

Monday Evening, January 16, 1928.

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Crittenden, Finch, Johnson and Salisbury. Councilman Rogers was absent because of illness. The minutes of the last regular meeting were read by the Clerk and approved.

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

Balance, last report	\$ 24080.08	Genl. Expenses: telephone	5.75			SPECIAL DEPOSITS	
RECEIPTS:		printing	14.00			Balance last report	\$ 780.00
From general taxes	2439.41	postage	10.86			No receipts or disbursements	
" building permits	3.00	rentals	25.00	55.61		SPECIAL IMPROVEMENT FUND:	
" electric "	19.00	Interest account		825.00		Balance, last report	45321.20
" excavation "	3.00 25.00	Garbage collection		160.00		Receipts during month	7293.84
Miscel: fines	44.00	Street lighting		332.42			52615.04
Int. on deposits	263.70 307.70 2772.11	Miscellaneous		2.00		Disbursements: walks	12.25
	26852.19	Salaries: Clk. and Treas.	150.00			Grading	463.12
DISBURSEMENTS:		Supt. Public Work	187.50			Interest	4275.00 4750.37
Street work: labor	359.43	Electric Inspector	25.00			Balance	47864.67
material	32.60	Chief Police Officer	100.00			SINKING FUND:	
machinery & tools	159.08	Justice of the Peace	50.00 512.50 2463.34			Balance on hand last report	11751.79
miscellaneous	24.70 575.81	Balance on hand		24388.85		Semi-annual interest	1878.17
						Balance	\$ 13629.96

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

Dr. Llewellyn Jordan appeared before and addressed the Council relative to the condition of the parkway between Takoma Avenue and the B. and O. right of way. Dr. Jordan stated that through the cooperation of the Potomac Electric Power Co. and the B. and O. Ry. a considerable amount of cleaning up had been accomplished and conditions much improved and suggested that an Ordinance be adopted to require that it be kept clean. Dr. Jordan, and Messrs H.C. Dawkins and Peter Anderson called the Councils attention to the proposed B. and O. underpass at Fern Street which in their judgment would be detrimental to the Takoma Park, Md, property in that vicinity and urged the Council to protect as far as possible the property owners' interests. These gentlemen also suggested that a survey be made of the park along the B. and O. right of way. In subsequent remarks Dr. Jordan suggested that the Charter be amended at the appropriate time to permit that the Mayor and Council be adequately compensated for their services.

Mr. R. F. Brooks, Flower Ave., referred to his previous requests for proper repairs to the sidewalk in front of his home. This walk is 8 to 10 inches below the street curb and should be raised. Referred to the Street Committee.

Mr. Cap Finn called attention to his request for exemption benefits in recent street paving costs and was informed that a report from the Finance Committee would be submitted later in the proceedings of the Council.

Requests for new street light on Elm Ave, between Woodland and Prince George Aves, by Mr. Shenk, and on Ethan Allen between Sycamore and Woodland Aves, by Mr. Wynne, were referred to the Committee on Police, Fire and Lights for consideration and report.

Mr. Adams, from the Finance Committee, in the absence of Mr. Rogers, submitted the following reports for that Committee:

1. Recommending the payment of bills amounting to \$281.68, all of which had been examined and approved by the Committee and the Superintendent of Public Work. Payment was ordered on motion of Mr. Grittenden.

2. On communication of L.R. Grabill, Sr, and others respecting the \$4.00 per lineal foot assessment for concrete streets, as follows:

Jan. 12, 1928. - The Committee has given careful consideration to the communication of Mr. L.R. Grabill, Sr, and others, dated Sept. 19th and having reference to the assessment of \$4.00 per lineal foot for construction of 24-foot concrete pavements, and report as follows: The detailed report of the Street Committee presents the following items as entering into the cost of the streets referred to:

60541.499 s.y. concrete pavement @ \$2.57	\$ 155,591.61
16271.16 c.y. excavation @ 80¢	13,016.91
Extra work, miscellaneous and incidental	152.17
Dr. page	1495.51
Engineering and inspection	1150.00
Advertising and printing	192.00
Total	171,598.20
Interest on certificates of indebtedness	26,739.73
Total cost of work	197,337.93

The above totals include the cost of 1295.30 s.yds. of driveways, amounting to \$3328.90 which should not enter into the general assessment and which, when eliminated modifies the totals as follows:

The petitioners are in error in assuming that the assessment figure of \$4.00 per lineal foot was arbitrarily based upon the preliminary estimate. This figure was fixed only after completion of five streets when a complete check of work done and costs incurred indicated its approximate correctness. This check was maintained as the work progressed with practically no variation in the cost figures.

