

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on October 13, 1958, at 7:30 P.M., o'clock with the following present: Mayor Cornwell; Aldermen Walters, Calhoon, Wager, Robinson, Strowd, and Davis; Town Attorney LeGrand and Town Manager Rose.

Minutes for the September 8, 1958, meeting were approved on a motion by Alderman Strowd, seconded by Alderman Davis, and passed.

BEER LICENSE. Mr. Preston Weaver of 416 W. Franklin requested a beer license. Town Manager Rose stated that Mr. Weaver has filled out the application as required by law. Alderman Davis moved that the request be allowed, seconded by Alderman Robinson, and passed.

SWIMMING POOLS. Town Manager Rose presented a written request from the Junior Service League of Chapel Hill that an ordinance be drawn to protect the lives of children by compelling owners of public or private swimming pools to provide adequate fencing or other enclosures. Alderman Walters moved that action be deferred until next meeting of the aldermen, seconded by Alderman Strowd, and passed.

ESTES HILLS ELEMENTARY SCHOOL.

A request was received from Grey Culbreth, Chairman of the Chapel Hill City Board of Education, that Estes Hills School be annexed to the Town of Chapel Hill. As in the near future there is a possibility of an additional area being considered for annexation, the Board agreed that the matter should be studied.

REQUEST TO RENAME AYR ROAD. The request from Drs. Patterson, Jones, & Joyner, who are building a clinic on Ayr Road, to rename the road South Hamilton Road, as the road appears to be a continuation of Hamilton Road, was considered. Alderman Calhoon moved that the request be allowed, seconded by Alderman Walters, and passed.

IMPROVING COUNTRY CLUB ROAD. On the request received from Mr. George Watts Hill for paving Country Club Road to the Chapel Hill Country Club, the Board were in accordance that the Town's policy is not to pave until curb and gutter has been put in. They requested Town Manager Rose to advise Mr. Hill of the Town's policy in the matter.

MONTHLY REPORTS

Auditor's Report. Mr. E. E. Peacock reported that he has examined the August and September 1958 vouchers; that all but two are in order and properly supported. He reported on his Audit of the Chapel Hill Recorder's Court for the past two years; that the all-over picture is satisfactory. A list of uncollected fines was studied.

Health Department's Report was examined.

Fire Department's Report was examined.

Chapel Hill Recorder's Court Report was examined.

Police Department Report was not received.

Alderman Strowd moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING ON WEST FRANKLIN STREET

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

SECTION I.

That on and after the 20th day of October, 1958, all automobiles parked on the south side of West Franklin Street, between the western line of Berman Court and the eastern line of Mallette Street, shall be parked parallel to the curb with the right hand wheels thereof not more than twelve (12) inches therefrom.

SECTION II.

That on and after the 20th day of October, 1958, all automobiles parked on the south side of West Franklin Street, between the eastern property line of Roberson Street and the western line of the driveway leading to the property occupied by Long Meadow Dairy, shall be parked parallel to the curb with the right hand wheels thereof not more than twelve (12) inches therefrom.

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SECTION III

That on and after the 20th day of October, 1958, all automobiles parked on the north side of West Franklin Street, between the western line of Roberson Street and the eastern line of the driveway leading to the property occupied by Colonial Press shall be parked parallel to the curb with the right hand wheels thereof not more than twelve (12) inches therefrom.

SECTION IV.

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

SECTION V.

All ordinances in conflict herewith are hereby repealed.

This the 20th day of October, 1958.

seconded by Alderman Davis, and unanimously adopted.

Alderman Robinson moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING ON HENDERSON STREET
BETWEEN NORTH STREET AND COBB TERRACE.

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

SECTION I

That on and after the 20th day of October, 1958, it shall be unlawful to park an automobile or vehicle of any kind on the west side of Henderson Street between the northern line of North Street and Cobb Terrace.

SECTION II.

Each and every violation of this ordinance shall be punishable by a fine of \$1.00

SECTION III.

All ordinances in conflict herewith are hereby repealed.

This the 20th day of October, 1958.

seconded by Alderman Wager, and unanimously adopted.

Alderman Strowd moved the adoption of the following:

AN ORDINANCE TO AMEND THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, so as to rezone the area hereinafter described from RA-6, RESIDENTIAL, to BUSINESS.

