

REGULAR MEETING
MAYOR AND COUNCIL
SEPT. 8th, 1941

Meeting called to order at eight o'clock P. M. Those present were Mayor Youngblood, Councilmen Harrigan, Heffner, Martin, Russell, Sidell and Taft.

Minutes of the Regular Meeting of August 11th, 1941 were read and approved.

Financial Statement for the month of August 1941 was presented by the Clerk and Treasurer and same was ordered filed as follows:

RECEIPTS

General Taxes-----	\$6,287.45	
Less Discounts-----	<u>211.07</u>	\$6,076.38
Interest and Penalties-----		44.28
Charges-----		6.75
Special Assessments-----		325.69
Building Permits-----		325.00
Electrical Permits-----		45.00
Dog Tax-----		7.50
Vendor Permit-----		1.00
Franchise Tax-----		7.75
Montgomery County Income Tax-----		2,200.00
Prince George's County Income Tax-----		220.00
Insurance Premium Refund-----		5.51
Montgomery County Police Telephone-----		12.00
" " Fines April and May----		<u>125.50</u>
		\$9,402.36

DISBURSEMENTS

STREETS: Labor			\$820.41	
Material			276.81	
Culvert - Material and Expense			915.26	
Resurfacing			473.00	
Gas-Oil-Auto Upkeep-Misc.Exp.			275.12	
Traffic Signs			<u>130.50</u>	\$2,891.10
SERVICE:				
Garbage: Salary			360.00	
Gas-Oil-Auto Upkeep			62.67	
Trash: Salary			360.00	
Gas-Oil-Auto Upkeep			38.01	
Disposal			88.00	
Street Lights			514.28	
Traffic Light Expense			<u>5.00</u>	1,427.96

DISBURSEMENTS CONTINUED

POLICE: Salaries	580.00	
Clothing Allowance	40.00	
Gas-Oil-Auto Upkeep	76.98	
Telephones	18.48	
Printing	6.50	
Misc. Supplies & Expense	<u>9.03</u>	730.99
OFFICE: Salaries	660.00	
Postage and Printing	10.75	
Telephones and Supplies	<u>45.15</u>	715.90
PARKS & PLAYGROUNDS:		
Salaries	400.00	
Labor	90.00	
Misc. Expense & Supplies	28.68	518.68
MISCELLANEOUS:		
Fire Department	2,000.00	
Library Association	210.00	
Dog Expense	7.00	
Municipal Bldg. Expense	20.35	
Bldg. Permit Expense	43.61	
Electrical Permit Expense	22.54	
Montgomery County Police Tele.	12.00	
Welfare Center Telephone	8.25	
Insurance	32.00	
Recording Fees	3.00	
Office Rent	55.00	
Compensation Corp. Counsel	50.00	
E. E. Blodgett Retirement	50.00	
Henry Fields "	25.00	
Bldg. Inspector Expense	<u>15.00</u>	2,553.75
		<u>\$8,838.38</u>

BANK STATEMENT:

GENERAL ACCOUNT

July 31st - On hand Citizens Bank	\$18,554.39	
Deposits in August	<u>8,656.54</u>	
	27,210.93	
Withdrawn in August	<u>6,048.24</u>	
Aug. 31st - On Hand		\$21,162.69
July 31st - On hand Sub. Nat'l T.P.	19,153.32	
Deposits in August	<u>745.82</u>	
	19,899.14	
Withdrawn in August	<u>2,790.14</u>	
Aug. 31st - On hand		17,109.00
July 31st - On hand Pr. Geo. Tr. Co.	2,000.00	
No deposits or withdrawals	<u> </u>	
August 31 - On hand		2,000.00
August 31st - On hand in all Banks		<u>\$40,271.69</u>

REVOLVING FUND

July 31st - On hand Sub. Nat'l T.P.	\$323.72	
No deposits or withdrawals		
Aug. 31st - On hand		323.72
July 31st - On hand Citizens Bank	14,540.00	
No deposits or withdrawals		
Aug. 31st - Onhand		<u>14,540.00</u>
Aug. 31st - On hand in all Banks		<u>\$14,863.72</u>

COMMUNICATIONS: Petition signed by ninety eight residents in the vicinity of Piney Branch Road and Philadelphia Avenue regarding traffic hazzard at this intersection. Referred to Municipal Service Committee.

