

the Council would proceed to its consideration. Mr. Salisbury presented a letter complaining of hygienic conditions at the property of Mrs. Gerbrude Shamlian on Cockerille Ave, due to lack of sewer connections. As water and sewerage facilities are both available he moved, on behalf of the Health Committee that Mrs. Shamlian be notified to connect her property with the water and sewer mains and to install sanitary plumbing within 30 days. The motion was carried.

A petition from Messrs. Anderson, Thomas and Brown for the running of a 24-inch pipe line through their properties to take care of the surface drainage from Montgomery Avenue was referred to the Street Committee for consideration and report.

There being no further business the Council, at 9:35 o'clock P.M., adjourned.

Approved:

Mayor.

Ben L. Davis

clerk

Thursday Evening, September 17, 1925

A special meeting of the Council was held this date at the Office of the Clerk, convening at 8 o'clock. There were present the Mayor and Councilmen Aushin, Biddle, Kroll, Rogers and Salisbury,

Mr. Biddle informed the Council that the Washington Suburban Sanitary Commission had recently stored a considerable quantity of new and old material, consisting of water and sewer pipe, fire hydrants, etc. on the parking space in North Takoma. He had received a number of complaints about this and moved that the Clerk be directed to notify the Commission to remove all the material without delay. The motion was carried.

The Clerk reported that since the last meeting he had issued a permit to the Takoma Park Volunteer Fire Association to use Laurel Avenue, from Eastern Ave. to Carroll Ave. for a "Block Carnival on the evenings of September 15, 16, 17 and 19, subject to the approval of the Mayor and Council. Mr. Kroll moved that the action of the Clerk be approved and that permission be granted for an extension of such use of Laurel Ave. for the additional period of September 21, 22 and 23. The motion was carried.

The Mayor stated that, as suggested at the last meeting, Mr. Bien had furnished him with a copy of his argument in

behalf of his application for permission to build two 4-family residences on his lot on Elm Ave., The Mayor announced that he would refer Mr. Bien's statement to the Corporation Counsel for his opinion relative thereto and would hope to have a report on the matter at the next regular meeting.

The Clerk laid before the Council a communication from Mr. J.W. Shadle stating that if the contemplated concreting of Poplar Ave. adjacent to the Takoma Spring can be extended to Spring Street he will be pleased to waive all legal requirements and will agree to pay his assessments in full and in advance.

After extended discussion Mr. Krall moved that the proposed 100 feet of concrete roadway construction south of Elm Ave., on Poplar Ave. and adjacent to the Takoma Spring, be further extended 100 feet, or 200 feet in all, thus permitting a drainage outlet for the surface water; that the Council's appreciation be extended Mr. Shadle for his liberal offer to advance his share of the cost of further extension to Spring Street, which offer the Council regrets its inability to accept because all available funds for this year's street work are now appropriated. The motion was carried.

A communication was also presented by Mr. Shadle requesting the construction of cement sidewalks along the westerly side of Poplar Ave., from the Spring to Spring St.; along Flower Ave., abutting lot 8, block 48 and along the easterly side of Cockerille Ave. from the end of the present walk to Lake Street.

After consideration and on motion of Mr. Rogers construction of a cement walk was authorized on the westerly side of Poplar Ave. from the terminus of the concrete street to be laid adjacent to the Spring, to Spring Street and that Mr. Shadle be informed it is regretted that this year's budget will not permit construction of the other walks requested.

The Clerk presented a request from Messrs. R.C. Miller, R.D. Lillie and B.E. Beddoe for a cement sidewalk on the west side of Hickory Ave. between Montgomery and Columbia Aves. As the request submitted no waiver of legal requirements, favorable action, on motion of Mr. Austin, was denied.

A request from Messrs. Ernest M. Linthicum and Frank M. Harron for cement sidewalk abutting lots 17, 18, 19 and 20, blk 74, New York Ave., where new residences are under construction, and agreeing to a waiver of all legal requirements, was acted upon favorably on motion of Mr. Rogers and the construction of the walk ordered.

