

Monday Evening, February 15, 1926.

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Austin, Biddle, Krull, Rogers and Salisbury.

The Minutes of the last regular meeting and of the special meeting of February 1 were read by the Clerk and were approved.

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

Balance on hand last report		\$ 15332.74	Salaries: Clerk and Treasurer	100.00		
RECEIPTS:			Supt. of Public Work	166.67		
From general taxes	\$ 1453.83		Electrical Inspector	25.00	291.67	6247.19
building permits	\$ 30.00		Balance on hand			\$ 12850.85
electrical "	11.00					
excavation "	2.00	43.00	SPECIAL DEPOSITS:			
Road and Securities tax, Montgomery Co		2025.47	Balance on hand last report	\$ 720.00		
Bank tax, Montgomery Co.		129.20	Receipts for month	30.00		
Tax sale redemptions		113.80		750.00		
		3765.30	Disbursements: refunds	30.00		
		\$ 19098.04	Balance on hand	\$ 720.00		
DISBURSEMENTS:			SPECIAL IMPROVEMENTS			
Street work: labor	330.85		Balance on hand last report	2366.67		
material	718.86		Receipts during month	1738.24		
machinery and tools	43.86	1093.57	Transferred from general fund	4213.50	8318.41	
General Expenses: telephones	6.15		Disbursements:			
rentals - Clerks office	25.00		Interest on certs of indebtedness	720.00		
postage	3.50	34.65	Concrete Streets	20.00		
Miscellaneous		18.50	Cement sidewalks	162.00		
Garbage collection		125.00	Certs of Indebtedness purchased	5000.00	5902.00	
Street lighting		356.50	Balance on hand		\$ 2416.41	
Tax sale redemptions		113.80				
Transfd to Special Improvement fund		4213.50				

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

The Clerk laid before the Council communications as follows which were disposed of as indicated:

From the County Commissioners of Montgomery County advising the Mayor and Council that Mr. Elliott D. Nolley, representing the Maryland Sesqui-Centennial Committee, to prepare a Maryland exhibit for the International Exposition in Philadelphia, has appeared before the County Commissioners and that they are in sympathy with the movement to have Montgomery County properly represented, and to that end request the cooperation of the incorporated Towns and Special Tax areas. Referred to the Civic Improvement Committee.

A numerously signed petition from residents on Chestnut Ave. requesting a concrete pavement on that street from the end of the present pavement to Philadelphia Avenue. Referred to the Street Committee for consideration and report.

The Mayor informed the Council of the verbal complaint made to him by Mr. Stanley concerning the construction of a fence which trespasses upon Oswego Avenue. In the discussion that followed it developed that Oswego Ave. is an unimproved and unopened street, the lines of which have been obliterated if ever established. On motion of Mr. Kroll the matter was referred to the Street Committee for consideration in connection with the extension of streets through the Hodges land now under way by the Engineers of the Suburban Sanitary Commission.

A number of citizens residing on Ethan Allen and Prince George Avenues attended the meeting and through Messrs. Hutton, Carroll, Waters, Stevens, Bowen, Mackay, and others, called the Council's attention to the deplorable condition of those two streets and requested remedy of the conditions as early as possible. The complaints were referred to the Street Committee for prompt consideration.

Mr. Harold Sanborn and Mrs. L. H. White expressed their appreciation of the improvement to Flower Avenue following the appeals at the last meeting of the Council. They stated, however, that a section or so of the street greatly needs additional attention and urged that this be done promptly. The matter was referred to the Street Committee.

Mr. J. T. Fitzpatrick renewed his previous appeals to the Council for such improvement to Park Ave., extended, as will permit him to secure extension of water, sewer and gas mains to his residence. Mr. Fitzpatrick was informed by the Mayor that the matter of street extensions through the Hodges and Ray Tracts is now in process of solution and that until that is definitely settled and determined it will be impracticable to incur any expense on street work in that territory; the Council hopes for an early determination of the matter.

