

REGULAR MEETING
MAYOR AND COUNCIL
AUGUST 18th, 1947

Meeting called to order at eight o'clock P. M. Those present were Mayor Youngblood, Councilmen Anderson Heffner, Nies, Parkerson, Post.

Minutes of the regular meeting of July 21st and special meeting of July 28th, 1947, were approved.

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

RECEIPTS

General Taxes - - - - -	\$92,985.30	
Less Discounts - - - - -	<u>1,857.36</u>	\$91,127.94
Interest and Penalties - - - - -		144.30
Special Assessments - - - - -		1,901.11
Building Permits - - - - -		300.00
Electrical Permits - - - - -		69.00
Excavation Permits - - - - -		9.00
Dog Tax - - - - -		38.25
Taxicab Badge Deposits - - - - -		8.25
Montgomery County Income Tax - - - - -		7,775.29
Prince George County Income Tax - - - - -		1,535.90
Prince George County Gasoline Tax - - - - -		468.70
Police Telephone Montgomery Co. (2 mos.) - - - - -		24.00
Building Code Book - - - - -		.50
Prince George County Fines - - - - -		<u>5.00</u>
		<u>\$103,407.24</u>

STREETS:

Labor	\$763.75	
Material Streets	302.45	
Resurfacing Streets	2,136.88	
Material Storm Sewer	257.10	
Engineering	140.00	
Signs	50.00	
Supplies	13.39	
Gas-Oil-Auto Upkeep	<u>263.24</u>	\$3,926.81

SERVICE:

Garbage: Labor	759.00	
Gas-Oil-Auto Upkeep	380.51	
Supplies	12.25	
Trash: Labor	921.30	
Gas-Oil-Auto Upkeep	231.33	
Disposal	144.72	
Street Lights	<u>559.50</u>	3,008.61

POLICE:

Salaries	789.00
Clothing Allowance	40.00
Gas-Oil-Auto Upkeep	240.87
Printing	<u>6.85</u>

Supplies & Misc.	34.76	
Telephone-Gas-Electric Light	<u>41.69</u>	1,153.17
OFFICE:		
Salaries	1,011.38	
Postage (Tax Bills)	23.00	
Printing	63.75	
Advertising	54.91	
Supplies	8.65	
Telephone	27.09	
Equipment (chair)	30.50	
Rent	<u>100.00</u>	1,319.28
PARKS & PLAYGROUNDS:		
Supplies	<u>5.15</u>	5.15
ASSESSABLE IMPROVEMENT:		
Manor Circle and Winchester Ave. (Paving)	350.00	
Auburn Ave. (Engineering)	<u>60.00</u>	410.00
MISCELLANEOUS:		
Recording Fees	7.50	
Taxicab Expense (printing)	7.50	
Insurance Premium	515.60	
Municipal Bldg. Exp.	6.00	
Montgomery Co. Tele.	12.00	
Corporation Counsel Comp	50.00	
H. Fields Retirement	25.00	
Dog Expense	5.00	
Refund Taxicab Badge D	2.00	
Justice of Peace Salary	<u>25.00</u>	655.60
		<u>\$10,478.62</u>

BANK STATEMENT

GENERAL ACCOUNT:

6/30/47 - On hand Citizens Bank	\$ 4,988.80	
Deposits in July	<u>64,938.12</u>	
	69,926.92	
Withdrawals in July	<u>10,478.62</u>	
7/31/47 - On hand		\$59,448.30
6/30/47 - On hand Sub.Nat'l Bank T. P.	345.68	
Deposits in July	<u>38,469.12</u>	
	38,814.80	
No Withdrawals		
7/31/47 - On hand		<u>38,814.80</u>
7/31/47 - On hand all banks		<u>\$98,263.10</u>

Bills in the amount of \$5,941.48 were presented by the Finance Committee and ordered paid.

COMMUNICATIONS: Letter from Ralston Binkley requesting "STOP" sign on Grant Avenue, at the intersection of Hancock and Grant. Referred to Municipal Service Committee.

Petition from sixty residents of Elm Avenue requesting "SLOW-CHILDREN" signs placed on Elm Avenue. Referred to Municipal Service Committee.

Application from Frances J. Linkens for position on the City Police Force. Referred to Municipal Service Committee.

Building Inspector's report for the month of July, showing 54 permits issued at a total estimated construction cost of \$266,941.00. Ordered Filed.

Police report for the month of July, showing total miscellaneous calls and complaints of 277, and arrests of all types, 45.

