

SPECIAL MEETING
MAYOR AND COUNCIL
MAY 11, 1936

Meeting called to order at 8 P. M. Those present were the Mayor, Councilman Adams, Conger, Orcutt, Remsen, Sherburne and Taft.

Meeting called for the purpose of receiving the report of the Judges of Election covering the annual town election held on May 4th, 1936, for the election of a Mayor, Two Councilmen from the Montgomery County portion of the Town, and one Councilman from the Prince George's County section of the Town. The report of the Judges was as follows:-

Mayor and Council,
Takoma Park, Md.

Gentlemen:-- The undersigned, duly appointed and qualified as Judges of Election, have the honor to submit the following report with respect to the annual Town election held this date in the Takoma Park Volunteer Fire Department Bldg.

The Board Organized with the selection of Mrs. Rose Rutledge, Chairman, after having taken the perscribed Oath of Office before the Mayor. The polls were opened at the legal hour of 6 o'clock A.M. and were closed at the legal hour of 7 o'clock P.M.

The following person was voted on as Mayor, and received the number of votes set opposite his name:-
John R. Adams-----548.

The following persons were voted on as Councilmen from that portion of the Town lying in Montgomery County, and received the number of votes set opposite their respective names:-
Harold A. Axtell -- 509 - Fred C. Duehring -- 496.

The following person was voted on as Councilman from that portion of the Town lying in Prince George's County, and received the number of votes set opposite his name:-
Harold W. Orcutt ---481.

The total number of votes cast were --575.

It appears from the ballots cast that the following candidate was elected Mayor to serve for a term of two years from June 1st, 1936:-
John R. Adams.

It appears from the ballots cast that the following candidates received the highest number of votes, and were duly elected to serve as Councilmen from that portion of the Town lying in Montgomery County, to serve for a period of two years from June 1st, 1936:-
Harold A. Axtell -- Fred C. Duehring.

It appears from the ballots cast that the following candidate received the highest number of votes, and was duly elected to serve as Councilman from that portion of the Town lying in Prince George's County for a term of two years, beginning June 1st, 1936:-
Harold W. Orcutt.

Certificates of election in accordance with the results as above stated are herewith enclosed for delivery to the Mayor and Councilmen elect.

Very respectfully,
Rose Rutledge, Chairman
B. Shanks Chaney,
E. David Haas,
Judges.

Attest:-

Jno. W. Coffman, Jr.
Clerk.

Mr. Remsen moved that the report be received and approved. Motion seconded by Mr. Orcutt and approved.

Mr. Adams moved that the Election and Registration Officers be paid according to the usual rate of pay for these officials. Motion seconded by Mr. Conger and approved.

Mr. Remsen stated to Council that he had received a final report from Mr. Roland Jones, Engineer, in regard to the survey to locate the proper boundaries of Dogwood Avenue, and read the following report from Mr. Jones:-

"In accordance with instructions from the several Town Councilmen, I have marked the South West corner of Cedar and Dogwood Avenues. This corner has been located according to the distances on the recorded subdivisions and in company with Joseph Starkey and the survey was started from the District of Columbia Boundary line. As a result of this survey we find that the above mentioned corner lies 2.6 feet North of the marker placed by Mr. Jackson, (Surveyor) to designate the same corner.

Respectfully submitted,
Roland E. Jones."

After a lengthy discussion of the matter by Council, Mr. Remsen moved - That the report of Mr. Jones be accepted, and that when notarized separate copies of the survey notes as made by the survey parties, Mr. Roland E. Jones and Mr. Jos. N. Starkey, and signed by both surveyors, be filed with the minutes of this meeting, and that then Mrs. M. P. Dodge, and/or any other interested parties, be notified that the property lines as set forth on the plats on which Dogwood Avenue is supposedly a dedicated street of the Town of Takoma Park, are in error, and the Corporation Counsel be instructed to take such steps to procure from Mr. Williams and Pettys', and/or Dodges, or any other interested parties owning any interest to properties on the North and South sides of Dogwood Avenue, a release to the Town of Takoma Park of sufficient additional land to form a strip approximately 9 ft., or so much as is necessary, to make Dogwood

Avenue a 40 ft. street, and conforming to the survey of Mr. E. N. Jackson of the Williams property, and confirmed by Mr. Jones and Mr. Starkey.

