stephens Street to a point on North Columbia Street. This was seconded by Mr. Fitch and unanimously passed.

Mr. Hinshaw addressed the Board on the proposed Bond Sale. Mr. Lanier moved that the following resolution be adopted:

WHEREAS, The Board of Aldermen of the Town of Chapel Hill has duly adopted the bond ordinances hereinafter described and no bonds have been issued pursuant to any of said bond ordinances and no bond anticipation notes have been issued in anticipation of the issuance of the bonds authorized thereby, and the Board of Aldermen desires to make further provision for the issuance of the bonds authorized by said bond ordinances; NOW, THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, as follows:

Section 1. Pursuant to the provisions of the Municipal Finance Act, 1921, of North Carolina, as amended, it is hereby determined and declared that the probable period of usefulness of the improvement for which bonds are authorized to be issued by the ordinance entitled "An Ordinance authorizing the issuance of \$200,000 of bonds of the Town of Chapel Hill for the enlargement and extension of the sanitary sewer system of the Town of Chapel Hill", adopted by the Board of Aldermen on the 16th day of February, 1948, is forty years, computed from September 1, 1948. There shall be issued, pursuant to said ordinance, bonds of the Town of Chapel Hill of the aggregate principal amount of \$200,000, and said bonds shall be designated "Sewer Bonds".

Section 2. Pursuant to the provisions of the Municipal Finance Act, 1921, of North Carolina, as amended, it is hereby determined and declared that the probable period of usefulness of the improvement for which bonds are authorized to be issued by the

ordinance entitled "An Ordinance authorizing the issuance of \$35,000 of bonds of the Town of Chapel Hill for the improvement of public streets in the Town of Chapel Hill", adopted by the Board of Aldermen on the 16th day of February, 1948, is twenty years, computed from September 1, 1948. There shall be issued, pursuant to said ordinance, bonds of the Town of Chapel Hill of the aggregate principal amount of \$35,000, and said bonds shall be designated "Street Improvement Bonds". Pursuant to the provisions of the Municipal Finance Act, 1921, of North Carolina, as amended, it is hereby determined that the surface of the public streets, the improvement of which is to be financed with the proceeds of said bonds, shall be constructed or reconstructed with bricks, blocks, sheet asphalt, bitulithic or bituminous concrete laid on a solid foundation or with concrete.

Section 3. Pursuant to the provisions of the Municipal Finance Act, 1921, of North Carolina, as amended, it is hereby determined and declared that the probable period of usefulness of the improvement for which bonds are authorized to be issued by the ordinance entitled "An Ordinance authorizing the issuance of \$23,600 of bonds of the Town of Chapel Hill for the purchase of apparatus of said Town", adopted by the Board of Aldermen on the 16th day of February, 1948, is ten years, computed from September 1, 1948. There shall be issued, pursuant to said ordinance, bonds of the Town of Chapel Hill of the aggregate principal amount of \$22,000, and said bonds shall be designated "Equipment Bonds".

Section 4. Said Sewer Bonds shall consist of two hundred bonds of the denomination of \$1,000 each, and shall be numbered from 1 to 200, inclusive, in the order of their maturity, and shall be payable, four bonds on September 1st in each of the years 1950 to 1954, inclusive, and five bonds on September 1st in each of the years 1955 and 1956, and ten bonds on September 1st in each of the years 1957 to 1973, inclusive.

Section 5. Said Street Improvement Bonds shall consist of thirty-five bonds of the denomination of \$1,000 each, and shall be numbered from 1 to 35, inclusive, in the order of their maturity, and shall be payable, one bond on September 1st in each of the years 1950 to 1952, inclusive, and two bonds on September 1st in each of the years 1953 to 1968, inclusive.

Section 6. Said Equipment Bonds shall consist of twenty-two bonds of the denomination of \$1,000 each, and shall be numbered from 1 to 22, inclusive, in the order of their maturity, and shall be payable, six bonds on September 1, 1949, and one bond on September 1st in each of the years 1950 and 1951, and two bonds on September 1st in each of the years 1952 to 1958, inclusive.

Section 7. Said bonds shall all be dated September 1, 1948. Each bond shall bear interest from its date until said bond shall be paid at a rate which will not exceed six per centum (6%) per annum, and such interest shall be payable semi-annually on each March 1st and September 1st subsequent to the date of such bond.