On motion of Mr. Krall the Superintendent of Public Work was directed to thoroughly repair all cuts, breaks, holes, etc

in Carroll Ave., in Maple Avenue from Carroll to Tulip and in Tulip Avenue from Carroll to Willow:

On motion of Mr. Aushin an appropriation of \$ 300 or so much thereof as may be necessary, was authorized for the grading of Erie Avenue

A request from Mr. C.P. Bollman for repair of the sidewalk in front of his property at 31 Westmoreland Ave. was referred to the Superintendent of Public Work for investigation and appropriate action.

Mr. Salisbury, from the Health Committee moved that the owners or occupants of the following properties be directed to connect with the public water and sewer mains within 30 days: H.C. Murray, Owner, Miss Sadie Prett, tenant, lot 35, block 50; D. H. Lewis, Owner, lot 35, block 50; Fred Harris, Jr, Owner, lot 25, block 37; H.C. Chilson, owner, lot 22 blk. 37; H. C. Murray, Owner, Perry Hawkins, tenant, lots 21, 22, 23, block 50; John Schmidt, tenant, lot 34, blk. 50; W. D. Butler, lot 34, blk 50; H.C. Murray, Owner, W. Lancaster, Tenant, lot 35, blk. 50. The motion was carried.

On motion of Mr. Salisbury the Street Committee was authorized to provide suitable access from Carroll Ave. to Garland Ave. and to provide minor necessary repairs to that street between Carroll and Davis Avenues.

A communication from Mr. Russell S. Cyphers, 129 Chestnut Ave., and others requesting repair of cracks in the cement roadway in front of their properties, was referred to the Supt. of Public Work to include in general street repairs.

Upon their request therefor and on motion of Mr. Aushin permission was granted Messrs. Calfee, Biddle and Finn to construct, at their own expense a sidewalk on the southeasterly side of Chicago Ave., provided that the grade thereof conform to the grade established by the Town and the walk be constructed in accordance with the Town's specifications.

There being no further business the Council, at 11:30 o'clock p.m., adjourned.

Approved:

Mayor.

Paul Davis

Clerk.

Monday Evening, Sept. 21, 1925.

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Austin, Biddle, Kroll and Rogers. The minutes of the last regular meeting and of the special meetings of August 31 and September 17, were read and approved. The monthly report of the Treasurer, examined and approved by the Finance Committee, was submitted as follows:

Balance on hand last report			\$ 19372.04	Rentals	100.00		
RECEIPTS:				Garbage collection service	200.00		
From general taxes	\$ 2741.11			Miscellaneous	46.55		
" excavation permits	8.00			Street lighting	346.17		
" building "	55.00			Salaries: clerk and treasurer	100.00		
" electrical "	21.00			superintendent public works	166.67		
" plumbing "	6.50	90.50		electrical inspector	25.00	291.67	7383.76
" road tax refund, Prince Geo. Co.	590.99	3422.69					15410.87
			22794.63	Special Deposits:			
DISBURSEMENTS:				Balance on hand last report	\$ 700.00		
Street work: labor	616.50			Receipts during month	20.00		
material	403.60				720.00		
machinery and tools	74.52			Disbursements during month	30.00		
miscellaneous	278.60	1373.22		Balance on hand	690.00		
Construction of concrete streets		5000.00		Special Improvement Fund:			
General expenses: telephones	5.90			Balance on hand last report	8536.36		
printing and advertising	11.00	16.90		Receipts during month	6020.83		
Parks		9.25		Balance on hand	\$ 14557.19		

On motion of Mr. Rogers the report was approved and ordered filed.

Communications were laid before the Council by the Clerk, as follows: From the Bliss Electrical School calling attention to the condition of Takoma Ave. from Chestnut Ave. to Albany Ave. Referred to the Street Committee.

From Mr. J.C. Presnell requesting construction of cement sidewalks abutting lots 14 and 15, of Sec. 5, Canoll Subdivision. Referred to the Street Committee for consideration and report.

From Mr. H. Loveday, Davis Ave., objecting to the dumping of garbage and tin cans on Jackson Ave., and complaining of an open sewer on the lawn of his neighbor Mr. Slade. Referred to the Street and Health Committees.