In the event voluntary releases cannot be secured, without compensation, the Town Council will then take into consideration the question of abandonment of said Dogwood Avenue as now platted.

Mr. Sherburned seconded this motion, and same was unanimously approved by Council.

Mr. Orcutt called to the attention of Council the necessity of a recommendation to the Governor of the appointment of a Justice of the Peace for that District of Prince George's County, which includes a portion of the Town of Takoma Park, in view of the recent resignation of Robt. R. Miller the former Justice of the Peace. Mr. Orcutt stated that the Ordinance and Judiciary Committee, of which he is a member, met to discuss this matter, and desire to recommend the appointment of Mr. Jewell J. Adams of 48 Woodland Avenue, Takoma Park, Prince George's County.

After discussion of the matter Mr. Orcutt moved that the Council recommend to Governor Nice the appointment of Mr. Jewell J. Adams to fill the vacancy made by the resignation of Robt. R. Miller. Motion seconded by Mr. Taft and approved.

Mr. Taft of the Ordinance and Judiciary Committee, moved the adoption of the following Ordinance:--

ORDINANCE NO. 586.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND:--

Section 1. That the plat of re-subdivision of Lot 2, Block 72-B, T.P. & T. Sub-Division of Takoma Park, Montgomery County, Maryland, into lots 5 and 6, as submitted by Harry K. and Frederick P. Hobart, be and the same is hereby approved.

Mr. Orcutt seconded the adoption of this Ordinance, and same was adopted by a Yea and Nay Vote. Voting Yea, The Mayor, Councilmen Adams, Conger, Orcutt, Remsen, Sherburne and Taft. Voting Nay - none.

On motion Council adjourned at 11:30 P. M.

J. J. Adams

 Clerk

 Mayor

index

REGULAR MEETING
MAYOR AND COUNCIL
MAY 18, 1936

Meeting called to order at eight o'clock P.M.
Those present were the Mayor, Councilmen Adams, Conger,
Orcutt, Remsen, Sherburne and Taft.

Minutes of the regular meeting of April 20th and Special
Meeting of May 11th, were read and approved.

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

RECEIPTS:-

General taxes-----	\$ 752.47
Interest and penalties-----	75.30
Charges-----	97.00
Special Assessments-----	226.69
Building Permits-----	98.00
Electrical Permits-----	11.00
Excavation Permits-----	2.00
Dog Tax-----	34.25
Vendor Permits-----	3.50
Sidewalk Deposits-----	20.00
Fines-----	47.00
Garbage Collection-----	12.00
	<u>\$1,379.21</u>

BANK STATEMENT:-

GENERAL ACCOUNT

Mar. 31st - On hand Citizens Bank	\$ 1,670.64	
Deposits in April	1,195.27	
	<u>2,865.91</u>	
Withdrawn in April	211.71	
Apr. 30th - On hand		2,654.20
Mar. 31st - On hand Takoma Park Bank	8,275.19	
Deposits in April	183.94	
	<u>8,459.13</u>	
Withdrawn in April	3,476.40	
Apr. 30th - On hand		<u>4,982.73</u>
Apr. 30th - On hand both banks		<u>\$7,636.93</u>

REVOLVING FUND

Mar. 31st - On hand Takoma Park Bank	5,032.41	
No deposits in April		
Apr. 30th - On hand		5,032.41
Mar. 31st - On hand Citizens Bank	5,385.13	
No deposits in April		
Apr. 30th - On hand		<u>5,385.13</u>
Apr. 30th - On hand both banks		<u>\$10,417.54</u>