Section 8. Said bonds shall be coupon bonds and shall be registerable at the option of the holder as to principal only. Said bonds shall be signed by the Mayor and by the Town Clerk of said Town, and the corporate seal of said Town shall be affixed to each of said bonds. The coupons to be attached to said bonds shall bear the lithographed or engraved fac-simile signature of said Town Clerk. Both principal of and interest on said bonds shall be payable at the principal office of The National City Bank of New York, in the Borough of Manhattan, City and State of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 9. Each of said bonds shall be in substantially the following form:

No. \_\_\_\_\_

No. \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

TOWN OF CHAPEL HILL

\_\_\_\_\_ BOND

\$1,000

\$1,000

The Town of Chapel Hill, a municipal corporation of the State of North Carolina, located in the County of Orange in said State, for value received hereby promises to pay to the bearer of this bond, or, if it be registered, then to the registered owner, the principal sum of

ONE THOUSAND DOLLARS (\$1,000)

on the first day of September, 19\_\_\_\_, and to pay interest thereon from the date of this bond until it shall mature at the rate of \_\_\_\_\_ per centum (\_\_\_\_%) per annum, payable semi-annually on March 1st and September 1st in each year, upon presentation and surrender of the coupons therefor attached hereto, as they severally mature. Both principal of and interest on this bond are payable at the principal office of The

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National City Bank of New York, in the Borough of Manhattan, City and State of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This bond may be registered as to principal only by the holder in his name on the bond register of said Town kept in the office of the Bond Registrar of said Town, and such registration shall be noted hereon by said Bond Registrar. If so registered, this bond may be transferred on said bond register by the registered owner in person or by attorney, upon presentation of this bond to the Bond Registrar with a written instrument of transfer in a form approved by said Bond Registrar and executed by said registered owner. If this bond be so registered, the principal shall thereafter be payable only to the person in whose name it is registered, unless this bond shall be discharged from registry by being registered as payable to bearer. Such registration shall not affect the negotiability of the coupons, which shall continue to pass by delivery.

(Paragraph to appear only in Sewer Bonds)

This bond is issued pursuant to The Municipal Finance Act, 1921, of North Carolina, as amended, and an ordinance duly adopted by the Board of Aldermen of said Town, to finance the cost of enlarging and extending the sanitary sewer system maintained and operated by said Town. The issuance of this bond and the contracting of the indebtedness evidenced thereby have been approved by a majority of the qualified voters of said Town voting at an election duly called and held in said Town on the 6th day of April, 1948.

(Paragraph to appear only in Street Improvement Bonds)

This bond is issued pursuant to The Municipal Finance Act, 1921, of North Carolina, as amended, and an ordinance duly adopted by the Board of Aldermen of Said Town, to finance the cost of improving public streets in said Town. The issuance of this bond and the contracting of the indebtedness evidenced thereby have been approved by a majority of the qualified voters of said Town voting at an election duly called and held in said Town on the 6th day of April, 1948.

(Paragraph to appear only in Equipment Bonds)

This bond is issued pursuant to The Municipal Finance Act, 1921, of North Carolina, as amended, and an ordinance duly Adopted by the Board of Aldermen of said Town, to finance the acquisition of motor trucks and other vehicles for the use of the Street Department, Sanitation Department and other departments of the Town. The issuance of this bond and the contracting of the indebtedness evidenced thereby have been approved by a majority of the qualified voters of said Town voting at an election duly called and held in said Town on the 6th day of April, 1948.

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It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of said Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of said Town are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

IN WITNESS WHEREOF, said Town has caused this bond to be signed by its Mayor and by its Town Clerk, and the corporate seal of said Town to be hereunto affixed, and the annexed coupons to bear the fac-simile signature of said Town Clerk, and this bond to be dated September 1, 1948.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk

Section 10. Each of the interest coupons to be attached to said bonds shall be in substantially the following form:

No. \_\_\_\_\_

\$ \_\_\_\_\_

March

On the first day of September, 19\_\_\_\_, the Town of Chapel Hill, North Carolina, will pay to bearer

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_)

at the principal office of The National City Bank of New York, in the Borough of Manhattan, City and State of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, being the semi-annual interest then due on its \_\_\_\_\_ Bond, dated September 1, 1948, and numbered \_\_\_\_\_.

\_\_\_\_\_  
Town Clerk

Section 11. There shall be endorsed upon each of said bonds provisions for the registration of said bonds as to principal August 11, 1948

only, in substantially the following form:

The within bond has been registered as  
to principal only, as follows:

Date of Registration	:	Name of Registered Holder	:	Signature of Bond Registrar
	:		:	
	:		:	
	:		:	
	:		:	
	:		:	
	:		:	

Section 12. There shall appear upon each of said bonds a certificate for the use of the Secretary of the Local Government Commission, in substantially the following form:

The issue hereof has been approved under the  
provisions of the Local Government Act.

W.E. Esterling,  
Secretary of the Local Government Commission,

By

\_\_\_\_\_  
Designated Assistant

Section 13. The Town Clerk is hereby authorized and directed to provide a suitable bond register for the registration of said bonds and to act as Bond Registrar in registering said bonds and to carry out the provisions set forth in said bonds for the conversion of said bonds into registered bonds and for the transfer thereof.