WHEREAS, a public hearing was duly called and held by the Board of Aldermen of Chapel Hill on August 25th, 1958, 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 Zones are 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 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", as set forth in said original zoning ordinance, shall hereafter apply to the following described area:

BEGINNING at a point in the northern property line of West Rosemary Street 280 feet west from the western property line of North Columbia Street, running thence northwardly and at right angles to West Rosemary Street 200 feet to a point; thence westwardly and parallel with West Rosemary Street to the eastern property line of Nunn Alley; thence southwardly along the eastern property line of Nunn Alley 200 feet, more or less, to the northern property line of West Rosemary Street; thence eastwardly along the northern property line of West Rosemary Street to the point of BEGINNING.

SECTION II.

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

This the 13th day of October, 1958.

seconded by Alderman Walters, and unanimously adopted.

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Alderman Walters moved the following resolution be adopted:

WHEREAS, a \$45,000 Street Improvement Bond Anticipation Note of the Town of Chapel Hill has been issued in anticipation of the receipt of the proceeds of the sale of the bonds authorized by the bond ordinance hereinafter described, and said note is payable on October 28, 1958, and the Board of Aldermen desires to pay in part and to renew the balance of said note as hereinafter set forth:

NOW, THEREFORE,

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

(1) Bond Anticipation Notes of the principal amount of \$40,000 shall be issued to renew in part of the outstanding \$45,000 Street Improvement Bond Anticipation Note payable October 28, 1958, issued in anticipation of the receipt of the proceeds of the sale of the bonds authorized by the bond ordinance entitled "An Ordinance authorizing the issuance of \$50,000 of bonds of the Town of Chapel Hill for the improvement of public streets of said Town", adopted by the Board of Aldermen of the Town of Chapel Hill on March 28, 1955. Each of said notes shall be designated "Street Improvement Bond Anticipation Note" and shall be dated October 27, 1958, and shall be payable April 27, 1959, and shall bear interest at a rate which shall not exceed 6% per annum. Such interest shall be payable at the maturity of such notes.

(2) Notes issued pursuant to this resolution shall be issued in such denominations and in such form and shall bear interest at such rate as may be determined, within the limitations prescribed by this resolution, by the officers authorized to execute said notes. The Mayor and the Town Clerk are hereby authorized and directed to execute said notes.

(3) The Mayor and the Town Clerk are hereby authorized to make application to the Local Government Commission of North Carolina for its approval of said notes, in the manner prescribed by the Local Government Act. Said Local Government Commission is hereby requested to sell said notes in the manner prescribed by said Act. Said notes, when they shall have been sold by said Commission, in the manner provided by law, and when they shall have been executed in the manner

prescribed by this resolution, shall be turned over to the State Treasurer of the State of North Carolina, for delivery to the purchaser or purchasers to whom they may be sold by said Commission, seconded by Alderman Davis, and unanimously adopted.

Those voting for the motion were Messrs. Davis, Walters, Calhoon, Wager, Robinson, and Strowd. No one voted against it.

Alderman Wager moved that the following resolution be adopted:

WHEREAS, a \$50,000 Street Bond Anticipation Note of the Town of Chapel Hill has been issued in anticipation of the receipt of the proceeds of the sale of the bonds authorized by the bond ordinance hereinafter described, and said note is payable on October 28, 1958, and the Board of Aldermen desires to renew said note as hereinafter set forth: NOW, THEREFORE,

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

(1) Bond Anticipation Notes of the principal amount of \$50,000 shall be issued to renew the outstanding \$50,000 Street Bond Anticipation Note payable October 28, 1958, issued in anticipation of the receipt of the proceeds of the sale of the bonds authorized by the bond ordinance entitled "An Ordinance authorizing the issuance of \$50,000 of bonds of the Town of Chapel Hill for the improvement of public streets of said Town", adopted by the Board of Aldermen of the Town of Chapel Hill on March 11, 1957. Each of said notes shall be designated "Street Bond Anticipation Note" and shall be dated October 27, 1958, and shall be payable April 27, 1959, and shall bear interest at a rate which shall not exceed 6% per annum. Such interest shall be payable at the maturity of such notes.

(2) Notes issued pursuant to this resolution shall be issued in such denomination and in such form and shall bear interest at such rate as may be determined, within the limitations prescribed by this resolution, by the officers authorized to execute said notes.

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The Mayor and the Town Clerk are hereby authorized and directed to execute said notes.

(3) The Mayor and the Town Clerk are hereby authorized to make application to the Local Government Commission of North Carolina for tis approval of said notes, in the manner prescribed by the Local Government Act. Said Local Government Commission is hereby requested to sell said notes in the manner prescribed by said Act. Said notes, when they shall have been sold by said Commission, in the manner provided by law, and when they shall have been executed in the manner prescribed by this resolution, shall be turned over to the State Treasurer of the State of North Carolina, for delivery to the purchaser or purchasers to whom they may be sold by said Commission, seconded by Alderman Strowd, and unanimously adopted. Those voting for the motion were Messrs. Strowd, Walters, Calhoon, Wager, Robinson, and Davis. No one voted against it.