From the County Health Officer, Dr. W.T. Pratt, acknowledging the Clerk's letter of Sept. 2 relative to sewer drainage of certain houses into a running stream, stating his intention to confer with the Washington Suburban Sanitary Commission in the hope of remedying the situation complained of.

The Mayor stated that in accordance with public notice legally given this evening had been designated for a public hearing of all those interested in the construction of a cement sidewalk on Flower Ave. abutting lots 1, 2, 3 and 4, blk. 57; block 58; and lots 15, 17, 18, 19 and 20, block 58, and stated that the Council would now hear any one interested for or against the proposed work.

Mr. Albert E. Bryan spoke in favor of the walks calling attention to the petition therefor which had been submitted to the Council and which had been signed by a very large percentage of the property owners affected.

Messrs. Blosser and J. O. Folk opposed constructing the walks as being unnecessary at this time, citing other matters which in their judgment were more urgent and entitled to prior consideration. [ing closed.]

Messrs. Matthews and Harry Miller spoke in favor of the walk. No one else desiring to be heard the Mayor declared the hearing closed. Messrs. Davis and Slade, residing on Davis Ave., referred to the neglect of that street although petitions had been presented for walks, lights and pavements. The matter was referred to the Street Committee.

Mr. Presnall urged the Council to extend Lee Avenue through to Maple Avenue in order that the Sanitary Commission might install sewers therein. He also requested sidewalks on that street. Referred to the Street Committee.

Mr. Bullard renewed his former complaints of the dusty condition of Ethan Allen Ave. and urged some action to abate the intolerable nuisance resulting therefrom. Referred to the Street Committee.

Mr. Morris Bien addressed the Council relative to the problems arising from the parking of motor cars in the narrow streets; he suggested that pending the ultimate necessity of widening the streets parking should be limited to one side thereof. Referred to the Police and Fire Committee for consideration.

Mr. Lewis Thomas requested that the Council consider the matter of a concrete pavement on Montgomery Ave. and in conjunction therewith change in the grade of the street so as to eliminate drainage from the center of the block now carried on and across private property including his own. To the street committee.

Mrs. Helen Baird asked to be informed what action, if any, had been taken on her complaint of a neighboring shed which had not only not observed the 5-foot building regulation but had actually encroached upon her property. Mr. Kroll of the Civic Improvement Committee, to whom the complaint had previously been referred stated that the matter was still under consideration, no decision being arrived at.

Mr. Rogers, from the Finance Committee, submitted bills amounting to \$ 478.02 which had been examined and approved by the Committee, and on his motion payment of the bills was authorized and directed.

Mr. Aushin, from the Street Committee, submitted a resume' of the work performed under direction of the Superintendent of Streets during the past month, which was read for the information of the Council and ordered filed.

Mr. Adams, from the Fire, Police and Lights Committee stated that the Committee had investigated the request for additional street lights on Flower Ave., from the last light thereon to and across the Sligo Branch. The Committee felt that several lights were needed and felt disposed to recommend three if that number would cover the distance, but possibly four would be required. After discussion Mr. Adams moved that not to exceed four street lights be authorized for Flower Ave. from the last light thereon to and across the Sligo bridge at the end of that street - one light to be placed on the Sligo Ave. side of the bridge and the others as equidistant as possible in the intervening distance. The motion was carried.

Mr. Adams called attention to the practice of automobile speeding on Flower Ave. and moved that the State Road Commission be requested to replace the present 35 mile sign on that thoroughfare by a 20 mile sign. The motion was carried.

A communication from Mr. J. H. Barton, 210 Spruce Ave., requesting a waiver of the Building Regulations in order that he may construct a garage nearer than 5 feet to the side building line and inclosing a letter of the owner of the adjacent lot agreeing thereto, was submitted by the Civic Improvement Committee with recommendation that the request be granted. On motion of Mr. Kroll the report of the Committee was approved and the desired permission granted.

