

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on December 8, 1958, at 7:30 P.M., o'clock with the following present: Mayor Cornwell; Aldermen Strowd, Davis, Robinson, Calhoun, Walters and Wager; Town Attorney LeGrand and Town Manager Rose.

Minutes for the November 17 meeting, November 20 meeting and November 24, 1958 meetings were approved on a motion by Alderman Wager, seconded by Alderman Davis, and passed.

Written Petitions.

Curb & Gutter on Greenwood Road. Town Manager Rose presented a petition signed by 77% of the property owners from Highway #54 to Stagecoach Road. No action to be taken until such time as money is available.

Report of Auditor.

Mr. E. E. Peacock supplied the Board of Aldermen with copies of the 1957-58 Annual Audit. He stated that 2/3 of the money contained in the Budget figures is disbursed for payrolls; that there is very little change in the position of the General Fund; that the miscellaneous Accounts Receivable shows a larger unpaid balance; that the Debt Service financial position has greatly improved. He made the following recommendations: 1. That one person be delegated for regularly billing and following up uncollected street cuts, privilege licenses etc., and that these accounts be kept by fiscal year in alphabetical order. 2. That a Miscellaneous Property Account be set up and a perpetual inventory be kept of machinery and miscellaneous property owned by the Town.

MONTHLY REPORTS

Report of Health Department was examined.

Report of Recorder's Court was examined.

Report of Police Department was examined.

Report of Fire Department was examined.

Town Attorney

Alderman Davis moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING ON SENLAC ROAD

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

Section I

That on and after the 9th day of December, 1958, it shall be unlawful to park an automobile or vehicle of any kind on the South side of Senlac Road. All parking on Senlac Road shall be only on the North side of said street.

Section II

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

Section III

All ordinances in conflict herewith are hereby repealed.

This the 8th day of December, 1958.

seconded by Alderman Wager, and unanimously adopted.

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Alderman Wager moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING IN ALLEY BETWEEN PORT HOLE RESTAURANT BUILDING AND UNIVERSITY SERVICE PLANTS BUILDING

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

Section I

That on and after the 31st day of December, 1958, it shall be unlawful to park an automobile or vehicle of any kind at any time within the alleyway which extends westwardly from the Coffee Shop alleyway to the Carolina Theatre Building, said alleyway being located between the property of the Port Hole Restaurant and the University Service Plants building.

Section II

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

Section III

All ordinances in conflict herewith are hereby repealed.

This the 8th day of December, 1958

seconded by Alderman Strowd, and unanimously adopted.

Alderman Robinson moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING ON GIMGHOUL ROAD

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

Section I

That on and after the 9th day of December, 1958, it shall be unlawful to park an automobile or vehicle of any kind on the north side of Gimghoul Road between Country Club Road and Glandon Drive.

Section II

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

Section III

All ordinances in conflict herewith are hereby repealed.

This the 8th day of December, 1958.

seconded by Alderman Walters, and unanimously adopted.

Alderman Robinson moved the adoption of the following:

AN ORDINANCE RELATING TO PARKING ON ROBERSON STREET

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

Section I

That on and after the 9th day of December, 1958, it shall be unlawful to park an automobile or vehicle of any kind on East side of Roberson Street between Franklin and Rosemary Streets, except on Sundays.

Section II

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

Section III

All ordinances in conflict herewith are hereby repealed.

This the 8th day of December, 1958.

seconded by Alderman Walters and unanimously adopted.

Alderman Strowd moved the adoption of the following:

AN ORDINANCE RELATING TO THE SPEED LIMIT IN RIDGEFIELD SUBDIVISION

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

Section I

That on and after the 15th day of December, 1958, it shall be unlawful to operate a vehicle of any kind within the area described as Ridgefield Subdivision at at speed in excess of 25 miles per hour.

Section II

Each and every violation hereof shall be punishable as a misdemeanor.

Section III

All ordinances in conflict herewith are hereby repealed.

This the 8th day of December, 1958.

seconded by Alderman Davis, and unanimously adopted.

Mayor Cornwell stated that an ordinance is needed to regulate speed of traffic in the area of Boundary Street and Park Place to Franklin Street. The Town Attorney was requested to present an ordinance for consideration at the January meeting.

Town Manager

Reports of Planning Board. Betty Smith Finch Petition. Alderman Walters moved that the recommendation of the Planning Board to approve the rezoning an area on the northwest corner of Hillsboro Street and Rosemary Street from RA-10A to RA-6 Residential, be accepted and the adoption of the following:

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

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on November 24, 1958, to consider requests for rezoning certain areas hereinafter described; and

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the areas hereinafter described; and

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," 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-10A Residential to RA-6 Residential, and that the uses permitted in areas designated as RA-6 Residential, as set forth in said zoning ordinance shall hereafter apply to the following described area:

A tract of land lying on the North Side of East Rosemary Street and the West Side of Hillsboro Street, and beginning at a stake at the Northwestern intersection of the said streets; running thence along the West property line of Hillsboro Street North 24 degrees 00 minutes West 233.9 feet to a stake, a corner of the property this day conveyed to Emily G. Danziger; running thence with the said Danziger line South 65 degrees 00 minutes West 297 feet to an iron stake in a branch; running thence up the said branch as it meanders and in a Southeastern direction to a stake in the North property line of Rosemary Street, thence North 65 degrees East 212 feet to the beginning.

