

MINUTES OF REGULAR MEETING
BOARD OF ALDERMEN TOWN OF CHAPEL HILL
SEPTEMBER 8, 1948

The regular meeting of the Board of Aldermen was held in the Town Hall September 8, 1948 at 8:00 P.M. All members were present. Also present were Mr. Hinshaw, Town Attorney, Mr. Peacock, Town Auditor and Mr. Ray, Town Manager.

The minutes of previous meetings were read and approved.

Mr. Lanier reported that he had talked with Mr. Steve Stephenou in regard to his application for license to sell beer at the Cafe Seville. There had been some question as to whether Mr. Stephenou is operating the Cafe Seville entirely for himself or if he is operating under the direction of someone else. Mr. Stephenou was present and after being introduced by Mr. Lanier, stated to the Board that he is operating the business one hundred percent for himself and is in no way connected with anyone else. Motion by Mr. Lanier that the permit be granted. Seconded by Mr. Burch. Voting for the motion were Fowler, Davis, Lanier, Hobbs, and Burch. Mr. Fitch did not vote.

Mr. Lanier reported that he and members of the Street Committee have talked with University Officials with regard to allowing Mr. Bartlett to put his telephone in front of Spencer Hall. The University Officials advised that they were not willing to express an opinion without the advice of the Buildings and Grounds Committee. Action is pending until a later date.

Mr. Hinshaw reported there have been no new developments in the law suit of C.W. Lloyd vs. Town of Chapel Hill.

There was some discussion of the paving of Sunset Drive and Nunn Street. Mr. Ray stated that there is no assurance that the State will do anything towards paving these streets anytime soon and in his opinion the north end of Hillsboro Street should be paved ahead of these streets on Mitchell Lane. The Street Committee was asked to investigate the condition of Sunset Drive and make a report to the Board.

Mr. Madry reported that the Special Committee appointed by him has advised Mrs. Gardner that the sewer line will be constructed on North Columbia Street as soon as Boyd and Goforth can get to it.

Mr. Ray advised that he has talked with Ed Stewart with reference to right-of-way across his property for construction

SIGNATURE AND NO LITIGATION CERTIFICATE

We, the undersigned, acting as officers of the public corporation of the State of **North Carolina**, known as **Town of Chapel Hill**

DO HEREBY SEVERALLY CERTIFY, as follows:

1. Subsequent to **September 25, 1948** and prior to the date of this certificate we have signed each of the following obligations of said public corporation, viz.:

\$22,000 Equipment Bonds, consisting of twenty-two \$1,000 coupon bonds numbered from 1 to 22, inclusive, in the order of their maturity, dated September 1, 1948, payable serially, six bonds on September 1st, 1949, 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, and bearing interest at the rate of 2-1/2% per annum, payable semi-annually on March 1st and September 1st, authorized by a bond ordinance adopted by the Board of Aldermen of said Town on February 16, 1948.

2. Interest coupons representing all interest payable on said obligations subsequent to the date of this certificate and on or before their maturity are attached to the obligations and each of such coupons bears the fac-simile signature of **the undersigned Town Clerk**.

3. At the time we signed said obligations we were, and we now are, the duly chosen, qualified and acting officers of said public corporation, as indicated below. The seal affixed to or impressed upon this certificate is the corporate seal which has been heretofore adopted for and is now in use by said public corporation and said seal has been affixed to or impressed upon each of said obligations.

4. Neither the proceedings authorizing said obligations, hereinbefore described, nor the authority to execute and issue said obligations on behalf of said public corporation heretofore granted to the undersigned by said proceedings, have been revoked or rescinded or repealed or modified or amended in any respect.

5. No litigation is now pending or threatened to restrain or enjoin the issuance or delivery of said obligations or in any manner questioning the authority of said public corporation to issue or the issuance or validity of said obligations or the constitutionality of any statute or the validity of any proceedings authorizing said obligations, or the levy or collection of taxes to pay said obligations. Neither the corporate existence or boundaries, nor the title of any of said officers to their respective offices, is being contested.

IN WITNESS WHEREOF, we have hereunto set our hands and the seal hereinbefore described, this 5th day of **October**, 19 **48**.

Office

Mayor

SEAL

Town Clerk

Signature

Ronald W. Mady

Louise H. Lallier

I HEREBY CERTIFY that I know the persons whose signatures appear above and am familiar with their signatures, and that I have examined their signatures on this certificate and that such signatures are genuine and that said persons hold the offices of said public corporation described in said certificate as stated in said certificate.

