

REGULAR MEETING
MAYOR AND COUNCIL
AUGUST 16th, 1948

The meeting was called to order at eight o'clock P. M. Those present were Mayor Post, Councilmen Beville, Githens, Heffner, McClenon, Nies, and Parkerson.

The minutes of the Regular Meeting of July 19th were read and approved as read.

Financial Statement for the month of July, 1948, was presented by the Clerk and Treasurer and ordered filed as follows:

RECEIPTS

General Taxes - - - - -	-\$100,148.15
Less Discounts - - - - -	1,997.55
	<u>\$ 98,150.60</u>
Interest and Penalties - - - - -	122.56 ✓
Charges - - - - -	1.75 ✓
Special Assessments - - - - -	784.44 ✓
Building Permits - - - - -	29.00 ✓
Electrical Permits - - - - -	28.00 ✓
Excavation Permits - - - - -	4.00 ✓
Dog Tax - - - - -	28.25 ✓
Taxicab Badge Deposit - - - - -	2.75 ✓
Income Tax - - Montg. Co. - - - - -	2,697.13 ✓
Fines - - Montg. Co. - - - - -	270.50 ✓
License Fees - Montg. - - - - -	45.53 ✓
Police Telephone " Co. - - - - -	12.00 ✓
Light - - Munic. Bldg. - - Montg. Co. - - - - -	2.00 ✓
Income Tax - - Pr. Geo. Co. - - - - -	1,068.06 ✓
Fines - - Pr. Geo. Co. - - - - -	45.70 ✓
License Fees - - Pr. Geo. Co. - - - - -	273.02 ✓
Parking Meter Coll. - - - - -	446.00 ✓
" " Violations - - - - -	69.00 ✓
Fire Dept. Bldg. - - Expense - - - - -	70.40 ✓
State of Maryland - - Admission Tax - - - - -	2.88 ✓
" " " - - Franchise Tax - - - - -	2.50 ✓
Comm. Pay Tel. Police Station - - - - -	<u>1.75</u>
	\$104,157.82

DISBURSEMENTS

STREETS:	Salary - Supt. - - - - -	\$ 308.52✓	
	Labor- - - - -	1,512.03✓	
	Material - - - - -	290.03✓	
	" Storm Sewers - - - - -	79.52✓	
	Resurfacing- - - - -	2,253.31✓	
	Gas, Oil, Auto Upkeep - Sup. - - - - -	524.08✓	\$4,967.49
REFUSE:	Trash - Labor- - - - -	1,192.60	
	" - Disposal - - - - -	232.80	
	" - Gas - Oil - Auto Upkeep- - - - -	139.21	
	Garbage - Labor- - - - -	1,024.04	
	" - Gas - Oil - Auto Upkeep - - - - -	413.36	\$3,002.01
LIGHTS:	Street Lights- - - - -	577.33	
	Traffic Lights - - - - -	20.06	\$ 597.39
POLICE:	Salaries - - - - -	1,342.93	
	Clothing Allowance - - - - -	127.30	
	Gas - Oil - Auto Upkeep- - - - -	418.92	
	Tels. - Lights - Fuel- - - - -	41.11	
	Supplies - - - - -	34.80	
	Equipment - (Typewriter) - - - - -	25.00	\$1,990.06
OFFICE:	Salaries - - - - -	742.77	
	Rent - - - - -	100.00	
	Postage and Printing - - - - -	181.35	
	Telephone and Supplies - - - - -	55.07	\$1,079.19
SPECIAL			
ASSMTS.:	Roanoke Avenue - - - - -	1,989.27	
	Hudson Avenue- - - - -	1,671.83	\$3,661.10
FIRE			
DEPT.:	Salaries - - - - -	1,510.96	
	Gas - Oil - Auto Upkeep - Supp.- - - - -	419.36	
	Tak. Pk. Vol. Fire Dept. - - - - -	3,500.00	\$5,430.32

MISCELLANEOUS:

4th of July, Exp. (Labor) - - - - -	\$106.08 ✓	
✓Munic. Bldg. Exp. - - - - -	79.99 ✓	
Montgomery Co. Atlas - - - - -	125.00 ✓	
✓Retirement Dues and Expenses - - -	853.47 ✓	
✓Insurance Prens. - - - - -	524.30 ✓	
Parking Meter Expense - - - - -	1.26 ✓	
✓Law and Ordinance Expense - - - - -	9.00 ✓	
Budget Expense - - - - -	70.50 ✓	
Montg. Co. - Police Telephone - - -	12.00 ✓	
Land Purchase -(Carroll - Denwood)	150.00 ✓	
Refund Taxes - Overpaid - - - - -	7.05 ✓	
✓Dog Expense - - - - -	15.00 ✓	
✓Corp. Counsel Compensation - - - - -	80.00 ✓	
✓Bldg. Insp. Salary - - - - -	83.33 ✓	
✓Electrical Insp. Salary - - - - -	50.00 ✓	
✓Justice of Peace Salaries - - - - -	50.00 ✓	
✓Henry Fields - Retirement - - - - -	25.00 ✓	\$2,241.98
		<hr/>
		\$22,969.54

BANK STATEMENTGENERAL ACCOUNTS:

6/30/48 - On hand General Acct.	\$13,636.47	
Deposits in July	<u>41,618.27</u>	
	\$ 55,254.74	
Withdrawn in July	<u>22,969.54</u>	
	\$32,285.20	
	Cert. of Deposit - Cr.	
	of General Account	<u>15,000.00</u>
7/31/48 - On hand		\$47,285.20
6/30/48 - On hand S. N. Tak. Pk.	4,855.02	
Deposits in July	<u>62,539.55</u>	
	\$67,394.57	
No withdrawals in July		
7/31/48 - On Hand		<u>67,394.57</u>
		\$114,679.77
<u>Revolving Fund:</u>		
7/31/48 - Citizens' Bank - Int. Bearing	\$10,000.00	\$10,000.00
Certificate of Deposit		<u>10,000.00</u>

Bills in the amount of \$13,655.43 were presented by the Finance Committee and ordered paid.

Mr. H. C. Langmack of the Traffic & Street Sign Co. of Newark, N. J., asked permission of the Mayor and Council to show a sample of street sign he had with him. Mr. Langmack was informed by council that the City of Takoma Park has on order several hundred street signs and would not be interested at the present time.

Mrs. Margaret Murray, owner of property on Lincoln Avenue addressed the council regarding the very bad condition of Lincoln Avenue between Carroll and Maple Avenues. Mrs. Murray was informed that the Streets and Highways Committee Chairman was taking up later the matter of repairs to streets in the City and if she cared to stay and hear the discussion, she was welcome to do so.

Mr. R. L. Dunn, 616 Albemarle Avenue, addressed Council regarding oneway parking in Albemarle Avenue, also the bad condition of Albemarle Avenue caused by water from Flower Avenue during a heavy rainstorm.

Mr. Dunn also informed Council that the new garbage truck evidently leaked as after it left Albemarle Avenue that day the odor was so bad it was necessary to wash down the street.

STREETS AND HIGHWAYS COMMITTEE:

Several parties present addressed council regarding drainage and street problems, and were told that the Chairman of the Streets and Highways Committee would now proceed with the business of his committee.

Councilman Beville, Chairman, reported that the widening of the intersection at Denwood and Carroll Avenues was now completed and commended Mr. J. Wilson Dodd, Clerk and Treasurer, on his excellent work in purchasing, by the city, the land to widen that corner, also the Darwin Avenue storm sewer problem by negotiating with the Montgomery School Board, who have agreed to pay for the cost of materials required for the extension of this storm sewer along Darwin Avenue, the City of Takoma Park to pay for labor and installation.

Councilman Beville read letter from Mr. A. L. Jenkins, 4 Barclay Avenue, requesting the resurfacing of Barclay Avenue, and stated that this matter would be investigated and taken up at the next meeting.

Communication from the School Board of Montgomery County confirming the verbal agreement to pay for the material cost of storm sewer in Darwin Avenue.

Petition signed by 41 residents of Mississippi Avenue and Elwyn Court, and letter from Mr. W. O. Tarver, 12 Elwyn Court, regarding the bad condition of these streets. A number of residents of Mississippi Avenue and Elwyn Court were present and addressed Council and discussed the bad condition of these streets. Councilman Beville told those present that the matter was being considered in connection with

the paving of Ritchie Avenue, and that the paving of Ritchie Avenue had a drainage problem directly connected up with Mississippi Avenue and Elwyn Court. Councilman Beville also advised that the matter of improving Mississippi Avenue would be gone into at an early date.