Mr. Rogers, from the Finance Committee, submitted bills examined by the Committee and approved for payment amounting to \$80.07. The bill of T. Morris White of \$987.50 for cinders was approved pending checking and verification by the Superintendent of Public Works.

Mr. Salisbury, from the Health Committee, reported that the present garbage collector would continue the work and that no new contract would be required in the immediate future; the Committee hopes this task will be undertaken by the Sanitary Commission eventually.

With respect to the complaint against Mr. Peacock's chicken house on Baltimore Ave., Mr. Salisbury stated the Committee had interviewed the parties concerned and think that an amicable understanding will be reached.

Mr. Aushin, from the Street Committee submitted the final bill of the G.B. Mullin Co. Inc. for construction of concrete streets. The bill showed a balance due the contractor of \$4183.67 which the Committee approves for payment. Mr. Aushin stated that through the Committee's efforts a seemingly excessive bill for extra work had been reduced by the amount of \$1210.18. On motion of Mr. Krall the Committee's recommendation for payment of balance due the contractor was approved.

Mr. Rogers, from the Street Committee, submitted a report of progress on the petition of residents of Valley View Ave. that the street be taken over by the Town. Mr. Rogers stated that Mr. Aushin had expressed a willingness to deed his rights in the street to the Town if the Mayor and Council so desired. The matter will be given further early attention by the Street Committee.

Mr. Krall, from the Civic Improvement Committee, submitted a request from Mr. Louis A. Proctor, 208 Maple Ave., to construct a garage on his property nearer than 5 feet to the side lot line, with which request was submitted the written consent of the neighboring owner. The Committee recommended granting the request which recommendation was approved on motion of Mr. Krall.

On motion of Mr. Krall the Clerk was directed to call the attention of the Suburban Sanitary Commission to the deplorable condition of Ethan Allen and Prince George Aves., due to the operations of the Commission and to urge proper back-filling of excavations in accordance with the Commission's promises to the Council; also to call attention to the continued leakage in the water main at Carroll and Park Avenues.

On motion of Mr. Rogers Messrs. John D. Miller, Fred L. Harnes and Bernard R. Holmes were appointed a Board of Assessors to revise the assessment of property for Town taxation purposes for the fiscal year beginning July 1, 1926.

There being no further business the Council, at 9:20 o'clock p.m., adjourned.

Approved:

J. G. Staff Mayor.

Frank Davis, clerk

Monday Evening, March 15, 1926.

The Council met at 8 P.M. There were present the Mayor and Councilmen Adams, Aushin, Biddle, Kroll, Rogers and Salisbury.

The minutes of the last regular meeting were read by the Clerk and were approved.

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

Balance on hand last report			12850.85	Salaries; clerk and treasurer	100.00		
RECEIPTS:				Supt. of Public Work	166.67		
From general taxes		1305.67		Electrical Inspector	25.00	291.67	1453.99
building permits	20.00			Balance on hand			12736.53
electric "	8.00			SPECIAL DEPOSITS:			
excavation "	6.00	34.00	1339.67	Balance on hand last report		720.00	
			14190.62	Receipts for month		30.00	
DISBURSEMENTS:						750.00	
Street work: labor	399.45			Disbursements for month		10.00	
material	129.40			Balance on hand		740.00	
machinery and tools	35.17			SPECIAL IMPROVEMENT FUND:			
miscellaneous	50.00	614.02	614.02	Balance on hand last report		2416.41	
General expenses: telephone	6.30			Receipts for month		4423.19	
printing and advertising	35.50					6839.60	
rentals	25.00	66.80		Disbursements for month		4183.57	
Garbage collections		125.00		Balance on hand		2656.03	
Street lighting		356.50					

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

The Clerk laid before the Council communications as follows which were disposed of as indicated:

An invitation from the Parent-Teachers Association of the Takoma-Silver Spring High School requesting the presence of the Mayor and Council at the dedication of the new High School Building on Friday evening March 19. Accepted on motion of Mr. Biddle.

