

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a regular meeting on May 13, 1957, at 7:30 P.M., o'clock in the Town Hall with the following present: Mayor Cornwell; Aldermen Davis, Strowd, Wager, Robinson, and Hornaday; Town Attorney LeGrand and Town Manager Rose. Absent: Alderman Putnam.

Minutes of the Regular Meeting of April 8, 1957, were approved as read on a motion by Alderman Davis, seconded by Alderman Strowd.

Minutes of the Special Meeting held at Carrboro, N. C., were approved as read on a motion by Alderman Wager, seconded by Alderman Robinson.

Minutes of the Special Meeting of April 29, 1957, were approved as read on a motion by Alderman Strowd, seconded by Alderman Davis.

CERTIFICATION OF MAY 7, 1957, ELECTION RESULTS was accepted by the Board of Aldermen, a copy of which is attached hereto.

CERTIFIED RESULTS OF MAY 7, 1957, BOND ELECTION was accepted by the Board of Aldermen, a copy of which is attached hereto.

William S. Stewart, Judge of the Chapel Hill Recorder's Court administered the oath's of office to Oliver K. Cornwell as Mayor for two ensuing years; Hubert Robinson, Sr., Paul W. Wager, and Adelaide Walters as Aldermen for four ensuing years, and Roland Giduz as Alderman for two ensuing years. The oaths of office are filed with these minutes.

Mayor Cornwell appointed the following committees:

FINANCE, PROPERTIES, & UTILITIES: Wager, Chairman
Davis
Strowd

STREETS, SAFETY, & HEALTH: Robinson, Chairman
Giduz
Walters

RECREATION, PARKS & PLAYGROUNDS: Walters, Chairman
Giduz
Robinson

CEMETERIES: Strowd, Chairman
Wager
Davis

COUNTRY CLUB REQUEST BEER LICENSE. A.H.A. Williams, Agent, for the Country Club requested a beer license. Alderman Strowd moved the request be allowed, seconded by Alderman Davis, and passed.

PAVING PLANT ROAD. On the request that Plant Road be paved, without curb and gutter, the Board of Aldermen decided because the Town of Chapel Hill's trucks keep the road disturbed; that this road could warrant special consideration.

PETITION FOR THRICE A WEEK GARBAGE PICKUP. Glen Lennox residents request thrice per week garbage collection. No action was taken.

MCCAULEY STREET EXTENSION. A request was received to open McCauley Street through to Merritt Mill Road. The matter was referred to the Committee of the Whole, the report to be given at June meeting.

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MONTHLY REPORTS. Auditor's report. Mr. E. E. Peacock reported that he has examined the April vouchers and found them to be in order and properly supported. He commented on the all-over picture of the expenditures to date.

Report's of Health Department and Fire Department have not yet been received.

Reports of Chapel Hill Recorder's Court and Police Department were examined.

Alderman Davis moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955

WHEREAS, a public hearing was duly called and held by the Board of Aldermen of Chapel Hill on October 26, 1956, after due advertisement as by law provided, to consider the recommendation of the Planning Board to rezone the area hereinafter described in Section I hereof from RA-6 Residential to Business as said zone is described in said Zoning Ordinance; and

WHEREAS, following said public hearing the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to such proposed change;

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

SECTION I

That the Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas, as adopted March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be, and the same is hereby rezoned from RA-6 Residential to Business and that the uses permitted in areas designated as Business District as set forth in said original zoning ordinance shall hereafter apply to the following described area:

BEGINNING at the intersection of the western property line of Henderson Street with the northern property line of East Rosemary Street; running thence along the northern property line of East Rosemary Street westwardly to a point in the northern property line of East Rosemary Street which point is located 330 feet eastwardly from the eastern property line of North Columbia Street; running thence from said point northwardly and parallel with Henderson Street 200 feet; thence eastwardly and parallel with the northern property line of East Rosemary Street to the western property line of Henderson Street; thence southwardly along the western property line of Henderson Street 200 feet to the point of Beginning.

SECTION II

This ordinance shall be in full force and effect from and after the 13th day of May, 1957.

SECTION III

All ordinances, laws and clauses of laws in conflict herewith

are hereby repealed.

This, the 13th day of May, 1957.

seconded by Alderman Robinson, and unanimously adopted.

Alderman Wager moved the adoption of the following:

AN ORDINANCE TO ESTABLISH BUILDING SET BACK LINES ON EAST ROSEMARY STREET BETWEEN NORTH COLUMBIA STREET AND HENDERSON STREET

WHEREAS, the General Assembly of North Carolina, Session of 1957, has enacted a law to authorize the Board of Aldermen of the Town of Chapel Hill to classify the streets of said town according to their sizes, present and anticipated traffic loads, and other characteristics relevant to the achievement of said purposes; and to establish, by ordinance, minimum distances which buildings constructed along each class or type of street shall set back from the right-of-way line of the street or from the center line of the street; and,