Resident of 116 Ritchie Avenue addressed council regarding the bad condition of Ritchie Avenue and asked for relief before the winter weather sets in, and was advised that this street would be given temporary relief.

Resident of 14 Mississippi Avenue addressed council regarding the renumbering of Mississippi Avenue. The Clerk was requested to look into the matter.

Mrs. Margaret Murray asked that the renumbering of Lincoln Avenue be looked into also.

Communication from Mr. E. W. Rogers, 7102 Central Avenue, regarding the surfacing of the 7100 block of Central Avenue and was advised that this street is included in the Street Program.

Regarding resurfacing of Lincoln Avenue, Councilman Beville stated that the Streets and Highway Committee will go into the improvement of this street and make report.

Re-petition from residents of Albany Avenue regarding drainage, Councilman Beville stated that this matter has not been investigated and study would be made of same.

Mr. T. E. McHold of 213 Albany Avenue and Mr. J. W. Hite, 211 Albany Avenue, addressed council regarding the poor drainage system in that section, and were advised by council that this matter would be taken up for study.

Communication from Mr. T. B. McNeill giving survey of widening and resurfacing of Lincoln Avenue between Carroll and Jackson Aves., and Corp. Counsel J. D. Bradshaw was requested to make arrangements with the property owners regarding dedication to widen this street.

Regarding communication from Mr. Clarence Coffin requesting the surfacing of Garland Avenue from Davis to Jackson Avenue, Councilman Beville advised that this street is on the list for improving streets.

Regarding the ceding of land by the John Nevins Andrew School to the City of Takoma Park for the extension of Cockerille Avenue to Elm Avenue, this matter was referred to Councilman Nies to take up further with Mr. H. H. Votaw of the Religious Liberty Association.

Regarding Mr. R. L. Dunn's complaint of water from Flower Avenue down Kennebeck Avenue, Councilman Beville stated that he has not been able to do anything about this but will keep the matter in mind.

Councilman Beville stated that he would like to have Council authorize Mr. J. Wilson Dodd, Clerk and Treasurer, to make contact with property owners at the intersection of Flower and Jackson Aves., with the view of straightening out the street. Mr. Dodd was requested also to get Engineer T. B. McNeill to draw up a tentative plat for this work.

Councilman Beville stated that he would like to propose that an appropriate committee make a study of parking problems in Takoma Park and make recommendations as to the possibility of some streets being one-way streets and other streets parking limited to one side. After discussion, Councilman Parkerson Moved that the Chief of Police be instructed to make immediate survey of the streets which are congested because of dual parking, and make recommendations. This motion was seconded by Councilman Beville and approved.

Councilman Beville stated that all concrete streets that have cracks in them will be treated before the winter.

Councilman Beville presented to Council the following Ordinance and moved its adoption. Ordinance No. 919.

ORDINANCE NO. 919

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

Section 1. In accordance with the provisions of Section 1198 of the City Charter, the Mayor and Council have under consideration the improvement of the following streets:

Elm Avenue - From Ethan Allen Avenue to Heather Avenue - abutting Lots 1 and pt 15 in Block 107 - Lots 12-13-14-15 in Block 108 - Lots 1-21-22 in Block 109 - lots 1-17--18-19-20-21-22 in Block 114 - Lots 1-2-3 in Block 115 - Lots 1-2-3 in Block 116 - Portion of unsubdivided Block 117, Glazewood Manor Subdivision - Lots 21-22 in Block 32 - Lots 1-18-19-20-21-22 in Block 33, Gilbert Subdivision - Lots 1-2-3-4-5 in Block 2, Wildwood Subdivision. Construction of cement concrete curb and gutter at an estimated price of \$2.00 per linear foot, and the construction of bituminous concrete street at an estimated cost of Eighty Cents (80¢) per square yard.