James G. Gohar.....Cashier
The Bank of Chapel Hill.....Bank

SIGNATURE AND NO LITIGATION CERTIFICATE

We, the undersigned, acting as officers of the public corporation of the State of **North Carolina**, known as **Town of Chapel Hill**

DO HEREBY SEVERALLY CERTIFY, as follows:

1. Subsequent to **September 25, 1948** and prior to the date of this certificate we have signed each of the following obligations of said public corporation, viz.:

\$35,000 Street Improvement Bonds, consisting of thirty-five \$1,000 coupon bonds, numbered from 1 to 35, inclusive, in the order of their maturity, dated September 1, 1948, payable serially 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, authorized by a bond ordinance adopted by the Board of Aldermen of said Town on February 16, 1948. The bonds numbered from 1 to 33, inclusive, bear interest at the rate of 2-1/2% per annum, and the bonds numbered 34 and 35 bear interest at the rate of 2-3/4% per annum, and such interest is payable semiannually on April 1st and October 1st.

2. Interest coupons representing all interest payable on said obligations subsequent to the date of this certificate and on or before their maturity are attached to the obligations and each of such coupons bears the fac-simile signature of **the undersigned Town Clerk.**

3. At the time we signed said obligations we were, and we now are, the duly chosen, qualified and acting officers of said public corporation, as indicated below. The seal affixed to or impressed upon this certificate is the corporate seal which has been heretofore adopted for and is now in use by said public corporation and said seal has been affixed to or impressed upon each of said obligations.

4. Neither the proceedings authorizing said obligations, hereinbefore described, nor the authority to execute and issue said obligations on behalf of said public corporation heretofore granted to the undersigned by said proceedings, have been revoked or rescinded or repealed or modified or amended in any respect.

5. No litigation is now pending or threatened to restrain or enjoin the issuance or delivery of said obligations or in any manner questioning the authority of said public corporation to issue or the issuance or validity of said obligations or the constitutionality of any statute or the validity of any proceedings authorizing said obligations, or the levy or collection of taxes to pay said obligations. Neither the corporate existence or boundaries, nor the title of any of said officers to their respective offices, is being contested.

IN WITNESS WHEREOF, we have hereunto set our hands and the seal hereinbefore described, this 5th day of **October**, 19**48**.

Office

Signature

Mayor

Robert W. Madry

SEAL

Town Clerk

Laurie H. Latta

I HEREBY CERTIFY that I know the persons whose signatures appear above and am familiar with their signatures, and that I have examined their signatures on this certificate and that such signatures are genuine and that said persons hold the offices of said public corporation described in said certificate as stated in said certificate.

J. J. Goble Cashier
The Bank of Chapel Hill Bank

SIGNATURE AND NO LITIGATION CERTIFICATE

We, the undersigned, acting as officers of the public corporation of the State of **North Carolina**, known as **Town of Chapel Hill**

DO HEREBY SEVERALLY CERTIFY, as follows:

1. Subsequent to **September 25, 1948** and prior to the date of this certificate we have signed each of the following obligations of said public corporation, viz.:

\$200,000 Sewer Bonds, consisting of two hundred \$1,000 coupon bonds numbered from 1 to 200, inclusive, in the order of their maturity, dated September 1, 1948, payable serially, four bonds on September 1st in each of the years 1950 to 1954, inclusive; 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, authorized by an ordinance adopted by the Board of Aldermen of said Town on February 16, 1948. The bonds numbered 1 to 140, inclusive, bear interest at the rate of 2-1/2% per annum, and the bonds numbered 141 to 200, inclusive, bear interest at the rate of 2-3/4% per annum, and such interest is payable semi-annually on March 1 and September 1.

2. Interest coupons representing all interest payable on said obligations subsequent to the date of this certificate and on or before their maturity are attached to the obligations and each of such coupons bears the fac-simile signature of **the undersigned Town Clerk.**

3. At the time we signed said obligations we were, and we now are, the duly chosen, qualified and acting officers of said public corporation, as indicated below. The seal affixed to or impressed upon this certificate is the corporate seal which has been heretofore adopted for and is now in use by said public corporation and said seal has been affixed to or impressed upon each of said obligations.