Mayor Youngblood at this time stated that he had invited Mr. Metzger of the Montgomery County Assessors Office to attend the meeting and talk to those present concerning property assessments. Mr. Metzger gave a very enlightening talk on the methods used in assessing property in the County, which was well received by all present.

Mr. L. Oosterhouse inquired of Council about the widening of Kentland Avenue, and was advised that this matter would come up later in the meeting.

Mrs. Phillip Wood of 313 Ethan Allen Avenue, representing the Takoma Park Study group inquired of Council what, if anything, had been done regarding the communication from the Study Group concerning consideration of a City Manager form of government, and was advised by Mayor Youngblood that this matter had not been given consideration as yet by the Council.

Hearing was at this time as advertised in Ordinance No. 889, regarding the construction of Curb and Gutter abutting Lot 9, Block 27, Gilberts Subdivision, in Kentland Avenue. No one appeared regarding this proposed work, the hearing was declared closed, and referred to the Municipal Works Committee, for study and recommendation.

Hearing was then held as advertised in Ordinance No. 890 regarding the construction of Curb and Gutter and gravel fill abutting Lot 4 Block 38E, Fletcher Subdivision, at the intersection of Garland and Central Avenue. No one appeared regarding this proposed work, and the hearing was declared closed, and referred to the Municipal Works committee for study and recommendation.

MUNICIPAL SERVICE COMMITTEE: Councilman Parkerson, Chairman, stated that he had two applications for Taxicab Driver permits, one from Gloria E. Lewis and another from Chas. J. Law, and after discussion of these applications Councilman Parkerson moved that the application of Mrs. Gloria E. Lewis be approved. This motion was seconded by Councilman Anderson, and approved.

Councilman Parkerson moved that the application of Mr. Chas. J. Law be approved. This motion was seconded by Councilman Nies and approved.

PUBLIC HEALTH AND WELFARE COMMITTEE: Councilman Heffner, Chairman, advised Council that another specimen of the spring water had been analyzed, and that the water was still found to be contaminated. Councilman Heffner also advised that he understood the property known as No. 35 Hickory Avenue, was not connected with the sanitary sewer, and the Clerk was instructed to write the Washington Suburban Sanitary Commission to ascertain whether this property was connected.

After a further discussion of this matter, Councilman Anderson moved that if it was found that this property was not connected with the sanitary sewer, and that if there was any way legally that they could be compelled to connect with the sewer, that steps be taken to make them connect immediately. Motion seconded by Councilman Parkerson and approved.

FINANCE COMMITTEE: In the absence of Chairman Taft, Councilman Post brought to the attention of Council, a letter from Mr. R. G. Shure, Atty., representing Mr. Lewis Morris, Jr., who had purchased Lots 22 and 23, Block 24, Gilberts Subdivision, from the Prince George's County Commissioners through an old tax sale, not knowing that the City of Takoma Park had charges against these lots for back taxes and special street assessments. On behalf of Mr. Morris, Attorney Shure offered to pay the back taxes in amount of \$144.92, without penalties, and also to pay \$598.00, due on street assessment, same to be paid in installments, with interest at 6% from the date of acceptance of this offer by the City. After discussion of this matter, Councilman Post moved that the offer made by Attorney Shure, in behalf of Mr. Morris, to pay \$144.92 back general taxes, without penalties, and street assessment of \$598.00, with interest from this date at 6%. Motion seconded by Councilman Nies and approved.

Regarding communication from Mr. Jos. A. Becker, with reference to property known as 218 Baltimore Avenue, and also regarding building application of Mr. Anthony Mulligan to put asbestos shingles on the above mentioned property, which application Building Inspector Frye would not approve, Council questioned Mr. Frye regarding his refusal to approve this permit, and Mr. Frye stated that the building at present is not built in accordance with the Building Regulations; joists being in bad condition. After a lengthy discussion of this matter Councilman Post moved that the matter be referred back to the Building Inspector, and that he, after consultation with the Corporation Counsel, act as he sees fit, and that the Council back Inspector Frye in his decision. Motion seconded by Councilman Anderson and approved.

