

Civil Defense

Mayor McClamroch read a letter from Governor Sanford advising of a conference on Civil Defense to be held in Raleigh on February 20, 1964 if anyone is interested.

Sledding Hills

Alderman Walters said that there had been requests to block certain streets for sledding on snowy days. The Board agreed that this could be done where all residents agreed to it, where the blocking would not inconvenience too much outside traffic, and where it was considered safe. Residents desiring this should prepare petitions signed by all owners or residents involved.

Town Attorney

Alderman Wager suggested that Attorney J. Q. LeGrand should be commended for his work in settling the Harris Land Company suit and the judgement in favor of the Town in the Carlisle appeal on a ruling by the Board of Adjustment. Alderman Giduz seconded this and the Board concurred.

Adjourned: 8:42 p.m.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk

Minutes

Board of Aldermen

Town of Chapel Hill, N. C.

The Board of Aldermen met at a regular meeting on February 10, 1964 at 7:30 P.M. with the following present: Mayor McClamroch; Alderman Giduz, Walters, Strowd, Page, Robinson and Wager. Town Manager Peck; Town Attorney LeGrand; Town Clerk Roberts.

Minutes

Alderman Walters moved that the minutes for January 28, 1964 be approved as distributed. Alderman Robinson seconded this motion which was unanimously adopted.

Auditor's Report

All vouchers for November and December have been checked and found in order. The Recreation vouchers should have additional support. Also the Firemen Insurance voucher should have a statement to support it.

Petition

Mrs. Susie Weaver complained that the Mayor's Committee had made no progress and suggested that the Board pass a public accommodation ordinance.

Dr. T. F. Williams read the following:

"I am appearing to state that the mediation and complaints committee which you set up on January 13 has informed me that they have been unable to obtain a change in the segregation practices of the Tar Heel Motel, which directly affects me and guests invited here by me and is a hardship to me and to them, about which I complained to that committee on January 14. Also, I know that more than 20 other complaints dealing with segregation in public accommodation have been sent that committee by citizens of the community of both races, and as far as I can learn the committee has reported on only one of these complaints, that also a failure to change segregation practices.

I am therefore turning again to you, the body ultimately responsible, to request that you take steps without further delay to correct this unfortunate and unjust situation, by passing an ordinance prohibiting exclusion from places of public accommodation because of race or color.

In further support of this request, I remind you that the present mediation and complaints committee is the third such body set up by yourselves to attempt to deal with this problem by means other than the force of law, and all to date have failed. Essentially all public bodies in the community, including yourselves, have taken public positions stating that it is the policy of this community not to practice segregation in places of public accommodation, and yet this practice has continued without significant change in approximately one-third of such places in Chapel Hill, including the two major motels.

To be added to the unjustness of this situation is the fact that the whole community has been in turmoil over this issue for much of the past ten months: Chapel Hill is not at present a peaceful community in which to live. Furthermore, attempts by citizens to use clearly legal methods of protesting the continuing segregation, such as filing the complaints which you set up the present special committee to receive, and strictly legal picketing, -- these legal protest efforts have been met with illegal and violent reprisals, including nuisance calls once or twice a night virtually every night for the past three weeks to those who have filed complaints with your committee, the running of water across the sidewalk to inconvenience picketers -- a public sidewalk--and the throwing of firecrackers or cherry bombs which have injured one person picketing. It seems clear where the trouble lies and a public accommodations ordinance seems to me to be the only proper way to correct this situation. It may in conclusion be pointed out again that such an ordinance would give equal economic and legal protection to all the presently segregating operators, rather than asking any one or few to change their practices alone."

Mayor's Committee

Mayor McClamroch asked the Board how they felt about this committee and what course they should take. After a brief discussion it was agreeable that the committee should operate as it saw fit, and that the committee did not have a dead line to meet.

Alderman Giduz read the following:

"In creating a human relations mediation committee headed by Mayor McClamroch and consisting of elected members from several community groups, it was our feeling that there was one basic objective of this Committee: To bring about the elimination of racial discrimination in business service where such discrimination yet exists in this community: While the directions to this group were deliberately broad so that it would be able to deal with the situation as it best saw fit, we did feel and do now feel that this should be its objective.

A part of the motion by which this group was created also stated that the Committee was to receive complaints of racial discrimination. It is entirely within the discretion of the Mayor and his fellow Committee members to handle this issue as they see fit. We wish simply to re-iterate our support of this group and to ask that every citizen of this community act only in a manner that will be helpful to the Mayor's Committee as we continue our efforts as diligently as possible toward the elimination of racially-based discrimination.

Some complaints of discrimination have already been brought before this Committee as a result of local citizens confronting certain places that yet exercise racial discrimination in their business service, requesting that they as potential customers be served on a non-discriminatory basis. Upon being refused such service these private citizens have then brought formal complaints to the Mayor's Committee calling attention to this discrimination.

