

MINUTES

Board of Aldermen

Town of Chapel Hill, N. C.

November 22, 1954

The Board of Aldermen met in regular session November 22, 1954 at 7:30 P. M. in the Town Hall with the following present: Mayor Lanier; Aldermen Davis, Burch, Robinson, Cornwell, Wager, and Putnam; Town Attorney LeGrand, and Town Manager Rose.

MINUTES for the November 8, 1954, Regular Meeting were read, corrected, and adopted.

PETITIONS FROM PROPERTY OWNERS. A letter from Dr. W. C. George concerning improvement of Evergreen Lane was read. No action was taken. A petition, signed by eight property owners, requesting grading and shaping Kyser Street and a narrow unnamed street connecting Roosevelt Avenue with Kyser Street was read. Upon a motion made by Alderman Putnam, seconded by Alderman Wager, the petition was referred to the Street Committee for study and consideration.

AUDITOR'S REPORT. Town Manager Rose read a report from Auditor Erle E. Peacock in which he reported on his review of the October vouchers and advised the Board that he hoped to have the annual audit report ready by the 1st meeting in December.

ORDINANCES ESTABLISHING SIDEWALK ELEVATION on the South Side of West Franklin Street, between Kenan Street and the Hollywood Grill were presented by Town Attorney LeGrand. Upon a motion made by Alderman Putnam, seconded by Alderman Davis, Ordinance I was adopted:

Whereas it has become necessary to change the elevation of the sidewalk as it now exists in the area on the South side of West Franklin Street from the Western line of Kenan Street to a point on the South side of West Franklin where it adjoins the Eastern property line of the property now occupied by the Hollywood Grill;

Now, therefore be it resolved that the sidewalk elevation on the South side of West Franklin Street in the area above described be fixed at a height of twenty (20) inches above the present level of the top of the concrete curbing along the South side of West Franklin Street, when measured at a distance 17 feet South of the face of the said concrete curbing on West Franklin Street.

Be it further resolved that the Town of Chapel Hill excavate

and grade the sidewalk area above referred to in order to conform to the elevation herein established.

Upon a motion made by Alderman Burch, seconded by Alderman Wager, Ordinance II was adopted, as follows:

Whereas, the Town of Chapel Hill has, by resolution, lowered the grade and elevation of the sidewalk abutting West Franklin Street between the West side of Kenan Street and the East property line of the property now occupied by the Hollywood Grill several feet below the sidewalk level which has existed for many years; and,

Whereas Mr. W. M. McCauley has at his own expense, previously constructed a masonry wall approximately 90 feet along the present sidewalk level, lateral support of which wall will be endangered by excavating and lowering the sidewalk to the new level; and whereas other property owners adjoining the sidewalk along the area affected by the new sidewalk elevation will lose the lateral support which has long been afforded their property at the old sidewalk level:

Now, therefore, be it resolved that the Town, after the new sidewalk grade has been excavated, construct a brick or stone retaining wall not more than three feet in height above the new sidewalk elevation as fixed by resolution passed November 22, 1954, at such locations in the above area as may be necessary to afford support to adjacent property as necessitated by lowering the present sidewalk elevation, the North face of said retaining wall to be 17 feet South of the face of the concrete curbing on the South side of West Franklin Street. Be it further resolved that the property belonging to W. M. McCauley, and Alice and H. A. Neal be terraced for a distance not to exceed 10 feet south of the new wall and that steps be constructed in front of their property to afford access thereto from the new street level.

TAX REFUNDS. The following tax refunds were authorized upon motion by Alderman Cornwell, seconded by Alderman Burch:
R. A. Eubanks Heirs - \$51.57; Esso Standard Oil Company - \$6.65; and E. R. Dimette - \$180.00, for taxes and sewer rent erroneously collected.

STOP SIGNS. Town Manager Rose reported that "Stop" signs have been placed on streets that intersect W. Rosemary Street; that the steel, policeman type school markers as discussed at the last Board Meeting, to be placed on W. Franklin Street at the Carrboro line, will be ordered as soon as Carrboro act on the matter.

Town Manager Rose read the letter from the Planning Board signed by Frank G. Umstead and Frederic N. Cleaveland wherein a joint resolution was passed at a Special Meeting on November 19, that a comprehensive study of streets and parking improvement needs for Chapel Hill be made. They will need an additional \$500.00 to carry this work for the balance of the current fiscal year. Alderman Cornwell stated that in his opinion the University Traffic Committee should be advised that they should participate in the cost of this survey; that when some satisfactory financial agreement is reached then will the Finance Committee make recommendations. Alderman Cornwell made this in the form of a motion. It was seconded by Alderman Putnam, and carried.

Mayor Lanier informed the Board that Town Manager Rose has summarized the questionnaires from other N. C. cities containing information pertinent to sidewalk improvement; that work on new cemetery is progressing and should be ready for use by January 1, 1955; that Town Manager Rose has ordered aluminum plot markers; that perhaps at some later date, a section could be set aside for First, Second and the Korean War veterans.

MAYOR LANIER RESIGNS. The following letter was read by Mayor Lanier in which he tendered his resignation as Mayor of the Town of Chapel Hill:

November 22, 1954

To the Board of Aldermen
Town of Chapel Hill
Chapel Hill, N. C.