DISBURSEMENTS:-STREETS:

Labor	537.00	
Material	355.77	
Gas-Oil-Auto Upkeep	<u>129.49</u>	\$1,022.26

SERVICE:

Trash-Labor	103.70	
Garbage-Labor	180.00	
Gas-Oil-Auto Upkeep	82.02	
Street Lights	<u>519.57</u>	885.29

POLICE:-

Salaries	515.00	
Gas-Oil-Auto Upkeep	55.66	
Clothing Allowance	40.00	
Tels. Lights, Coal	50.03	
Misc. Supplies	<u>12.11</u>	672.80

OFFICE:-

Salaries	475.00	
Postage	4.85	
Tels. & Supplies	47.60	
Printing, Elec. Permit Book	<u>15.19</u>	542.64

PARKS AND PLAYGROUNDS:-

Labor-New Playground	<u>21.10</u>	21.10
----------------------	--------------	-------

ASSESSABLE IMPROVEMENTS:-

Heather Ave. Curb & Gutter	<u>214.80</u>	214.80
----------------------------	---------------	--------

MISCELLANEOUS:-

Recording Fees	2.25	
Library Assn.	150.00	
Tax Certificate Redemption	9.96	
Refund Sidewalk Deposit	10.00	
Dog Tax Expense	5.15	
Registration Expense	6.86	
Rental	55.00	
Pension-E.E.Blodgett	25.00	
J.P. Salary	50.00	
Bldg. Inspector Expense	<u>15.00</u>	<u>329.22</u>

Total		<u>\$3,688.11</u>
-------	--	-------------------

Bills in amount of \$1173.89 were presented by the Finance Committee and payment approved.

COMMUNICATIONS:-

From Murray G. Hooper, Chief Clerk, in reply to letter to Governor Harry W. Nice, in regard to the appointment of Mr. Jewell J. Adams, as J. P. for the Takoma Park District in Prince George's County.

From H.T. Main, President of the Takoma Park Boundary Citizens Assn, in regard to the improvement of Eastern Avenue, between Laurel Ave. and New Hampshire Avenue, and improvement of New Hampshire Avenue, within the State of Maryland. The matter of the Eastern Avenue improvement

was referred to the Street Committee, and the New Hampshire Avenue improvement referred to the Special Committee on this project.

From Maj. E. W. Brown, of the Metropolitan Police Dept. of the District of Columbia, expressing appreciation for the cooperation of the Takoma Park Police in the investigation and prosecution of several negroes in connection with unauthorized use of an automobile. Referred to Police Comm.

From Iva M. White, Secretary of Takoma Park Womens Club, asking the Town to continue financial aid to the Takoma Park, Maryland Library. Referred to Library Committee.

From Mrs. F. S. Harris, Cor. Secretary of the Community League, requesting the Mayor and Council to include appropriation in the new budget for the Takoma Park, Maryland, Library Assn. Referred to Library Comm.

From Julius W. Coffman, owner, and E. Metcalf, Tenant, in regard to the dusty condition of Holly Ave. Referred to Street Committee.

At this time Mayor Lewton stated that the evening had been set aside for a hearing on the paving of Lee Avenue, from Carroll Avenue to Hancock Avenue. No property owner appeared before the Council either in favor of or opposed to this improvement.

Mayor Lewton also stated that the evening had been set aside for the hearing of complaints from property owners whose assessment had been increased due to the construction of new improvements or additions thereto, or appeals for reductions of assessments already in effect. There were no appeals from the floor, but the following communications were read:-

From Mr. Wm. H. Hutton, requesting reduction in the assessment placed on his property at No. 16 Heather Avenue.

From Mr. R. L. Houston Jones, asking reduction in assessment on property recently purchased by him at 209 Cedar Avenue.

From Mr. H. H. Votaw, asking reduction in assessment on property recently constructed by him on Chaney Terrace on Lot 27, Block 49.