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It is our feeling that there is no useful purpose to be served at this time by citizens confronting business places that they well know practice racial discrimination and asking to be served on a non-discriminatory basis, unless the Mayor's Committee feels that this is helpful to it in its work. It seems to us that it is not helpful, and is definitely harmful if such actions are carried out on any other basis.

The aldermen in requesting the creation of this Committee envisioned it as having indefinite tenure. It is quite possible that there are now or may be in the future some places of business that exercise racial discrimination and which this Committee does not know about. In such cases there could be a useful purpose served by informing the Mayor's Committee of a hitherto unknown instance of the existence of this practice on the part of a business firm.

The Mayor informs us that in not a single instance of confrontation to date is this the situation. On the contrary, in every instance, we are informed, the Committee has been fully aware of the discriminatory practices of the particular firm involved in the complaint. It is our very strong feeling that for private citizens to continue such confrontations without the prior endorsement of the Mayor's Committee and at establishments whose practices are so well known, is most harmful to the efforts of the Committee, and results in the wasting of the Committee's time in hearing complaints of acts which are all too well known to the Committee.

The elimination of racial discrimination in business service in this community may be brought about in a short while or in a longer period of time. We are confident that the efforts of this Committee can, should, and will have a significant effect on the attainment of this objective. We thank this committee for its continued efforts to this end, and are pleased to re-emphasize our confidence in this method of resolving our issues of human relations."

Ridgefield Heights Section IV

Alderman Strowd moved that Ridgefield Heights Section IV subdivision final plat, be approved contingent upon posting of bond to cover all improvements as shown on the approved preliminary sketch. Seconded by Alderman Robinson and unanimously carried.

Farrington Hills Section I

The Planning Board unanimously recommended to the Board of Aldermen that Farrington Hills Section I Subdivision preliminary sketch be disapproved for the following reasons:

1. Water supply not shown.
2. No available ingress or egress on a 60 foot R.O.W.
3. Lots 2, 3, and 11 are traversed by a driveway.
4. Excessive grade on the proposed Chestnut Road.
5. Need for a culvert across Chestnut Road between lots 3 and 11.
6. Lots at the east end of Chestnut Road are unusable.

Alderman Walters made a motion to accept the Planning Board's recommendation of Farrington Hills subdivision. Seconded by Alderman Wager and unanimously carried.

Rezoning Colony Woods From RA-10 to RA-15

The Board agreed to delay action on this until the next meeting.

Parking Requirements Section 6-A(6)

The Planning Board unanimously recommended to the Board of Aldermen that Section 6-A(6) of the zoning ordinance be maintained as it is. The Board of Aldermen asked the Town Attorney to ask the State Highway Department if the Town could prevent parking on the right-of-way by ordinance.

Subdivision Regulations

The Planning Board unanimously recommended to the Board of Aldermen that section 7(C) (1) of the Subdivision Regulations be amended to require the posting of a bond for all improvements as required by the approved preliminary sketch rather than just grading and storm drainage. Town Manager Peck stated that this would require a public hearing. The next one will be the 24th of February.

Alderman Walters moved that this be put on the agenda for the next public hearing. Seconded by Alderman Giduz and unanimously carried.

Parking Lot

Town Manager Peck reported on a revised bid by the low bidder on the parking lot on East Rosemary. It would lower the back wall by 18 inches and the sides of the wall by 12 inches. This met with the approval of Mr. Peck and Mr. Rose. Mr. Peck stated further that this would not interfere with the building of a second story lot in the future. Town Manager Peck recommended that the \$12,990 bid be accepted.

Alderman Giduz moved that the contract be let for the wall on the parking lot to C. C. Woods Construction Company of Durham. Seconded by Alderman Page and unanimously carried.

Tax Releases

Alderman Wager moved that the taxes be released and refunded that were erroneously charged as follows:

Release

<u>Name</u>	<u>Bill #</u>	<u>Amt.</u>	<u>Reason</u>
W. Grady Pritchard	2654	12.00	Not connected to sewer
George W. Harper	1346	3.00	Charged \$3.00 too much for sewer rent.
David T. Morgan, Jr.	2295	14.38	Not in Town
George B. Tennyson	3137	15.30	Not in Town

Refund

Jimmie C. Procter	2660	19.48	Not in Town, Victory Village
Mrs. Else Couch	684	74.74	Not in Town, Charged in error
John N. Couch	686	104.24	Not in Town, Charged in error
Norman E. Whitten, Jr.	3425	9.58	Not in Town, Charged in error

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John N. Couch	603	97.90	Not in Town, Charged in error
Norman E. Whitten, Jr.	2971	9.25	Not in Town, Charged in error

Alderman Robinson seconded this motion which was unanimously carried.