Section 14. The Local Government Commission of North Carolina is hereby requested to sell said bonds in the manner prescribed by the Local Government Act of North Carolina, and to state in the notice of the sale of said bonds given pursuant to Section 17 of said Act, that bidders may name one rate of interest for part of said bonds and another rate or rates for the balance of said bonds. Said bonds shall bear interest at such rate or rates as may be named in the proposal to purchase said bonds which shall be accepted by said Local Government Commission in accordance with said Act.

Section 15. The Mayor and Town Clerk are hereby authorized and directed to cause said bonds to be prepared and, when they shall have been duly sold by said Local Commission, to

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execute said bonds and to turn said bonds over to the State Treasurer of North Carolina, for delivery to the purchaser or purchasers to whom they may be sold by said Commission.

Mr. Hobbs seconded the motion, and the motion was adopted. Those voting for the motion were Messrs.

Burch, Lanier, Fitch, Davis and Hobbs.

No one voted against it.

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Mr. Hinshaw reported on his investigation of the application of Lambros Andrews. He reported that the business place of Mr. Andrews is very close to a church and he had not discussed the situation with any members of the church but Mr. Andrews would not be selling beer during church services. In view of this, it was his recommendation that the permit be issued. Mr. Davis moved that Mr. Andrews be granted a permit to sell beer on West Franklin Street. Seconded by Mr. Burch. Voting for the motion were Messrs: Burch and Davis. Against Lanier, Hobbs and Fitch.

Mr. Ray presented the budget with the request of Mr. Whitfield, Judge of Recorder's Court, for a raise in salary. After some discussion motion was made by Mr. Hobbs that the budget be adopted as is. Seconded by Mr. Fitch. Unanimously passed.

Upon motion of Mr. Lanier, seconded by Mr. Hobbs, the following ordinance was passed:

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

Section 1. In order to raise revenue for the appropriations as herein set forth, there is hereby levied a general tax for operations of \$1.10 per \$100.00 valuation on all taxable property in the Town of Chapel Hill to be collected by the Tax Collector; that in addition thereto there is levied and shall be collected a tax of 33¢ per \$100.00 valuation for debt service on all property above enumerated and shall be collected and applied on such indebtedness as may become due during the fiscal year 1948-49; that in addition to the ad valorem tax heretofore levied there shall be levied a tax of \$1.00 on each male resident of the Town of Chapel Hill between the ages of 21 and 50; that there is also levied a tax of \$1.00 on each male dog in Chapel Hill and \$2.00 on each female dog.

Section 2. That there is hereby levied a tax of 20¢ on each \$100.00 valuation of taxable property in the Greater School District and City Administrative Unit for School purposes and for the purpose of supplementing the teachers' salaries and other expenses incurred in the operation of the Chapel Hill Schools.

Section 3. That in no case shall any person's school tax exceed 20¢ on each \$100.00 valuation regardless of whether he lives in more than one school taxing district.

Section 4. That the Privilege License Ordinance passed August 13, 1947, applicable to the fiscal year 1947-48, same beginning on page 348 of minute docket number 7, is hereby re-enacted verbatim, except for the charge of \$15.00 per year for each ambulance which is cancelled and not applicable to fiscal year 1948-49.

This 11th day of August, 1948.

  
Town Clerk

With reference to pending suit of C.W. Lloyd versus Town of Chapel Hill, correspondence of Mr. L.J. Phipps and Fuller, Reade and Fuller was read to the Board. Mr. Phipps, representing the Town, advised that he had offered settlement to Mr. Lloyd in the amount of \$1,000.00. This was declined by Fuller, Reade and Fuller but they advised that their client, Mr. Lloyd, would accept \$1,500.00 in full settlement of his claim. After some discussion by the Board, motion was made by Mr. Burch that the offer of settlement on the basis of \$1,500.00 be declined. Seconded by Mr. Lanier and unanimously passed.

Mr. Ray read a letter from Mrs. B.B. Lane Complimenting the Town on the improvements they had made on Pittsboro Street. In that letter she also requested that truck traffic be prohibited on Pittsboro Street so that it would remain in good condition. This request was referred to the Street Committee to be worked out with the Town Attorney.

The Street Committee was also asked to make a study of shrubbery growing close to corners of streets making it impossible to see any traffic that might be coming from another direction.

Mr. Ray advised the Board of the new trucks that have been purchased and are ready to put in use. He, also, advised that notice has been put out for bids on new fire hose. Bids will be received until 2:00 P.M. Friday, August 20, 1948 at which time the bids will be opened.

Mr. Ray advised that one motor grader and several trucks are practically junk and should be sold. Motion was made by Mr. Lanier to authorize the City Manager and Finance Committee to sell, at public auction, any equipment deemed necessary to be sold. This was seconded by Mr. Burch and unanimously passed.

Upon motion of Mr. Burch seconded by Mr. Hobbs all members voting in the affirmative the meeting adjourned at 10:55 P.M.

  
Town Clerk

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