

SPECIAL MEETING
MAYOR AND COUNCIL
OCT. 1st, 1934.

Meeting called to order at 8:00 P.M.

Those present were Mayor Lewton, Councilmen Conger, Orcutt, Remsen and Sherburne.

Mr. Orcutt of the Joint Committees of Fire and Ordinance and Judiciary, stated that Mr. Taft and himself, Mr. Conger, the other member of the Committee, being unable to attend due to a former engagement, had a meeting with the Trustees of the Volunteer Fire Department, to lay before the said Trustees the report of the Joint Committees, which had been approved by the Mayor and Council in Special Meeting on Sept. 25th, 1934.

Mr. Orcutt stated that the matter had been gone over fully, and discussed freely with the Trustees, and that the following amendments had been made to the report, subject to the sanction of the Mayor and Council:--

In paragraph numbered "1", after the word "purposes",ⁱⁿ 5th line, the following was inserted, "As more particularly described in paragraph numbered two (2) hereof".

In paragraph numbered "2", in 4th line, after the word "thereof", the following was inserted. "Together with the proper maintenance and operation of the Fire Department Building".

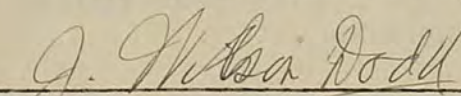
In paragraph numbered "4", in the 4th line, after the word "purposes", the following was inserted. "As set forth in paragraph numbered two (2) hereof".

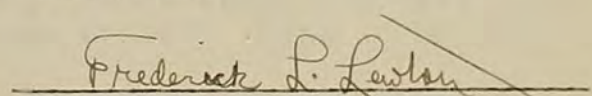
Paragraph numbered "6" was replaced in its entirety by the following:--

"That the Volunteer Fire Department agree with the Town that it will set aside, reserve and allocate the free use of said Community Hall on each Saturday evening as a community center for all civic and semi-public meetings, including meetings of the Fire Department, as shall be approved by the Mayor, to the end that said Community Hall shall be used exclusively as a civic center on each Saturday evening".

Mr. Orcutt moved that the Joint Committees be authorized to submit the amended sections to the Trustees of the Fire Department for their consideration and approval. Motion seconded by Mr. Remsen and approved.

On motion Council adjourned at 9:15 P.M.


Clerk.


Mayor.

SPECIAL MEETING
MAYOR AND COUNCIL
OCT. 6-1934.

Meeting called to order at 7:15 P.M.

Those present were Mayor Lewton, Councilmen Adams, Conger, Orcutt and Sherburne.

Meeting called at the request of the Finance Committee to receive report of the Committee on the purchase of a site to house the equipment of the Supt. of Public Works.

Mr. Adams, Chairman of the Committee, stated that a meeting had been held with the owners of Parts of Lots 26 and 41, in Block 37, Gilberts Sub-Division, which property has been under consideration for some time. Mr. Adams stated that the owners had finally agreed to accept \$1500.00 for the land in question, including the buildings thereon, and offered same to the Town at that price.

After discussion of the matter, Mr. Adams moved that the Town accept the offer, and purchase this property at a price of \$1500.00, subject to the owners being able to give a good title, free from all encumbrances and leases, and providing the Town can have assurance that same can be used for the purpose of housing the equipment of the Supt. of Public Works. Motion seconded by Mr. Conger and approved.

Mayor Lewton spoke to the Council about the Bank Deposit Insurance, and stated that he thought this matter should be looked into, in order that the Town deposits may be fully protected, and on motion, duly seconded and approved, the Chairman of the Finance Committee was instructed to look into this matter and make a report back to Council.

The Clerk read a letter from Justice of the Peace, A. L. Wilson to the Mayor and Council, in regard to the release of one Remus Johnson from the Town Police Station, without the proper authority to do so. A report on the matter by Police Lt. Davis was also read by the Clerk, and after discussion Mr. Conger moved that the matter be referred to the Police Comm. for investigation with power to act. Motion seconded by Mr. Adams and approved.