It may be stated that the assessment for the work herein referred to has been made in accordance with the special assessment procedure of many years. It is true as stated by the petitioners that an Ordinance formerly provided for the payment of exemptions and street intersections by the Town. It was found however that to follow that policy would impose from 50 to 60 per cent of the cost of all special work upon the Town and would seriously retard these necessary public improvements and the provisions of the Ordinance were practically a dead letter even while it was in effect. The Ordinance was repealed in 1922 since which date all Town Ordinances covering special improvement work have provided that the assessable cost of the work shall include street intersections and exemptions.

The Street paving abutting the public property on Philadelphia Avenue, mentioned by the petitioners, as well as other public property, has been assessed at its pro rata cost against the Town and has not been included in the assessment as exempted property.

The Committee recommends that the petitioners be furnished a copy of this report in reply to their communication.

Total cost of work (\$171,598.20 - \$3328.90)	168,269.30
Interest on certificates covering above cost	23,978.45
Total cost of work	192,247.75
Cost of 24 foot streets	184,237.43
" " 20 " "	8,010.32
Total	192,247.75
Towns share of 24' streets (1/3)	61,412.78
Property owners share (2/3)	122,824.95
Total	184,237.43
Property owners share is assessable against 30,221.61 lineal feet or \$4.03 per lineal foot; the Council fixed the assessment at \$4.00 per lineal foot.	
Towns share of 20' streets (1/3)	2670.11
Property owners share (2/3)	5390.21
Total	8,010.32

Property owners share is assessable against 1515 lineal feet or \$3.52 per lineal foot. The Council fixed the assessment at \$3.50 per lineal foot.

Report and recommendation approved and adopted on motion of Mr. Salisbury.

3. On requests of Messrs R.G. Sherburne and Cap Finn for 100 feet exemption for concrete street assessments against their lots on Albany Ave, recommending denial of requests as, in the judgment of the Committee, these are not corner lots within the exemption clause of the Charter. Reports and recommendations adopted and approved on motion of Mr. Johnson.

Mr. Johnson, from the Street Committee, referred to the drain pipe across Tulip Ave. from the residence of Mrs. Ford and which was found to be crushed, evidently during street paving operations last summer. After consideration and on motion of Mr. Johnson repair of the pipe under the street was directed.

Mr. Finch, from the Committee on Police, Fire and Lights stated that the complaint of Mr. J. Frank Rice as to disturbances caused by the basket ball games at the church had been referred to the Church Trustees who will probably take up the matter with Mr. Rice direct. Mr. Finch also reported that the new lighting system on Carroll and Laurel Avenues will be installed at an early date.

Mr. Adams, from the Civic Improvement Committee, submitted the following report on conditions adjacent to the B. and O. right of way in North Takoma:

Your Civic Improvement Committee has investigated the conditions existing along Takoma Avenue, between the District of Columbia Line and the North Takoma Bridge and the Baltimore and Ohio Railroad tracks, in accordance with instructions of the Mayor and Council.

The Committee on its first visit to this site, found that the entire tract of land was in a very unsanitary and untidy condition; that the Potomac Electric Power Co. was storing poles on the property; that the Baltimore and Ohio Railway Co. was using it as a headquarters for the receiving, sorting and storing of newly made railroad ties; that the property was littered with old paper wrappings, excelsior, barrel staves, pieces of crates and boxes and other packing debris stripped from goods unloaded from the freight cars on the siding, as well as pieces of broken tile, bricks and other building material; that there were numerous depressions along this area that were constantly filled with water. A second visit to this scene discloses the fact that some of the agencies responsible for the above conditions have made some effort to remedy them. Most of the litter, discarded electric light poles and railroad ties have been removed or burned.

While the Committee is not positive of the exact location of the line separating the Town property from the Railroad property it is reasonably sure that most of these nuisances are committed on Town property, which, in our opinion, constitute trespass. It is understood by the members of your Committee that no part of the Railroad property abuts the street; it is therefore necessary in unloading freight cars, for the consignee to trespass on Town property.

The Committee therefore recommends: That the Town cause to be made an accurate and definite survey of the property in question and that lines be established indicating the boundary lines of the Corporation separating the Town of Takoma Park, Md., from the District of Columbia and from the B. and O. Railroad property. That a perusal of the Town records be made to ascertain if there is any agreement with the railroad company concerning this siding at this point having in mind the ultimate abandonment of this spur. That the Superintendent of Public Work be instructed to have all the depressions filled in and underbrush and dead trees removed in this section.

On motion of Mr. Salisbury the report of the Committee was unanimously approved.

Mr. Adams reported further that upon complaint certain conditions on the property of L. Williams, Prince George Ave, had been investigated by the Committee but that no definite conclusion or recommendation has been reached.

might possibly result in serious detriment to the community's business prosperity and should receive the Council's careful deliberation.