Letter from Corporation Counsel D. D. Lamond, giving opinion as to the liability of the Town in connection with the claim of Stevens and Agey for damages in flooding June 13th and 14th, 1941, in which Corporation Counsel Lamond advised the Council that it was his opinion that the Town was performing a governmental function in its capacity as a Municipal Corporation, and that the Town was not liable. Referred to the Law and Ordinance Committee.

Petition signed by property owners on Elwyn Court requesting the construction of curb and gutter in Elwyn Court. Referred to the Municipal Works Committee.

Letter from John W. Thorpe, requesting permission to use the Town Taxicab Stand at Laurel and Eastern Avenues for his taxicab. Referred to the Municipal Service Committee.

Zoning Petition No. 455, J. Douglas Bradshaw, Agent, asking for reclassification from Residential "A" to Commercial "D", all of that unsubdivided parcel fronting on East-West Highway, lying between Lot 22, Block 108, Glaizewood Manor, and existing commercial property at north-west corner of the intersection of the East-West Highway and New Hampshire Avenue, and between Lots 3, 4 and 5, Block 108, Glaizewood Manor. Referred to the Civic Improvement and Education Committee.

Zoning Petition No. 456, J. Douglas Bradshaw, Agent, asking for reclassification from Residential "A" to Commercial "D", of part of Lots 11 and 12, Block 26, Gilbert's Subdivision, and acreage adjoining existing Commercial property at the south-west corner of the East-West Highway fronting 200 ft. on New Hampshire Avenue. Referred to the Civic Improvement and Education Committee.

Zoning Petition No. 454, Nick P. & Anna Bougades, owners, asking for reclassification from Residential "A" to Residential "C" of acreage having a frontage of 100 ft. along New Hampshire Avenue for a depth of 200 ft. and adjoining existing commercial property at the south-east corner of the intersection of the East-West Highway and New Hampshire Avenue. The Clerk advised the Council that the property asked for rezoning in this Petition was not within the Corporate limits of the Town of Takoma Park. This was referred to the Civic Improvement and Education Committee.

At this time Mayor Youngblood stated that the hearing as advertised in Ordinance No. 762 for the paving of Holly Avenue from the end of the present concrete to Philadelphia Avenue would be held, and invited all those interested to address the Council in connection with same. Mr. Egbert Walker, 303 Holly Ave., Mr. John C. Post, 231 Holly Ave., Mr. Melvin G. Cohee, 309 Holly Ave., Mr. Harry P. Graham, 305 Holly Ave., Mr. Robert T. Ailes, 311 Holly Ave., Mr. Geo. F. Jordon, 319 Holly Ave., Mr. H. P. Porter, 307 Holly Ave. and Mr. John Hicks, 227 Holly Ave. (Mr. Hicks recently purchased the property of Mr. P. S. Rodehaver), all spoke in favor of this paving. Mr. and Mrs. Paul A. Verick, owners of vacant lots on Holly Ave. spoke in opposition to the paving, and Mr. Harry Dodge appeared in behalf of Mrs. Margaret Petty Dodge and Harry Petty Dodge, owners of lots abutting this street, and voiced their opposition to this paving.

Mr. Egbert Walker inquired of the Council why it was not possible, or why the Town would not pave this street in the manner requested in the Petition, and at this time the Clerk was asked to read a letter which he had written to Mr. John C. Post, in which it was stated that it was the policy of the Town to make permanent improvements of this class with concrete, as the concrete street requires far less upkeep in the future than the bituminous surface street.

No other property owners appeared to speak for or against this improvement, and Mayor Youngblood declared the hearing closed, with the statement that same would be referred to the Municipal Works Committee for study and recommendation to the Council.