These communications were referred to the Finance Committee for investigation and recommendation.

Dr. Llewellyn Jordan addressed the Council in regard to the New Hampshire and Eastern Avenues improvements, and also suggested that it would be fitting that a resolution be passed by the Mayor and Council in connection with the recent death of Mr. Lloyd W. Biddle. Dr. Jordan also spoke in regard to the cutting of the grass and taking care of the small triangular park at Chestnut, Baltimore and Takoma Avenues.

Mr. Calvin Hassell addressed the Council and commended very highly the efforts of Mr. Roy C. Frye, Building Inspector, to strictly enforce the Building Regulations in Takoma Park, and also stated that it would be fitting to send a copy of resolution as suggested by Dr. Jordan, to Mrs. Biddle.

Mr. Harry Dodge and Dr. Jordan also addressed the Council in connection with the action of Council regarding the Dogwood Ave. survey.

FINANCE COMMITTEE:- Mr. Adams, stated that Mr. Lloyd Biddle was formerly a member of this Council, and thought it fitting that a Resolution be spread on the minutes of this meeting, and offered the following:-

WHEREAS, Lloyd W. Biddle, long a resident of Takoma Park, Maryland, and formerly a member of this Town Council, having passed away on May 15th, 1936,

THEREFORE, BE IT RESOLVED, that the Mayor and Council regret the passing of this public spirited citizen and former associate; that a record of this Resolution be spread on the minutes of this meeting; and that a copy be sent to the bereaved family of the deceased.

Mr. Adams moved the adoption of this resolution, and upon being seconded by Mr. Conger, same was adopted.

Mr. Adams also read a financial report from the Takoma Park Volunteer Fire Department, and the Takoma Park, Maryland, Library Association, which were ordered received and filed.

FIRE AND LIGHTS COMMITTEE:- Mr. Conger, Chairman, stated that he had nothing to report from his Committee, but desired to extend at this time an invitation to the Mayor and Council to attend the first anniversary meeting of the Takoma Park, Maryland, Library Association, to be held at the Library on Saturday evening at eight o'clock, May 23rd, 1936.

POLICE COMMITTEE:- Mr. Sherburne, Chairman, presented a consolidated monthly report of the activities of the Police Department for the past month. Mr. Sherburne stated ~~stated~~ that Mr. Edw. Steers, who was serving on a temporary appointment at the Police Station as Desk Clerk, had now become a resident of the Town, and moved that his appointment be made permanent. Motion seconded by Mr. Orcutt and approved.

Mr. Sherburne stated that he had received information and bids on the erection of traffic lights at the intersection of Laurel and Carroll Avenues, which he would leave for the incoming Council to consider. Mr. Sherburne stated that he believed the layout as suggested would very nicely take care of the traffic situation at this point. Mayor Lewton suggested this information be put into the hands of Councilman Conger.

Mr. Sherburne read applications for police appointment from Edw. Steers, Wm. M. Whalen and Ralph Harries, and these were referred to the Police Committee.

Mr. Sherburne read a letter from Mr. C. C. Pulver of the Washington Sanitarium requesting that Mr. Douglas Premier be made a special police officer for the Sanitarium Grounds in place of Mr. Russell, who had completed his work at that institution. On motion properly seconded, Mr. Premier was appointed as special police officer for the Sanitarium Grounds, and Chief Police Officer was instructed to make an appointment with Mr. Premier and take him to the Mayor to be sworn in.

CIVIC IMPROVEMENT COMMITTEE:- Mr. Orcutt, Chairman, in connection with the Boston Avenue Grading matter, referred to his Committee, and the offer of Mr. H. K. Hobart to dedicate lots 33 and 34, Block 72-A, to the Town, and reported that investigation had been made regarding this matter, and that Committee is of the opinion that, before the Town acts upon this offer to dedicate these two lots to the Town, the owner of the land should advise the Town as to the manner in which he proposed to treat the matter of drainage, as to whether he intends to leave it as an open water course, or to carry it through said land by means of a culvert. Committee recommended that Mr. Hobart be requested by the Town Clerk to fully advise the Town as to the above facts respecting this water course, in order that the Town may be in a position to know whether, if it accepts these lots, it will have to build a culvert through same, or make provisions for the maintenance of an open water course through said lots. In this recommendation the Chairman of the Street Committee concurs.

