

Minutes Regular Meeting  
Board of Alderman--Chapel Hill, N. C.  
June 25, 1951

The regular meeting of the Board of Alderman was held in the Town Hall on June 25, 1951 at 8:00 P.M.

Present were Mayor Lanier, Aldermen Fowler Fitch, Burch, Davis, Cornwell, and Putnam, Town Manager Rose, Town Attorney Hinshaw, and Town Auditor Peacock.

The members of the Board of Aldermen and the Chapel Hill School Board met in a joint session to elect two persons to serve as members of the School Board for six year terms. Mr. Lanier read a memorandum in reference to the election of school board members sent to him by Mr. S. T. Emory, Chairman of the Chapel Hill School Board. He also read a report from the Parent Teachers Association in which they submitted the following names for consideration by the School Board and Board of Alderman: Mr. Gordon W. Blackwell, Mr. Grey Culbreth, Mr. Floyd Hunter, Mr. John Manning, Miss Dorothy McCuskey, and Mrs. Cecil G. Sheps. The letter stated that they also felt that the Negro population should have representation, but that they did not feel qualified to make any recommendations. Mr. Lanier read a letter from Mr. James T. Snipes, President of the Negro Civic Club in which they suggested the following three names for consideration: Mr. Kenneth Jones, Rev. J. R. Manley, and Dr. C. W. Thompson.

Mr. Lanier asked for comments or suggestions from the floor. Mr. James T. Snipes urged the members to consider the suggestions made by the Negro Civic Club. Mr. Fitch added the name of Mr. E. C. Markham to the list of suggestions, and Mr. Burch added the name of Dr. Claiborne S. Jones.

Dr. S. T. Emory, as Chairman of the Chapel Hill School Board, nominated Mrs. David O. Garvin and Mr. Grey Culbreth to serve on the School Board. This nomination was seconded by Mr. Fitch. Mr. Lanier stated that Mr. Carl Smith, who was unable to be present because he was out of the state, requested that he go on record as supporting the School Board in its nominations. Mr. Davis nominated all the names on the suggested group, in addition to the two names nominated by Dr. Emory. His nomination was seconded by Dr. Hedgepath.

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Each member of the two Boards voted for two names on the ballot, and when the ballots were counted, Mr. Grey Culbreth had received eight votes, Mrs. David O. Garvin had received nine votes, and Mr. Kenneth Jones had received one vote. Mr. Lanier declared Mrs. David O. Garvin and Mr. Grey Culbreth elected to serve on the Chapel Hill School Board for a term of six years each.

The minutes of the regular meeting of June 11, 1951 and of the special meeting of June 18, 1951 were read and approved.

Mr. Rose read a letter from Mr. Roland McClamroch requesting that consideration be given to restricting parking on Senlac Road to one side only. After discussing this matter, Mr. Burch moved that parking on Senlac Road be limited to the South side of the street only from Battle Lane to Boundary Street. This motion was seconded by Mr. Putnam and unanimously passed. The Town Attorney was requested to draw an ordinance to this effect.

The Fire Department's Report from May 27, 1951 through June 25, 1951 was read by Mr. Rose.

Mr. Peacock reported that he had examined the vouchers for the month of May and had found them to be in order with the exception of one made out to Rev. B. J. Howard, Registrar in the May, 1951 Municipal Election, which was not supported by an invoice. He reported that he had started on the annual audit and hoped to have it completed for the August report.

Mr. Burch reported that he and Fire Chief Perry and Mr. Boone had been down to look at the J. Hampton Rich property behind Carr Street and that they considered it a fire hazard. Mr. Burch stated that he had withheld approval of a permit to rebuild the apartment that burned several weeks ago. Mr. Rose read a report from the Health Department in which they stated that at the time of their inspection they found the property to be in an unsatisfactory condition, but that after the trash from the fire was hauled away, there was nothing found in the two occupied apartments to make it insanitary.

Mr. Rose went over the plans for curb and gutter for McCauley Street, between Pittsboro and South Columbia Streets. Mr. Cornwell moved that this matter be referred to the Street Committee for their report at the next meeting of the Board. This motion was seconded by Mr. Putnam and passed unanimously.

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Mr. Lanier stated that Mrs. S. J. Brockwell had spoken to him several times about wanting her driveway widened so that it would be easier to get her car into her garage. Mr. Fowler moved that the Town decline to do anything about widening the driveway. This motion was seconded by Mr. Cornwell and unanimously passed. Mr. Putnam moved that she could personally widen the entrance, cutting the curb away at her own expense, but under approval of the Town Manager. This motion was seconded by Mr. Fowler and passed unanimously.

