

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met in regular session on August 8, 1955 at 7:30 P.M., o'clock in the Town Hall with the following present: Mayor Cornwell, Aldermen Wager, Davis, Strowd, Robinson, Putnam and Alexander, Town Attorney LeGrand and Town Manager Rose.

Minutes for the July 11, 1955, regular meeting were approved as read and adopted on a motion made by Alderman Putnam, seconded by Alderman Davis. All voted "aye", none voted "nay".

OUT OF TOWN FIRE PROTECTION. Mr. John Foushee's request for a meeting with the Board members to discuss and investigate the possibility of out-of-town fire protection was referred to the Finance Committee on a motion made by Alderman Strowd, seconded by Alderman Putnam. None voted against it.

On the request as discussed at last Board meeting from Mr. John T. Manning, that before any official action be taken by Mr. William Muirhead in laying out a street opposite the Glen Lennox Development, east of the Kenan-Phillips Service Station, and which will effect a strip of land known as the Godfrey-Manning lot; that a hearing be granted. It was agreed that Frank Kenan, James Godfrey, John Manning, William Muirhead and the Fulton Insurance & Realty Company should meet with the Planning Board for a hearing.

Town Manager Rose read a letter from the Tarheel Cab Company requesting permission to park on Kenan Street just opposite the lot owned by Mr. T. B. Greel, in conjunction with their taxicab business. Alderman Davis made a motion that the request of The Tarheel Cab Company be granted, seconded by Alderman Wager.

MONTHLY REPORTS. Reports from the Chapel Hill Recorder's Court and the Chapel Hill Police Department were examined by the Board of Aldermen.

Alderman Strowd moved the adoption of the following ordinance:

AN ORDINANCE RELATING TO THE RIDING AND PARKING OF BICYCLES ON FRANKLIN STREET.

I. BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill that from and after the 1st day of September, 1955,

it shall be unlawful for any person to ride a bicycle on the sidewalk on either side of Franklin Street between Henderson Street and Columbia Street. BE IT FURTHER ORDAINED that from said date is shall be unlawful to leave a bicycle unattended on the sidewalk on either side of Franklin Street between Henderson Street and Columbia Street, except when placed in stands provided for that purpose and located within three (3) feet of the outside edge of the sidewalk.

II. Each and every violation of this ordinance shall be punishable by a fine of One Dollar (\$1.00).

III. All laws and clauses of laws in conflict herewith are hereby repealed.

This the 8th day of August, 1955.

Alderman Wager seconded the motion, and the motion was passed.

All voted "aye", none voted "nay".

"NO PARKING ON ROSEMARY STREET". This problem was discussed by the Board of Aldermen to the end that Town Manager Rose was instructed to get out a form letter to the residents of Rosemary Street as they are the people directly effected and have a right to be consulted. Alderman Davis made this a motion, seconded by Alderman Strowd. All Board members voted "aye", none voted "nay".

Alderman Davis presented the following resolution and moved that it be adopted:

WHEREAS, the bond ordinances hereinafter described have been adopted by the Board of Aldermen and it is desirable to make provision for the issuance of the bonds authorized by such ordinances; NOW, THEREFORE,

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

(I) The Town of Chapel Hill (hereinafter referred to as "Town") shall issue its bonds of the aggregate principal

amount of \$40,000 pursuant to and in accordance with the bond entitled "An ordinance authorizing the issuance of \$40,000 of bonds of the Town of Chapel Hill for fire fighting, street cleaning and garbage disposal equipment for said Town", adopted by the Board of Aldermen of the Town on March 28, 1955. Acting pursuant to Section 160-382 of the Municipal Finance Act, 1921, of North Carolina, the Board of Aldermen has ascertained and hereby determines that the probable period of usefulness of the purpose for which said bonds are to be issued is a period of 10 years computed from June 1, 1955.

(2) The Town shall issue its bonds of the aggregate principal amount of \$7,000 pursuant to and in accordance with the ordinance entitled "An ordinance authorizing the issuance of \$7,000 of bonds of the Town of Chapel Hill for fire department equipment for said Town", adopted by the Board of Aldermen of the Town on March 28, 1955. Acting pursuant to Section 160-382 of the Municipal Finance Act, 1921, of North Carolina, the Board of Aldermen has ascertained and hereby determines that the probable period of usefulness of the purpose for which said bonds are to be issued is a period of 10 years computed from June 1, 1955.