Committee has made a study of the request of the Secretary of the Young Men's Democratic Club for a report on the development of municipal tennis courts at the top of Spring Hill on Elm Avenue, near the corner of Hickory Avenue. This land was graded by P.W.A. workers, who worked on this project off and on for some three months and the ground was left by them, in a condition which is quite unsatisfactory and incomplete. The present grading has left this site with a distinct slope, so that more grading will be necessary in order to make a level surface, and as the surface is largely composed of rusty rock, it will have to be cleared of such rock and a proper surface will have to be placed thereon, before it can properly be used as tennis courts. There is ample room on this site for three tennis courts, but in its present incomplete and unsatisfactory condition, it is wholly unsuitable for tennis courts. As there is at present no funds available for the development of this project, Committee respectfully recommends that this matter be referred to the Committee on Civic Improvements of the New Council for further study and report as to what recommendation should be made as to the future treatment of this site when funds may be available therefor.

The petition of Robert L. McCary to rezone lots 35-38, both inclusive, in Block 54, Gilbert's Addition to Takoma Park on Kennebec Avenue from Residential "A" zone to Residential "B" zone, has been the subject of some study by Committee, and in accordance with the usual practice, a public hearing has been

called by Committee, for May 26th, 1936, and notices of the time and place of such hearing are being mailed to all of the owners of lots within said block. After such hearing, Committee will make due report to the Mayor and Council.

In reference to the complaint of Mrs. Mary F. Scheuch as to violation of zoning regulations at 1002 and 1001 Flower Avenue, Committee has turned this matter over to the Town Building Inspector for investigation and for appropriate action in the premises.

The communication of the Chairman of the Independence Day Celebration Committee for leave to use the Town Offices at the Citizens Bank Building as a place of meeting of said Committee, has been duly considered. Committee did not deem it advisable in the interest of the Town to recommend the use of the Town Offices, but secured a room for the meetings in the Maryland Library Building, and subsequently, after having found such room was not large enough, obtained the use of the Assembly Hall at the Fire Station. Committee respectfully recommends that the Mayor and Council endorse the work and aims of the Independence Day Celebration Committee and tender to said Committee, the support of the Town.

Mr. Adams moved the report of the Civic Improvement Comm. be adopted and the recommendations approved. Motion seconded by Mr. Sherburne and approved.

Mr. Orcutt stated that he was very much pleased to hear the statements made by Mr. Hassell in regard to the Building Inspector, and that he personally thought the Building Inspector had performed his duties in a very efficient manner.

ORDINANCE AND JUDICIARY COMMITTEE:- Mr. Taft, Chairman, offered the following Ordinance, and moved its adoption:-

ORDINANCE NO. 587

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND:-

Section 1. Prior to July 1st of each fiscal year, the Councilmen elect, together with the other members of the Council, whose terms of office have not expired, shall, immediately after the town election in May of that year, proceed to study the budgetary needs of the Town, and, upon the organization of the Council, which shall be on or before the first Monday in June following such election, prepare a tentative budget for the ensuing fiscal year, which budget shall be submitted to an open meeting of the taxpayers of the Town on or before June 15th, at which meeting the said proposed budget shall be

repealed by No. 689 (13, 182)

read, item by item, and any taxpayer shall be permitted to discuss the same, and after such submission, the Council shall in accordance with the provisions of Section 961-A of the Town Charter adopt the budget, with such changes as in its discretion are deemed necessary for the best interests of the Town. Said budget shall cover the estimated receipts and disbursements of the general revenues of the Town for the fiscal year beginning July first following its adoption, and shall include a carefully prepared and itemized estimate of town revenues from all known sources, including any balance unexpended in the general fund for the previous year.