MUNICIPAL WORKS COMMITTEE: Regarding the hearing held this evening for the installation of Curb and Gutter in Kentland Avenue, Chairman Anderson moved the adoption of the following Ordinance:

ORDINANCE NO. 899

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

Section 1. That under authority granted by Section 965 of the City Charter, the Mayor and Council, after due advertising and hearing as provided therein, are of the opinion that the public health, safety and comfort require

the improvement of Kentland Avenue as advertised in Ordinance No. 889, adopted by the Mayor and Council July 21, 1947, said improvement being the construction of cement concrete curb and gutter abutting Lot 9 in Block 27, Gilbert Subdivision, Takoma Park, Prince Georges County, Maryland. p. 41

Section 2. That the Municipal Works Committee be authorized to proceed immediately, or as soon as possible, in accordance with the provisions of the City Charter to construct cement concrete curb and gutter as set forth in Section 1, and the Superintendent of Public Works is hereby authorized to proceed with this work and to employ any additional help necessary in the construction of same. Sec

Section 3. That assurance is made that the curb and gutter be constructed to proper grade and that the cost of this work be held to a sum not to exceed \$1,000.00.

Section 4. That the cost of the curb and gutter herein authorized be assessed against the abutting property in the regular manner. Sup. 90

The adoption of this Ordinance was seconded by Councilman Nies, and on a Yea and Nay vote, same was adopted. Voting Yea, Councilman Anderson, Heffner, Nies, Parkerson, Post. Voting Nay, none.

Regarding the hearing held this evening for the installation of Curb and Gutter, and gravel fill, abutting lot at the intersection of Garland and Central Avenues, Councilman Anderson moved the adoption of the following Ordinance:

ORDINANCE NO. 900

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

Section 1. That under authority granted by Section 965 of the City Charter, the Mayor and Council, after due advertising and hearing as provided therein, are of the opinion that the public health, safety and comfort require the improvement at intersection of Garland and Central Avenues as advertised in Ordinance No. 890, approved by the Mayor and Council July 21, 1947, said improvement being the construction of curb and gutter, and gravel fill abutting Lot 4 in Block 38E, Fletcher Subdivision, Takoma Park, Prince Georges County, Maryland. p. 42

Section 2. That the Municipal Works Committee be authorized to proceed immediately, or as soon as possible, in accordance with the provisions of the City Charter to construct cement concrete curb and gutter as set forth in Section 1, and the Superintendent of Public Works is hereby authorized to proceed with this work and to employ any additional help necessary in the construction of same.

Section 3. That assurance is made that the curb and gutter be constructed to proper grade and that the cost of this work be held to a sum not to exceed \$1,000.00

Section 4. That the cost of the curb and gutter herein authorized be assessed against the abutting property in the regular manner.

The adoption of this Ordinance was seconded by Councilman Nies, and on a Yea and Nay vote same was adopted. Voting Yea, Councilmen Anderson, Heffner, Nies, Parkerson and Post. Voting Nay, none.

Regarding a communication from Mrs. Alice D. North in connection with the paving of Winchester Avenue, which was accompanied by a copy of letter from Oliver M. Walker of the Board of Zoning Appeals, in which Mr. Walker advised that the owners of the Winchester Apts. when making application for reduced off Street parking space, and agreed to improve Winchester Avenue, Councilman Anderson stated that copy of the minutes of the hearing before the Board of Appeals could not be obtained, and that the owners of the Winchester Apts. denied having made such a statement. After discussion of this matter Councilman Anderson moved that Mrs. North be advised that the action or statements made by the Board of Zoning Appeals had no bearing on the action of the Council in paving Winchester Avenue; that the paving of this street was handled in accordance with the provisions of the City Charter, and that the cost of said paving would be assessed against the abutting property, as is the policy with all special improvements, and regardless of what statements were supposed to have been made before the Board of Appeals, the Council does not feel that it should assume the role of arbitrator in this matter. This motion was seconded by Councilman Nies and approved.

Mr. Earl Thomas, Treas. of the Takoma Park Vol. Fire Dept., presented a financial statement of the Fire Dept., to Mayor Youngblood. In discussing the matter, Mayor Youngblood invited Mr. Thomas and other members of the Department to meet with the Council in special session next Monday evening, August 25th, 1947, at which time other matters pertaining to the Fire Department could be discussed.

Regarding the request of Mr. Harry Graham for off-street angle parking adjacent to his store at Flower and Erie Ave., as per plan which Mr. Graham presented, Council was advised by the Clerk and Supt. of Public Works that an examination had been made of the premises, and that it was not practical for angle parking, because the rear of the cars would project out over the sidewalk. After discussion of this matter, on motion of Councilman Parkerson, seconded by Councilman Taft, Mr. Graham was granted permission to park cars parallel between the sidewalk and the building, and that the City grant permission to make a driveway exit on Erie Avenue, at the intersection of Flower Ave., Mr. Graham to pay for the material used in constructing the driveway.