Section II

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

This, the 8th day of December, 1958.

seconded by Alderman Calhoon, and unanimously adopted.

Danziger Rezoning Petition

Rezoning 1 1/2 acres on the Northeast corner of the intersection of Hillsboro Street Extension and Airport Road from RA-6 to Suburban Commercial. Alderman Calhoon moved that that the recommendation of the Planning Board be accepted and 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, AND SUBSEQUENTLY AMENDED.

WHEREAS, after due advertisement as provided by law, a joint public hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on November 24, 1958, to consider requests for rezoning certain areas hereinafter described; and

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the rezoning of the areas hereinafter described; and

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," 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 Suburban Commercial, and that the uses permitted in areas designated as Suburban Commercial, as set forth in said zoning ordinance shall hereafter apply to the following described area:

A tract of land, 1 1/2 acres, lying on the North East side of Hillsboro Street Extension; bounded on the North by Bolin Creek; on the East by Sparrow Property; on the South by Hillsboro Street Extension and on the West by Highway #86.

Section II

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

This, the 8th day of December, 1958.

seconded by Alderman Robinson, and unanimously adopted.

A Tentative Amendment to The Zoning Ordinance to establish a new Regional Shopping Center District was recommended. Alderman Robinson moved that the Town Manager be authorized to advertise and schedule the matter for the next regular Public Hearing in February, seconded by Alderman Davis, and passed.

A Proposed Text Amendment - Zoning Ordinance Sec. 7, to include among the districts in which advertising signs may be permitted in Highway Shopping Centers and the recommended Regional Shopping Center. Town Manager Rose was requested to advertise in the same manner as paragraph above.

Clark Hills Subdivision, Sec. A-Preliminary (Section 2)
Alderman Robinson moved that the recommendation of the Planning Board to approve the subdivision subject to the following statement being written on Lot 41A; "Undersized Lot 41A not to be sold or built upon," and subject to the following understanding with Mr. Farlow, as owner and/or as agent for the owner:

- 1. That lot 41A will not be sold or built upon.

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- 2. That no application will be brought to the Planning Board, Board of Aldermen, Building Inspector, or the Board of Adjustment for permission to build upon this undersized lot.
- 3. That the lot will be developed as a recreational area for the use of the public until such time as Lake Shore Drive is extended to the property line of this subdivision.
- 4. That at such time as Lake Shore Drive is extended to the property line of this subdivision, Lot 41A will be dedicated as a street right of way for the extension of Lake Shore Drive to Markham Drive.

seconded by Alderman Strowd, and passed.

Prosecuting Attorney

Mayor Cornwell stated that four applications for the position have been received. The Board took no action in the matter in order that more consideration may be given. The matter will be disposed of at the next Board Meeting.

Paving Assessments.

As several property owners have objected to the entire cost of curb and gutter on all streets being figured collectively and the average cost used as a basis for payment, the Board agreed that each street will be re-assessed separately on the basis of the actual cost of each street and readvertised; that the roll will be brought before the Board at the next regular Board Meeting. On a motion made by Alderman Strowd, seconded by Alderman Wager, and unanimous consent the motion was passed. See ordinance attached.

Dawson Case

The Board discussed the matter with Attorney Farlow, and stood firm in the decision as submitted to Attorney Farlow that the law suit will be held in abeyance until January, 1960; that perhaps by that time something to the mutual advantage of all interested my develop that will satisfy all concerned; that this Board would make no further commitment beyond one year, at this time.

James Godfrey - Sewer Connection. Town Manager Rose stated that James Godfrey has connected his new home on Hillcrest to the town sewer, and that he has asked the town pay for 197 feet @ \$1.25 a total of \$246.25, which would fulfill the policy of supplying sewer service within 200 feet of property. Alderman Calhoon moved that the town authorized the Town Manager to pay the amount of \$246.25, seconded by Alderman Walters, and passed.

Financing Fire Station - \$40,000. Town Manager Rose recommended to the Board that a bond anticipation note in the amount of \$40,000 be sold on January 6, 1959. Alderman Wager moved that the Town Manager be authorized to sell a \$40,000 note that will mature in October, 1959, seconded by Alderman Strowd, and passed.

Tax Refund Approved

Alderman moved that \$11.83 be refunded to Sallie Pendergraft, Church Street, for taxes charged erroneously as she resides outside the Corporate Limits and is not subject to town taxes, seconded by Alderman Robinson, and passed.

Walter Neville - Claim. Town Manager Rose stated that town built a sewer line through the Neville property off Basnight Lane; that Mr. Neville has requested payment of \$44.30 as damages. Alderman Calhoon moved that Walter Neville be paid the amount of \$44.30, seconded by Alderman Strowd, and passed.

New Business: None at this time.

Mayor Cornwell requested the board members to try to attend the opening of the new Public Library at 3:00 P.M. December 14, at Hill House.

Adjournment. There being no further business to be considered at this time, the meeting was adjourned at 9:36 P.M., o'clock.

Glover K. Cornwell Mayor

Mary Lowrey Town Clerk