Mr. F. G. Hoskins, Superintendent of Maintenance of the B. and O. Railway addressed the Council briefly stating in effect that the railroad company desired to cooperate with the Town authorities to the fullest extent and had done so in cleaning up the property adjacent to their freight switch as soon as the condition was called to the Company's attention. He stated frankly that the Company wished to retain its freight facilities at the point stated in order to meet the demands for freight shipments to this point and vicinity.

Mr. Archie Miller stated to the Council that the B. and O. Ry. had endeavored to purchase additional land near Vine Street for freight facilities and had offered Mrs. Wm. Watkins, \$12500 for some 8000 sq. ft, but that upon his advice, Mrs. Watkins had rejected the offer as insufficient. Mr. Miller thought the railroad should be compelled to purchase land required for freight deliveries and not permitted to utilize public property without adequate compensation.

After brief remarks by other interested citizens the Mayor stated the matter would be taken under advisement by the Council.

Captain Frederick Pearce, Jr, addressed the Council relative to the proposed railroad crossings at Fern and Chestnut Sts., about which he desired to obtain reliable information. Dr. Jordan, who has familiarized himself with the status of this matter volunteered to enlighten Captain Pearce and courteously invited him to join a Committee of citizens who are endeavoring to have the matter consummated to the best interests of the community.

Mr. Frederick Pearce, Sr, informed the Council of the havoc wrought on song birds by cats and asked if something could not be done, by requiring licenses, or otherwise, to decimate the armies of prowling cats engaged in this destruction. The Mayor explained that while there were stringent regulations for the protection of song birds he did not know how they could be enforced against cats but that he would refer the matter to the Committee on Police, Fire and Lights for consideration.

Proceeding to its regular order of business the Council approved payment of bills submitted by the Finance Committee amounting to \$244.70

Mr. Rogers, for the Finance Committee, recommended the appointment of Messrs. John D. Miller, Bernard R. Holmes and E. E. Blodgett as a Board of Assessors for the assessing of new property and such revision of existing assessments as may be brought to the Board's attention. The recommendation was approved on motion of Mr. Adams.

Mr. Johnson, from the Street Committee, reported that the establishment of permanent grades of all unimproved streets, as authorized by the Council, was practically completed, and that the Committee is proceeding toward the preliminary work in connection with the ^{pay} grading of Carroll Avenue.

Mr. Adams, from the Civic Improvement Committee, referred to report submitted at the last meeting respecting certain conditions on the property of Mr. Lauri Williams, 10 Prince George Ave., and moved that the nuisance caused thereby be abated. The motion was carried.

Mr. Finch, from the Committee on Police, Fire and Lights reported that the County, through Commissioner Shaw, had agreed to share half the cost of eight new street lights on Flower Ave., from Kennebec Street to Blair Road: the Committee recommended the installation of these lights on poles 72009, 72012, 72016, 72072, 72075, 72079, 72082 and 72086; also the installation of lights as follows: on Elm Ave., between Woodland and Prince George, on pole 74990; Garland Ave., on pole 74778; on Philadelphia Ave., in front of premises No. 11, provided the Company will erect the pole without expense to the Town. The Committee recommends changes in lights as follows: On Ethan Allen Ave., near Woodland, move light from pole 7144 to 7145 and light from pole 7147 to pole 7148. The Committee disapproved request of Capital Traction Co. for an additional light on Carroll and Flower Ave., as it is thought the installation of higher powered lights on Carroll Ave., will furnish the desired additional illumination.

On motion of Mr. Adams the report and recommendations of the Committee were approved.

Mr. Wynn, Engineer for the Town, submitted plat of a joint survey by himself and Mr. Rautenberg, of the B. and O. Ry. Engineering Division, covering the boundaries of the B. and O. right of way in relation to the Parkway in North Takoma. After consideration and on motion of Mr. Johnson the plat was approved by the Council and Mr. Wynn authorized to secure approval thereon by the proper official of the railroad.

The Clerk submitted to the Council assessments covering cost of completed sidewalks and grading of Kennebec and Roanoke Avenues, recommending sidewalk assessments at \$1.60 and street grading at \$1.50 per lineal foot. The following Ordinance was submitted.

Ordinance No. 480.

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

Section 1. - That the special assessments submitted by the Town Clerk and Treasurer covering the construction of cement sidewalks on Allegheny and portions of other avenues and of grading on Kennebec and Roanoke Avenues, the former at \$1.60 and the latter at \$1.50 per lineal foot, be and the said assessments are hereby approved and ordered.

Section 2. - The said special assessments shall be due March 1, 1928 and shall be payable as set forth in Section 3, of Ordinance No. 470, passed and approved July 18, 1927.

Mr. Rogers 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, Crittenden, Finch, Johnson, Rogers and Salisbury. Voting nay, none.

There being no further business the Council, at 10:40 o'clock P. M. adjourned.