A communication from a Committee of the Board of Directors of the Citizens Bank requesting that a portion of the funds of the Town of Takoma Park be deposited in that institution. Referred to the Finance Committee.

A petition from residents on Flower Ave., south of Carroll Ave., requesting that the street be concreted. To the Street Committee.

A petition from certain residents on Ethan Allen and Prince George Avenues requesting that these two streets be paved with concrete. Referred to the Street Committee.

A joint communication from Messrs John L. Fletcher and William A. Mellen waiving all legal requirements and requesting that cement sidewalks be laid on certain portions of Flower Ave. and on streets in the Wildwood Subdivision. To the Street Committee.

A letter from Mr. T. J. Fitzpatrick requesting certain information relative to Park Ave., Extended. To the Street Committee.

A letter from Mr. H. J. Seeley, 21 Denwood Ave., relative to difficulty of maintaining the street light in front of his property and suggesting the necessity of another light at the corner of Denwood and Camell Aves. To the Committee on Police, Fire and Lights.

A petition signed by Messrs. F. A. Shumaker and Jay Hopkins for a street light on pole # 7473 on Philadelphia Avenue. To the Committee on Police, Fire and Lights.

A joint communication from Messrs Albert A. Spear and J. C. Nellis suggesting that the voters at the next Town election be authorized to express themselves upon the proposition to increase the Town taxes 30% for the purpose of employing a Town Manager; and of increasing the Town taxes 20% for the purpose of employing a Town Manager and a capably trained Municipal Engineer. Referred to the Finance Committee.

A letter from Mr. J. Bond Smith, of the Suburban Sanitary Commission, in reply to the Clerk's letter of February 26 written by direction of the Council, and dealing with the condition of Ethan Allen and Prince George Avenues as a result of operations therein by the Commission. Mr. Smith inclosed a report of the Commission's Chief Engineer explaining the impossibility of repairing the streets until weather conditions permit. Communication referred to the Street Committee.

A communication from Councilman E. G. Salisbury tendering his resignation as a member of the Zoning Commission to be effective at the pleasure of the Mayor and Council. Deferred as unfinished business.

Colonel Ralph A. Porter whose property corner Cedar and Tulip Ave. abuts the latter street for a considerable distance, addressed the Council in advocacy of a concrete roadway on Tulip Avenue between Cedar and Holly Avenues.

Mr. Charles A. Hill addressed the Council with reference to the request of the Citizens Bank that a portion of the Town's funds be deposited in that institution.

Mrs. Sarah M. Rabbitt called the Council's attention to the bad condition of the Grant Avenue roadway and urged early repairs.

Mr. Thomas Davis addressed the Council with reference to securing a continued cement sidewalk on Davis Ave. and a resident of Ridge Avenue urged the Council to some early improvement of that street.

Mr. Rogers, from the Finance Committee, submitted bills examined and approved by the committee, amounting to \$ and upon his motion payment thereof was authorized and directed.

Mr. Rogers, from the Finance Committee recommended an appropriation of \$100 for legal expenses and upon his motion that amount was authorized.

Mr. Salisbury, from the Heath Committee, recommended that provision be made for the usual annual Spring clean-up of rubbish and that the Clerk be authorized to set aside a week in April for that purpose and to take the required steps to notify the citizens thereof; and that an appropriation of \$200 for the purpose be authorized. The recommendation was approved.

Mr. Austin, from the Street Committee reported that weather conditions had prevented any remedial repairs to unimproved streets but this would be done as soon as weather and condition of the ground permits.

Mr. Austin reported also that Mr. Gordon, bridge engineer, was preparing tentative sketch plans for strengthening the railing on the Sligo bridge and that these would be presented to the Council for examination and action when received.

Mr. Krall, from the Civic Improvement Committee, recommended that the request of Colonel Porter to remove a decaying tree from the Cedar Avenue parking in front of his residence, be granted. Recommendation approved on motion of Mr. Adams.