Mr. Rose read the following Resolution, showing the Town's intention to put it's employees under Social Security.

RESOLUTION MAKING APPLICATION FOR COVERAGE OF EMPLOYEES  
UNDER THE OLD AGE AND SURVIVORS' INSURANCE PROVISIONS OF TITLE II  
OF THE FEDERAL SOCIAL SECURITY ACT

WHEREAS, Title II of the Federal Social Security Act has been amended for the purpose of extending to the employees of political subdivisions of the State and their instrumentalities, and to the dependents and survivors of such employees, the basic protection accorded to others by the Old Age and Survivors' Insurance System as embodied in the Social Security Act, and

WHEREAS, the provisions of Chapter 562 of the Session Laws of 1951 designate the Executive Secretary of the State Retirement System, whose title is: Director of the North Carolina Public Employees Social Security Agency, as the State agency authorized to enter into agreements or coverage plans for the purpose of extending such benefits to employees of such political subdivisions, and

WHEREAS, the governing authority of this political subdivision of the State desires to extend to its eligible employees or eligible coverage groups of such employees, and their dependents and survivors, the security, protection and benefits provided by said laws and the regulations established thereunder: NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, N. C., in regular meeting, a quorum being present:

Section 1. That the governing authority of this political subdivision of the State, to the extent of its lawful authority and power, does hereby extend to its eligible employees and eligible groups and classes of such employees the benefits authorized by Title II of the Federal Social Security Act, as amended, and as authorized by Chapter 562 of the Session Laws of 1951.



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Immunity

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Section 2. That the Town Manager is hereby fully empowered and authorized, and is hereby ordered and directed, to prepare, with the cooperation of the Director of the North Carolina Public Employees Social Security Agency, a suitable agreement or coverage plan as provided by law, the same to be properly executed by this governing authority and approved by said Director, the State Agency, for the purpose of making available to such employees the benefits mentioned in Paragraph 1 and the preamble of this Resolution.

Upon motion of Alderman Cornwell and seconded by Alderman Burch, the above Resolution was introduced for passage and the same was duly passed, the following number voting in the affirmative: Fowler, Fitch, Burch, Davis, Cornwell, and Putnam, and the following number voting in the negative: None.

Mr. Lanier brought up the question of a Resolution for not waiving governmental immunity for damages. After discussing this matter, Mr. Burch moved that the following recommended Resolution be adopted.

WHEREAS, Chapter 1015 of the Session Laws of 1951 provides a method whereby municipalities may waive their governmental immunity; and WHEREAS, one provision of said law seems to require positive action on the part of this Governing Body with respect to whether or not it desires to waive such governmental immunity; and, WHEREAS, it is the opinion of this Governing Body that the waiving of such immunity is not to the best interest of this municipality; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, N. C. does not under any circumstances or in any respect as suggested by Chapter 1015 of the Session Laws of 1951 or in any other manner waive its governmental immunity for damages to property or injury to persons as a result of its activities.

Mr. Burch's motion was seconded by Mr. Fitch and passed unanimously.

Mr. Lanier read a letter from Mr. John A. Parker, Head of the Department of City and Regional Planning of the University of North Carolina, in which he enclosed a copy of a letter written to Mr. L. J. Phipps by one of their graduate students, Ben Rouzie. Mr. Rouzie was asking the Planning Board to contribute \$550 for booklets of a report describing the tentative plan as prepared by Wilson and Gural. Mr. Fitch moved that the sentiment of the Board is that booklets should not be printed with tax money. This motion was seconded by Mr. Davis and unanimously passed.

Mr. John R. Gove, Engineer, came before the Board to explain the drainage situation on South Graham Street. After giving estimates of curbe and gutter and pipes and going over the situation with the members, Mr. Putnam moved that the matter be referred to the Street Committee. This motion was seconded by Mr. Burch and unanimously passed. Mr. Fitch requested that the Town Attorney advise the Board as to the responsibilities of the Town in this matter.

Mr. Rose passed out a Paving Assessment Sheet for curb and gutter work done on Colony Court. Mr. Cornwell moved that this statement ( a copy of which is included as a part of these minutes) be declared the Curb and Gutter Assessment for work done on Colony Court. This motion was seconded by Mr. Putnam and unanimously passed.