Approved:

Bryan Davis

Mayor

Bryan Davis

Clerk.

Tuesday Evening, March 6, 1928

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, Crittenden, Finch, Johnson and Rogers; Councilman Salisbury being unavoidably absent.

The Mayor stated that the meeting had been called for an informal discussion and exchange of views concerning the railway siding situation in North Takoma and for such other business as the Council may deem urgent.

After an extended informal consideration the Mayor suggested, in order that the Council may take some definite action at this time if so desired, that a motion be submitted to the effect that as custodians of the public property the Mayor and Council are without authority to divert to other than public uses land donated or dedicated as parks or parkways; that altho appreciative of the necessity of adequate freight facilities it is thought that this is a problem for the transportation company in the line of its duties and responsibilities as a common carrier; that the establishment of a freight yard within a residential section constitutes an annoyance that should be eliminated unless shown beyond a doubt to be a public necessity, of which the Mayor and Council are not now convinced; that the B. and O. Railway be requested to discontinue the delivery of freight for delivery at the No. Takoma siding and to remove the unloading platform constructed by it without authority on the parkway; and that the driving of vehicles on or over the Parkway be prohibited by an appropriate Ordinance.

Mr. Adams moved the adoption of a motion embodying the suggestions of the Mayor. No second being secured the motion was lost.

Mr. Rogers stated that it was evident the Council was not yet ready to take definite action in respect to this matter and that he felt convinced the problem could be solved to advantage of the residents most affected as well as to the local business interests. To this end he moved that the Mayor be requested to arrange an interview between the Council and an authorized representative of the B. and O. Railway for a thorough discussion of the whole situation. The motion was carried.

Captain Johnson, from the Street Committee, informed the Council that details had been worked out for the removal of the old concrete from Carroll Ave and the crushing thereof for street repairing material under the agreement of last fall with the Cranford Company of Washington, and that this preliminary work to the repaving of the street would be started within the next two weeks.

Captain Johnson moved that the Street Committee be authorized to take up with the State Road Commission the immediate advertisement of Carroll

Avenue for paving as a state highway and to push the matter to its earliest completion. The motion was carried.

There being no further business the Council, at 11:00 o'clock P.M., adjourned.

Approved:

Bruce Davis

Mayor

Bryan Davis

Clerk

Monday Evening, March 19, 1928

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Crittenden, Finch, Johnson, Rogers and Salisbury.

The minutes of the last regular meeting and of the special meeting of March 6th 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 last report		\$ 10344.65	General Expenses: telephone	6.45				TAX SALE REDEMPTIONS:		
RECEIPTS:			Postage	10.86				Receipts	\$ 9.84	
From general taxes	3840.66		Rentals	25.00	42.31			Disbursements		9.84
building permits	8.00		Garbage collection		160.00			SPECIAL DEPOSITS:		
electric "	4.00		Street lighting		321.05			Balance, last report		760.00
excavation "	2.00	14.00	Miscellaneous		12.50			Refunds during month		20.00
Miscel: Fines	29.50	3887.16	Salaries: CLK and Treasr.	150.00				Balance		740.00
		14228.81	Supt. Public Work	187.50				SPECIAL IMPROVEMENT FUND:		
DISBURSEMENTS:			Electrical Inspector	25.00				Balance last report		64245.06
Street Work: labor	347.90		Chief Police Officer	100.00				Receipts		8333.17
Material	112.00		Justice of the Peace	50.00	512.50	1978.93		Balance		72578.23
Machinery and tools	116.70		Balance on hand			\$12249.88		SINKING FUND:		
Miscel: surveying	353.97	930.57						Balance		13629.96

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

The Mayor informed the Council of the presence of three prominent citizens of Prince Georges County - Mr. J. Enos Ray and Messrs Bowie and Gude who desired to present a matter to the Council. Mr. Ray thereupon addressed the Council with respect to construction of a bridge across Sliqo Branch within the Town limits on the line of Myrtle Avenue. He stated that this bridge was necessary to permit certain residents of the county to reach the public roads and that the cost of construction would approximate \$950. As the bridge would be available for Town purposes the County would appreciate the Town sharing th expense.

After discussion and on motion of Mr. Rogers the matter was referred to the Street Committee for consultation with the Prince George County authorities.

Mr. Rogers, from the Finance Committee, presented bills amounting to \$336.39 which had been examined by the Committee and approved for payment and on his motion payment of the bills was directed.

Mr. Johnson, from the Street Committee presented a petition for grading of Chaney Drive with recommendation that a hearing be ordered for the work under the assessment basis. Approved on motion of Mr. Johnson.

Presenting a petition for surfacing of Jefferson Avenue Mr. Johnson stated that it was the intention to include this street in the list of those to be resurfaced with the material obtained from Carroll Ave, and recommended that the petitioners be so advised. Recommendation approved.