Mayor Lewton stated that Prof. Bliss had called him on the telephone, and asked that Mr. A. B. Joseph be re-appointed as a Special Officer for the Town to cover the Bliss School premises. Mayor Lewton advised the Council that he had sworn Mr. Joseph in as a temporary appointment. Mr. Sherburne then moved that Mr. A. B. Joseph be appointed as a Special Officer to cover the Bliss School premises for the fiscal year ending June 30th, 1935. Motion seconded and approved.

Mayor Lewton stated that the list of Delegates sent to the Montgomery County Civic Federation for this year were Mr. A. L. Conger, Dr. C. C. Galloway and Frederick L. Lewton, and the Alternates named were Mr. Jno. R. Adams, Mr. Roy Potts and J. Wilson Dodd. Mayor Lewton called attention to the fact that the next meeting of the Federation would be on Monday evening, Oct. 8th.

Letter was read by Mayor Lewton from Mr. Edgar Reed, Acting Chairman, for a group of representatives from each incorporated Town and Special Tax area in Montgomery County, who are making a study of the distribution of the Road Gas Tax. Mr. Reed listed the names of a sub-Committee of five which he had appointed to further discuss proposed legislation in this regard, and asked that each Town and Special Tax area make a study of this matter and suggest a favored plan for the distribution of funds allotted to the Town and Special Tax areas.

A communication was read from Miss Margaret L. Halstick, Corresponding Secretary of the Takoma Park Parent Teachers Association, addressed to Mr. H. W. Orcutt, Chairman of the Civic Improvement Committee, expressing their appreciation to Mr. Orcutt for his letter of Sept. 24th, 1934, outlining the proposed agreement between the Montgomery County Board of Education and the Town Council, regarding the joint use by the School and the Town of the Town property located between Holly Avenue and the School on Philadelphia Avenue. The Association asked that this matter be expedited in order that proper play space may be made available at the earliest possible time.

On motion Council adjourned at 8:15 P.M.

J. Wilson Dodd

Clerk.

Frederick L. Lewton

Mayor.

REGULAR MEETING
MAYOR AND COUNCIL
OCT. 15th, 1934.

Meeting called to order at 8:00 P.M.

Those present were Mayor Lewton, Councilmen Adams, Conger, Orcutt, Sherburne and Taft.

Minutes of the Regular Meeting of Sept. 17th, and Special Meetings of Sept. 25th, Oct. 1st and 6th, were read and approved.

Financial Statement for the month of September was read by the Treasurer, and approved, as follows:--

RECEIPTS:-

General Taxes-----	\$1,978.83	
Less Discounts-----	47.72	\$1,933.11
Interest and penalties-----		185.15
Charges-----		22.00
Special Assessments-----		350.15
Building Permits-----		12.00
Electric Permits-----		11.00
Excavation Permits-----		6.00
Dog Tax-----		5.75
Vendors Permits-----		4.00
State Roads Commission for right of way across Playground-----		2,000.00
Sale of 4 copies of Town Charter-----		1.00
Fines-----		12.50
Tax Sale Redemption-----		27.77
Total-----		<u>\$4,568.43</u>

BANK STATEMENT

GENERAL ACCOUNT

Aug. 31st - on hand Citizens Bank	\$ 2,132.51	
Deposits in Sept.	145.11	
Sept. 30th- On hand		<u>\$2,277.62</u>

Aug. 31st - On hand Takoma Park Bank	16,400.02	
Deposits in Sept.	4,423.32	
	<u>20,823.34</u>	
Withdrawn in Sept.	3,810.11	
Sept. 30th - On hand		<u>17,013.23</u>
Sept. 30th - On hand both banks		<u>\$19,290.85</u>

SAVINGS ACCOUNT

Aug. 31st - On hand Takoma Park Bank	1,900.61	
No deposits in Sept.		1,900.61
Aug. 31st - On hand Citizens Bank	11,934.14	
No deposits in Sept.		<u>11,934.14</u>
Sept. 30th - On hand both banks		<u>\$13,834.75</u>
Sept. 30th - On hand both Gen. & Sav. Accts.		<u>\$33,125.60</u>

DISBURSEMENTS:-STREETS:

Labor	495.65	
Material	15.30	
Gas-Oil-Auto Upkeep-Tools, etc.	<u>148.76</u>	\$ 613.71

