

SPECIAL MEETING
MAYOR & COUNCIL
November 14, 1949

Meeting was called to order at 8 o'clock p. m. Those present: Mayor Post, Councilmen Beville, Nies, Oosterhous, and Parkerson. Absent: Councilmen Heffner, McClenon, and Perring.

After a short discussion on the Ordinance pertaining to the issuance of Certificates of Indebtedness, Councilman Nies moved the adoption of the following Ordinance:

ORDINANCE NO. 970

An Ordinance to authorize the issuance of Certificates of Indebtedness under and by virtue of authority granted to the City Council under Sections 960 and 965 of Article 16 and Sections 953 and 958 of Article 17 of the Code of Public Local Laws of Maryland as amended, the said Sections being also Sections 1193 and 1198 of the Code of Public Local Laws of Montgomery County (1947), and providing for the amount, form, and terms of said Certificates, the manner of repayment thereof, and pledging the full faith and credit of the City for their repayment in the event that the special assessments prove insufficient for that purpose, and further providing for publication of a Notice to Bidders offering said Certificates for sale.

BE IT ORDAINED by the City Council of Takoma Park as authorized by Sections 960 and 965 of Article 16 and Sections 953 and 958 of Article 17 of the Code of Public Local Laws of Maryland as amended, the said Sections being also Sections 1193 and 1198 of the Code of Public Local Laws of Montgomery County (1947), that;

WHEREAS, by the terms and provisions of the Sections herein above mentioned, the City Council of Takoma Park is authorized and empowered to borrow money upon the faith and credit of said City by the issuance of Certificates of Indebtedness, the proceeds therefrom to be used in the grading, constructing, reconstructing, paving or otherwise improving streets, alleys, sidewalks, public highways, or parts thereof, the cost of such improvements or any part thereof, to be charged against the abutting properties found benefited thereby; and

WHEREAS, in the judgment of the said City Council, the public health, safety and comfort, require the improvements of

<u>SUB.</u>	<u>PROJECT</u>	<u>LEVY DATE</u>	<u>BAL. DUE</u>
Gilbert	Roanoke Ave., Paving, Curb & Gutter	2/16/48	\$2,141.69
Cung.	Davis Ave., Paving, Curb & Gutter	4/7/47	1,693.37
Cung.	Jackson Ave., Paving, Curb & Gutter	1/28/46	1,605.23
Cung.	Central Ave., Paving, Curb & Gutter	4/7/27	1,386.96
Gilbert	Hudson Ave., Paving, Curb & Gutter	2/16/48	656.31
Gilbert	Oswego, Ritchie & Geneva Avenues, Paving, Curb & Gutter	1/28/46	1,812.04
TPL&T	Baltimore Ave., Paving, Curb & Gutter	5/23/49	960.89
Gilbert	Maple Ave., Paving, Curb & Gutter	7/16/45	225.00
C.M.	Winchester Ave., Paving, Curb & Gutter	12/15/47	163.35
TPL&T	Boston Ave., Paving, Curb & Gutter	3/3/49	2,907.49
Gilbert	Birch Ave., Grading, Gravel, Curb & Gutter	1/14/43	302.19

<u>SUB.</u>	<u>PROJECT</u>	<u>LEVY DATE</u>	<u>BAL. DUE</u>
NH AvHy	Glenside Dr., Curb & Gutter	6/15/49	\$ 45.83
Gilbert	Elm Ave., Sidewalks	9/29/47	33.54
Gilbert	Elm Ave., Driveways	6/15/49	265.32
W.W.	Alleyway	3/10/49	183.03
Gilbert	Larch Ave., Curb & Gutter	6/15/49	55.00
Gilbert	Kentland Ave., Curb & Gutter	6/15/49	109.31
Gl.Man.	Elm Ave., Paving, Curb & Gutter	8/22/49	5,546.71
Gl.Man.	Boyd Ave., Curb & Gutter	8/22/49	347.32
Beale	Jackson Ave., Paving	8/22/49	1,571.54
Cung.	Garland Ave., Paving, Curb & Gutter (Davis to Jackson Ave.)	8/22/49	1,759.03
Flet.	Garland Ave., Paving (From Blacktop to Flower Ave.)	8/22/49	2,775.36
TPL&T	Boston Ave. & Margaret Drive, Paving Curb & Gutter	8/22/49	3,919.20
C.M.	Manor Circle, Paving, Curb & Gutter	8/22/49	11,216.46
Gilbert	Dogwood Ave., Paving, Curb & Gutter	11/1/49	4,004.15
Gilbert	Barclay Ave., Paving, Curb & Gutter	11/1/49	2,289.43
Gl.Man.	Boyd Ave., Paving, Curb & Gutter	11/1/49	1,490.84
Gilbert	Albemarle Service Drive, Paving, Curb & Gutter	11/1/49	3,655.41
Cung.	Central Ave., Paving, Curb & Gutter	11/1/49	2,158.00
			<u>\$55,280.00</u>