Mr. Rose led a discussion on setting the Privilege License Tax for the year 1951-52. Mr. Putnam moved that the schedule of Privilege Licenses for 1951-52 be as indicated in the booklet prepared by the League of Municipalities, and that Fortune Teller Licenses be set at \$500. This motion was seconded by Mr. Cornwell and passed unanimously.

Mr. Rose brought up the question of the ditch running through Mr. Bush's property on West Rosemary Street. He read a letter from Mr. Dobson, Senior Sanitarian, but Mr. Rose was requested to ask for another report indication to what extent this ditch running through his property constitutes a health hazard.

Mr. Cornwell moved that Mr. Thomas D. Rose be elected to serve as Town Manager and Tax Collector during the pleasure of this Board, not to exceed June 30, 1953. This motion was seconded by Mr. Putnam and passed unanimously.

On recommendation of the Town Manager, the following persons were elected: Mrs. Helen J. Giduz, Town Clerk and Treasurer; Mr. Erle E. Peacock, Town Auditor; Mr. W. T. Sloan, Chief of Police; Mr. P. R. Perry, Chief of the Fire Department; Mrs. Musella W. Wagner, Clerk of Court; and Mr. W. P. Jordan, Assistant Tax Collector. In reference to the Town Attorney and Prosecuting Attorney, Mr. C. P. Hinshaw was elected for a term of sixty days pending a report of a special committee appointed by the Mayor, which committee will go thoroughly into the duties of these two offices.

Mr. Cornwell moved that Dr. J. T. Dobbins be elected for a new term on the Board of Adjustment. This motion was seconded by Mr. Putnam and passed unanimously.



Mr. Burch nominated Mr. Art Bennett and Mr. Davis nominated Mr. B. W. Clark to serve on the Board of Adjustment. The Board voted by ballots, and when the ballots were counted, Mr. Bennett had received one vote and Mr. Clark had received five votes. Mr. B. W. Clark was elected to serve a term of three years on the Board of Adjustment.

Mr. Cornwell moved that Mr. W. M. Cochrane be elected to the Chapel Hill Planning Board for a term of five years to succeed Mr. Roland McClamroch. This motion was seconded by Mr. Putnam and passed unanimously.

Mr. Cornwell suggested that the Town Firemen and Policemen should be regularly trained and re-trained in certain processes of life saving and swimming, etc., and that the Town consider the purchase of a resusitator.

Upon motion of Mr. Cornwell, seconded by Mr. Putnam and unanimous consent, the meeting adjourned at 10:50 P.M.

*Helen J. Gidney*  
*Town Clerk*

Negro Civic Club  
Chapel Hill, N. C.  
June 18, 1951

Mr. E. S. Lanier, Mayor  
Chapel Hill, North Carolina

Dear Mr. Mayor:

In the interest of community welfare, and more particular in the interest of all of the children of the community, we take the liberty of suggesting the following named persons for your consideration when electing persons to fill vacancies on our school board: Mr. Kenneth Jones, Rev. J. R. Manley and Dr. C. W. Thompson.

We feel that this is an opportunity to apply the principles of democracy for which our country is now mobilizing in defense of. That is, that all groups and segments of a community should have representation on bodies that plan for and set policies affecting the community. We feel that such democratic representation can mean a great deal to the progress of our community as well as to prevent misunderstandings and strife. This view that there should be Negro representation on the board of education was also expressed by the candidates for the board of aldermen during the recent election.

The above named men are capable public spirited men who, we are sure, would serve for the interest of all. These men are held high in regard by the Negro citizens as well as by the white citizens who are acquainted with them.

We would certainly appreciate your bringing this matter to the board of aldermen prior to the election of new school board members. We are in hopes that there will be favorable action on this suggestion by placing a member or members of our race on the school board.

Very truly yours,

Negro Civic Club  
*James T. Snipes*  
James T. Snipes  
President  
309 McDade Street

*Howard M. Fitts, Jr.*  
Howard M. Fitts, Jr.  
Secretary

C. C./ Board of Education  
Board of Aldermen



Box 69, Chapel Hill, N.C.  
June 17, 1951

Mr. John Q. LeGrand, President  
P.T.A.  
Forest Hills  
Chapel Hill, N.C.

Dear Mr. LeGrand:

Pursuant to the action taken by the Executive Committee of the P.T.A. Mrs. Garvin appointed a committee under the chairmanship of Mr. Roger Wade to consider and make suggestions for nominations for the membership of the School Board.