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Police

Alderman Giduz made the motion that a subsistence allowance for each policeman be approved, within existing appropriations to the department, ~~in the amount~~ of \$25.00 per month, effective December 16, 1963 to compensate policemen for unusual expenses incurred in their line of duty. Seconded by Alderman Wager and unanimously carried.

Picketing

Town Manager Peck told the Board that the problem of keeping peace in Town was being complicated by persons picketing at night who required constant police protection and suggested that picketing be limited to certain times. Chief Blake supported this saying that he did not have men enough to provide this protection without spreading his department too thin to be effective. He suggested picketing only between the hours of 7:00 a.m. and 7:00 p.m.

Alderman Walters opposed this.

Alderman Wager said he was reluctant to adopt such a restriction at this time but that it might be the best alternative.

Alderman Giduz agreed and said that he was willing to repeal it later.

Alderman Robinson opposed it.

Alderman Strowd moved that the Chief's recommendation be accepted and that the Attorney be asked to suggest wording for the amendment. Attorney LeGrand read the following which Alderman Strowd accepted as his motion:

AN ORDINANCE TO AMEND THE ORDINANCE ENTITLED "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 THREATENING LAWFUL PICKETING."

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

SECTION I.

That the ordinance entitled, "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 Threatening Lawful Picketing", as adopted September 12, 1960, be and the same is hereby amended by adding, under Section I thereof, a new subsection to be designated (g), to read as follows:

(g). Picketing as herein permitted shall be conducted only between the hours of 7 A. M. and 7 P.M. Picketing as herein defined at any other time shall be unlawful and is hereby prohibited.

SECTION II.

This amendment shall be in full force and effect on and after February 10, 1964.

SECTION III.

All ordinances in conflict herewith are hereby repealed.

This the 10th day of February, 1964.

Alderman Page seconded this. The vote was:

Aye: Strowd, Giduz, Page
No: Walters, Robinson, Wager

Mayor McClamroch said he voted aye and that the motion passed.

Old Business

Alderman Walters stated that her committee had met and selected the colors for the court room and offices in the Town Hall.

Cemetery Committee

Alderman Strowd stated that the Cemetery Committee had met and studied the plans for the entrance at the Boulevard. They wanted to start some planting along the Boulevard and put in pipe to fill up the ditch.

Adjourned: 9:16 P.M.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk

Minutes

Board of Aldermen

Town of Chapel Hill, N. C.

The Board of Aldermen met jointly with the Planning Board on February 24, 1964 at 7:30 P.M. with the following members present: Mayor McClamroch; Aldermen Walters, Wager, Page, Giduz, Robinson, and Strowd; Town Manager Peck; Town Attorney LeGrand; and Town Clerk Roberts. Members of the Planning Board present were: Scroggs, Martin, Smith, Powell, and Fitch.

East Franklin from RA-10 to Suburban Commercial

Mr. Bruce Martindale, C. L. Martindale, and J. Ralph Weaver requested rezoning from RA-10 to Suburban Commercial for their properties on the east side of East Franklin Street, having about 800 feet frontage between Brady's Frozen Custard and Couch Road. Mr. Wilbur Kutz, representing the petitioners, said that they had no particular use in mind for the land.

Alderman Giduz moved that the request be referred to the Planning Board for recommendation. Seconded by Alderman Walters and unanimously carried.

East Franklin Street From RA-10 to Suburban Commercial

Mr. W. B. Upchurch requested rezoning from RA-10 to Suburban Commercial for his property on the west side of East Franklin Street. This lot is across from the C. L. Martindale property described above and has a frontage of 95 feet.

Alderman Giduz moved that this request be referred to the Planning Board for recommendation. Seconded by Alderman Robinson and unanimously carried.

Durham Boulevard Rezoning From RA-20 to Suburban Commercial

Mr. C. N. Mayse requested rezoning from RA-20 to Suburban Commercial for his property on the south side of the Durham Boulevard between Chapel Hill Memorial Cemetery and Henderson Street. This has a frontage of 405 feet and a depth varying from 44 feet to 200 feet. Mr. Mayse stated that he could sell it if he could get it rezoned. Alderman Wager asked Mr. Mayse if he would sell it to the Town. Mr. Mayse said he would have to consider it.

Alderman Robinson moved that the request be referred to the Planning Board for Recommendation. Seconded by Alderman Giduz and unanimously carried.

Home Occupation

The Planning Board recommended an amendment to Section 12 of the Zoning Ordinance under the definition of Home Occupation to insure that this be limited to bonafide home occupations. Mr. Scroggs said this was left open for discussion. Dr. Bell had asked that this require a special use permit. Mr. Powell asked if this has ever come up before. If not, the Planning Board has more important things to take care of. Mr. Scroggs

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