On motion of Mr. Kroll the Corporation Counsel was requested to represent the interests of the Town at a hearing before the Maryland Public Utilities Commission on request of the Washington Gaslight Company of Montgomery Co., Md., for an increased valuation of its properties.

On motion of Messrs Aushin and Kroll, respectively, the Council directed that the unfinished cement sidewalks on Flower and Prince Georges Avenue, held over from last year be completed under this years contract. The motions were carried.

Taking up the matter of proposed new cement sidewalks on Flower Ave., from Hudson Avenue to Blair Road, in connection with the hearing earlier in the evening and after discussion the following Ordinance was submitted:

### Ordinance No. 424.

Be it Ordained by the Mayor and Council of Takoma Park, Maryland

SEC. 1. That under authority of Sec. 12 of the Acts of the General Assembly of Maryland approved April 13, 1922 (Chapter 542) the Mayor and Council, after a full and complete public hearing as therein provided, are of the opinion that the public comfort and convenience require the construction of the public work set forth in Ordinance No. 423, passed and approved August 17, 1925, and the construction of the public work noted is hereby approved and ordered.

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SEC. 2 - The cost of the special work herein provided shall be assessed against the benefited abutting property as follows: concrete streets and curbs, two-thirds of the total cost thereof, one-third of said cost being paid from the general revenues of the Town. Cement sidewalks, the total cost thereof. Said cost to include intersections and exemptions.

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SEC. 3. - Assessments for the special improvements herein provided shall be payable within 90 days from the approval of the assessment therefor by the Mayor and Council; provided that, if so desired, said assessments may be paid in five equal annual installments, the first due and payable upon approval of the assessment and payable within 90 days therefrom; the remaining payments to be likewise due and payable in each succeeding year. Provided further, that payments of one-fifth, or excess thereof, may be made at any time within the payment period. All deferred payments shall bear interest at the rate of 6% per annum.

On motion of Mr. Aushin the Ordinance was approved upon an aye and nay vote as follows: voting aye, the Mayor and Councilmen Adams, Aushin, Biddle, Kroll and Rogers. Voting nay, none.

There being no further business the Council thereupon, at 10:05 o'clock p.m., adjourned.

Approved:

*Beulah Davis*

Mayor

Clerk

Monday Evening, October 19, 1925

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Austin, Biddle, Rogers and Salisbury. Councilman Kroll was absent because of illness.

The minutes of the last regular meeting were read by the Clerk and, in the absence of objection, were approved.

The monthly report of the Treasurer, duly examined and approved by the Finance Committee, was submitted as follows:

Balance on hand last report	\$ 15410.87	From plumbing permits	7.50	
RECEIPTS:		excavation "	8.00	68.00
From general taxes	1507.28	Tax sale redemption	126.78	1702.06
building permits	39.50			1712.93
electrical "	13.00			

Disbursements:				Special Deposits:	
Street work: labor	\$ 546.00			Balance on hand last report	\$ 690.00
material	382.02			Receipts during month	20.00
miscellaneous	114.25				710.00
machinery and tools	45.00	1087.27		Refunds during month	10.00
General expenses: telephones	7.46			Balance on hand	700.00
printing and advertising	44.00	51.46		Special Improvement Fund:	
Rentals		25.00		Balance on hand last report	14557.19
Miscellaneous		10.00		Receipts during month	797.51
Garbage collection service		200.00			15354.70
Street lighting		346.17		Disbursements during month:	
Salaries: clerk and treasurer	100.00			Concrete streets and walks	55.40
superintendent public work	166.66			Balance on hand	15299.30
electrical inspector	25.00	291.66	2011.56		
Balance on hand			\$15101.37		

On motion of Mr. Rogers the report was approved and ordered filed.

Communications and petitions were presented to the Council as follows:

From Mr. J. C. Carlton requesting permission to construct a garage within one foot of the side line of his lot, presenting the written consent thereto of Mr. Clifford L. Hubbell, owner of the adjoining lot. Permission granted on motion of Mr. Adams.

Petition from J. W. Evans and fifteen other residents of Chestnut Ave. Extd., requesting that the street be thoroughly cindered. Referred to the Street Committee for consideration and report.