N. C. SYMPHONY, INC. Mr. Benjamin Swalin, Director has requested that the Town of Chapel Hill contribute again this year to assist them in their program. Alderman Calhoon moved that the Town of Chapel Hill contribute \$100.00 from the Contingency Fund for 1958-59, seconded by Alderman Walters, and passed.

PARKING ON SENLAC ROAD. Town Manager Rose stated that he has received a request from Mr. Roland McClamrock that parking be removed from the South Side of Senlac Road, whereas Dr. Fred Patterson requests that the parking continues to remain in that area. The matter was referred to the Street Committee for consideration.

BAR ASSOCIATION. Attorney Bonner Sawyer appeared before the Board of Aldermen representing the Orange County Bar Association. He stated that the Judge of Chapel Hill Recorder's Court and the Prosecuting Attorney are greatly underpaid; that in fulfilling their duties they are barred from entering into accepting civil cases; that they are highly trained professional men; that the present salary is lower than neighboring towns; he remmended \$2,600 for the Judge, and \$2,400 for the Prosecutor, be set as the minimum. The matter was referred to the Finance Committee for further study.

PROSECUTING ATTORNEY RESIGNS. Town Manager Rose read a letter of resignation received from Mr. E. B. Denny, Jr., wherein he requested that his resignation be effective as of October 15, 1958, or as soon thereafter as his successor can qualify. Alderman Davis moved that the resignation be accepted, seconded by Alderman Walters, and passed. Town Manager Rose was requested to write a letter to Mr. Denny expressing thanks for his services.

PROSECUTING ATTORNEY APPOINTED. Mr. John M. Tapley was appointed to serve the unexpired term of Emery Denny, Jr. He was requested to consult with Mr. Denny and Judge Stewart and to take the oath of office.

OVERHEAD BANNERS ON STREETS. Alderman Calhoon moved that an ordinance be drawn making it necessary to secure permits to place banners and define the limits wherein they can be placed, seconded by Alderman Robinson, and passed.

SIDEWALKS - E. Rosemary Street. Town Manager Rose stated that because Mrs. W. B. Sorrell, 116 E. Rosemary Street had a concrete sidewalk at the time the Town widened the road in that area, she requests that she not be charged for another sidewalk in front of her property. Alderman Walters moved that the matter be considered in line with the other property owners, and no difference be shown, seconded by Alderman Robinson, and passed.

TRAFFIC LIGHTS-ESTES DRIVE & DURHAM ROAD. The Board discussed the matter but agreed that no action be taken until the Board knows how they will open the proposed road coming out from the Connor property.

PAVEMENT ASSESSMENT ROLLS. Town Manager Rose read the resolution to adopt the Paving Assessment Roll (copy attached hereto). Alderman Wager moved the adoption of the resolution, seconded by Alderman Walters, and passed. Five members of the Board voted "aye". Alderman Calhoon voted "nay".

REPORTS FROM PLANNING BOARD.

Crestwood Subdivision - Final Plat. Alderman Davis moved that the Board of Aldermen accept the recommendation of the Planning Board to approve the final plat of Crestwood Subdivision, seconded by Alderman Robinson, and passed.

Laurel Hill Subdivision - Block C. Addition - Revised Final Plat. Alderman Davis moved that the Board of Aldermen accept the recommendation of the Planning Board to approve the final plat, subject to the developer's showing the required 50 foot setback and indicating on the plat the areas to be reserved, seconded by Alderman Robinson, and passed.

NEW BUSINESS:

Alderman Walters stated that five (5) appointments should be made on the Human Relations Board. The following persons were appointed to serve on the committee: Emery Denny, Jr., Mrs. William L. Lampley, Mr. Eduard Danziger, Dr. William Joyner, and Mr. Clifton Stone. Town Manager Rose was requested to so notify these appointees. Alderman Robinson stated that Merritt Mill Road sidewalk is still unfinished. He was informed that the University have some meters to be lowered before the gravel can be filled in.

There being no further business to be considered, on a motion by Alderman Davis, seconded by Alderman Strowd and unanimous consent the meeting was adjourned at 9:42 P.M., o'clock.

Glen K. Cornwell Mayor
Mary Rose Town Clerk

October 13, 1958

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