Wildwood Drive - From New Hampshire Avenue to Kingwood Avenue - abutting Lots 1-2-3 in Block 1 - Lots 1-2-3-4-5-6-7-8-9 in Block 2 - Lots 4-5 in Block 3 - Lots 1-6-7 in Block 4 - Lots 9-10-11 in Block 5 - Lots 12-13-14 in Block 6 - New Hampshire Avenue Highlands subdivision - Lots 1-10-11-12-13-14 in Block 5 - Lots 9-10-11-12 in Block 6, Green Hill Farms Subdivision - Paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter, where necessary, at an estimated cost of \$2.00 per linear foot.

Garland Avenue - From Davis Avenue to Jackson Avenue - abutting Lots 26A-27-28-29 in Block D.- Lots 6-7-8-9 in Block E - Cunningham Subdivision - Construction of cement concrete curb and gutter at an estimated

cost of Eighty Cents (80¢) per square yard.

Garland Avenue - From new blacktop to Flower Avenue inclusive of intersection at Flower and Garland Avenues - abutting Lots -1-29-30-31 in Block 38C - Lots 4-5-6-7-8-9 in Block 38E - Lots 9-10-11-12-13-14 in Block 38F - Lots 1-32-33 in Block 38B - Lots 23 in Block 46, Fletcher Subdivision - Paving with bituminous concrete at an approximate price of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter, where necessary, at an estimated cost of \$2.00 per linear foot.

Jackson Avenue - From Ethan Allen Avenue to Lincoln Avenue - abutting Lots 14-15-16-17-18-19-20 in Block 90 - Lots 10-11-12-13- in Block 91 - Lots 1-3-4-5 in Block 93, Beale Subdivision - Lots 18-19-20-21-22-23 in Block 92A, Lot 11 in Block 93A - Lot 19 in Block 94A - Hampshire Knolls #3 Subdivision - Paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard.

Old Carroll Avenue - From Carroll Avenue down to Sligo Parkway - abutting Lots 8-9-44-45 in Block 37, Gilbert Subdivision - paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter, where necessary, at an estimated cost of \$2.00 per linear foot.

Manor Circle - All streets in this area - abutting Lots 1-2-3-4-5-6-7-8-9-10-11-21-22-23-24-25-26-27-28-29-30-31-32-33-35-42-43-44-45-46-47 in Block 45, Carroll Manor Subdivision - Paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter at an estimated cost of \$2.00 per linear foot.

Boston Avenue - From Takoma Avenue to Chicago Avenue - abutting Lots -1-69-70-71-72-73-74 in Block 67, Lots 7-8-9-10-11-12-13 in Block 68 - Takoma Park Loan & Trust Co. Subdivision - Paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter at an estimated cost of \$2.00 per linear foot.

Baltimore Avenue - From New York Avenue to Philadelphia Avenue - abutting Lots 1-3-4 in Block 72B - Lot 26 in Block 73 - Lots 8-9-10- in Block 80 - Lots 17-18-19-20-21-22-24-25 in Block 80A - Takoma Park Loan and Trust Co. Subdivision - Lots 22-24 in Block 100 - Wayne Subdivision - Paving with bituminous concrete at an estimated cost of Eighty Cents (80¢) per square yard, and the construction of cement concrete curb and gutter at an estimated cost of \$2.00 per linear foot.

Boyd Avenue - From Lincoln Avenue to Elm Avenue - abutting Lots 38-39-40 in Block 94A - Lots 66-67 in Block 95B - Hampshire Knolls Subdivision #3 - Lots 8-9-10-11-12-13-14-pt15- in Block 107 - Portion of unsubdivided Blocks 117-118-119, Glaiewood Manor Subdivision, construction cement concrete curb and gutter at estimated cost of \$2.00 per linear foot.

Lincoln Avenue - From Carroll Avenue to Maple Avenue - abutting Lots 8A-8D-8E-14-15-16-16A-18-19A-19B-20-21-22-23-24-32 in Block 50, Gilbert Subdivision - paving with bituminous concrete at an estimated cost of eighty cents (80¢) per square yard, and the construction of cement concrete curb and gutter, where necessary, at an estimated cost of \$2.00 per linear foot.