Mr. Orcutt seconded the adoption of this Ordinance, and same was adopted by a Yea and Nay vote. Voting Yea, ^{The Mayor,} Councilmen Adams, Orcutt, Sherburne and Taft. Voting Nay, Councilman Conger. Not voting, Councilman Remsen.

Mayor Lewton at this time stated that some immediate action should be taken in the matter of recommendation to the Governor in connection with the appointment of a Police Judge for Takoma Park under the new Police Justice Bill just passed at the last Special Session of the General Assembly, same to be effective June 1st, 1936.

Mr. Taft of the Ordinance and Judiciary Comm. stated that the Committee had had a meeting but no definite action was taken.

Mr. Orcutt of this Committee stated that Committee would like to confer once more before any action is taken, and that a special meeting be held at an early date to dispose of the matter.

STREET COMMITTEE:- Mr. Remsen, Chairman, reported repairs to Streets during the past month; that a great deal of time had been spent cleaning up the mud on Philadelphia Avenue at the foot of Chestnut Avenue, this dirt having been washed down from Chestnut Avenue owing to the unimproved condition of this street.

Lee Avenue is being graded and widened, and that when the work is completed in its entirety, it is believed it will be satisfactory to the abutting property owners. In regard to the hearing held this evening in connection with the petition to pave this street, all owners having been notified in the manner as prescribed by the Town Charter, and as no protests were filed, either by letter or by personal appearance, the Street Comm. therefore, wishes to recommend that the question of paving this section of street, as described in Ordinance No. 580, be considered as approved, but because of lack of funds for new street work, it will be necessary to postpone this improvement until a later date, and Clerk is therefore advised to make note of this action, and bring up this question during the formulation of the budget for 1936-37.

The request of Howard E. Metcalf of 301 Phila. Ave. for relief from dust on Holly Avenue, has been noted. It is apparent that the Gas Company will lay mains through this street, and that it will be necessary for the Washington Sub. San. Comm. to extend sewer and water lines. As soon as these utilities

are completed, the Street Committee intends to scrape and oil the street and place slag on same throughout its unpaved length.

The copy of letter of the Takoma Park Boundary Citizens Assn. addressed to Col. D. I. Sultan, Engineer Commissioner of the District of Columbia, has been noted, and Committee calls attention of Council to the repeated inquiries of the Council of the same authorities; to the investigation and report of Mr. Grabill, which was adopted and forwarded with recommendations to all authorities in connection with the project, and by other motions and recommendations of the past years. However, Committee feels that the question of any manner of improvement of Eastern Avenue should always receive the support of Council, and recommends that a letter be written by the Clerk for Council calling attention to previous acts and recommendations, and in this letter voice a protest of any further delay in this improvement, and the Citizens Assn. advised of our action.

In reference to the letter from Mr. Jos. N. Starkey, presented to Council by Mr. Harry Dodge, Committee recommends that Mr. Starkey be requested to appear before Council, with his survey notes, with Mr. Roland E. Jones also present, in order that the facts in regard to the Dogwood Avenue line question can be definitely learned.

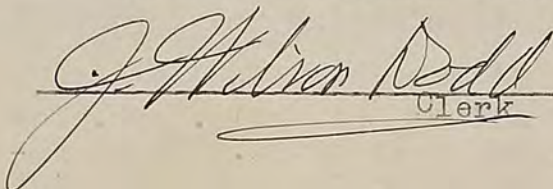
Mr. Adams moved the adoption of the report and the recommendations therein. Motion seconded by Mr. Sherburne and approved.

The matter of the triangular park at Chestnut and Baltimore, brought to attention of Council by Dr. Jordan, was discussed at length, and the Mayor called attention to the fact that the care of this park was supposedly under the jurisdiction of the Md. Nat. Capital Park and Planning Comm., and that the Town had no jurisdiction over same.