Mr. Krall, from the Civic Improvement Committee recommended, on behalf of the Committee, that the following applications to erect garages nearer than 5 feet to the adjoining lot lines, be granted, the reasons in each case having merit and the consent of the adjoining property owner having been obtained: Mrs. Nobia M. Killen, Erie Avenue; Frank P. Harbin, 101 Elm Ave. On motion of Mr. Rogers the recommendations of the Committee were approved.

The Civic Improvement Committee, through its Chairman, Mr. Krall, submitted approval of the request of Mr. J. E. Watts, to construct a lumber shed of concrete block construction at his lumber yard on Lincoln Ave., and to place the same nearer than 5 feet to the side lot lines, the consent of the adjoining property owners having been obtained. Approved on motion of Mr. Adams.

The following Ordinance, relating to hedges, fences, walls and embankments, prepared by the Ordinance Committee and presented after consideration by the Civic Improvement Committee, with an amendment by the latter was presented as follows:

Ordinance No. 431.

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

Sec. 1. That it shall be unlawful for any person, firm or corporation, to plant or in any way to maintain or allow a hedge of any kind whatsoever to project or reach over or beyond the line of private property adjoining any street or to overhang the public or municipal property.

Sec. 2. That it shall be unlawful for any person, firm or corporation to erect or maintain a hedge fence or a closed fence of any character or a wall, or embankment or other obstruction in excess of a height of forty-two (42) inches from the level of a parallel and adjoining street; except that upon good cause shown the provisions of this section may be waived or modified in the discretion and by special permission of the Mayor and Council.

Sec. 3. For the purposes of this Ordinance the sidewalk shall be considered as part of the street.

Sec. 4. Any person, firm or corporation violating the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not less than One Dollar (\$1.00) and not more than Three Dollars (\$3.00) for the first offense, and not less than Five Dollars (\$5.00) and not more than Ten Dollars (\$10.00) for any offense thereafter, each day's continuance of the violation being hereby declared a separate offense; and any person in default thereof may be imprisoned in the municipal or county jail for a period not exceeding thirty days.

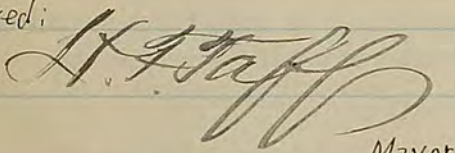
Sec. 5. This Ordinance repeals Ordinance No. 97 and any other Ordinances or parts of Ordinances in conflict therewith and shall take effect immediately upon passage thereof.

After extended discussion and on motion of Mr. Kroll the Ordinance was adopted upon an aye and nay vote as follows: voting aye the Mayor and Councilmen Adams, Aushin, Biddle, Kroll, Rogers and Salisbury; voting nay, none.

Mrs. Sarah M. Rabbitt called the Council's attention to the lack of a flag for the Takoma Park graded school. She was informed by the Mayor that although all school property and supplies are furnished by the County, no doubt this deficiency will be promptly supplied if brought to the attention of the local patriotic and civic organizations.

There being no further business the Council thereupon, at 9:25 o'clock P.M. adjourned.

Approved:



Mayor



Clerk

Tuesday Evening, March 30, 1926

Upon call of the Mayor 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, Austin, Biddle, Kroll, Rogers and Salisbury.

The Mayor stated that he had called the meeting for consideration of several matters of urgency and such other matters as may be presented.

Attention was called to the advertisement in the county tax sale list of a triangular plot of ground on Poplar Ave., assessed in the name of Joseph W. Shadle; on motion of Mr. Salisbury Councilman Austin was requested and authorized to attend the sale and to purchase this plot for the Town.

Mr. Austin presented to the Council a deed from Mrs. Grace F. Lawrence to a right of way along her property on ^{Tulip} Maple Avenue for the construction of a cement sidewalk thereon; also a deed from himself and Mrs. Austin to certain ground included in Avenue. On motion of Mr. Adams these deeds were accepted with the Council's appreciation and the Clerk instructed to send them for record.

On motion of Mr. Kroll construction of a cement sidewalk was authorized and directed on the right of way granted by Mrs. Lawrence.