This committee has met several times, and as a result of their deliberations submits the following names for consideration by the School Board and the Board of Aldermen at their joint meeting on June 25th:

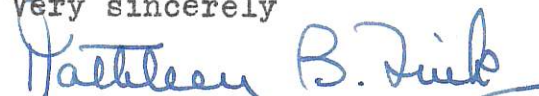
Mr. Gordon W. Blackwell  
Mr. Grey Culbreth  
Mr. Floyd Hunter  
Mr. John Manning  
Miss Dorothy McCuskey  
Mrs. Cecil G. Sheps

This committee also feels that the negro population should have representation on the School Board, but we do not believe we are qualified to make any recommendation.

We feel the recommendations of this committee would be a matter of keen interest to the citizens of Chapel Hill. If you concur in this belief it is suggested that you send a copy of these recommendations to the Chapel Hill Weekly for publication in their June 22nd issue.

Mr. Wade left for California last week and asked me to assume the chairmanship of this committee in his absence.

Very sincerely



Mrs. Arthur E. Fink, Acting Ch'rm'n.  
School Board Recommendation Comm.

(composed of Mr. Roger Wade,  
Mrs. J. E. Adams,  
Mrs. J. V. Allcott,  
Mr. H. C. McAllister)

2 cc.

JOHN Q. LEGRAND  
ATTORNEY AT LAW  
CHAPEL HILL, N. C.

June 21, 1951

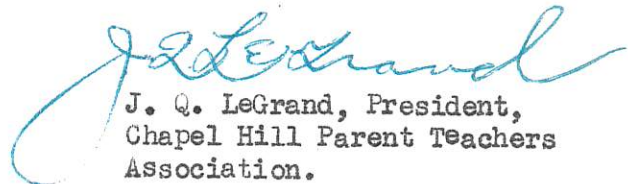
Hon. E. S. Lanier,  
Mayor of Chapel Hill,  
City.

Dear Mr. Lanier:

I hand you herewith self-explanatory letter which I have received from Mrs. Arthur Fink. I should appreciate it if you would present the recommendations therein contained to the joint meeting of the Board of Aldermen of Chapel Hill and the Chapel Hill School Board of Education.

With kindest regards.

Cordially,

  
J. Q. LeGrand, President,  
Chapel Hill Parent Teachers  
Association.

JQL/bt

Encl.



May 15, 1951

MEMORANDUM IN RE ELECTION OF SCHOOL BOARD MEMBERS

N. B. Mr. Lewis based the report below on Chapter 2, Private Laws, 1909

Mr. Henry Lewis of the Institute of Government, at my request, has searched for the proper method of selecting members of the Chapel Hill School Board. He reported this morning that, in his opinion, the method of selection is that prescribed by the Charter of 1909, since he has been unable to find any law changing the method of selection and since later acts seem to imply that the method of selection is unchanged. The method set forth in the Charter is as follows:-

The term of office is six years, and the original terms were so set that the terms of two members shall expire each two years. Each second year the Mayor shall call a joint meeting of the Board of Aldermen and the four continuing members of the School Board on the last Monday before the 30th of June. At this meeting, by a majority vote of the two boards, two members shall be elected for a term of six years.

Emergency vacancies, caused for example by death or resignation, shall be filled by the surviving members of the School Board for the unexpired balance of the term made vacant.

Samuel Thomas Emory, Chairman

cc Mr. C. W. Davis, Sup't. for filing  
Mr. E. S. Lanier, Mayor, for his information

We elect two members this year to succeed Dr. Knight and Mrs. Wettach.

PAVING ASSESSMENT SHEET

COLONY COURT

NORTH SIDE:

Town of Chapel Hill	16.0 ft. @\$2.25	\$ 36.00
H. D. Strowd	<u>228.0 ft. @\$2.25</u>	<u>513.00</u>
Total	244.0 ft.	\$549.00

SOUTH SIDE:

Town of Chapel Hill	15.0 ft. @\$2.25	\$ 33.75
J. R. Green	61.0 ft. @\$2.25	137.25
E. M. Preston	69.0 ft. @\$2.25	155.25
J. D. Jones, Jr.	50.0 ft. @\$2.25	112.50
R. L. Hardison	<u>46.0 ft. @\$2.25</u>	<u>103.50</u>
Total	241.0 ft.	\$542.50

Total Cost of Street	485.0 ft.	\$1,091.25
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June 20, 1951

W. 549.00