Mr. Johnson submitted plats covering new proposed widths of Carroll Avenue as prepared by Engineer Wynn, with proposed street radii. After consideration these were tentatively approved with the understanding that some further changes may be suggested in the final plans.

Mr. Finch, from the Committee on Police, Fire and Lights, submitted a letter and schedule of rates from the Potomac Electric Power Co., showing a net increase of \$208.00 per annum for installation of proposed new lights of 250 candle power on Carroll Avenue. After consideration and on motion of Mr. Finch the new installation was approved and ordered.

Routine business having been disposed of the Mayor stated that the Council had been informed, through the circulation of a handbill, that further presentations would be made this evening with respect to the siding of the Baltimore and Ohio Railway in North Takoma. He thereupon stated that the Council would be glad to hear anyone interested in the matter.

Dr. Llewellyn Jordan spoke briefly and offered a petition comprising the signatures of 180 people and expressing their desire that the B. and O. freight switch be eliminated and that the Park adjacent to the B. and O. right of way be improved. Dr. Jordan stated that Mr. J. Bond Smith was present at the meeting and as an interested property owner desired to address the Council on the merits of the petition. Mr. Smith thereupon addressed the Council at some length considering the several phases and questions involved with particular reference to dedication of the land for park purposes and the obligation of the town authorities to prevent its use for other than park purposes; and to the fact that this vicinity is zoned as residential which eliminates freight yards or similar commercial or industrial enterprises.

At conclusion of Mr. Smith's address brief remarks were submitted on the matter under discussion, pro and con, among those participating being Dr.

Jordan, and Messrs. F. L. Lewton, Benjamin Morrison, Martin Iverson, H. B. Hendrick, W. A. Mellen, H. L. Thornton, Frederick Hawkes and Mrs. Leary.

The Mayor thanked those present for their interest in this matter of public concern to which he and the Council were giving very serious consideration and which he hoped might be decided at an early date. On motion of Mr. Crittenden the matter was taken under advisement.

There being no further business the Council, at 10:50 o'clock p.m., adjourned.

Approved:

Bruce Davis

Mayor.

Bruce Davis

Clerk

Tuesday Evening, April 3, 1928

Upon call of the Mayor a special meeting of the Council was held this date at the Clerk's Office, convening at 8 o'clock.

There were present the Mayor and Councilmen Crittenden, Finch, Johnson, Rogers and Salisbury.

The Mayor stated that he had called the meeting at the instance of Chairman Johnson, of the Street Committee who desired to report on the bids for repaving Carroll Avenue which were opened in Baltimore today at which Mr. Johnson was present. The Mayor stated that any other business of an urgent nature may be taken up if desired and presented an application from Mr. J. J. Stanley to construct a sidewalk at his own expense in front of two houses he is building on Philadelphia Avenue. On motion of Mr. Johnson the desired permission was granted, the walk to be built under Town specifications and on grades to be established by the Town Engineer, and without expense to the Town.

Mr. Rogers presented complaints made to him due to lack of sewage facilities at the dwelling occupied by Mr. Liller on Carroll Ave. near Garland Avenue. On motion of Mr. Salisbury, Major Fischer was directed to notify Mr. Liller that sewer connections must be made without delay.

On motion of Mr. Salisbury the week beginning April 16th was designated as "Clean-up Week" and the Clerk was instructed to give notice thereof in the usual manner by handbills and advertisement in the local papers.

Mr. Johnson presented to the Council the detailed proposals received from bidders for the repaving of Carroll Avenue, the bids having been opened in Baltimore at the Office of the State Roads Commission at noon today. Bids were received on the construction plan of the States Road Commission and on an alternative plan of an integral pavement and curb on the plan of the Takoma Park pavements. On both plans the low-

est bids were those of The Cranford Company of Washington, D.C., aggregating \$53,224⁰⁰, and \$48,689⁰⁰, respectively, which aggregate prices are exclusive of cement, estimated at \$21,000 in each case.

Mr. Johnson moved that the Council recommend to the State Roads Commission the acceptance of the bid of the Cranford Company under the Town construction plan. The motion was carried.

Mr. Johnson laid before the Council the final plans for the widening of Carroll Avenue as planned by the Town Engineer, Mr. Wynn, including proposed radii at the various street intersections. These were carefully considered and adopted as submitted on Mr. Johnson's motion, who was authorized to make similar recommendation to the State Roads Commission.

Mr. Johnson referred to the uncertain locations of the water and sewer mains in Carroll Avenue and moved that the Sanitary Commission be requested to definitely locate the pipes so that the Town will be put to a minimum expense in removing the old concrete above them. Carried and so ordered.