Mrs. Willard Normandy addressed Council and asked if a Health Officer had been appointed for the Town, and was advised by Mayor Youngblood that our former Health Officer was unable to serve and no other Officer had been appointed, due to the fact that we have not been able to find one who would be willing to accept same, and advised Mrs. Normandy that any health matter of a serious nature could be referred to Dr. V. L. Ellicott, head of the Montgomery Health Dept. at Rockville, Maryland.

FINANCE COMMITTEE: Bills in amount of \$2,582.49 were presented by the Finance Committee and payment of same approved.

MUNICIPAL SERVICE COMMITTEE: Councilman Harrigan, Chairman, moved the installation of the following 100 c.p. street lights:

- Pole 829731 - Devonshire Road
- " 830182 - Glaizewood Avenue
- " 829734 - Devonshire Road
- " 830180 - Glaizewood Avenue
- " 830179 - Larch Avenue
- " 830177 - "
- " 830175 - "
- " 724979 - Elm Avenue
- " 830173 - "
- " 725961 - Glenside Drive between Haverford Road and Wildwood Drive
- " 830470 - Glenside Drive near New Hampshire Ave.

Also on pole at the intersection of Ethan Allen and Jackson Avenues. The pole number has been removed from this pole.

Remove street light from Pole 828870 at Wildwood Drive and Lancaster Road, and place same on Pole 829716.

This notion was seconded by Councilman Heffner and approved.

Councilman Harrigan also stated in connection with the Petition presented regarding the traffic situation at Piney Branch Road and Philadelphia Avenue that he would like to bring up for airing some matters that he felt the people of the Town should know about. Councilman Harrigan dwelled at length on matters pertaining to the conduct of the Police Department, and the refusal of the Council to accept certain recommendations he had made in a written report, said report having been signed by all members of the Committee, and that when the report was brought before the Council two members of the Committee, for reasons unknown to him, refused to stand by the report, and after discussion of same, the report with the recommendations therein were not approved by the Council. Councilman Harrigan also stated that on May 10th, 1941, a special meeting was called by the Mayor to discuss police matters, and that, at that time, the matter of one Officer of the force being allowed special privilege of having his off day each week on his Sabbath, and that this Officer had ~~xx~~ stated to him that he would not work on that day, and that the report referred to above, signed by his Committee, recommended the discharge of this Officer, due to his refusal to work on his Sabbath, was discussed. Councilman Harrigan stated that after discussion of this matter the Council decided to take no action and to continue to give this Officer his Sabbath off as has been done in the past.

Councilman Harrigan stated that when he took his Oath of Office as a Councilman to administer the affairs of the Town in

an impartial manner, he tried to live up to this Oath, but that other members of the Council were not living up to their Oath of Office. Councilman Harrigan also stated that a record of this Special Meeting of May 10th, 1941 was not spread upon the minutes, and that there was no record of same.

Regarding the Petition presented this evening with reference to the traffic hazzard at Piney Branch Road and Philadelphia Avenue, Councilman ~~H~~rarrigan stated that the increase in accidents at this intersection was due to a let down in police enforcement, and stated further that when he was acting as chairman of the Police Committee, that due to the indifference of the County Officers, he personally had detailed a Town Office for special traffic duty, and that results were being obtained at that time, but since that time enforcement had become very lax.

Mayor Youngblood stated that at the present time the Town is getting very good cooperation from the County, and that the County had agreed to send the Town additional men for any special occasion or emergency, and that if the Police Department was being conducted on an inefficient basis at the present time he was willing to take the blame for same, as, with the present cooperation the Town is getting from the County, he had given orders that the County man in charge of the Town Police Station was to give the orders, to be carried out by the Officers on duty at this station.

In connection with the Petition from property owners in the vicinity of Piney Branch Road and Philadelphia Avenue, Mayor Youngblood stated that the Town Clerk and himself had had a conference with the State Roads Commission in Baltimore, and they had consented to have "Stop" signs placed at all four points at this intersection, and was furnishing additional warning signs to be used at this point, and that after a trial with the "Stop" signs for about six months, if the ac-

cidents continued at this point, then the matter of installation of a traffic light would be given consideration.

