

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting in the Town Hall on September 12, 1960, at 7:30 P.M., o'clock with the following present: Mayor Cornwell; Aldermen Robinson, Giduz, Strowd, Wager, Walters and McClamroch; Town Attorney LeGrand and Town Manager Rose.

Minutes for the August 9 meeting were approved on a motion by Alderman Wager, seconded by Alderman McClamroch, and passed.

Minutes for the August 22 Public Hearing were approved on a motion by Alderman Walters, seconded by Alderman Robinson, and passed.

Oral Petitions Re: Estes Hills Sidewalk

Dr. Ransom Taylor, 310 Estes Drive stated that he thought he owned the 12½ feet of ground the Town claims as a right of way in front of his property; that he has suffered a loss in shrubs when the Town constructed the sidewalk and that he feels that the Town should build a rock wall to check erosion. No action was taken.

Written Petitions Re: Request for an additional cab of Hollywood Cab Company. Alderman Robinson moved that the request for one additional cab be granted, seconded by Alderman Strowd, and passed.

MONTHLY REPORTS:Report of Auditor

Mr. E. E. Peacock reported that the vouchers for the month of August, 1960, were in order and properly supported, however he mentioned that in his opinion the charge for services by the League of Municipalities for 1960-61 seems excessive, also that the money disbursed to Firemen who attend conventions should be supported by a detailed expense slip. Mr. Peacock recommended to the Board that the Tax Collector make a list of uncollected Poll Tax for the year 1950 and a committee examine such list as many should be charged off, also that 1952 uncollected taxes should be studied. Alderman Giduz moved that the Town Attorney be instructed to draw the proper ordinance to transfer from excess revenue to cover the excess expenditures (as of June 30, 1960) as has been done in the past, seconded by Alderman Strowd, and passed.

Report of Planning BoardRezoning area near Old Durham Road from RA-10 & RA-20 to Suburban Commercial

The Board discussed this request together with Lloyd Gardner the petitioner and his counsellor, E. E. Denny. Alderman Robinson moved that the Board of Aldermen accept the recommendation of the Planning Board to approve the rezoning, seconded by Alderman McClamroch. Aldermen Giduz, Wager and Walters voted "nay", and Aldermen Robinson, Strowd and McClamroch voted "aye". Mayor Cornwell voted "aye". The motion was passed.

Rezoning an area -Whitehall (Durham Road) from RA-10 Residential to Suburban Commercial

Alderman Strowd moved that the recommendation of the Planning Board to approve the rezoning be approved, seconded by Alderman McClamroch, and passed.

Rezoning an area on Highway #54 adjoining the Simpson Subdivision from Agriculture to RA-10

Alderman Walters moved that the recommendation of the Planning Board to approve the rezoning, be accepted, by Alderman ~~Wager~~ ^{seconded by} Alderman ~~Wager~~ ^{McClamroch}, and passed. Five members voted "aye", and Alderman Wager voted "nay".

Rezoning an area on the Pittsboro Road (close to Chatham) from RA-20 to Suburban Commercial

Alderman Giduz moved that the Board accept the recommendation of the Planning Board to disapprove the rezoning, seconded by Alderman McClamroch, and passed.

Request for a Special Use Permit to improve the Sloan Mobile Trailer Court on the Airport Road.

Alderman McClamroch moved that the recommendation of the Planning Board to disapprove the proposal as presented, be accepted, seconded

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by Alderman Strowd, and passed.

Rezoning an area off the Farrington Road from Agriculture to RA-20
Alderman Wager moved that the recommendation of the Planning Board to approve the rezoning, be accepted, seconded by Alderman McClamroch, and passed.

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: Nothing at this time.

TOWN MANAGER:

Quaker Church Sewer

Town Manager stated that elevations have been checked and the requested sewer connection can be made within 200 feet.

Parking Henderson Street

Alderman Robinson moved that an ordinance be drawn to move the parking on Henderson between North and Rosemary Streets from the East side to the West side, seconded by Alderman Giduz, and passed.

Picketing Ordinance

The Board discussed the report of the Human Relations Committee to unanimously support the proposed ordinance. Alderman McClamroch moved that the Board adopt the following ordinance as drawn and read:

AN ORDINANCE TO REGULATE PICKETING IN THE TOWN OF CHAPEL HILL AND TO PROVIDE PUNISHMENT FOR VIOLATION OF PICKETING REGULATIONS HEREIN PRESCRIBED AND OF THOSE UNLAWFULLY INTERFERING WITH OR THEATENING LAWFUL PICKETING.