SERVICE:

Trash-Labor	75.15	
Garbage-Labor	170.00	
Gas-oil-auto upkeep-Sup.	44.07	
Street Lights	<u>488.06</u>	777.28

POLICE:-

Salaries	540.00	
Clothing Allowance	50.00	
Telephones and Supplies	26.00	
Gas-Oil-Auto Upkeep-Lights	95.00	
New Station Expense	245.53	
Equipment	<u>21.25</u>	977.78

OFFICE:-

Salaries	450.00	
Telephones-Supplies-Misc. Exp.	<u>83.30</u>	533.30

PARKS AND PLAYGROUNDS:-

Salaries	112.50	
Labor	46.80	
Misc. Expense	<u>8.40</u>	167.70

MISCELLANEOUS:-

Mat.Labor-Cedar Ave. Culvert	599.79	
Recording fees-----	3.00	
2 Photos.(Condemned Houses)	3.00	
Dog Impounding Expense	19.65	
Sal.J.P.Mont. & Pr.Geo.Counties	60.00	
Rental	<u>55.00</u>	<u>740.34</u>

Total Disbursements for Sept. \$3,810.11

Bills in amount of \$2613.66 were presented by the Finance Committee and approved for payment.

COMMUNICATIONS:-

Letter from Jno. A. Mikesell, owner of property at 251 Maple Ave., in regard to drainage condition at Valley View and Maple Avenues. Referred to Street Committee.

Letter from Mr. H. F. Taff, President, Takoma Park Bank, in regard to broken and uneven condition of sidewalk in front of Takoma Park Bank, along Carroll Ave., Referred to Street Committee.

Petition from property owners requesting curb and gutter on the West side of Maple Ave. starting from Flower Ave., and running South. To Street Committee.

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Letter from W. E. Martin, Chairman of Blair-Takoma P.T.A. and the Blair Citizens Assn., Roads and Grounds Committee, in regard to having Chicago Ave. widened and sidewalks installed. Also in regard to having Takoma Ave. from Phila. Avenue, North, repaired. Referred to Street Committee.

Mr. Martin personally appeared before the Council, and stated he would appreciate anything the Town could do on either of these projects.

Dr. Llewellyn Jordan addressed the Mayor and Council and requested that they cooperate with the Maryland and District Officials in beautifying the triangle park at Piney Branch underpass. Dr. Jordan also stated that there was still a balance of \$48,121., which might be made available for this purpose. Dr. Jordan advised that the plans for grading did not contemplate the construction of a sidewalk to circle the park abutting on Takoma Ave., and stated that Mr. Remsen had indicated as a personal preference that a sidewalk approach from that side should be provided. Mayor Lewton advised Dr. Jordan that he thought this matter was one for the Civic Improvement Committee to take under advisement.

Mr. Irvin Johnson addressed the Mayor and Council in regard to the storm sewer on Cedar Ave., and asked that some action be taken immediately on the paving of Cedar Ave., and that some tar or oil be placed on the street immediately to relieve the dust condition.

Mr. H. S. Heffner, President of the Takoma Park Vol. Fire Department, called attention to the scarcity of fire hydrants on Ridge, Geneve and Oswego Avenues, and asked the Council to lend their efforts in this matter in order that the people in that section may have ample protection. Mr. Heffner also called attention to a septic tank still in use just below Ethan Allen Ave., and suggested that a sewer line be installed to eliminate this condition.

Dr. Jordan inquired as to the completion of the work around the Baltimore Avenue Spring, and was advised by Mr. Orcutt, of the Civic Improvement Committee, that same would be given attention as soon as it was possible to get to it.

FINANCE COMMITTEE:- Mr. Adams, Chairman, made a report on the Federal Bank Deposit Insurance, and stated that he had learned that regardless of the number of accounts a depositor had in the bank, that the amount of recovery would be \$5000.00 to any one depositor. Mr. Adams suggested that the surplus funds could be kept in the vault, or could be converted into bonds, or that it might be deposited in other banks, but advised that the only two banks in the corporate limits of the Town were being used now for the deposit of Town funds. Mr. Adams stated, however, that he would make it a point to look into the matter of personally insuring the Town accounts.