Mayor Youngblood advised Council that he recommended Officer John Whiddon to look after the parking meters, and no objection to this recommendation was voiced by the Council.

On motion properly seconded Council adjourned at 10:30 P. M.

J. Wilson Dodd
Clerk

A. H. Youngblood
Mayor

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SPECIAL MEETING
MAYOR AND COUNCIL
AUGUST 25th, 1947

Meeting called to order at 8:00 o'clock P. M. Those present were Mayor Youngblood, Councilmen Anderson, Heffner, Nies, Parkerson, Post and Taft.

Meeting called primarily for the opening of bids for the paving of Roanoke and Hudson Avenues.

Two bids were received on this work, one from the Contee Sand and Gravel Company, and the other from the V. M. W. Paving Company, and were as follows:

	Contee Sand & Gravel Co.	V.W.M. Paving Co.
1. Grading and rolling roadway, per cubic yard, excavated	\$ 1.40	\$ 1.00
2. Construction straight 2 foot cement curb, combined with gutter, per linear foot	1.50	2.50
3. Constructing 2 foot circular cement curb, combined with gutter, per linear foot	1.65	2.50

4. Constructing cement roadway in thickness as shown on plans, per square yard	\$ 2.65	\$ 3.50
5. Construction driveway approaches as described in specifications, and including necessary excavation, each	30.00	50.00

After computing the figures on these bids, Councilman Anderson, moved that the bid of the Contee Sand and Gravel Company be accepted, and that they be awarded the contract for the paving of Roanoke and Hudson Avenues, they being the low bidder, this work to be started at the earliest possible date. This motion was seconded by Councilman Taft and approved.

Clerk read to Council a letter from Mr. J. Douglas Bradshaw in behalf of a client offering \$100.00 in settlement of taxes on Lot 10, Block 59, Gilberts Subdivision, assessed on the City records in the name of Gotthard Hoffman. After discussion of this matter Councilman post moved that the offer of Mr. Bradshaw be accepted in order that this lot may be restored to the City records on a paying basis. This motion was seconded by Councilman Nies and approved.

The Clerk presented to Council the following Ordinance:

ORDINANCE NO. 901

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

Section 1. That the Plat of resubdivision of Lot 1 and part of Lot 2 in Block 56C, B. F. Gilbert's Subdivision of Takoma Park, Montgomery County, Maryland, into Lots 16 and 17, as presented by Evelyn M. Small and Keith I. Small, be and the same is hereby approved.

The adoption of this Ordinance was moved by Councilman Nies, and upon being seconded by Councilman Anderson, same was adopted on a Yea and Nay vote, Voting Yea, Councilman Anderson, Heffner, Nies, Parkerson, Post and Taft. Voting Nay, none.

The matter of a recent law empowering the Maryland National Park and Planning Commission to assume control of enforcing the building regulations, and the issuing of building permits, within the Metropolitan Area of Montgomery and Prince George's County, was discussed at length, and in the discussion it was brought out that a meeting had been held with Col. E. Brooke Lee, and members of the Planning Commission, by members of the City Council and the Building Inspector, at which time the Planning Board advised that any incorporated Town could ask for exemption from this section of the law, providing they would accept all responsibility in connection with enforcing the regulations, issuing of permits, etc.

After discussion of this matter Councilman Anderson moved, that the City of Takoma Park request of the Park and Planning Commission that the City be exempt from the Bill recently enacted authorizing the Park and Planning Commission to administer the Building Regulations, and issue permits for buildings within the Metropolitan

Area of Montgomery and Prince George's Counties, Maryland; the Bill providing, however, that any Incorporated Town desiring to be exempted, and desiring to administer their own building regulations, and issue building permits, should make application to the park and Planning Commission for this exemption. This motion was seconded by Councilman Taft and approved.

There was present at the meeting members of the Board of Trustees of the Takoma Park Volunteer Fire Dept., who discussed with Council matters pertaining to the Fire Department, especially regarding finances. Financial statement of the Department from Jan. 1st, 1947 to July 31st, 1947, was presented to Council by Department Treasurer, Earl W. Thomas, which statement was discussed at length and ordered filed.

On motion, properly seconded, Council adjourned at 11:05 P. M.

J. W. Dodd
Clerk

A. St. Youngblood
Mayor

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