WHEREAS, peaceful picketing on the streets and sidewalks of the Town, in the promotion of a lawful cause, is a valid exercise of the rights of citizens provided such picketing is done in a manner which does not unreasonably interfere with the use of the streets and sidewalks of the Town by the public; and,

WHEREAS, pickets pursuing their objective in a lawful manner are entitled to protection against interference by any persons who might attempt to intimidate them by violence or by a threat of violence or by the use of words which may tend to provoke or incite such pickets or others to a breach of the peace; and,

WHEREAS, it is deemed necessary and desirable to adopt an ordinance for the protection of pickets and to preserve the public peace and tranquility;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I.

That peaceful picketing in the furtherance of a lawful purpose shall be permitted in the Town of Chapel Hill provided the same is done under the following conditions;

(a) Picketing may be conducted only on the sidewalks reserved for pedestrian movement and may not be conducted on the portion of a street used primarily for vehicular traffic.

(b) Not more than ten (10) pickets promoting the same objective shall be permitted to use one of the two sidewalks within a block of the Town of Chapel Hill at any one time.

(c) Such pickets may carry written or printed placards or signs not exceeding two feet in width and two feet in length promoting the objective for which the picketing is done; provided the words used are not defamatory in nature or would not tend to produce violence.

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(d) Pickets must march in single file and not abreast and may not march closer together than fifteen (15) feet, except in passing one another.

(e) If pickets promoting different objectives desire to use the same sidewalk for picketing and such use would result in the presence of more than ten (10) pickets thereon, the Chief of Police shall allot time to each group of pickets for the use of such sidewalk on an equitable basis.

(f) The term "block" as used in this ordinance shall mean that portion of a street lying between street intersections.

Picketing done contrary to the provisions of this ordinance shall be unlawful.

SECTION 2.

That it shall be unlawful for any person to physically interfere with such pickets in the use of the sidewalk or to address profane, indecent, abusive or threatening language to or at such pickets which would tend to provoke such pickets or others to a breach of the peace.

SECTION 3.

The police officers of the Town of Chapel Hill may in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers along or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.

SECTION 4.

Whenever the free passage of any street or sidewalk in the Town shall be obstructed by a crowd, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a police officer as herein provided.

SECTION 5.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

This ordinance shall become effective from and after the 12th day of September, 1960.

This the 12th day of September, 1960.

seconded by Alderman Giduz, and unanimously adopted.

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Annexation Requests:

Coker College

The Board discussed the request for annexation of Coker Hills Subdivision. Alderman Wager moved the Public Hearing be set for September 27.

University of North Carolina

Annexation of proposed Fraternity Court in the Finley Golf Course area. Alderman Strowd moved that a Public Hearing set for September 27, seconded by Alderman Walters, and passed. Alderman Giduz moved that University property including Victory Village, the Hospital etc., be considered by the Finance Committee and a report brought before the Board within three months, seconded by Alderman McClamroch, and passed.

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Security Fence - At Sewer Plant

Town Manager stated that about 600 feet more of fencing is needed in order to serve the purpose of protecting the Town's sewer plant property. Alderman Walters moved that the Town Manager be instructed to install the fence as proposed, seconded by Alderman Robinson, and passed.

Street Light on Hillsboro Street

The request of the Alpha Gamma Delta for a street light at the intersection of Franklin and Rosemary Streets was referred to the Street Committee for recommendation.

COMMITTEE REPORTS:

Street Committee Recommended:

One-Way Traffic on Short Street from Church to Pritchard as considered. Alderman Robinson moved that an ordinance be drawn to allow one-way traffic traveling East and that the parking on the South side remain as it is now, seconded by Alderman Giduz, and passed.

Adoption of a new sidewalk policy was discussed and Town Attorney and Town Manager were requested to study the matter and report to the board at the next regular meeting.

NEW BUSINESS:

The need for some type of a blinker light or stronger policing was considered by the (Rockpile) Carlton's Grocery Store on Durham Road. The parked cars and trucks make visability almost impossible. It was pointed out that danger to school children in that area is always present; that people have been allowed to drink beer in parked cars, which should not be allowed.

Alderman Walters expressed the need for a policy to cover building sewers both inside and outside the corporate limits; that such policy should clearly set forth whether the developer should pay the costs. The Finance Committee and Mayor were requested to consider this.

Alderman Wager stated that he hopes the State Highway will not take the proposed Media Strip on Highway #54 (Raleigh Road); that we should confer with them about this, and requested the Town Manager to get a map showing the plan. He inquired about the progress being made in removing billboards which are in violation of the Town's zoning ordinance.

Alderman McClamroch inquired when the bids will be let for the paving project. Town Manager stated that he has been informed that by September 23, all survey work would be complete and a date for receiving bids could be fixed.

There being no further business to be considered at this time, the meeting was adjourned at 9:20 P.M., o'clock.

Chas. R. Cornwall Mayor

Mary Conroy Town Clerk

September 12, 1960