(3) The bonds to be issued pursuant to the bond ordinances described in paragraphs 1 and 2 of this resolution shall be issued as one consolidated bond issue of the aggregate principal amount of \$47,000, and shall be designated "Equipment Bonds". Acting pursuant to Section 160-382 of the Municipal Finance Act, 1921, of North Carolina, the Board of Aldermen has ascertained and hereby determines that the average of the probable periods of usefulness determined and declared in paragraphs 1 and 2 of this resolution, taking into consideration the amount of bonds to be issued on account of each purpose described in the bond ordinance referred to in said paragraphs, is 10 years computed from June 1, 1955.

(4) The Town shall issue its bonds of the aggregate principal amount of \$40,000 pursuant to and in accordance with the ordinance entitled "An ordinance authorizing the issuance of \$40,000 of bonds of the Town of Chapel Hill for the enlargement and reconstruction of the surface drainage sewer system of said Town", adopted by the Board of Aldermen of the Town on March 28, 1955. Acting pursuant to Section 160-382 of the Municipal Finance Act, 1921, of North Carolina, the Board of Aldermen has ascertained and hereby determines that the probable period of usefulness of the improvement for which said bonds are to be issued is a period of 40 years computed from June 1, 1955. Said bonds shall be designated "Storm Sewer Bonds".

(5) The Town shall issue its bonds of the aggregate principal amount of \$15,000 pursuant to and in accordance with the ordinance entitled "An ordinance authorizing the issuance of \$15,000 of bonds of the Town of Chapel Hill for the enlargement and extension of the sanitary sewer system of said Town", adopted by the Board of Aldermen of the Town on March 28, 1955. Acting pursuant to Section 160-382 of the Municipal Finance Act, 1921, of North Carolina, the Board of Aldermen has ascertained and hereby determines that the probable period of usefulness of the improvement for which said bonds are to be issued is a period of 40 years computed from June 1, 1955. Said bonds shall be designated "Sanitary Sewer Bonds".

(6) The \$47,000 Equipment Bonds shall consist of forty-seven bonds of the denomination of \$1,000 each, numbered from 1 to 47, inclusive, in the order of their maturity, and shall be payable in annual installments on June 1 in each year as follows, viz.: \$12,000 in 1957 and \$5,000 in each of the years 1958 to 1964, inclusive.

(7) The \$40,000 Storm Sewer Bonds shall consist of forty bonds of the denomination of \$1,000 each, numbered from 1 to 40, inclusive, in the order of their maturity, and shall be payable in annual installments on June 1 in each year as follows, viz.: \$2,000 in each of the years 1958 to 1964, inclusive, \$4,000 in 1965, \$5,000 in 1966, \$4,000 in 1967, 1968 and 1969, and \$5,000 in 1970.

(8) The \$15,000 Sanitary Sewer Bonds consist of fifteen bonds of the denomination of \$1,000 each, numbered from 1 to 15, inclusive, in the order of their maturity, and shall be payable in annual installments on June 1 in each year as follows, viz.: \$1,000 in each of the years 1958 to 1966, inclusive, and \$2,000 in each of the years 1967 to 1969, inclusive.

(9) All of said bonds shall be dated June 1, 1955, and shall bear interest from their date at a rate which shall be hereafter determined and which shall not exceed six per centum (6%) per annum, and such interest shall be payable semi-annually on June 1 and December 1.

(10) Each of said bonds shall be a coupon bond, registerable as to principal only, and shall be signed by the Mayor and Town Clerk of the Town. The corporate seal of the Town shall be impressed upon each of the bonds. Each of the interest coupons to be attached to the bonds shall be authenticated by the facsimile signature of the Town Clerk.

(11) Both principal of and interest on the bonds shall be payable at the principal office of The First National City Bank 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.

(12) Each of the bonds and the interest coupons representing the interest payable thereon and the provisions for the registration of the bonds and for the approval of the bonds by the Secretary of the Local Government Commission to be endorsed thereon, shall be in substantially the following form:

(Form of Bond)

No. _____

No. _____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA

TOWN OF CHAPEL HILL

_____ BOND

\$1,000

\$1,000

TOWN OF CHAPEL HILL (hereinafter referred to as "Town"), a municipal corporation of the State of North Carolina, situated 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 holder, the principal sum of

ONE THOUSAND DOLLARS (\$1,000)

on June 1, 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 June 1 and December 1 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 First 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 the Town kept in the office of the Bond Registrar of the 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 on in Equipment Bonds)

This bond is issued pursuant to the Municipal Finance Act, 1921, of North Carolina, as amended, and bond ordinances duly adopted by the Board of Aldermen of the Town on March 28, 1955, to finance the acquisition of fire fighting, street cleaning and garbage disposal equipment for 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 the Town voting at the regular municipal election duly called and held in the Town on May 3, 1955.