Petition from C. B. Osborn and nine other residents of Sherman and Hancock Ave. requesting the Council's assistance in securing water and sewer facilities for their section of the Carroll Subdivision. To the Street Committee.

From Mr. B. L. Wehmhoff, 7 Woodland Ave., calling attention to the condition of Ethan Allen Ave., between Sycamore and Woodland Aves. Referred to the Street Committee for investigation and report.

From Mr. Grover C. Gunnell, 8 Westmoreland Ave., requesting an inspection of insanitary condition of his neighbors' chickens. Referred to the Health Committee for investigation and report.

From Mr. Clarence D. Blachly, 241 Willow Ave., asking for a remission of the remaining one-fifth of his street paving assessment, amounting to \$52.50 upon the supposition that he was charged with ~~one-half~~ cost of the work instead of ~~one-third~~ of it. Referred to the Finance Committee for report and recommendation.



A communication from Dr. L. E. Elliott calling attention to certain insanitary conditions was referred to the Health Committee for consideration and recommendations.

Mr. \_\_\_\_\_ of the Washington Sanitarium addressed the Council requesting that Mr. David Cruze be appointed a Deputy Bailiff for duty at the Sanitarium to take the place of Mr. Konigsmacher, who was no longer there. On motion of Mr. Adams the appointment of Mr. Cruze was approved and that of Mr. Konigsmacher revoked, [taken up direct with the telephone Co,

Mr. M. C. Redman, 134 Carroll Ave., requested the removal of a guy pole from his property. He was informed that the matter should be

An unsigned communication was read by the Clerk, the writer complaining of a dog owned by Mr. Guy Clinton, 124 Willow Avenue. The Mayor explained that the procedure in this case was covered by Ordinance which the complainant should follow.

Mr. Rogers, from the Finance Committee, submitted bills, approved for payment, amounting to \$592.90, and on his motion payment thereof was directed.

Mr. Rogers, from the Finance Committee submitted a communication from Mr. T. K. Bryant, 213 Buffalo Ave. claiming exemption of 100 feet on lots 11 and 12, block 75, for concrete street construction, and the following report of the Committee thereon:

*The Finance Committee has given consideration to the attached request of Mr. Bryant. We are of the opinion that the lots mentioned by him are not corner lots - and certainly not corner lots within the meaning of the Charter providing for exemptions, in certain cases, in assessments for public improvements. We recommend that his petition be denied and that he be so informed.*

On motion of Mr. Adams the report of the Committee was approved and adopted,

Mr. Salisbury, from the Health Committee submitted a recommendation that the week of October 26-31 be set apart as "Clean-up Week", that bids be secured and that \$200.00 or so much thereof as may be required be appropriated to meet the necessary expenses. On motion of Mr. Salisbury the report was approved and adopted.

Mr. Aushin, from the Street Committee, returned various communications referred to the Committee, with reports as follows:

The petition of H. Wilson Petty and others for the extension of Cedar Avenue:

*The extension of Cedar Avenue from its present terminus to Philadelphia Ave. is desirable as it is the most direct route to the new Takoma graded school. The Committee recommends that it be given preference in the matter of street extensions and that the opening of the street be authorized when funds are available, the cost thereof to be assessed against the abutting property under the five-year assessment plan. It is requested that the Committee be authorized to have grade sheets prepared and to secure an estimate of the approximate cost of the grading, the expense thereof to be paid from the budget allotment for general street work.*

On motion of Mr. Rogers the report was approved and the recommendations of the Committee adopted.

On a request of Mr. G.W. Chase to construct a sidewalk at his own expense abutting lot 1, blk 79, the Committee reported:

*"The Street Committee recommends that permission be granted Mr. Chase to construct the sidewalk herein requested at his own expense, provided that it conforms to the grade approved by this Committee and be constructed in accordance with the Town's specifications for cement walks; and that it be subject to the inspection of the Superintendent of Public Work. It is to be understood that this permission will not relieve the property owner from any assessment due to replacing of the walk for reasons sufficient to the Mayor and Council.*

On motion of Mr. Adams the report of the Committee was approved.