and that the said streets have been improved and the cost thereof paid from general City funds, all pursuant to a public hearing of which due and timely notice was given in the form and manner required by law; and

WHEREAS, the said City Council now desires to reimburse the said general City funds in the amounts paid therefrom for the improvement of said streets.

THEREFORE, BE IT ORDAINED, that the City Council aforesaid borrow upon the faith and credit of the City of Takoma Park, Maryland, the sum of \$55,000.00 and to issue for said amount five Certificates of Indebtedness in the amount of \$10,000.00 each, numbered 49-SI-1 to 49-SI-5, inclusive, and one Certificate of Indebtedness in the amount of \$5,000.00, numbered 49-SI-6, to bear date of December 15, 1949 and to mature in order of their consecutive numbers on December 15th in each year, 1950 to 1952, two (2) \$10,000.00 Certificates to mature in 1950; two (2) \$10,000.00 Certificates to mature in 1951; one (1) \$10,000.00 and one (1) \$5,000.00 Certificate in 1952, the said Certificates to be specially designated "City of Takoma Park Special Improvement Certificates of Indebtedness of 1949".

BE IT FURTHER ORDAINED, that said Certificates of Indebtedness be offered at public sale to the highest bidder or bidders on an interest rate bid basis and that notice of such sale be given by advertisement inserted at least twice in one or more daily or weekly newspapers having a general circulation in the City of Takoma Park and that said sale be held not sooner than ten days following the first insertion of said advertisement.

BE IT FURTHER ORDAINED that the form of the advertisement shall be as follows:

NOTICE TO BIDDERS

Sealed bids in writing on an interest rate basis will be received until 4:30 P.M., November 28, 1949, by the Mayor and City Council for the purchase of five "City of Takoma Park Special Improvement Certificates of Indebtedness 1949", each in the amount of \$10,000.00 which Certificates will be numbered 49-SI-1 to 49-SI-5, inclusive, and one for \$5,000.00 numbered 49-SI-6, and each to bear date of December 15, 1949, and to mature in order of their consecutive numbers on December 15th in each year 1950 to 1952, two (2) \$10,000.00 Certificates to mature in 1950; two (2) \$10,000.00 Certificates to mature in 1951; one (1) \$10,000.00 and one (1) \$5,000.00 Certificates in 1952. Bids may be for one or more of the said Certificates and must be accompanied by a certified check in an amount equal to 5% of the face value of the Certificate or Certificates bid upon. The right is reserved to reject any and all bids. The said Certificates are issued by and under the authority of the provisions of Sections 960 and 965 of Article 16 and Sections 953 and 958 of Article 17 of the Code of Public Local Laws of Maryland as amended, the said Sections being also Sections 1193 and 1198 of the Code of Public Local Laws of Montgomery County (1947), and the proceeds therefrom are to be used for the construction, paving of streets, curbs, gutters, etc., the principal part of which is to be assessed as a benefit against properties abutting the improvements. The said Certificates shall be issued in bearer form with coupons attached for the semi-annual payment of interest and may be registered as to principal or interest or both. The said bids will be opened at a meeting of the Mayor and City Council to be held at 8 Columbus Avenue, Takoma Park, Maryland, on the 28th day of November 1949, at 8:00 P. M.

THE CITY OF TAKOMA PARK

BY John C. Post, Mayor

Test:

Harold J. Hilliard, Sr.
Clerk and Treasurer.