(Paragraph to appear only in Storm Sewer Bonds)

This bond is issued pursuant to the Municipal Finance Act, 1921, of North Carolina, as amended, and a bond ordinance duly adopted by the Board of Aldermen of the Town on March 28, 1955, to finance the reconstruction, enlargement and extension of the surface drainage

sewer system maintained by 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 the Town voting at the regular municipal election duly called and held in the Town on May 3, 1955.

(Paragraph to appear only in Sanitary 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 the Town on March 28, 1955, to finance the reconstruction, enlargement and extension of the sanitary sewer system maintained by 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 the Town voting at the regular municipal election duly called and held in the Town on May 3, 1955.

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 the Town, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the 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, the Town has caused this bond to be signed by its Mayor and by its Town Clerk, and the corporate seal of the Town to be hereunto affixed, and the annexed coupons to bear the facsimile signature of said Town Clerk, and this bond to be

dated June 1, 1955.

Mayor

Town Clerk

(Form of Interest Coupon)

No. _____

\$ _____

On the 1st day of December, 19____, the TOWN OF CHAPEL
HILL, a municipal corporation of the State of North Carolina, will
pay to bearer

_____ DOLLARS (\$ _____)

at the principal office of The First 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 pay-
ment is legal tender for the payment of public and private debts,
being the semi-annual interest then due on its _____ Bond,
dated June 1, 1955, No. _____.

Town Clerk

(Endorsements on Bonds)

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

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

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

W. E. EASTERLING
Secretary of the Local Government Commission

By _____
Designated Assistant

(14) 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 con-
version of said bonds into registered bonds and for the transfer thereof.

(15) 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.

(16) The Mayor and the 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 Government Commission, to 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.

Alderman Putnam seconded the motion, and the motion was adopted. All members of the Board of Aldermen voted "aye", none voted "nay".

Financial reports for 1954-55 were examined by the Board members copies of which will be filed as a part of these Minutes.

APPOINTMENTS TO PLANNING BOARD. Mr. B. F. Potter was appointed to replace Mr. S. H. Hobbs on the Planning Board, for a full term commencing July 1, 1955. Mr. Roy Cole was appointed to fill the unexpired term of Mr. F. E. Strowd. This vacancy was created as of July 1, 1955, when Mr. Strowd became a member of the Board of Aldermen.

POLICE BENEFIT ASSOCIATION. After some investigating into the matter of a retirement system for the Chapel Hill police as they are ineligible for Social Security. Town Manager Rose informed the Board of Aldermen that he believes this retirement plan to be sound; that the Town's participation would cost the Town about \$400.00 per year; that in his opinion it would in no way bar our policemen from getting Social Security, should it become possible. Alderman Putnam moved that for the present time the plan be adopted for the benefit of the Chapel Hill police, seconded by Alderman Davis. All voted "aye", none voted "nay".

Town Manager Rose informed the Board of Aldermen that the two tracts of land known as University Heights area that adjoin the New Cemetery, have been purchased and that the deeds have been properly recorded.

UNITED NATIONS DAY CHAIRMAN. The Board discussed Mr. John Reibel as the most likely person to be appointed as chairman. Alderman Putnam made a motion that Mr. Reibel be so appointed, seconded by Alderman Wager. None voted against it.

FUTURE MEETINGS OF THE BOARD OF ALDERMEN. The matter of having but one (1) meeting night each month on the second Monday night, subject to "Call Meetings" when found necessary, was discussed. Alderman Davis moved that this plan be in effect, seconded by Alderman Wager. The motion was passed.

STORM SEWER. Mr. Grady Pritchard came before the Board of Aldermen again discussing the storm sewer problem that confronts property owners in and about Sycamore Street and Brookside Drive. He requested that the Town of Chapel Hill lay about one hundred thirty (130) feet of twenty-four (24") pipe to handle the water. Alderman Strowd made a motion that this be referred to the Street Committee, seconded by Alderman Davis. As this problem has been brought up many times. Alderman Wager made a substitute motion that the Town install the pipe with no commitments of any further development on Brookside Drive, seconded by Alderman Putnam. The motion was passed.