[The Carroll Subdivision]

The Street Committee reported as follows on request of Mr. J.C. Presnell for a cement sidewalk abutting lots 14 and 15, Sec. 5 of,

*"The street grades for Hancock and Lee Avenues have just been received from the Suburban Sanitary Commission and the Street Committee has had no opportunity to consider them for final approval. Apart from this the sidewalk work for the present season has been allotted to the extent of the funds available and it is now too late to authorize additional work to be paid from Town funds. There will be no objection on the Committee's part to the construction of the walk by Mr. Presnell at his own expense and under the usual conditions if he would prefer to do this rather than await the next contract.*

On motion of Mr. Aushin the report of the Committee was approved.

[ follows;

Returning the communication of Mr. Louis D. Bliss relative to needed sidewalk repairs on Takoma Ave. the Committee reported as

*The condition referred to by Professor Bliss in the attached communication is needful of prompt attention. The Committee recommends that it be authorized to expend the funds necessary to place the sections of walk referred to in proper and safe condition and that same be charged to the allotment for general street work; also that a proper guard rail be placed at this point.*

The Committees report was approved on motion of Mr. Biddle.

Mr. Salisbury submitted a joint report of the Health and Civic Improvement Committees recommending that the house owned by Mrs. Beale at the corner of Jackson and Ethan Allen Aves., be reconstructed or condemned and in event of its repair that it be connected with the water and sewer system; also that the house owned by the same party at 221 Ethan Allen Ave. be condemned as unsafe, unsanitary and a menace to the locality.

During consideration of the report it developed that while the Charter authorized the Council to condemn property no Ordinances for that purpose had ever been adopted. The report was thereupon referred to the Ordinance Committee to take up consideration of an appropriate Ordinance and to report it to the Council.

Mr. Adams, from the Police, Fire and Lights Committee recommended the installation of a new street light on Pole #7450 on Cleveland Ave.; also the installation of a light at the entrance to the Clerk's Office. The recommendations were approved.

Mr. Wm. A. Mellen submitted plats of his subdivision "Section 1, Wildwood" for the Council's approval. As the plat had already been approved by the Sanitary Commission and recorded at Upper Marlboro, the Council, without action on Mr. Mellen's request, directed the Clerk to write to the Sanitary Commission calling their attention to the agreement between themselves and the Council that they would approve no plats of subdivisions within the Town until such plats had first been approved by the Mayor and Council.

There being no further business the Council, at 10:00 o'clock adjourned.

Approved:

Mayor.

Frank Davis, Clerk.

Tuesday Evening, Nov. 3, 1925

A special meeting of the Council was held this date at the Office of the Clerk, convening at 8 o'clock. There were present the Mayor and Councilmen Adams, Aushin, Biddle, Kroll, Rogers and Salisbury.

The Mayor stated that he had called the meeting to give final consideration to the zoning of lot 15, block 16, and in connection therewith to dispose if possible of the pending application of Mr. Morn's Bien for permits to construct two 4-family apartment houses on the lot mentioned.

The Mayor laid before the Council a communication from the Corporation Counsel, in which the latter carefully reviewed the facts in connection with the proceedings of the Zoning Commission as to lot 15, block 16, the application of Mr. Bien for a building permit, and recent decisions of the Maryland Court of Appeals with reference to various zoning laws. After discussing these matters at some length the Corporation Counsel advised the Mayor and Council as follows:

"(1.) That it may without legal objection, providing it finds it essential to the promotion of the health, safety, morals or general welfare of the community, approve the Zoning Commission's recommendation that the property in question be zoned as Class A. Residential. (2.) That it may, without legal objection, take final action on the pending application for a building permit, either before or after action is taken with respect to the zoning of the property."

After extended consideration of the full text of the Corporation Counsel's opinion Mr. Biddle moved that the recommendation of the Zoning Commission submitted to the Council on July 27, 1925, ~~was~~ that lot 15, block 16, be zoned as Residential A be not approved and that the said lot 15, block 16, be zoned as Residential B.