Mayor Youngblood presented to the Council report covering the Police activities for the month of August, 1941, showing total arrests 23, convictions 10, dismissals 2, total calls and complaints answered 149, total miles patrol 16423.

SOCIAL WELFARE AND HEALTH COMMITTEE: Councilman Heffner, Chairman, stated that he had nothing special to report, except to advise the Council that Dr. Sharpley, the dentist who has been conducting the Clinic at the Health Center, was leaving, and that the nurse, Mrs. McKenna, was being transferred, and that two other nurses were to be sent to Takoma Park in place of Mrs. McKenna.

CIVIC IMPROVEMENT AND EDUCATION COMMITTEE: Councilman Martin, Chairman, brought up for discussion the two zoning amendments presented to the Council earlier in the evening, Nos. 455 and 456, both amendments calling for rezoning from Residential "A" to Commercial "D". Mr. J. Douglas Bradshaw, Agent, for the owners of these two Petitions, addressed Council and stated that these two amendments were scheduled to come up before the Prince George's County Commissioners the following Wednesday. Councilman Taft stated that this would not give the Committee time in which to hold hearing on these two Petitions.

It was called to the attention of the Council by Mr. Bradshaw that when other property in this neighborhood was rezoned from Residential "A" to Commercial "D", the Council referred same back to the Maryland-National Capital Park and Planning Commission without recommendations, and with a statement that after proper advertising and hearing, in accordance with the Ordinance covering same, that the Commission use their own judgment as to the approval or disapproval of the Amendment. Councilman Martin stated that he was not

wholly in favor of this procedure, stating that on the former action of the Council regarding the zoning of land in this particular section, he had received quite a bit of criticism, and if hearings were going to be held at all in the future, he was of the opinion that they should be held on all applications.

Corporation Counsel D. D. Lamond stated that the action of the Council would have no bearing on the rezoning except as a guide to the Commissioners, and than even though the Council recommended the approval of any applications the Commissioners could legally disapprove same.

After a lengthy discussion, in which the majority of the Council seemed to favor the return of the applications without recommendation, Councilman Martin moved that the applications be returned to the Maryland-National Capital Park and Planning Commission without recommendation, and that they be advised that after proper advertising and hearing they use their own judgement as to the approval or disapproval of same. This motion was seconded by Councilman Taft and approved.

Councilman Martin stated to the Mayor and Council that he thought both the Building and Electrical Inspectors should be present at each regular meeting to give a report of the work carried on in their departments during the preceding month, or they should give to Council a written report. After discussion of this matter Councilman Martin moved that both the Building Inspector and Electrical Inspector give to the Council a written report of matters pertaining to their Departments at each regular Council meeting. This motion was seconded by Councilman Taft and approved.

Councilman Martin also asked that traffic signs on Denwood Avenue be renewed, as they were badly faded. Superintendent of Public Works Fischer was requested to take care of this matter.

Councilman Martin also stated that he would like to have some repairs made to the curb and sidewalk in front of the Fire Department Building, and if possible he would like to have the Town remove one of the grass plots in front of the Fire Department and lay concrete in its place, in order to provide additional parking space. Superintendent of Public Works Fischer was requested to give this matter attention.

MUNICIPAL WORKS COMMITTEE: Councilman Russell, Chairman presented the following report:

Work done by the Street Department since the last meeting.

1. During the month of August work on the culvert at Highland and Cockerille Aves. was continued, and in about ten more working days the project will be completed.
2. Considerable work has been done on Jackson Avenue from Lincoln Avenue to the Sligo Parkway. Dirt for this work is being obtained from the grading of Boyd, Aspen and Lincoln Avenues.
3. Grading and filling of Boston Avenue from Baltimore to Takoma Ave. is well under way. The contractor who is excavating Piney Branch Road is furnishing the dirt for this project.