The following communication from the Zoning Commission was laid before the Council:

<p>The Honorable Mayor and Council Town of Takoma Park, Maryland.</p>	<p>Takoma Park, Md., March 30, 1926</p>
<p>Gentlemen: - At a meeting of the Zoning Commission of the Town of Takoma Park, the following was adopted and recommended for your consideration; That for the purpose of clarifying definitions that the words "and analogous businesses" be inserted in classification "Commercial A" following the words "and business offices," and also in classification "Commercial B" following the words, "tailor shops," making these definitions read as follows:</p> <p>"Class A. Commercial: - This district shall be for the conduct of business and the sale of commodities, and shall include grocery stores, general merchandise stores, banks, drug stores, business offices and analogous businesses."</p> <p>"Class B. Commercial: - This district shall include businesses permitted in Class A. Commercial, and, in addition, lunch rooms, bakeries, laundries, feed stores, shoe repair shops, tailor shops, and analogous businesses; also public garages and gas-filling stations but only after approval of the site and plans by the Mayor and Town Council, and the authorization by them of the issuance of a building permit."</p>	

Mr. Salisbury moved that the amendments to the definitions as above submitted by the Zoning Commission be approved and adopted by the Council. The motion was carried.

The Zoning Commission submitted also the following communication:

To the Honorable Mayor and Council
Town of Takoma Park, Maryland.

Takoma Park, Md., March 30, 1926

Gentlemen: The Zoning Commission of Takoma Park, Maryland, appointed December 8, 1924, by your honorable body to recommend the boundaries of the various districts and appropriate regulations to be enforced therein, having completed the duties assigned to them, beg leave to submit herewith the records of their hearings, deliberations and final report to date.

We take this opportunity to express our appreciation and thanks to the Mayor and Council for the pleasure and honor of serving them and the citizens of Takoma Park, Maryland, in this capacity.

Very Respectfully,
Wm. A. Kroll, chr. E.G. Salisbury L.E. Elliott
Jno. R. Adams Lloyd M. Biddle J.A. Griffith, Clerk.

On motion of Mr. Kroll the records of the Commission submitted with the above report were received and turned over to the Clerk for file, the report approved and the thanks of the Mayor and Council extended to the Zoning Commission for the faithful performance of its duties.

Mr. Kroll called attention to the Charter requirements for registration prior to the annual election and moved that the Clerk be instructed to give the usual notice thereof, the registration days for the current year being Tuesday and Wednesday, April 27 and 28, from 8 a.m. to 6 p.m., at the Office of the Clerk. The motion was carried.

Mr. Adams moved that Mrs. J.O. Folk and Mrs. Bryan Davis be appointed Officers of Registration and that the Mayor be authorized to fill any vacancy in case of declination or inability of the appointees to serve. The motion was carried.

Mr. Adams moved that the Clerk be authorized and directed to call a meeting of Citizens at the Presbyterian church on Monday evening April 26, at 8 o'clock, for the purpose of nominating candidates for Mayor and Councilmen. The motion was carried.

On motion of Mr. Salisbury Mr. E.C. Wood was authorized to redraw plans for the proposed new bridge across the Sligo on the line of Maple Ave., the new plans to provide for a bridge 50 feet in width.

The Ordinance Committee presented the following Ordinance providing for the annual Town Election:

Ordinance No. 432 1/2

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

Sec. 1. That in accordance with the provisions of Section 3 of the amended Charter, a General Election is hereby called for Monday, May 3, 1926. Said election will be held in the basement of the Presbyterian Church at which time and place the qualified voters of the Town shall cast their ballots for a Mayor and three Councilmen all of whom shall be elected for a term of two years beginning the first Monday in June next.

Sec. 2. The polls for said election shall be opened at 6 o'clock A.M. and shall close at 7 o'clock, P.M.

Mr. Biddle moved that the Ordinance be adopted and the Ordinance was adopted upon an aye and nay vote as follows: voting aye the Mayor,

and Councilmen Adams, Aushin, Bidale, Kroll, Rogers and Salisbury. Voting nay, none.