Referring to Poplar Avenue Mr. Johnson informed the Council that the concreting of Bay Road has been completed to the Takoma Park Corporation Line and that in his judgment continuation of the paving of the same width (15 feet) to the existing concrete pavement on Poplar Avenue will answer all present purposes; he therefore moved that this action be taken and that the pavement be constructed by the Cranford Company under its last year's contract. Carried and so ordered.

Mr. Johnson submitted the following Ordinance covering proposed public work for which petitions have been presented:

Ordinance No. 481

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

Section 1. That under authority granted by Section 12 of the Act of the General Assembly of Maryland approved April 13, 1922 (Chapter 542, Session of 1922) the Mayor and Council have under consideration the construction of the following proposed public work:

Cement Sidewalks, 4 feet in width on Elm Avenue, between Hickory and Poplar Avenues abutting lots 21 and 37, block 20, Gilberts Subdivision. On Cockerille Avenue, from Spring Street to the Corporation line, abutting lots 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, block 13 and lots 19 and 20, block 16, Pine Crest Subdivision; lots 1 and 10, block 11, and lot 1, block 13, Gibbs and Kosack Subdivision; the total cost of said walks, including intersections and exemptions, estimated at \$1.80 per lineal foot, to be assessed against the property above noted.

Grading and surfacing of Chaney Terrace, abutting lots 18, 19, 23, 24, 25, 26, 27, 28 and 29 of Chaney's Resubdivision of lots 4, 5, 6 and 7, block 49, at an estimated cost of \$2.00 per lineal foot, said total cost, including intersections and exemptions, to be assessed against the property noted in this paragraph.

Section 2. The Mayor and Council, at their regular meeting, Monday evening, May 21, at 8 o'clock, in the basement of the Presbyterian Church, will hear all persons interested in the public work herein proposed.

Mr. Johnson moved that the Ordinance be approved and adopted. The motion was carried on an aye and nay vote as follows: Voting aye the Mayor and Councilmen Crittenden, Finch, Johnson, Rogers and Salisbury; voting nay, none.

10-10 Adjourned

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

Approved:

Bryan Davis

Mayor.

Bryan Davis

Clerk

Tuesday Evening, April 10, 1928.

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, Grittenden, Finch, Johnson, Rogers and Salisbury.

The Mayor stated that he had called the Members of the Council together for a free, full and informal consideration of the situation relating to the parkway in North Takoma between the Baltimore and Ohio right of way and Takoma Avenue, which situation had become more or less confused through the introduction of extraneous issues and controversy involving individuals and factions. The Mayor expressed the hope that a calm and dispassionate consideration of the matter by the members of the Council would result in clarifying their minds as to the basic issues involved and permit a decision in accordance with the earnest desire of each and all to protect the Town interests and do as complete justice as possible to its citizens.

The Council thereupon engaged in earnest consideration of the matter, all members participating. After extended consideration the Mayor suggested that a report through the Civic Improvement Committee recommending improvement of the parkway between Takoma Avenue and the Baltimore and Ohio right of way without reference to the railroad siding or any of the other issues involved would be an assertion of the Town's proprietorship to the land in question and in the Mayor's judgment the most direct method of settling the matter and preventing further agitation. Mr. Salisbury moved that this course be pursued which motion was unanimously carried.

There being no further business the Council, at 10:20 o'clock adjourned.

Approved:

Bryan Davis

Mayor.

Bryan Davis

Clerk

Monday Evening, April 16, 1928.

The Council met at 8 o'clock. There were present the Mayor and Councilmen Adams, Finch, Crittenden, Johnson, Rogers and Salisbury.

The minutes of the last regular meeting and of the special meeting of April 3 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		12249.88	machinery and tools	314.44			<u>TAX REDEMPTIONS:</u>		
<u>RECEIPTS:</u>			miscel-surveying	482.18	1354.34		Receipts		484.79
From general taxes	5082.68		General expenses: telephone	5.75			Disbursements		113.13
" building permits	18.00		Printing	4.00			Balance		371.66
" electric permits	8.00		Rentals	25.00	34.75		<u>SPECIAL DEPOSITS:</u>		
" excavation permits	3.00	29.00	Garbage collection		160.00		Balance last report		740.00
Miscellaneous: fines		28.50	Street lighting		338.33		No receipts or disbursements		
Montgomery Co.-Road tax	1965.63		Salaries: Clerk and Treasr	150.00			<u>SPECIAL IMPROVEMENT FUND:</u>		
" Securities tax	402.72		Supt. Public Work	187.50			Balance last report		72578.23
" Bank tax	229.59		Electric Inspector	25.00			Receipts		7489.82
Dr. Jordan. Stone markers	9.00	7747.12	Building Inspector	13.00			Disbursements: Carroll Ave		80068.05
		<u>19997.00</u>	Chief Police Officer	100.00			Balance		144.10
<u>DISBURSEMENTS:</u>			Justice of the Peace	50.00	525.50	2412.92			79923.95
Street work: labor	539.72		Balance on hand			17584.08	<u>SINKING FUND:</u>		
Material	18.00						Balance		13629.96

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

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

A letter from Mr. T. J. Fitzpatrick requesting that means of ingress and egress, via Park Avenue, Extended, be provided for his property as early improvement of the municipal playgrounds will deprive him of present means of access. Referred to the Street Committee.