Quite a lengthy discussion arose as to the conveyance of the North Takoma Park Land by the Town to the Park and Planning Comm., which brought forth a motion from Mr. Orcutt that the Corporation Counsel be requested to investigate the present status of the North Takoma Park, particularly with the view of ascertaining whether the title to that park is in the Town or otherwise, and what rights have been given or granted to the Md. Nat. Capital Park and Planning Comm., and report his findings to the Mayor and Council. Motion seconded by Mr. Sherburne and approved.

On motion Council adjourned at 10:15 P. M.

Indexed


Clerk

Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
MAY 29th 1936

Meeting called to order at 8 o'clock P. M.

Those present were the Mayor, Councilmen Adams, Conger, Orcutt and Remsen.

The Mayor stated that this meeting had been called at the request of the Chairman of the Street Committee, Mr. Remsen, to further consider the Dogwood Avenue survey matter, and Chairman of the Street Committee reported as follows:--

The Street Committee wishes to refer to a recommendation made at the special meeting of May 11th, 1936, in regard to the definition of the South street line of Dogwood Avenue with respect to the intersection of this line with the West street line of Cedar Avenue. The Committee wishes to recall for members of the Council the fact that a brass plug had been placed at this intersection by Mr. Norman Jackson, as surveyor for the Town of Takoma Park. The Committee also wishes to recall that the location of this point was questioned by certain property holders on the North side of Dogwood Avenue, and they asked that a surveyor selected to represent them be given an opportunity to make a check survey to determine whether the brass marker had been placed correctly. These owners selected Mr. Joseph N. Starkey, a Surveyor and Civil Engineer, to represent their interests. It is apparent from a letter dated May 18th, and signed by Mr. Joseph N. Starkey, said letter having been read to Council by Mr. Harry Dodge, one of the interested parties, and said letter having been turned over to Council for study, that Mr. Starkey has so far found no evidence, nor established by survey, any new point that would set aside the brass marker as established by Mr. Jackson.

Therefore, as this brass marked established by the survey of Mr. Norman Jackson is the point first determined and accepted by Council, and as no other point has so far been established by interested property owners to warrant council changing its views in the matter, the street Committee wishes to have set aside the recommendations of the special meeting of May 11th, 1936, and also the recommendations of regular meeting of May 18th, 1936, pertaining to this matter, and to pass the new motion noted below. This should now be done because of the apparent delay of the owners' representative, Mr. Starkey, in producing proof of error by submitting survey notes to substantiate the contentions of the interested property owners North of the Dogwood Avenue intersection, and that from this point on burden of proof should rest entirely on these owners who did submit a letter without definite recommendations, and signed by their representative.

The new recommendation of the Street Committee is as follows:--
"That the Council wishes to go on record that the brass marker placed and established by Mr. Norman Jackson be considered as the marker necessary to define the Northeast corner of the Williams property with reference to the South boundary line of Dogwood Ave., and that this be the case until any interested property owners on

either or both sides of the street known as Dogwood Avenue can and do produce definite and undisputable proof in the form of survey notes, duly signed by a competent surveyor, acceptable to the Town, and whose signature has been duly notarized, and until this be done, that Mrs. M. P. Dodge, and/or any other interested parties, be notified that the property lines as set forth on the plats on which Dogwood Avenue is supposedly a dedicated street of the Town of Takoma Park, are in error, in that the South line of Dogwood Avenue as shown on plats referred to above projects into the Williams property as now established by said brass marker, and the Corporation Counsel be instructed to take such steps to procure from Mr. Williams and Petty's, and/or Dodges, or any other interested parties owning any interest to properties on the North and South sides of Dogwood Avenue, a release to the Town of Takoma Park of sufficient additional land to form a strip approximately 9 ft., or so much as is necessary, to make Dogwood Avenue a 40 ft. street, and conforming to the survey of Mr. Norman Jackson of the Williams property.