Mr. Adams moved that Mr. L. M. Mooers, Mrs. Bryan Davis and Mrs. J. O. Folk be appointed Judges of Election and that the Mayor be authorized to fill any vacancies resulting from declination or inability of any of the appointees to serve. The motion was carried.

Mr. Kroll, for the Civic Improvement Committee, after investigation and for good and sufficient reasons, recommended that permission be granted Messrs Willis Ray Gregg, 37 Sycamore Ave. and C. P. Bollman, 31 Westmoreland Ave., to construct garages on their respective properties nearer than 5 feet to the side lot lines. The recommendation was approved on motion of Mr. Kroll.

Mr. Biddle, from the Ordinance Committee submitted for the Council's consideration the following proposed Ordinance:

Ordinance No. 432

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

Sec. 1. That for the purpose of promoting the health, safety, morals or the general welfare of the Community, no dwelling of any character, nor any apartment, nor any building to be used for residence purposes at any time shall be erected or constructed, nor shall a permit be issued for the erection or construction thereof, on any lot or parcel of land in any subdivision or built-up section within the corporate limits of the Town of Takoma Park, Maryland, unless said dwelling, apartment or other building fronts on or is accessible by a public street designated as such and accepted by the Mayor and Council.

Mr. Adams moved that the proposed Ordinance be laid upon the table. The motion was lost.

Mr. Kroll moved that the Ordinance be adopted and the Ordinance was thereupon adopted on a ye and nay vote as follows: voting ye, the Mayor and Councilmen Biddle, Kroll, Rogers and Salisbury. Voting nay, Councilmen Adams and Aushin.

The Clerk laid before the Council a communication from the Corporation Counsel submitting in response to the Council's direction a proposed Ordinance relative to procedure in case of unsafe houses or property, as follows:

Ordinance No. 433

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

Sec. 1. That the Mayor and Council, upon information that any dwelling house or other structure within the corporate limits of the Town is in a condition dangerous to property or health or in a condition which menaces the lives of persons passing along and over the highways of the Town or residing in the neighborhood of such structure, shall pass an Ordinance calling upon the owner of such property to show cause within five days thereafter why the maintenance of the said property should not be declared a nuisance and ordered to be abated. Notice of the passage of such Ordinance shall be given to the owner of the property in the manner prescribed by Sec. 13-B of the Town Charter.

Sec. 2. At the time stated in the Ordinance the Council shall hear the owner of the property or his representatives and may also hear any additional evidence bearing on the case.

Sec. 3. If, after the said hearing the Mayor and Council shall be of the opinion that the condition of the said property is dangerous to property or health or menaces the lives of persons passing along and over the highways of the Town at residing in the neighborhood of such

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structure, the Mayor and Council shall pass an Ordinance declaring the condition in question to be a nuisance and ordering it to be abated within a period prescribed in the Ordinance.

Sec. 4. If the nuisance so declared be not abated within the period prescribed in the said Ordinance, the owner of the property shall be fined not less than \$5.00 nor more than \$50.00 for each day during which the nuisance is continued after the expiration of the period prescribed for its abatement, each day's violation of the said Ordinance being hereby declared to be a separate offense.

Sec. 5. If the nuisance be not abated within the period prescribed by the Ordinance as aforesaid, the Mayor and Council shall in addition to the penalty prescribed herein take such other and further steps as may be necessary to abate the nuisance, either by the repair or removal of the property, the costs thereof to be assessed against the property and to become a lien thereon and collectable under the procedure set forth in Section 10 of the Town Charter.

56-22:154-156 (No. 1193)

Mr. Biddle moved that the Ordinance be adopted and the Ordinance was adopted upon an aye and nay vote as follows: Voting aye the Mayor and Councilmen Adams, Austin, Biddle, Kroll, Rogers and Salisbury. Voting nay, none.