A joint letter from Dr. Llewellyn Jordan and Mr. F. Hawkes commending recent efforts in cleaning up the parks in North Takoma and calling attention to the neglect of certain private lots which are in an unsanitary condition. Referred to the Health Committee.

A letter from Mr. F. Hawkes reviewing a recent article in the Takoma Journal relative to sanitary conditions at his property on Takoma Avenue, and urging that the Suburban Sanitary Commission extend its sewer mains so that his property may be connected therewith. Referred to the Health Committee.

A petition from residents in the vicinity of Columbia Ave, between Sycamore and Poplar Avenues, urging improvement of this section of Columbia Avenue. Referred to the Street Committee.

Proceeding to unfinished business the Mayor stated that the matter of the North Takoma Parkway was still pending and expressed the hope that it might be disposed of. Mr. Thornton, President of the Takoma Park Chamber of Congress, requested permission for a brief discussion of ~~the matter~~ before the Council proceeded to consideration of the matter. There being no objection on the part of the Council Mr. Thornton, for the Chamber of Commerce, reiterated the Chamber's position that the continued unloading of freight be permitted. In connection with his remarks Mr. Thornton submitted a statement from Mr. C. Francis Owens as to the ownership of the North Takoma Parkway in relation to its dedication by plat. (Mr. H. B. Hendrick presented a petition from certain members of the Takoma Park Chamber of Commerce favoring continued use of the strip of land between Takoma Avenue and the B. and O. railroad right of way for unloading purposes.) Mr. W. F. Prettyman, of the Rockville bar, representing the Takoma Park Chamber of Commerce, addressed the Council on certain legal phases of the situation. After remarks by Messrs. J. Bond Smith, Lisle Morrison, Lloyd Biddle, and Milton Derrick, the Mayor suggested that as the Council is now apparently well informed, the hearing would be considered closed and the Council would proceed with its regular order of business.

Mr. Rogers, from the Finance Committee, submitted bills examined and approved for payment amounting to \$1214.41, and on his motion payment was directed.

Mr. Salisbury, from the Health Committee, submitted reports on the following premises: Mr. Hawks, 115 Takoma Ave. No sewer connection; no sewer available; cesspool inadequate; recommends Clerk ascertain when sewer main will be available by Sanitary Commission; if soon, conditions may wait; if not that adequate cesspool be required. Hilda Wurple, 106 Allegheny Ave.: water and sewer available but no property connections; one-room shack, surroundings bad; no toilet. Recommends requirement of sanitary conditions, sewer connections or to abandon living there. George H. Spooner, 5 Denwood Ave.: feared typhoid because of faulty sewer; repairs have been made. Mr. George, Center Ave., between Davis and Carroll Aves; has sewer connections. Mr. Lillard, lot 4 block B, Carroll Ave; shack type of house; sewer available but no connections; toilet in rear; rather numerous family; tubercular child in bed; conditions bad; recommends immediate water and sewer connections. The Committee recommends that trash collections be dumped on town's lots off Elm Ave, toward Cockrell Ave. and that it be suitably covered as soon as possible. On motion of Mr. Salisbury the report of the Committee was adopted.

Mr. Johnson, from the Street Committee, submitted an extended report on the complaint of J. W. Hite and others on drainage conditions of a natural stream across their property. The report lays the principal cause of this condition to a dam across the stream on the property of Mr. Lake; Committee recommended that a culvert of 24" pipe be laid on the stream grade from the outlet of the pipe under Buffalo Avenue to the 24" inlet on Mr. Hites property, the work to be done at the expense of the property owners and under town supervision. Report approved on motion of Mr. Johnson.

Mr. Johnson stated that he had been informed by Mr. J. N. Mackall that the State Roads Commission is ready to award the contract for repaving of Carroll Ave. to the Cranford Paving Co., of Washington, the lowest bidder, and would do so as soon as the estimated cost of the work, \$72,913.00 is deposited with the Commission. On motion of Mr. Rogers the Treasurer was authorized to remit this amount to the State Roads Commission.