In the event voluntary releases cannot be secured, without compensation, the Town Council will then take into consideration the question of abandonment of said Dogwood Avenue as now platted".

After discussion of the matter Mr. Conger moved that the recommendations of the Street Committee as embodied in motion of May 11th, 1936, and motion of May 18th, 1936, be recinded. Motion seconded by Mr. Adams and approved.

Mr. Conger then moved the adoption of the report as noted above of the Street Committee, along with the motion embodied in same. Motion seconded by Mr. Adams and approved.

Mr. Orcutt, Chairman of the Civic Improvement Committee made a lengthy report on the application for re-zoning of lots 35, 36, 37 and 38, Block 54, from Residential "A" to Residential "B", said application having been made by Mr. Robt. L. McCary. Mr. Orcutt reported the matter fully investigated, and that Committee recommends to the Mayor and Council, that the Mayor and Council recommend to the Maryland National Capital Park and Planning Commission, that the said application be disapproved, and that a copy of the report of the Civic Improvement Committee, together with the action of the Mayor and Council thereon, be transmitted to the Maryland National Park and Planning Commission. (Report in full in Civic Improvement File)

Mr. Remsen moved the report and the recommendation be approved. Motion seconded by Mr. Conger and approved.

Mr. Orcutt of the Ordinance and Judiciary Committee, acting in the absence of the Chairman, Mr. Taft, offered the following Ordinance, and moved its adoption:-

ORDINANCE NO. 588

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND:--

Section 1. That the plat of subdivision of Lot 2, Block 98, Hodges Heights Section Two, Takoma Park, Montgomery County, Maryland, as submitted by Elinor Louise Hodges Judd and Dean Judd, be and the same is hereby approved.

Mr. Remsen seconded the adoption of this Ordinance and same was adopted on a Yea and Nay vote. Voting Yea, The Mayor, Councilman Adams, Conger, Orcutt and Remsen. Voting Nay, none.

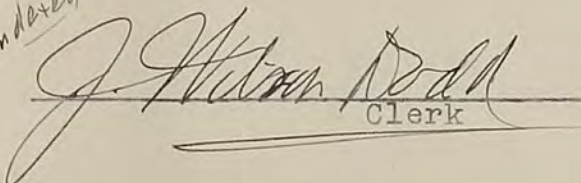
Letter of Mr. J. D. Shifflett, asking permission to keep ice and vegetable stand at 155 Carroll Ave., was laid before Council. Council moved that this was a matter that came within the jurisdiction of the zoning commission, and were not in a position to approve or disapprove this request, as the location was a residential and not a commercial zone, and that the conduct of this business at this location at the present was contrary to law.

Letter from Mrs. Chas. Leaman asking permission to plant Lombardy Poplar trees in front of her residence on Sherman Ave., was referred to the Civic Improvement Committee.

The matter of recommendation to the Governor in connection with the appointment of a Police Justice for Takoma Park, under authority of Chapter 139 passed at the special 1936 session of the General Assembly, was given consideration. The Council had two applications before them, one from Mr. Millward C. Taft and the other from Mr. Milton Whitney. After a lengthy discussion of the matter, Mr. Adams stated that in view of the fact that only two applications were before the Council, and that if Mr. Taft were appointed to this position, it would be necessary that he, Mr. Taft, resign from the Council. Mr. Adams further stated that as he was to assume the office of Mayor of Takoma Park on June 1st next, he believed that the loss of Mr. Taft as a Councilman would not be for the best interests of the Town, and that it would be a difficult matter to get a Councilman to take his place, and in view of these facts Mr. Adams moved that Mr. Milton Whitney be recommended to the Governor for appointment as Police Justice for the Town of Takoma Park. Motion seconded by Mr. Conger and approved.

On motion, duly seconded, and approved, Council adjourned at 9:50 P. M.

Indexed


Clerk

Mayor