WHEREAS, in order to promote public safety, by providing adequate sight distances for motorists using the street, lessening congestion in the street, facilitating the movement of traffic on the street, and providing adequate fire lanes between buildings, and to promote the public health, by keeping dwellings and other structures an adequate distance from the dust, noise, and fumes created by traffic on the street and by insuring an adequate supply of light and air, it has been determined, pursuant to the authority conferred above, and to accomplish the purposes herein set forth, and as part of a general plan of establishing set back lines in the Town of Chapel Hill, that building set back lines should be established on East Rosemary Street between Henderson Street and North Columbia Street;

I

NOW, THEREFORE, BE IT ORDAINED By the Board of Aldermen of the Town of Chapel Hill that, pursuant to the authority conferred upon the Board of Aldermen of the Town of Chapel Hill by Act of the General Assembly of North Carolina, Session of 1957, building set back lines be and the same are hereby established on East Rosemary Street between Henderson Street and North Columbia Street as follows:

- a. On the north side of East Rosemary Street between Henderson and North Columbia Street a building set back line is hereby established at a point 13 feet north of the present curb of said street as recently located in the widening of said street.

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- b. On the south side of East Rosemary Street between Henderson Street and North Columbia Streets, a building set back line is hereby established at a point 18 feet south of the present curb of said street as the same is now located.

II

That no buildings or structures of any kind shall be hereafter constructed within the areas lying between the setback lines as hereinabove established and the curb lines of East Rosemary Street as hereinabove described.

III

Each and every violation of this ordinance shall be punishable as a misdemeanor and each day during which a violation thereof continues shall be considered a separate and distinct offense.

IV

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

V

This ordinance shall be in full force and effect from and after the 13th day of May, 1957.

This the 13th day of May, 1957.

seconded by Alderman Walters, and unanimously adopted.

Alderman Strowd moved the adoption of the following:

ORDINANCE RELATING TO PARKING ON HENDERSON STREET BETWEEN EAST FRANKLIN STREET AND EAST ROSEMARY STREET

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

I

That from and after the 14th day of May, 1957, it shall be unlawful to park an automobile or vehicle of any kind on Henderson Street between East Franklin Street and East Rosemary Street for a period of more than ten minutes at any one time. All parking on said street shall be parallel to the curb and on the right hand side thereof with regard to the direction in which the parked vehicle is headed.

II

That each and every violation of this ordinance shall be punishable by a fine of \$1.00.

III

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

This the 13th day of May, 1957.

seconded by Alderman Wager, and unanimously adopted.

Alderman Robinson moved the adoption of the Assessment Roll, a copy of which is attached to the Minutes of April 8, 1957, meeting, seconded by Alderman Giduz, and unanimously adopted.

On the request of Mr. William Poe that the Town of Chapel Hill cancel a charge in the amount of \$17.50 for a Privilege License, as the business was sold in October 1956 to Stancell Motor Company. Town Attorney LeGrand stated that "Privilege Licenses are not transferrable."

Town Manager Rose read a letter from Mr. N. B. Adams complaining that water from Woodland Avenue runs down Smith Avenue and into his pool on Coolidge Street; that when it rains it presents a hardship; that he hopes the Town will furnish relief. The Board stated that this would be added to the agenda and examined on the next itinerary.

SALE OF BOND ANTICIPATION NOTES. Town Manager Rose stated that the Local Government Commission has sold the \$35,000 and the \$38,000 notes to the First Securities Corporation of Durham, N.C., @ 6%; that they have added a premium; and that the net interest cost to the Town would be at the rate of 2.579%.

FINANCIAL STATEMENT. Town Manager Rose supplied a statement of revenue and expenditures to March 30, 1957, which was examined. He requested that funds be transferred from the Cemetery Savings Account into the General Fund to cover construction work in the New Cemetery, and that the next week the Finance Committee meet to study the New Budget for the year 1957-58 and report at next Board Meeting.

SIDEWALKS ON ROSEMARY STREET. Town Manager Rose stated that in the matter of constructing side walks on both sides of Rosemary Street between Columbia and Henderson Streets he has written letters to all the property owners along the street, and will report later as to replies.

PLANNING BOARD ANNUAL REPORT. The Annual Report for the Planning Board was examined wherein they request \$3,500 to operate for the year 1957-58.

PLANNING BOARD REPORTS. On the Service Insurance and Realty Company's request for approval of their Preliminary Sketch of changes in Estes Hills, Alderman Strowd moved that the changes be approved, seconded by Alderman Davis, and passed.

Mr. L. L. Conners presented a Preliminary Sketch known as Conners Ridge, requesting the Aldermen to accept the recommendation of the Planning Board to approve the Sub-Division Layout Plan. Alderman Giduz moved the adoption of the recommendation of the Planning Board, seconded by Alderman Wager, and passed.

In the matter of Wm. Markham, 314 W. Rosemary, the Planning Board reported disapproval of the proposed division of the property because of a narrow street. Mr. Markham requested approval because it was a hardship case and may facts warranted acceptance. Alderman Davis moved the request be approved, seconded by Alderman Strowd and passed.