Mr. Adams, from the Civic Improvement Committee, submitted a report of conditions of the several town parks including the Municipal Playgrounds on which a conduit of reinforced concrete covering the stream, is practically completed. The last paragraph of the report, submitted in accordance with the instructions of the Council in special meeting on April 10th provided for improvement of the Parkway between Takoma Ave. and the B. and O. right of way in accordance with the suggestions of Mr. Ben Morrison, landscape architect and that the Council contribute \$100 to the fund that has been started by North Takoma citizens for this purpose. Mr. Adams moved that the report be adopted.

Mr. Rogers moved that the report be amended by substituting for the last paragraph the following: That the following question be submitted to a vote of the people: "Shall the Council permit the continued use of the public park in North Takoma by the B. and O. Railway for the unloading of freight cars?"

On an aye and nay vote, demanded by Mr. Adams, Mr. Rogers' motion was adopted as follows: Voting aye, Mr. Crittenden, Mr. Finch, Mr. Rogers and Mr. Salisbury; voting nay, the Mayor and Mr. Adams and Mr. Johnson. The report as amended was thereupon adopted, on motion of Mr. Rogers.

The Mayor, addressing the Council, stated that its action was inexplicable to him in view of the unanimous action taken at the special meeting held on April 10 when the Civic Improvement Committee was unanimously instructed to submit the report which it did submit on this matter; that, in his judgment the substitute amendment of Mr. Rogers was clearly ineffective as the Charter provided for no form of referendum except with reference to the issue of bonds under certain conditions and would be in no respect binding upon either the Mayor or Council; that its only effect would be to prolong the unfortunate controversy which had arisen over this question. Under these circumstances, the Mayor stated, he felt it his duty to assume the protection of this Town property and the responsibility thereof.

Mr. Crittenden, from the Ordinance and Judiciary Committee, submitted the following Ordinance:

Ordinance No. 482.

An Ordinance for the Protection of Public Parks, Parkways and Sidewalk Parkings.

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

Section 1. It shall be unlawful for any person, firm or corporation, or for any agent thereof, to drive any wagon, truck, motor car or vehicle of any description, or, upon or across any public park, parkway or sidewalk parking, except upon duly authorized or constructed roadways, driveways or crossings designed for vehicular

use and traffic; or to park any wagon, truck, motor car or vehicle of any description, or any part thereof, on any sidewalk parking.

Section 2. It shall be unlawful to deposit or to burn any trash, garbage or refuse of any description, upon any public parkway, sidewalk parking, park or public street except upon permission of the Mayor and Council and under direction of the Superintendent of Public Work; and no trash or rubbish of any description, including leaves, paper, or like material, shall be burned in the open yard of any premises except in proper and adequate fire resisting containers.

Section 3. It shall be unlawful to cut, deface or remove any tree or bush, or branches thereof, or shrubs, plants or flowers from any public park, parkway or sidewalk parking; or to deface or injure any building, bench, settee, street light or other appurtenance thereon.

Section 4. Residents of any street desiring to uniformly improve or plant the sidewalk parkings thereon, or any individual desiring to improve or plant the sidewalk parking adjacent to his residence, may do so upon application to the Mayor and Council, setting forth the general manner and plan of such improvement, and upon approval thereof by the Mayor and Council.

Section 5. Any person, firm or corporation violating any of the provisions of this Ordinance shall be charged with a misdemeanor and upon conviction thereof shall be subject to a fine of not more than Fifty Dollars (\$50.00) and in default of payment thereof may be imprisoned in the municipal or county jail for a period not to exceed thirty days or until the fine is paid.

Section 6. This Ordinance shall be effective on and after the first day of May, 1928, and any Ordinance or Ordinances or parts thereof in conflict with the provisions hereof, are hereby repealed.

Mr. Crittenden 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, Crittenden, Finch, Johnson, Rogers and Salisbury. Voting nay, none.

Mr. Crittenden, from the Ordinance Committee, submitted the following Ordinance:

Ordinance No. 483

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

Section 1. That in accordance with the provisions of Section 3 of the Town Charter, a general election is hereby called for Monday, May 7, 1928. 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.

Section 2. The polls for said election shall be opened at 6 o'clock a.m., and closed at 7 o'clock p.m.

Mr. Crittenden 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, Crittenden, Finch, Johnson, Rogers and Salisbury; voting nay, none.

On motion of Mr. Adams, Mr. Jas. H. Ellsworth, Miss Bernadine E. Scherger, Mr. W. H. Hutton and Mrs. J. O. Folk were appointed Judges and Clerk of Election and Mrs. Clarence M. Kiefer and Mrs. Helen B. Davis, Registration Officers; and the Mayor was authorized to fill any vacancies in case of inability to serve.

On motion of Mr. Adams the Clerk was authorized to call a public meeting of citizens for Monday evening, April 30, to nominate candidates for Mayor and Councilmen. There being no further business the Council, at 10:35 o'clock p.m., adjourned.

Approved:

Mayor.

Bryan Davis
Clerk.