Councilman Russell stated that the only thing he had been requested to investigate was the condition of Woodland Avenue from Elm Avenue to where it adjoins the J. Enos Ray School property. Councilman Russell stated that this street is in very bad condition, due to the cut made by the Washington Suburban Sanitary Commission and the heavy hauling on same in connection with the Building operations of Smith & Gottlieb, Inc. Councilman Russell also stated that it had been suggested that Woodland Avenue from Elm Avenue be widened, and that while it would be practical for the property owner on the south side to dedicate five feet, he stated that the property on the north side of the street happened to belong to him personally, and to dedicate five feet of his property would practically ruin same. After a lengthy discussion of this matter it was decided to contact the Washington Suburban Sanitary Commission and Smith & Gottlieb, Inc.

regarding repairs to the street, and that the matter of widening could be given further study.

Regarding Petition for sidewalks on the south side of Elm Avenue between Woodland Avenue and Prince George Avenue, Councilman Russell stated that this Petition was signed only by property owners on the opposite side of the street, and stated that he would investigate this matter in an effort to obtain the reaction of the people on the south side of the street where the sidewalk was requested, as after all it is the people on the south side who will pay for the improvement.

Councilman Russell stated that other communications referred to his Committee would be studied and report made back to the Council with recommendations from his Committee.

The Clerk was instructed to write Mrs. Archibald E. McCallum, as promised by the Council, that they would begin immediately construction of sidewalks on Chicago Avenue from Boston Avenue to Boundary Avenue, as authorized in Ordinance No. 713, passed and approved by the Council April 15, 1940.

Mayor Youngblood presented an application for a permit to use the Town Taxicab Stand on Laurel Avenue by John W. Thorpe, 312 Allegheny Avenue. The Mayor stated that he would have this application investigated by the Police, and if Mr. Thorpe was found to be a proper person to operate a cab in the Town of Takoma Park he would grant him permission to use the stand.

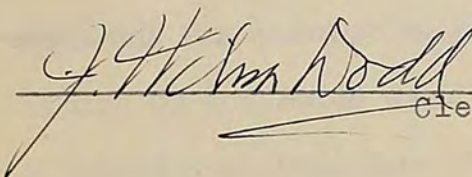
LAW AND ORDINANCE COMMITTEE: Councilman Sidell, Chairman, brought up for discussion the letter of Corporation Counsel D. D. Lamond regarding the claim of Stevens and Agey for flood damages, and after a lengthy discussion of same Councilman Sidell moved that the opinion of the Corporation Counsel that the Town was not liable in this case, as it was performing a governmental function, be respected, and that Mr. Paul Cromelin, Attorney for Mr. B. C. Stevens, 315 Cedar Ave. be advised

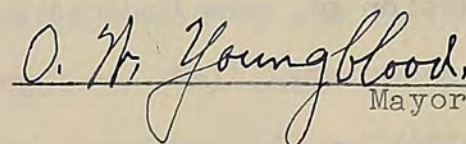
that the Town has decided to reject the claim of Mr. Stevens. This motion was seconded by Councilman Taft and approved.

Mr. Irving Johnson, Chief of the Takoma Park Volunteer Fire Department gave a report of the activities of the Department for the past month, and also again stressed the importance of having a more adequate system of notifying the Fire Department in case of fire, and vigorously emphasized the fact that a telephone should be installed in the J. Enos Ray School in Prince George's County. Mr. Johnson also stated that he thought it was very essential that a Fire Marshall be appointed immediately, in order that inspections could be made of buildings, especially the old type, in an effort to avoid as far as possible any serious fires. He stated that a recent fire on Carroll Avenue had done considerable damage, which he believed was entirely due to the rubbish remaining in the cellar of this house. He also stated that he thought at the next meeting of the General Assembly in Maryland that a bill should be presented requiring the Prince George's County Commissioners to pay to the Takoma Park Volunteer Fire Department a portion of the fire tax received within the corporate limits of the Town of Takoma Park.

Mayor Youngblood thanked Mr. Johnson for his report and stated that the various matters called to the attention of the Council would be given consideration.

On motion of Councilman Heffner, seconded by Councilman Sidell, the Council adjourned at 11:40 P.M.


Clerk


Mayor