Mr. Adams laid before the Council report of the D. N. Burnham Co., Auditors, covering annual audit of the books of the Town Clerk and Treasurer for the fiscal year ending June 30th, 1934. Mr. Adams stated, that taking into consideration the unpaid balances remaining on the books at the close of the year, and the amount collected during the fiscal year by the Clerk and Treasurer, showed an amount of \$1.21 over the accountability of the Clerk and Treasurer.

FIRE AND LIGHTS COMMITTEE:- Mr. Conger, Chairman, gave a summary of the activities of the Fire Dept. during the past month.

Mr. Conger recommended and moved that a street light be placed in front of the Prince Georges County Elementary School, Pole 720187, and also a street light on pole at the corner of Lake and Poplar Ave. Motion seconded by Mr. Sherburne and approved.

Committee reported that no further meeting had been held by the joint Committees of Fire and Light and Judiciary on the Fire Department matter, since the last Council meeting, and that no further action by the Fire Department Trustees had been reported to the Joint Committees.

POLICE COMMITTEE:- Mr. Sherburne, Chairman, presented to the Council testimony from Officer Lane, Lieut. Davis, Officer Chas. N. Thomsen and Justice of the Peace, A. L. Wilson, in connection with the release from the Town Station of one Remus Johnson, said testimony being on file in the Town Clerk's Office. Committee, after hearing the testimony of the witnesses, found that there is not sufficient evidence to warrant any action of a disciplinary nature against Officer Lane, and Justice Wilson has been advised accordingly.

Your Committee further reports, that actuated by a desire to secure the utmost cooperative assistance on the part of the Town Police Force in the due administration of Justice within the Town, and, at the same time, in order to effect a lawful procedure with respect to the detention of prisoners by the Town Police Force, Committee, under the power conferred by the vote of the Council, has instructed the Chief Police Officer of the Town to advise the Town Police Officers that they should not detain the Town Jail any prisoner, after conviction and sentence, except upon proper commitment papers issued by the Court, and also to instruct the Town Police Officers not to permit the release of any prisoner, either before or after conviction, except upon proper order from the Court having jurisdiction, or upon the order of the Chief Police Officer, as the case may be within the jurisdiction of the Court or of the Chief Police Officer, respectively, according to the circumstances of the particular case. Your Committee has notified Justice Wilson of these instructions, and has respectfully requested Justice Wilson, upon the conviction and sentence of a defendant prosecuted by any Town police officer, to issue to the officer in question appropriate commitment papers for the lawful confinement of such defendant.

Mr. Sherburne gave a detailed statement of the activities of the Police Department during the period from Sept. 15th to Oct. 14th, 1934, and also recommended the purchase of four 6 ply casings for the Police Car, at a cost not to exceed \$41.00, and also the purchase of items as outlined in a memo by Lieut. Davis, as follows:--

- 1/2 Dqz. 40 watt light bulbs
- 1 pencils #2 lead
- 1 Shade for drop light over desk
- 1 Wall Clock
- 1 Blackjack for Sgt. Thomas
- 100 File envelopes(letter size)
- 1 Blackjack for Officer Thomsen
- 1 Pr. Handcuffs for Officer Thomsen
- 1 Rubber Raincoat for Officer Thomsen
- 1 Overcoat for Officer Thomsen.

Mr. Sherburne moved the purchase of the four tires for the Police car at a cost not to exceed \$41.00. Motion seconded by Mr. Orcutt and approved.

Mr. Sherburne moved the purchase of the items as listed by Lieut. Davis. Motion seconded by Mr. Adams and approved.

Mr. Sherburne stated that Lieut. Davis had reported to Committee that a dangerous condition exists at the intersection of Laurel and Carroll Avenues in the day time, on the West side of Carroll Avenue from the corner to the alley, and in front of the American Stores and the Electric Maid Bakery, due to large trucks parking abreast while loading and unloading. Lieut. Davis recommended as a remedy for same that "No Parking from 8 A.M. to 6 P.M." signs be placed at this point, and Mr. Sherburne moved the adoption of the recommendation.