Dear Sirs:

In keeping with my statement to you recently, I am at this time submitting my resignation as Mayor of the Town of Chapel Hill, effective upon the qualifications of my successor and not later than December 6 -- at which time I am to take the oath of office as a member of the Board of County Commissioners of Orange County.

For me to say no more at this time would not square with my deep feeling of gratitude to the members of this Board, to the Town Manager, to our Town employees, and to the people of Chapel Hill.

I will always be grateful to the people of Chapel Hill for letting me serve as one of their Aldermen from 1945 to 1949 and as their Mayor from 1949 to date. In each place I have earnestly tried to do a good job -- and, in that way, pay in service my "community rent" for the privilege of living in Chapel Hill. I am, also, grateful to the people of Chapel Hill for their approval of my candidacy for membership on the Board of County Commissioners.

My relations with the members of this Board have been pleasant and satisfying. I feel all seven of us have steadily tried to provide for Chapel Hill's good government. The records of our

joint efforts, I believe, sustain that statement. I thank each of you for your work and cooperation, and for your constant kindness to me.

Mr. Thomas D. Rose has been the Mayor and Aldermen's good and faithful right hand. He is thoroughly capable, almost super-conscientious, a good administrator, a Christian gentleman, and loves Chapel Hill as his home. He has been invaluable to me in my work as chairman of this Board and to this Board's efforts to maintain good, effective municipal government.

The Town's employed staff members have been faithful and cooperative, taking pride in their work for the people of Chapel Hill. To each of them I again express my appreciation for their daily efforts and services.

In these fumbling words I have tried to indicate something of my lasting appreciation for the opportunities and cooperation I have enjoyed while serving as one of Chapel Hill's elected municipal representatives; and I assure everyone concerned of my continuing interest in good local government for Chapel Hill and Orange County.

Sincerely,

Edwin S. Lanier

Edwin S. Lanier, Mayor

Alderman Wager read the following resolution accepting the resignation of Mayor Lanier and recommending his excellent work as Mayor:

We, the members of the Chapel Hill Board of Aldermen, in accepting the resignation of Mayor Edwin S. Lanier in order that he may qualify for the County Board of Commissioners, wish to record in the minutes of this meeting our recognition and appreciation of his able and devoted service to this community. He has displayed vision, industry and courage coupled at all times with a fine sense of realism and human understanding. He has given unstintingly of his time and energy, sometimes to the point of exhaustion; he has been alert to anticipate problems, often thereby preventing them from arising or becoming acute; he has sought to conduct the public business in the spirit of neighborly cooperation. He has set a standard of personal integrity that is flawless, of devotion to duty that we would aspire to emulate, of leadership that inspires confidence, and with these he has demonstrated a warmth and friendliness that have won him our genuine esteem.

The work of both the Board and the Manager has been easier and pleasanter because of his alertness, forethought and consecration. Future mayors and future boards will be grateful for his vision and enterprise. The whole community has profited and will continue to profit from his brilliant and dedicated administration.

We, his colleagues, will sorely miss his comradeship, his counsel and his leadership, but we rejoice in the fact that his genius and devotion are only being transferred to a larger constituency of which happily Chapel Hill is a part. The county is fortunate in obtaining the services of one with his experience, ability and deep sense of civic responsibility; as he enters upon his new duties he may be assured of our abiding affection and loyal support.

Mayor Protem Burch presiding called for nominations for Mayor of the Town of Chapel Hill to fill the unexpired term of Edwin S. Lanier. Alderman Davis nominated Oliver K. Cornwell, seconded by Alderman Wager. Alderman Putnam moved that the nominations be closed, seconded by Alderman Robinson. The motions were passed and Mr. Cornwell was elected.

Oliver K. Cornwell then took the oath of office as Mayor of the Town of Chapel Hill administered by Judge William S. Stewart.

Mayor Cornwell asked for nominations for alderman to fill the vacancy left on the Board of Aldermen. Alderman Burch moved that Rogers C. Wade be named to fill this position, seconded by Alderman Putnam. Alderman Wager moved that the nomination be closed. The motions were passed and Rogers C. Wade was elected.

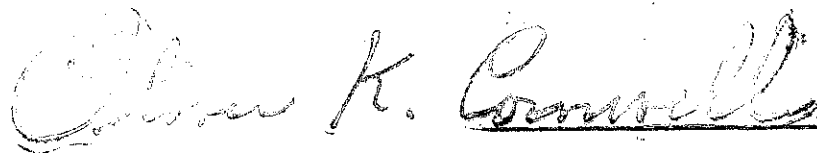
At the summons of the Board, Rogers C. Wade made appearance and was duly sworn in by Judge Wm S. Stewart taking the Oath of Office as Alderman of the Town of Chapel Hill to fill the unexpired term of Oliver K. Cornwell.

Mayor Cornwell appointed Alderman Wager as Chairman of the Finance Committee and Alderman Burch and Alderman Wade as other members of the committee.