Adopted by Mayor and Council
November 14, 1949.

The form of the Certificate hereinabove mentioned is to be substantially as follows:

(BACK OF CERTIFICATE OF INDEBTEDNESS)

No. _____
 United States of America
 State of Maryland
 CITY OF TAKOMA PARK
 SPECIAL IMPROVEMENT
 CERTIFICATE
 OF INDEBTEDNESS

Issue of 19__

(FACE OF CERTIFICATE OF INDEBTEDNESS)

United States of America
State of Maryland

No. _____

\$ _____

CITY OF TAKOMA PARK SPECIAL IMPROVEMENT
CERTIFICATES OF INDEBTEDNESS 1949

Issue of 19 _____

The City of Takoma Park, a Body Politic and Corporate, organized and existing under the laws of the State of Maryland, hereby certifies it is justly indebted and for value received hereby promises to pay to the bearer, or if this Certificate be registered otherwise, then to bearer, to the registered holder hereof, on the _____ day of _____, 19____, the principal sum of _____ together with interest thereon at the rate of _____ per centum per annum, payable semi-annually on the _____ day of _____ of each year upon presentation and surrender of the annexed interest coupons as they severally mature.

Both the principal and interest of this Certificate are payable at the _____.

The full faith and credit of said City of Takoma Park is hereby irrevocably pledged for the prompt payment of both the principal and the interest of this obligation as the same shall fall due, payable at _____.

This Certificate is issued by the said City of Takoma Park pursuant to an Ordinance duly adopted by the City Council and under the authority of and in full compliance with the provisions of Sections 960 and 965 of Article 16 and Sections 953 and 958 of Article 17 of the Code of Public Local Laws of Maryland as amended, the said Sections being also Sections 1193 and 1198 of the Code of Public Local Laws of Montgomery County (1947) empowering the City Council of said City to grade construct, pave or otherwise improve and to assess the cost or any part therefor against abutting properties found benefited thereby; and further, in the event of a deficiency in the collection of said assessments to levy therefore on all taxable property in the said City.

This Certificate may be registered in the name of the owner on the Registration Books at the Office of the Clerk and Treasurer at his office in the said City.

It is hereby certified and recited that all Acts, conditions and things required to happen, exist and be performed, exist and have been performed in due time, form, and manner as required by the laws and Constitution of Maryland and the Ordinance of the City Council of the City of Takoma Park; and that together with all other obligations of the City of Takoma Park issued and outstanding under the provisions of its Charter, the total of such obligations do not exceed the total amount authorized by law.

BE IT FURTHER ORDAINED: That there be included in the annual tax levy each year on all property in the City of Takoma Park such sums as may be necessary to raise the amount needed to pay the interest and retire maturing certificates, less special assessments in hand or to be received in the said levy year, and if there then be a deficiency, to levy against all taxable property in the City of Takoma Park, Maryland.

BE IT FURTHER ORDAINED: That the Mayor and City Council do hereby certify that no litigation of any nature is now pending or threatened, restraining or enjoining the issuance and delivery of said Certificate of Indebtedness or the authority under which the same is made or affecting the validity thereof nor in any manner questioning the use of the proceeds and the provisions for the payment of said Certificates of Indebtedness and the interest thereon, as set forth in the Sections of the Code of Public Local Laws of Maryland as amended, and Code of Public Local Laws of Montgomery County (1947) referred to elsewhere in this resolution.

Councilman Parkerson seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Beville, Nies, Oosterhous and Parkerson. Nays: None.

In regard to Zoning Petition No. A-633, covering Lots 5 and 6, Block 56A, Gilbert Subdivision; and Zoning Petition No. A-632, covering Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, and 14, Block 56A, Gilbert Subdivision, Councilman Parkerson moved we recommend to the Park and Planning Commission that these two Petitions be accepted.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried.

Councilman Parkerson moved that Councilman Oosterhous, Chairman of the Civic Improvements Committee, Executive Secretary, and the Superintendent of Public Works be appointed as a Committee to arrange for the renovation and repair to the gymnasium floor at the Fire House at the least possible cost by a Carpenter who would be willing to do this work on an hourly or job basis.