Mr. Jno. W. Coffman, addressed the Council, and stated that he thought a little closer police supervision, particularly with regard to cars parking right on the curve, which is not permissible, would help matters, and do away with additional parking regulations.

After discussion of the matter by the Mayor and Council, Mr. Orcutt seconded the motion made by Mr. Sherburne, and same was approved.

Mr. Sherburne stated that he has recently had numerous complaints and letters regarding the traffic situation at Elm and Carroll Ave. intersection, especially regarding the parking of cars on both sides of Elm Avenue, and asked the members of the Council to look into this situation and be prepared to go into same fully at the next meeting.

CIVIC IMPROVEMENT COMMITTEE:- Mr. Orcutt, Chairman, stated that he had no regular report to make, but advised Council that he had received a letter from Mr. D. C. Adamson, Playgrounds Supervisor, in regard to the estimated cost for the improvement of the property designated for the new playground, which conveyed the information that a space 100 yards square could be graded and levelled off for approximately \$4500.00. Mr. Orcutt stated that Mr. Robb, District Playgrounds Engineer, had advised him that this space would be ample for a baseball field, and all other playground space needed at the present time. Mr. Orcutt advised that he did not have a plan or profile at the present time, but that Mr. Adamson had promised to get same into his hands in a few days.

Mr. Orcutt called to the attention of the Council the fact that the Flag at the Prince Georges County Elementary School was a very small one, and stated that he thought it would be a good idea to furnish a larger flag to be used at this school. After considerable discussion, Mr. Conger moved that the Chairman of the Civic Improvement Committee be directed to write a letter to the School Board of Prince Georges County to ascertain whether they could not remedy this situation. Motion seconded by Mr. Adams and approved.

STREET COMMITTEE:-- Mr. Sherburne, in the absence of Mr. Remsen, Chairman, reported sidewalks on Willow Ave. of about 180 ft. were relaid on account of low grade. Culvert on Cedar Ave. running through Mr. Papot's property, approximately 35 ft. has been reconstructed by the Town forces. Considerable work done on Lincoln Ave. west of Carroll Ave. in the shape of constructing a curb and gutter from broken concrete, and more will be constructed as concrete becomes available.

With reference to the drainage system on the Spear property on Valley View Ave. considerable consideration has been given by the Street Committee and the Supt. of Public Works. It was found that the drain or storm sewer under or on the Spear property was constructed by the developer of that particular section, and at that time was considered to be of sufficient size and dimensions. This, of course, was about twelve years ago, when many streets in that section were unpaved and many lots had no houses on, and consequently the flow of water was very much retarded and the storm sewer answered the purpose, but now with all the streets in the area having been paved and lots no longer wooded, the flow of water is very much more rapid, causing the above mentioned storm sewer to overflow at practically every heavy rain. The only remedy for this condition is an enlargement of the sewer.

Committee reports that cracks in cement or concrete streets are now being filled again with asphalt prior to the cold weather setting in. Ash collection was commenced on the 11th of the month, and will be carried on weekly during the winter season. House or property owners are requested to keep the ashes as free from glass, nails and cans as possible, as the ashes are being used for fills on unimproved or dirt streets.

East-West Highway construction is progressing more rapidly now, and by the middle of next month should be completed entirely. Takoma Ave., which is being paved by a Baltimore Contractor, and should be ready for use by the end of the month.

Mr. Conger inquired of Supt. of Public Works, Fischer, if he had any recommendation to make as to the extension of the storm sewer under Dogwood Avenue. Maj. Fischer advised that this storm sewer situation could be taken care of by the construction of approximately 50 ft. of Culvert.

Mr. Conger moved that the matter be referred to the Finance Committee for report as to available funds. Mr. Adams asked that the motion be amended to refer same to the Street Committee along with the Finance Committee. Amendment accepted and motion seconded and approved.

In connection with the storm sewer situation at Valley View Avenue, Mr. Sherburne inquired whether the facilities of the culvert under Phila. Ave., and under the playground, would be ample to take care of the additional water coming down through Valley View Avenue, if the Valley View Ave. culvert was enlarged. Supt. of Public Works, Fischer, advised that this could be taken care of.