Section 2. The Mayor and Council at a Special Meeting on September 13, 1948, convening at eight o'clock P. M., in the Takoma Park Volunteer Fire Department Building, Carroll and Denwood Avenues, Takoma Park, Maryland, will hear all property owners desiring to be heard in regards to the work herein proposed.

The adoption of this Ordinance was seconded by Councilman Nies and upon a Yea and Nay vote same was adopted, voting Yea Councilman Beville, Githens, Heffner, McClenon, Nies and Parkerson, voting Nay, none.

Councilman Beville presented to Council the following Ordinance and moved its adoption:

ORDINANCE NO. 920

"Prescribing Rules and Regulations fixing minimum specifications of and for the issuance of permits for the construction of streets, sidewalks, curbs, and gutters by subdividers, developers, or individuals within the City of Takoma Park, and to require compliance therewith, and to provide for the inspection and supervision of such work, the cost thereof to be borne by such subdividers, developers, or individuals, and providing penalties for the violation thereof."

BE IT ORDAINED, by the city Council of Takoma Park, as authorized by the Acts of the General Assembly of Maryland, as the same are codified in the Code of Public Local Laws of Maryland, (1930), Article 16, Sections 960 (A) and 973, and Article 17, Sections 953 (A) and 966, as amended and as further codified in Sections 1193 (A) and 1206 of the Code of Public Local Laws of Montgomery County (1947), that the following rules and regulations fixing minimum specifications and for the issuance of permits for the con-

struction of streets, sidewalks, curbs, and gutters by subdividers, developers, or individuals within the City of Takoma Park, and to require compliance therewith, and to provide for the inspection and supervision of such work, the cost thereof to be borne by the subdividers, developers, or individuals, and to provide penalties for the violation thereof, be and the same are hereby ordained and established.

SECTION 1. - PERMITS.

A. No person, firm, partnership, association, or corporation, whether as a subdivider, developer, or individual, shall grade or construct any street, road, highway, alley, driveway, sidewalk, curb, or gutter, or begin any of the work of such grading or construction, without first having obtained a permit therefor from the City Clerk bearing the approval of the Supt. of Public Works of the City of Takoma Park, hereinafter referred to as "The Superintendent". All applications for such permits shall be filed in the Clerk's office on forms provided by that office, and shall be accompanied by two sets of detailed plans of the project, indicating, wherever applicable, the following:

- (1) Right-of-way, name of street (if any), and width of right-of-way, abutting lots, north point and scale;
- (2) Pavement plan, curb and gutter, sidewalks, curb cuts, driveways, and dimensions thereof;
- (3) Catch basins, inlets, culverts, and other drainage structures, and dimensions thereof;
- (4) Construction details, including cross section of pavement, curb and gutter, details of drainage structures, culverts, head walls, etc.;
- (5) Grading plan and profile, showing existing grades, and finished grades;
- (6) Any additional data required by the Superintendent.

No such application for a permit shall be accepted by the Superintendent unless and until the required information is furnished, together with the necessary plans and specifications, and the required fee is paid as hereinafter in this Ordinance provided.

It shall be the duty of the Superintendent, upon receipt of an application for a construction permit, to review the plans and specifications of the proposed project and, if he is satisfied that the same meet the minimum construction standards as in this Ordinance

provided, or if unusual conditions require a special determination by the Superintendent as to type of construction, said plans and specifications, with necessary revisions noted appropriately thereon, shall be returned to the applicant for revision and resubmission.

B. No such permit as herein provided shall be issued by the City Clerk unless and until he shall have evidence in writing from the Maryland-National Capital Park and Planning Commission that a preliminary plan and profiles and grades for the subdivision in which the proposed highway, road, street, or alley construction is located, has been approved by said Commission, and also by the Washington Suburban Sanitary Commission.

C. Before any street, sidewalk, gutter, curb, or drainage project (except a project which is entirely a grading project) may be begun on a road or street or within the boundaries of a dedication to the public use, the applicant for a permit to undertake any such project shall pay to the City Treasurer four per cent (4%) of the estimated cost of such project as determined by the Superintendent, as an inspection and engineering fee - provided, however, that where any such project is entirely a grading project, the applicant shall pay ten per cent (10%) of the estimated cost of such project as determined by the Superintendent, to the City Treasurer as an inspection and engineering fee, if the office of the Superintendent does the engineering work on said project, and two per cent (2%) if the applicant for said permit furnishes said engineering work.