The Clerk also laid before the Council an extensive report and opinion of the Corporation Counsel, rendered by the direction of the Council and having reference to the power and advisable procedure of the Mayor and Council in obtaining a portion of Lee Ave, embraced in land claimed by Thomas Stewart. The Corporation Counsel advised that this land be obtained by condemnation proceedings and submitted the following Ordinances as preliminary thereto.

Ordinance No. 434

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

Sec. 1. That the Town of Takoma Park, Maryland, hereby accepts the dedication as public streets of the streets shown on the plat of General S.S. Carroll's Sub-Division, which plat is of record among the land records of Montgomery County in judgment record J.A. Liber #12, folio #25, including the street known as Lee Avenue from Carroll Avenue to the northwest boundary line of the said subdivision.

Sec. 2. That the acceptance of the dedication of the streets contained in Section 1 of this Ordinance shall not be deemed to waive or modify any rights which the Town of Takoma Park, Maryland, may have acquired by virtue of any acts by the said Town affecting the streets in the said sub-division.

Mr. Austin moved that the Ordinance be adopted and the Ordinance was adopted upon an aye and nay vote as follows: Voting aye the Mayor and Councilmen Adams, Austin, Biddle, Kroll, Rogers and Salisbury. Voting nay, none.

Ordinance No. 435

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

Sec. 1. That the tract of land designated as Lee Avenue from Hancock Avenue to the northwest boundary of General S.S. Carroll's sub-division as shown by the plat of the said sub-division recorded in the land records of Montgomery County, Maryland, in judgment record J.A. Liber #12, folio #25, be and the same is hereby condemned for use as a public street under the provisions of Section 13 of Chapter 542 of the Laws of Maryland of 1922.

Sec. 2 - That the Mayor and Council find that the abutting property owners on each side of the said part of the said Lee Avenue are

benefitted by the proposed improvement and shall be assessed and charged to pay their share of compensation therefor which may be awarded under the provisions of Section 13 of the Charter of the Town of Takoma Park, Maryland; and the Town of Takoma Park Maryland, shall pay its share of such benefits as provided in Section 13-C of the Town Charter.

Mr. Adams moved that the Ordinance be adopted and the Ordinance was adopted upon an aye and nay vote as follows: voting aye, the Mayor and Councilmen Adams, Aushin, Biddle, Kroll, Rogers and Salisbury; voting nay, none.

Mr. Aushin brought to the Council's attention the letter of Messrs John L. Fletcher and William A. Mellen, waiving all legal requirements and requesting the construction of cement sidewalks on Flower Avenue and on certain streets of Section 1, Wildwood.

After extended consideration Mr. Salisbury moved that, in view of the allotment of all funds for sidewalk work under the existing special improvement contract, the construction of the desired work is impracticable. The motion was carried.

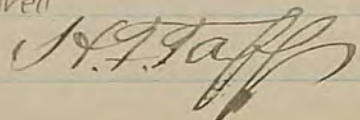
Mr. Biddle moved that the Street Committee consider the relaying of a portion of the cement sidewalk on Albany Avenue, occasioned by a change in street grade; and that the Committee be authorized to have this work done if in the Committee's opinion it may be considered advisable at this time. The motion was carried.

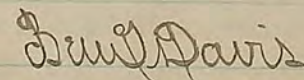
The Council took up for consideration the joint communication of Messrs J. C. Nellis and A. A. Spear requesting that certain propositions relating to appointment of a Town Manager and a Town Engineer be submitted to the voters at the coming municipal election. After due consideration Mr. Salisbury moved that, as the Mayor and Council are disinclined to view with favor any increase in the tax rate at this time, with which conclusion they feel a large majority of the taxpayers are in accord; and as the appointments referred to are of doubtful legality without further legislative amendment of the Town Charter, it is deemed inexpedient to submit the matter to a referendum of the voters as requested. The motion was carried.

On motion of Mr. Rogers the bill of the Corporation Counsel for \$350.00 legal services was approved and payment authorized.

There being no further business the Council at 11:55 o'clock adjourned.

Approved

 Mayor

 Clerk