Mr. Orcutt advised that he had witness the conditions at Valley View Avenue during one of the heavy rain storms, and was of the opinion that some relief should be given in this section.

Mr. Orcutt moved that the Valley View Ave. matter be referred to the joint committees of Finance and Streets to consider, in connection with the Dogwood Avenue Culvert, as to cost and financing of an appropriate remedy, and report back with recommendations to the Council. Motion seconded by Mr. Sherburne and approved.

Mr. Orcutt stated that the recent investigation by the Police Committee brought forth the necessity of some regulations for the governing of the Police Department, and advised that proposed regulations had been drafted by Chief Police Officer Davis, and copies given to members of the Council for study, and Mr. Orcutt moved that the regulations as proposed by the Chief Police Officer be referred to the joint Committees of Police and Ordinance and Judiciary for study and recommendations. Motion seconded by Mr. Adams and approved.

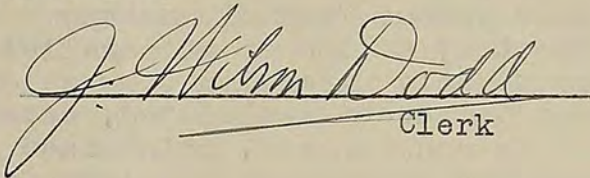
Mayor Lewton stated that he had some 'phone calls in regard to the dismissal of one of the employes from the Garbage truck, and asked Supt. of Public Works Fischer, for some information in regard to same. Supt. of Public Works Fischer advised that he had received a number of complaints about this employe, and that he had not been discharged, but had

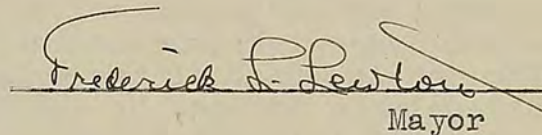
been relieved as garbage collector, and put on the street force as a laborer.

Mr. Adams, Chairman of the Finance Committee, presented a communication from the Hartford Indemnity Company, requesting that the Council, by vote, cancel the bond of the Town Clerk and Treasurer, which expired on Sept. 24th, 1934, and Mr. Adams moved that this bond be cancelled, and the Hartford Indemnity Company so advised. Motion seconded by Mr. Conger and approved.

Mayor Lewton stated that he, along with other Town Delegates, had attended the last meeting of the Montgomery County Civic Federation, and made a brief report on the meeting.

There being no further business Council adjourned at 10:35 P.M.


Clerk


Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
OCT. 20th, 1934.

Meeting called to order at 7:00 P.M.

Those present were Mayor Lewton, Councilmen Adams, Conger, Orcutt, Sherburne and Taft.

Supt. of Montgomery County Schools, Dr. Edwin W. Broome, District Playgrounds Engineer, Mr. Robb, Town Playground Supervisor, Mr. D. C. Adamson, and Supt. of Public Works, Fischer, met with the Mayor and Council.

Mayor Lewton stated that the meeting was called for the purpose of making final plans for the converting of the 3½ acre tract of land at the Corner of Philadelphia and Holly Avenues into a Municipal Playground.

Plan and profile was laid before Council and the matter discussed at length, and Mr. Orcutt, Chairman of the Civic Improvement Committee, presented, and moved the adoption of the following Ordinance:-

ORDINANCE NO. 840-5318

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND, THAT THE FOLLOWING ORDINANCE BE AND THE SAME IS HEREBY ADOPTED AND PASSED:--

Section 1. That the Council of the Town of Takoma Park,

Maryland, is of the opinion and hereby adjudges and determines that the public convenience, necessity, comfort and health require that a public playground be laid out, constructed, established, equipped and maintained in and upon the hereinafter described portion of that parcel of land, owned by said Town, situated at the Northeastly corner of Holly and Philadelphia Avenues, in said Town of Takoma Park, which is bounded on the Northwest by said Holly Avenue; on the Northeast by Park Avenue extended, or by land of owners unknown; on the Southeast by the Takoma Park Elementary School lot; and on the Southwest by said Philadelphia Avenue, and containing three and one-half acres of land, more or less.