D. Permits as herein provided when issued by the City Clerk shall be valid for a period of sixty (60) days from the date of issuance. If any work under any permit has not been commenced within said period, the permit shall thereafter be invalid, and a new permit shall be required before such project may be commenced.

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Fees paid by any permittee whose permit has expired or become invalid shall be credited against the fees required for a new permit to such permittee. No fees shall be returnable. The requirements of this paragraph shall apply to all permits heretofore issued on which construction work has not heretofore been started.

SECTION 2 - MINIMUM CONSTRUCTION STANDARDS.

A. All streets or roads shall be graded in accordance with the approved profile and to a minimum width of thirty (30) feet, with adequate slopes or retaining walls.

*Amended by
702,1042
(20:116)*

B. Concrete curb and gutter shall be constructed on each side of the street surface in accordance with plans and specifications approved by the Superintendent.

C. The permittee shall install all necessary storm drainage pipes, culverts, valley gutters, or catch basins requisite to provide adequate storm drainage along or across the same where natural drainage is affected, or where due to the proposed road, street or highway construction, the absence of such drainage structures would result in the obstruction of a natural drain. All storm drainage structures shall be constructed in accordance with plans and specifications approved by the Superintendent.

D. Paving or surfacing of roads, streets, and highways shall have a minimum width of thirty (30) feet between outside faces of curbs, and shall conform to the approved cross section and specifications shown on a drawing issued by the Superintendent, and shall conform as a minimum to any of the following types:

(1) Asphalt Penetration Macadam. This pavement shall consist of crushed stone penetrated with a bituminous binder, and having a minimum finished compacted thickness of six inches, constructed in two courses, in accordance with the specifications of the Superintendent.

*Proposed by
76.1042
(20.112)*

(2) Gravel Base - Asphalt Penetration Macadam Wearing Surface. This pavement shall consist of approved bank gravel having a minimum finished compacted thickness of six inches, and a wearing surface of three inches finished compacted thickness of crushed stone and a bituminous binder, all of the materials to conform to and pavement to be constructed in accordance with the specifications of the Superintendent.

(3) Gravel Base - Asphaltic Plant Mix Wearing Surface.

*Amended by
76.1042
(20.112)*

This pavement shall consist of approved bank gravel having a minimum finished compacted thickness of six inches and a wearing surface of two inches finished compacted thickness of an approved asphaltic plant mix, all of the materials to conform to, and the pavement to be constructed in accordance with, specifications of the Superintendent.

SECTION 3. ACCEPTANCE FOR CITY MAINTENANCE. Any highway, road, street, or alley in the City of Takoma Park shall be accepted for maintenance by the city upon action of the City Council after certification in writing by the Superintendent that such highway, road, street, or alley has been completed and constructed in accordance with the plan approved by him, and that there has been full compliance with all of the rules and regulations herein set forth.

SECTION 4. EXEMPTIONS. None of the rules and regulations herein contained shall apply to any private road serving a bona fide agricultural use or to any portion of a private automobile driveway located wholly on private property and outside of a public right-of-way.

SECTION 5. VIOLATIONS AND PENALTIES. The grading or construction of any highway, road, street, alley, driveway, sidewalk, curb, or gutter, without a permit therefor is hereby declared to be a misdemeanor, and each day of continuance of such grading or construction without such permit shall be deemed to be a separate offense.

The willful substitution of materials, cutting of quantities, or other construction not in accordance with the permit issued and the plans approved therefor by the Superintendent is hereby declared to be a misdemeanor.

Any violation or failure to comply with any of the provisions of this Ordinance is hereby declared to be a misdemeanor.

Any person, firm, partnership, association, or corporation, whether as a subdivider, developer, or individual, charged with a misdemeanor as herein provided, shall, upon conviction thereof before any court of competent jurisdiction within Montgomery or Prince Georges County, for each such violation, be fined not more than fifty dollars (\$50), and in default of any fine so imposed may be imprisoned for not over thirty (30) days.

SECTION 6. All Ordinances, Resolutions, or Rules and Regulations of the City Council of Takoma Park, which are in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SECTION 8. This Ordinance shall take effect on the 16th day of August, 1948.