4. Neither the proceedings authorizing said obligations, hereinbefore described, nor the authority to execute and issue said obligations on behalf of said public corporation heretofore granted to the undersigned by said proceedings, have been revoked or rescinded or repealed or modified or amended in any respect.

5. No litigation is now pending or threatened to restrain or enjoin the issuance or delivery of said obligations or in any manner questioning the authority of said public corporation to issue or the issuance or validity of said obligations or the constitutionality of any statute or the validity of any proceedings authorizing said obligations, or the levy or collection of taxes to pay said obligations. Neither the corporate existence or boundaries, nor the title of any of said officers to their respective offices, is being contested.

IN WITNESS WHEREOF, we have hereunto set our hands and the seal hereinbefore described, this 5th day of October, 19 48.

Office

Mayor

Signature

Robert W. Madry

SEAL

Town Clerk

Louise H. Litch

I HEREBY CERTIFY that I know the persons whose signatures appear above and am familiar with their signatures, and that I have examined their signatures on this certificate and that such signatures are genuine and that said persons hold the offices of said public corporation described in said certificate as stated in said certificate.

James G. Goble.....Cashier
The Bank of Chapel Hill.....Bank

of sewer line. Ed Stewart advised Mr. Ray that he will allow the Town to construct the line across his property for the sum of \$50.00 and unless they are willing to pay \$50.00, they will just have to go around. He feels that he was not treated fairly by the Town at some time in the past when he allowed sewer lines to be constructed across his property. Insomuch as it would cost considerably more than \$50.00 to go around this property, it was Mr. Ray's recommendation that \$50.00 be paid for the right-of-way. Motion by Mr. Lanier that the City Manager be authorized in his descretion, to negotiate with Ed Stewart up to the amount of \$50.00 for a right-of-way across his property for the sewer lines. Seconded by Mr. Fowler. Those voting for the motion were Fowler, Lanier, Burch and Madry. Against Hobbs, Fitch and Davis.

Motion by Mr. Hobbs that the same sewer rental rate as for 1947-48 be charged for the year of 1948-49 inside the city limits, that the sewer rental rates outside the city limits for 1948 will be two and one half ($2\frac{1}{2}$) times the present sewer rental rate in town and that the City Attorney be authorized and instructed to draw proper ordinance to provide for the assessment and collection of such rentals. Motion seconded by Mr. Davis and unanimously passed.

Motion by Mr. Davis that the Town charge \$25.00 for all people outside city limits to tap town sewer lines when such service becomes available. Seconded by Mr. Fowler and unanimously passed.

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

Section I - That for the purpose of raising revenue with which to pay the cost of maintaining the Town as evidenced by the budget as heretofore passed:

There is hereby levied and assessed a sewer tax and charges as follows:

A minimum monthly charge of one dollar (\$1.00) per month for each house or building served by a sewer connected to the municipal sewer system. Where there are two or more water closets in a residence building or business building connected with the general sewer system, a charge of fifty cents (50¢) per month for each water closet connected with the general sewer system. These rates are applicable within the city limits.

Section II The provisions in Section I hereof shall apply to any property connected with the Sewer System beyond the city limits of the Town of Chapel Hill, except the charges setout therein shall be increased two and one half ($2\frac{1}{2}$) times on all connections beyond the city limits.

Section III No person or persons, beyond the city limits shall connect directly or indirectly with the sewer system without first obtaining a permit therefor and paying a fee of \$25.00 for the privilege of receiving such service.

Section IV That all sewer charges shall be a lien upon the real property served by a water closet or closets connected to the sewer system, whether used by the owner or by the tenant.

Louise H. Salhat
Town Clerk

Mr. Peacock reported that all vouchers for the month of August are in order.

Mr. Lanier brought up discussion on the subject of merchandising on the streets of the town. Mr. Madry appointed Mr. Lanier and Mr. Fowler together with Mr. Ray and Mr. Hinshaw to make investigation of this and report to the Board.

Mr. Ray reported that the increase in property assessments will run approximately \$400,000.00 in excess of 1947 assessment.

There was some discussion of the University's not sharing in the increase of the budget. Mr. Madry stated that he and a committee will go to the University to make further investigation.

Upon motion of Mr. Furch seconded by Mr. Lanier, all members voting in the affirmative the meeting adjourned at 10:00 P.M.

Louise H. Salhat
Town Clerk