Section 2. That all of the hereinafter described portion of said parcel of land, owned by the Town, described in Section 1 hereof, to wit: all of that certain parcel of land substantially bounded on the Northwest by said Holly Avenue; on the Northeast by said Park Avenue extended, or by land of owners unknown; on the Southeast by the said Takoma Park Elementary School House lot; and on the Southwest by a line drawn parallel with and 150 feet distance in a Northeastly direction from said Philadelphia Avenue, be and the same is hereby designated, established and laid out as and for, and be constructed, maintained and equipped as, a public playground for the use of the inhabitants of the Town; and, subject to the full performance of the conditions set forth in Section 3 hereof, it is hereby ordered and ordained that the said public playground herein described and established be laid out, constructed and developed by causing the hereinbefore described parcel of land to be properly levelled, graded, filled, worked and developed, in accordance with the plan, profile and specifications on file in the office of the Town Clerk, and at the grade herein designated, so as to render the same adaptable for use of such playground; and it is hereby determined and declared that the estimated cost of said work of so laying out, establishing, constructing and equipping said playground as aforesaid in the sum of \$5500.00.

Section 3. That, upon the payment to the Town of Takoma Park by the Board of Education of Montgomery County, State of Maryland, of the sum of \$4000.00, the said sum to be applied towards the cost of the said laying out, construction, establishing, equipment and maintaining of said public playground, the said public playground, when completed, shall be devoted, jointly with its use as such public playground for the use of the inhabitants of said Town, also to be used as a school playground for said Takoma Park Elementary School, and that, upon the condition precedent that said Board of Education shall make said payment to the said Town as aforesaid, and before the letting of the contract or contracts by the Town for said work, and in consideration thereof, but not otherwise, the said Board of Education shall have the right and authority to use said public playground, jointly with its use by the inhabitants of said Town as a public playground, as a school playground for the use of said Takoma Park Elementary School, in accordance with such contract as shall be mutually entered into by and between said Town and said Board of Education.

Section 4. That two weeks notice be given by the Town Clerk, by posting or causing to be posted in at least five conspicuous places in the Town of Takoma Park for a period of two weeks before Nov. 8th, 1934, and by publishing or causing to be published twice during that period in both the Takoma Journal and the Washington Evening Star, a notice that, on Nov. 8th, 1934, at eight (8) o'clock P.M., at the office of the Town Clerk, in the Citizens Bank Building, Takoma Park, Maryland, bids will be received by the Council for said work, the same to be fully performed and completed on or before Dec. 31st, 1934; and the Council hereby reserves the right, in its discretion, to reject any and all bids, and to let the contract for said work as, in its judgment, the interests of said Town may require.

Section 5. That the said sum of \$4000.00, when paid over to the Town as aforesaid by the said Board of Education, together with the sum of \$2000.00, heretofore paid by the State Highway Commission to the Town for a right of way across the existing Town Playground, be and the same is hereby appropriated to pay for the laying out, construction, establishment, equipment and maintenance of said playground.

Mr. Adams seconded the adopting of this Ordinance, and same was adopted and passed by an Aye and Nay vote. Voting Aye:- Mayor Lewton, Councilmen Adams, Conger, Orcutt and Taft. Voting Nay;- None. (Mr. Sherburne having left the meeting before voting on this Ordinance, due to a previous engagement.)

Mr. Orcutt moved that Mr. C. E. Robb be employed as Consulting Engineer in the Holly Avenue Playground, and that he be paid out of the appropriation for that playground three per cent.(3%) of the contract price for said services. Motion seconded by Mr. Adams and approved.

On motion Council adjourned at 9:00 P.M.

J. Wilson Dodd
Clerk.

Frederick L. Lewton
Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
Oct. 25, 1934.

Meeting called to order at 7:00 P.M.

Those present were Mayor Lewton, Councilmen Adams, Conger, Orcutt, Sherburne and Taft.

Meeting called at the request of the Street Committee for the purpose of considering the installation of storm sewer pipe on Baltimore Avenue, over lots 3 and 4 in Block 72-B, T.P.L & T Sub-Division.