The adoption of this Ordinance was seconded by Councilman Nies and upon a Yea and Nay vote same was adopted, voting Yea, Councilmen Beville, Githens, McClenon, and Parkerson, voting Nay, Councilman Heffner, Councilman Nies not voting.

Councilman Githens moved that Ordinance No. 920 be published in the Takoma Journal for two weeks. This motion was seconded by Councilman Parkerson and approved.

Councilman Beville Presented to Council the following Ordinance and moved its adoption:

ORDINANCE NO. 921

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

SECTION 1. That the Plat of dedication of part of Lockney Avenue, New Hampshire Gardens, Prince Georges County, Maryland, as filed by Gussie Gorin, Max Gorin, Theresa E. Horning, Joseph F. Horning, Harry E. Gorin, Selma Gorin, Louis Gorin and Esther Gorin, be and the same is hereby approved subject to the conditions as set forth in Ordinance No. 920, adopted by the Mayor and Council on August 16, 1948.

The adoption of this Ordinance was seconded by Councilman Nies and upon a Yea and Nay vote, same was adopted, voting Yea, Councilman Beville, Fithens, Heffner, McClenon, Nies and Parkerson, voting Nay, none.

LAW AND ORDINANCE COMMITTEE: Councilman McClenon, Chairman, read to Council the following report regarding amendments to the City Charter:

This is the first of a number of reports on the suggestions made by the citizens' advisory committee on amendments to the city charter. The advisory committee has held three meetings so far, has considered a number of diverse proposals, and has agreed to submit four or five specific amendments to sections 1189 and 1190 of the city charter, relating to the holding of city elections. Your committee on Law and Ordinances is in full agreement with the advisory committee as to the objective sought by each of these amendments, although in two or three instances, the amendments we are recommending are not identical with those suggested by the advisory committee.

The first proposed amendment would restore the former practice of annual elections of members of the Council with overlapping terms, so as to prevent the possibility of a complete overturn at one time. The specific proposal, in which the advisory committee and the Law and Ordinances Committee concur, is as follows: At the election in 1950, a Mayor and three members of the Council will be elected for two-year terms; the other four members of the Council will be elected for one-year terms; all successors will be elected for two-year terms. The ones elected for the one-year terms will be the member representing the 9th and 22nd precincts, and the persons receiving the second highest number of votes in each of the other three districts (4th and 20th precincts, 6th and 21st, and Prince Georges County). The holding of annual elections would of course result in a certain amount of additional expense, but it is felt by both committees that this would be more than offset by the advantage derived from the increased attention that would be given by the voters to the affairs of the city government.

The second proposal of the advisory committee is to advance the date of city elections from the first Monday in May to the first Tuesday in March, and the date of taking office from the first Monday in June to the third Monday in March. This proposal would prevent the confusion that arose this year when the city election was held on the same day as the State and County Primary. It would also give new members of the Council more time to consider the budget and the tax rate. The Committee on Law and Ordinances is convinced that these are valid reasons for a substantial advance in the date of the city elections. We are, however, aware of the fact that weather conditions are frequently unfavorable during the first week in March, and accordingly recommend that the date of the election be advanced only to the fourth Tuesday in March, and the date of taking office to the second Monday in April. These two proposals together would of course necessitate a change in the time at which the lists of eligible voters are to be certified by the county election authorities; we recommend that this time be fixed at the first of February in each year.

Another proposal made by the citizens' advisory committee is that there should be additional polling places for the convenience of voters living at a considerable distance from the firehouse, who frequently are unable to find adequate parking facilities near the firehouse. The Committee on Law and Ordinances agrees that it would be a decided convenience to the voters to have a polling place in each part of the city, and we recommend that the charter be amended so as to authorize the Council to establish such polling places. We do not, however, favor making the establishment of additional polling places mandatory until a detailed study can be made, to determine how many polling places are needed, where they should be located, and what would be the additional cost.

The Committee on Law and Ordinance is in entire agreement with the Citizens' Advisory Committee that the charter should be amended so as to permit the use of voting machines in lieu of ballots. It is entirely possible that the use of such machines might reduce the cost sufficiently to make it possible to maintain one polling place in each precinct. Your committee however recommends that in each case the charter provision should be permissive rather than mandatory.