W.J. & SIBYL HILL TAXICAB REQUEST. Attorney Harold Edwards came before the Board again requesting that Mr. & Mrs. Hill be allowed to operate taxi cabs as submitted to the Board at the February 11, 1957, meeting; that the "necessary need for more cabs" be studied by making a wider survey than has been made. Town Manager Rose was requested to study this need for more cabs.

Mr. P. L. Burch, Building Inspector complains of lack of legal advice in matters pertaining to violations of the Zoning Ordinance. He believes two or three test cases will tend to establish a precedent as being set aside for want of proper prosecution.

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Town Manager Rose and Town Attorney LeGrand were requested to investigate the matter.

SECRETARY OF PLANNING BOARD RESIGNS. Roy M. Cole asked that his resignation be accepted. Alderman Robinson moved that the Board of Aldermen accept Roy M. Cole's resignation, seconded by Alderman Wager seconded the motion, and passed. The Board requested Town Manager Rose to so advise Mr. Cole expressing thanks for his services and regrets that he resigns.

NEW BUSINESS:

Alderman Robinson requested several broken places in the pavement near his residence at 608 Nunn Street, be patched.

Wager
Alderman believes Mr. P. L. Burch's request for legal counsel in Zoning Ordinance violations, should be studied.

On a motion by Alderman Davis, seconded by Alderman Robinson and unanimous consent, the meeting was adjourned at 8:40 P.M., o'clock.

Oliver K. Cornwell Mayor

Mary Lorejay Town Clerk

May 13, 1957

MINUTES

Board of Aldermen

Town of Chapel Hill, N. C.

The Board of Aldermen met jointly with the Planning Board on May 27, 1957, at Town Hall at 7:30 P.M., o'clock with the following present: Mayor Cornwell; Aldermen Wager, Robinson, Strowd, Walters, and Giduz; Town Manager Rose. Absent: Alderman Davis. Planning Board members were: Messrs. Umstead, Womble, Neville, Chapin, Cleaveland, and Potter.

The purpose of the meeting was to consider rezoning six areas as follows:

No. 1. From RA-10 Residential to RA-10A Residential: an area of the Campus of the University of North Carolina lying between the Pittsboro Highway (U/S. 15A - 501A) on the West and the Mason Farm Road on the East, and between Victory Village on the North and the Southern line of the University property on the South. A delegation of interested persons appeared at the meeting opposing the rezoning, with Mr. Wesley O. Sparrow acting as spokesman. He stated that such a change will depreciate the value of their homes. Mr. C. E. Teague, acting as spokesman for the University, stated that in February, 1955, the Board of Trustees passed a resolution wherein they assumed the responsibility of supplying students with housing; that they have diligently hunted for such properties and the area in question seems to be the only area possible and practical, at this time. Alderman Strowd moved that this be referred to the Planning Board for its recommendation, seconded by Alderman Robinson, and passed.

NORTH CAROLINA
ORANGE COUNTY

I, Roland Giduz, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Roland Giduz

I, Roland Giduz, 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.

Roland Giduz

I, Roland Giduz, do swear that I will well and truly execute the duties of the office of alderman of the Town of Chapel Hill according to the best of my skill and ability, according to law; so help me, God.

Roland Giduz

The above oaths were this day subscribed and sworn to before me.

May 13, 1957.

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

NORTH CAROLINA
ORANGE COUNTY

I, Adelaide H. Walters, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Adelaide H. Walters

I, Adelaide H. Walters, 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.

Adelaide H. Walters

I, Adelaide H. Walters, do swear that I will well and truly execute the duties of the office of alderman of the Town of Chapel Hill according to the best of my skill and ability, according to law; so help me, God.

Adelaide H. Walters

The above oaths were this day subscribed and sworn to before me.

May 13, 1957.

William S. Stewart

Judge, Chapel Hill Recorder's Court

NORTH CAROLINA
ORANGE COUNTY

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

Oliver K. Cornwell

I, Oliver 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.

Oliver K. Cornwell

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

The above oaths were this day subscribed and sworn to before me.

May 13, 1957.

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

NORTH CAROLINA
ORANGE COUNTY

I, Hubert S. Robinson, Sr., do solemnly swear that I will support the Constitution of the United States; so help me, God.

Hubert S. Robinson

I, Hubert S. Robinson, Sr., 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.

Hubert S. Robinson

I, Hubert S. Robinson, Sr., do swear that I will well and truly execute the duties of the office of alderman of the Town of Chapel Hill according to the best of my skill and ability, according to law; so help me, God.

Hubert S. Robinson

The above oaths were this day subscribed and sworn to before me.

May 13, 1957.

William S. Stewart
Hubert S. Robinson

Judge, Chapel Hill Recorder's
Court

NORTH CAROLINA
ORANGE COUNTY

I, Paul W. Wager, do solemnly swear that I will support the Constitution of the United States; so help me, God.

Paul W. Wager

I, Paul W. Wager, 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.

Paul W. Wager

I, Paul W. Wager, do swear that I will well and truly execute the duties of the office of alderman of the Town of Chapel Hill according to the best of my skill and ability, according to law; so help me, God.

Paul W. Wager

The above oaths were this day subscribed and sworn to before me.

May 13, 1957.

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