NEW BUSINESS: Alderman Robinson asked about repairs to steps of Clara Edwards at corner of Rosemary and Robinson Street. Town Manager Rose advised the Board that this would be taken care of soon; Alderman Putnam asked that the Street Committee consider the use of traffic lanes in front of the Fowler Food Store on West Franklin Street, also in front of the Colonial Stores, Inc., on Graham and West Franklin Streets; Mayor Cornwell questioned to what extent the University National Bank can handle depository funds, reference was made to the Minutes of the Board of Aldermen's meeting held on Feb. 8th, 1954, which set forth that the University National Bank should be one of the approved depositories for Municipal Funds.

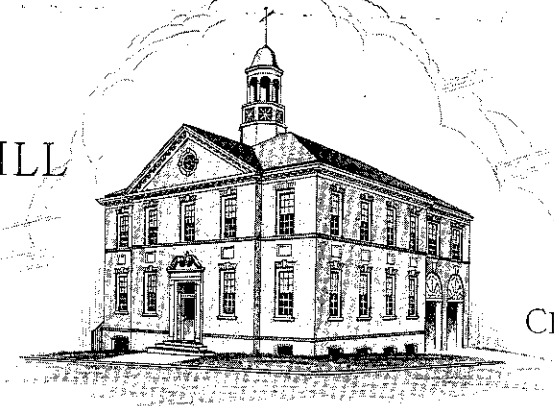
Upon motion by Alderman Putnam, seconded by Alderman Wager and unanimous consent the meeting was adjourned at 9:20 o'clock P. M.

After hearing the minutes for the meeting of November 8, 1954 read, on motion made by Alderman , seconded by Alderman , the minutes were approved by vote of the Board of Aldermen this the 22nd day of November, 1954.

 Mayor

 Town Clerk

TOWN OF CHAPEL HILL



CHAPEL HILL, N.C.

NORTH CAROLINA
ORANGE COUNTY
TOWN OF CHAPEL HILL

O A T H

I, *Oliver K. Cornwell*, do solemnly swear that I will diligently endeavor to perform, faithfully and truly, according to my best ability, skill and judgment all the duties of the office of Mayor of the Town of Chapel Hill while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the Town; and in the discharge of my duties I will do equal justice in all cases whatsoever, So help me, God.

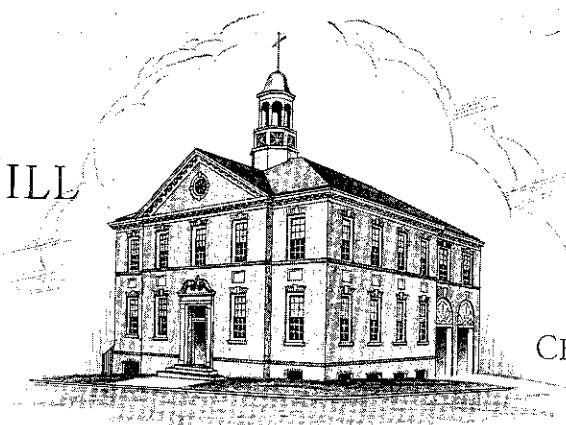
Oliver K. Cornwell
Mayor

Subscribed and sworn to before me this *22* day of *November*, 1954.

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William S. Stewart
Judge, Chapel Hill Recorder's Court

TOWN OF CHAPEL HILL



CHAPEL HILL, N. C.

NORTH CAROLINA
ORANGE COUNTY
TOWN OF CHAPEL HILL

O A T H

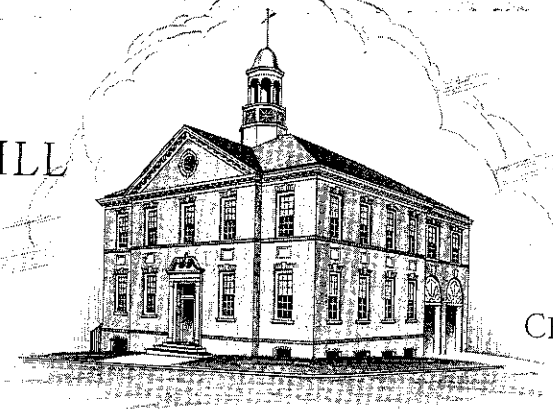
I, *Rogers C. Wade*, do solemnly swear that I will fill the office of membership on the Board of Aldermen for the Town of Chapel Hill while I continue therein to the best of my ability; and that I will support both the Constitution of the United States and of the State of North Carolina, so help me God.

Rogers C. Wade
Member Board of Aldermen

Subscribed and sworn to before me this 22 day
of *November*, 1954.

William S. Stewart 242
Judge, Chapel Hill Recorder's Court

TOWN OF CHAPEL HILL



CHAPEL HILL, N.C.

I, O. K. Cornwell, do solemnly swear that I will support the Constitution of the United States; so help me, God.

O. K. Cornwell

Subscribed and sworn to before me this 22nd day of November, 1954.

William S. Stewart
Judge, Chapel Hill Recorder's Court

I, O. K. Cornwell, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

O. K. Cornwell

Subscribed and sworn to before me this 22nd day of November, 1954.

William S. Stewart
Judge, Chapel Hill Recorder's Court