The Citizens' Advisory Committee has considered several other proposed amendments relating to city elections, but is making no recommendations as to these on account of difference of opinion among its members. Possibly some recommendation as to them may be made later. The next question to be considered

by the advisory committee is the city manager plan. Questions relating to the city budget will be considered later. The Committee on Law and Ordinances again invites suggestions for additional charter amendments, either from members of the Council or from other citizens, for consideration by the advisory committee.

Councilman McClenon moved that the Corporation Counsel be directed to prepare proposed amendments along the line of this report. This motion was seconded by Councilman Beville and approved.

MUNICIPAL SERVICE COMMITTEE: Councilman Parkerson, Chairman, presented to Council the Rules and Regulations covering the fire service of the City of Takoma Park, Maryland, and suggested that consideration of this be deferred until the members of the Council have a chance to read and study the matter and take up at a special meeting.

Councilman Parkerson stated that bids had been asked for on purchase of police cars but none had been received. It was suggested that bids be advertised again, but after discussion of this matter, and legal advice from the Corporation Counsel, Councilman Parkerson moved that we place an order immediately for two cars suitable for the Police Department. This motion was seconded by Councilman Nies and approved.

Councilman Parkerson moved the appointment of Police Officers Russel S. Merson and Francis J. Linkins, subject to a six-months probation period. This motion was seconded by Councilman Nies and approved.

Councilman Parkerson stated that he had bids for fireproofing of boiler room at the Fire Department and suggested that the Municipal Service Committee and the Civic Improvement Committee are working on some changes in the Fire Department Building, that the matter be referred to these committees, to be included on their recommendations for the building, which would probably be made at the next regular meeting.

On motion of Councilman Parkerson, seconded by Councilman Nies, the application of Norman E. Cook for taxicab driver's permit was approved.

The application of James W. McCullough for taxicab stand permit for Cab #1, was held up pending a report from the Taxicab Assn. and a report from the Chief Police Officer of the City.

Report by Lt. Thomas, recommending an ordinance to prohibit angular parking in front of the stores on New Hampshire Avenue, 300 feet south, and, also, an ordinance prohibiting angular parking in front of stores on the East-West Highway, between Kentland Avenue and New Hampshire Avenue, was held up pending further study of the matter.

HEALTH AND WELFARE COMMITTEE: Councilman Heffner, Chairman. Regarding the matter of vendors selling at the Takoma Park Junior High School on Piney Branch Road, Councilman Heffner stated that nothing had been done about this matter up to the present time, but that a personal interview would be held with the principal of the school in an effort to determine just what action to take.

Regarding the matter of old property on Lake Avenue, Councilman Heffner stated that before reporting on this matter, same would be taken up with the City Health Officer.

CIVIC IMPROVEMENT COMMITTEE: Councilman Githens, Chairman, stated that the committee had had no reports from Montgomery or Prince Georges Counties regarding the matter of turning over to the City any tax money for the policing of the city.

Councilman Githens stated that he had carried on discussions with Engineer Thomas B. McNeill relative to the matter of fostering, or sponsoring, the publication of a street map of Takoma Park, and that negotiations were still going on regarding same.

Councilman Githens stated that a meeting had been held on Thursday, August 12th, by the Citizens Advisory Committee regarding the construction of a Municipal Building, and that about three hours were spent considering the many problems, but that no definite conclusions were reached, and that certain matters would have to be investigated before a definite report could be made.

On motion of Councilman Githens, seconded by Councilman McClenon, it was unanimously voted to approve a resolution expressing the thanks of the Mayor and Council to Dr. Joseph M. Ray and Dr. Elwyn A. Mauck for their work in connection with the publication of a booklet on improving the government of the City of Takoma Park.

Councilman Githens stated that he had received a booklet regarding the City of Rocky Mount, North Carolina, which city is in a similar situation to Takoma Park, portions of both cities lying in two counties. Councilman Githens stated that this was a very interesting booklet and that he had sent in a request for 25 more copies of same.

On motion properly seconded, council adjourned at 11:25 P. M.

J. Adam Dede
Clerk

John C Post
Mayor

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