Mr. Sherburne, acting Chairman of the Street Committee, recommended that this pipe be installed, and if the Council opposed the installation of same, that it go on record with an Ordinance, giving the Town the right to govern water courses in the Town, and to prosecute any person or persons, who would in any way prevent the flow of water in any natural water course.

After a lengthy discussion of the matter, Mr. Sherburne moved that a storm pipe, connecting with the existing storm sewer on Baltimore Avenue extended, be laid parallel with Baltimore Avenue, toward New York Avenue, in front of Lots 3 and 4 in Block 72-B, T.P.L & T. Sub-Division, a distance of 100', at a cost of approximately \$157.00, provided, however, that the owners shall first grant proper easements. Motion seconded by Mr. Conger.

Mr. Orcutt at this time, stated that he would be compelled to vote against the motion, first, because he saw no necessity for the construction of this drain comperable to the necessity which exists for other drains that have been asked for, like the drain through Dr. Spear's property at Valley View Avenue, and other similar drains throughout the Town, which conditions have existed for a longer period of time prior to the existence of the alleged necessity for the Baltimore Avenue drain. Secondly, because he thought it a dangerous precedent for the Council to set.

Mr. Sherburne inquired as to whether this precedent is being established at this time, or whether it has already been established by installation of drains of a like nature in the Town.

Mr. Conger stated that if a precedent to the contrary has been established, it is time that same be corrected.

Mr. Orcutt asked for a Yea and Nay vote on the motion of Mr. Sherburne, seconded by Mr. Conger, and on a Yea and Nay vote Motion was lost. Voting Yea, Mr. Sherburne. Voting Nay, Adams, Conger, Orcutt and Taft.

Matter of an Ordinance to prevent the filling in, or obstructing the flow of water in water courses in the Town, was discussed at length, and on motion the Council recessed at 8:10 P.M. for a short period, to permit the Ordinance and Judiciary Committee to draft an Ordinance covering this matter. Council reconvened at 8:35 P.M., and Mr. Orcutt, for the Ordinance and Judiciary Committee, presented and moved the adoption of the following Ordinance:--

ORDINANCE NO. ~~247~~ 5317

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF TAKOMA PARK, MARYIA ND, THAT THE FOLLOWING ORDINANCE BE AND THE SAME IS HEREBY ADOPTED AND PASSED:-

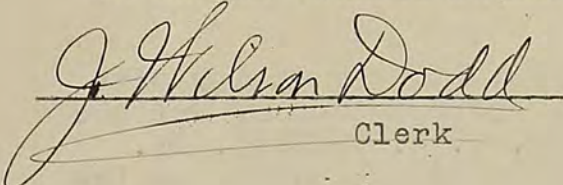
Section 1. No person shall deposit, or cause to be deposited, or place, or cause to be placed, any soil, rocks, refuse matter, or any other materials, matter or thing whatsoever, in or upon any drain, sewer, water course, water way, branch or stream, in the Town of Takoma Park.

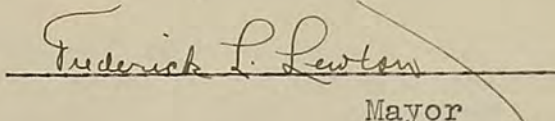
Section 2. No person shall deposit, or cause to be deposited, or place, or cause to be placed, any soil, rocks, refuse matter, or any other materials, matter, or thing whatsoever, in or upon any lot or lots adjacent to any drain, sewer, water course, water way, branch or stream, in the Town of Takoma Park, in such manner as to obstruct, or cause to be obstructed, or prevent, or cause to be prevented, or impede, or cause to be impeded the flow of, any such drain, sewer, water course, water way, branch or stream.

Section 3. Any person or corporation violating any provision of this Ordinance shall, upon conviction, be fined not exceeding Fifty(\$50.00) Dollars, and in default of the payment of such fine, shall be imprisoned for a period not to exceed thirty (30) days, or until such fine shall have been paid.

The adoption of this Ordinance was seconded by Mr. Conger, and on a Yea and Nay vote, same was adopted and passed. Voting Yea. Councilmen Adams, Conger, Orcutt, Sherburne and Taft. Voting Nay, None.

On motion Council adjourned at 8:50 P.M.


Clerk


Mayor