Mayor Cornwell read a letter from the Chapel Hill Weekly signed by Mr. Orville Campbell, wherein they asked the Town of Chapel Hill to enter into an advertising plan by taking a full page add at a cost of \$130.00; that the town supply honest, factual reports; that this plan would help to attract persons to Chapel Hill and would be for

the betterment of the Town. This was disallowed for want of legality.

RE-ZONING REQUESTS. The Planning Board reported on two rezoning requests: that the business district be extended to include an area owned by The Porthole Restaurant; rezoning the area adjacent to and south of the Durham Highway and west of the Bypass (U.S. 15) from Agricultural and RA-20 to Suburban Commercial. Alderman Putnam made a motion that Town Manager Rose be instructed to publish the Notice of Public Hearing as required by law, in order that the matter may be considered at the September 12 Board Meeting, Alderman Davis seconded the motion and it was passed. le 9th

TWO REFUNDS. As Mrs. Mary Maultsby of Roosevelt Drive has been erroneously charged with sewer rent for two years, Alderman Putnam moved that a voucher be drawn for the \$24.00 due Mrs. Maultsby, seconded by Alderman Davis. Mrs. Olivette Royster has been overcharged on her Franklin Street property as the County notified the Town of a reappraisal of her property after her taxes had been paid. Alderman Putnam moved that the proper voucher in the amount of \$17.20 be drawn to Mrs. Royster, due to overcharge on taxes. Alderman Strowd seconded the motion. All voted "aye", none voted "nay". The motion was passed.

BIDS ON NEW EQUIPMENT. Town Manager submitted to the Board of Aldermen the following low bids on new equipment for their recommendations:

Two Police Cars, the lowest bidder being Harris-Conners Chevrolet, Inc., at \$3,482.00. Alderman Putnam made a motion that the contract be awarded, seconded by Alderman Wager. None voted against it. The motion was passed.

Three Wheel Motorcycle, the only bidder being Spicer Motorcycle Company, for \$1,384.00 less trade in on old motorcycle of \$387.00 making a net amount of \$1,057. On a motion made by Alderman Davis that the contract be awarded, seconded by Alderman Putnam, the motion was passed. None voted against it. The motion was passed.

Half-ton Pick-up Truck, the lowest bidder being Pritchard-Little Motor Company at \$1,300. On a motion by Alderman Putnam that the contract be awarded, seconded by Alderman Davis the motion was passed. None voted against it. The motion was passed.

Two Two-ton Truck Chassis, the lowest bidder being Harriss-Conners Chevrolet, Inc., at \$4,220. On a motion made by Alderman Putnam that the contract be awarded, seconded by Alderman Wager, the motion was passed. None voted against it. The motion was passed.

Packer-type Garbage Truck, the lowest bidder being Packer Sales Company at \$5,643. Alderman Putnam moved that the contract be awarded, seconded by Alderman Strowd. None Voted against it. The motion was passed.

Flusher Truck, the lowest bidder being Interstate Equipment Company at \$5,870. Alderman Putnam made a motion that the contract be awarded, seconded by Alderman Wager. None voted against it. The motion was passed.

Bulldozer for sanitary land fill garbage disposal purposes, the lowest bidder being the North Carolina Equipment Company at \$13,720.00. Alderman Putnam made a motion that this contract be awarded, seconded by Alderman Davis. None voted against it. The motion was passed.

Small farm-type tractor, the lowest bidder being the North Carolina Equipment Company at \$1,639. Alderman Putnam made a motion that the contract be awarded, seconded by Alderman Strowd. None voted against it. The motion was passed.

ANNEXATION OF RIDGEFIELD. At the request of Mr. Herbert Wentworth acting as agent for Ridgefield Development, the matter was deferred at this time.

NEW BUSINESS: Alderman Wager brought up the matter of the extra lot at the Negro Community Center. Alderman Putnam acting as chairman of the Recreational Center, was asked to report any facts pertaining to it, at a later date. Alderman Putnam mentioned that the sidewalk in front of the Building and Loan, has a bad break; that a dead-end sign should be placed at Colony Court.

Upon a motion made by Alderman Putnam, seconded by Alderman Davis and unanimous consent, the meeting was adjourned at 9:18 P.M., o'clock.

Oliver K. Cornwell Mayor

Mary Losey Town Clerk

August 8, 1955