Upon motion properly seconded and carried, the meeting adjourned at 8:30 O'clock p. m.

David J. Williard Jr.

 Clerk & Treasurer

John C. Post

 Mayor

SPECIAL MEETING
MAYOR & COUNCIL
November 21, 1949

Meeting was called to order at 7:50 p.m. Those present: Mayor Post, Councilmen Beville, Heffner, McClenon, Nies, Oosterhous and Parkerson. Absent: Councilman Ferring.

The Citizens Group from Margaret Drive and lower Boston Avenue requested an audience before Council to protest the \$2.71 levy for blacktopping their streets. Their leader, Mr. Michael Levine of 7815 Takoma Avenue, read petition from group which requested the levy be reduced to a maximum of \$1.25 per linear foot, which they stated was the charge quoted to them by Councilman Beville and to which they agreed last Fall.

Mr. Eric Billings, 130 Philadelphia Avenue, stated he was the agent who sold most of the lots to the residents of this area. At the time he was the agent for H. A. Hobart, Mr. Billings stated he called on both Mr. Dodd and Major Fisher, who informed him that if the owners of the property would bring the road up to grade that it would be blacktopped by the City at no additional cost to the property owners. This information was passed on to the individuals who purchased the property. The road was brought up to grade about 1940-41.

Mr. McCauley, 7432 Piney Branch Road, stated that Mr. Billings told him at the time he purchased property there that the City had promised to blacktop the road. This information had quite a positive influence on his purchasing the property. He stated he brought the road up to grade, called Major Fisher, but did not receive a finish for the road. He again brought the road up to grade, and called in surveyors, twice, as requested by the City. This was done at a total cost of \$720. The last grading was done in the early Spring of 1948. He asked at that time that the blacktop be put on, and was informed that the City did not do that without a special assessment any more, and that the approximate cost would be 80¢ per linear foot. Later this estimate was raised to \$1.15 -- \$1.25. They were told that this work would be done without charge, then when they agreed to the \$1.25, they did not expect to be charged an amount such as \$2.71.

Mr. Emanuel Mohl, 35 Boston Avenue, stated he purchased his property in December 1947. He checked with the City office to assure himself that Mr. McCauley was correct in making the statements that the City had promised to furnish the road and was assured by Major Fisher that the road would be put in at the Town's expense. Later, when he was approached on the subject of having a road put in at an assessment of 80¢, he agreed. When this was raised to \$1.25, he again agreed, which would have been at a total cost to him of about \$350. Now, he finds that the cost has been raised to over \$600.

Mrs. Jack Leisch, 506 Margaret Drive, stated she had secured the 100% signing of the petition and had again obtained the signatures at the higher figure of \$1.25 per foot. She now protests the increase from \$1.25 to \$2.71.

Mr. Leisch, 506 Margaret Drive, stated that about two weeks ago he discussed the matter of assessments with Mr. Hilliard and examined the cost records. Some \$1181 for drainage installations certainly are not chargeable to the people in the area, because they do not directly

benefit from the storm sewers. These sewers drain a much larger area, including Margaret Drive, Ray Drive, up to Takoma Avenue and Philadelphia Avenue.

Mr. Noonan, representing Frank Toman of 31 Boston Avenue; Mr. Lorentz, 100 S. Courthouse Road, Arlington; and Mr. Geraci, 7901 Takoma Avenue, also protested the levy of \$2.71 and requested it be reduced to \$1.25.

Mr. Lloyd Klenert, 509 Boston Avenue, summarized the above arguments and stated that since he has paid a total of \$360 in taxes this year for his house, he does not feel that the City should assess him any additional amount for the installation of the street, but that it should come from the taxes he has paid. He requested that since all the property owners had agreed to the \$1.25 assessment, that is what they should be charged, and no more.

Mayor Post thanked the group for their presentation and stated that it would be taken up before the executive session of the Council.

Executive Session

Councilman Beville suggested that some of the costs might not be chargeable to the abutting property owners -- one half of the drainage system, the cost of moving dirt from private property, one-half the cost of the engineering fees, and the total cost of the gravel put down as a temporary expedient -- should not be charged to the property owners for a total of \$1,398.65.

Councilman Beville moved that this \$1,398.65 charge be removed from the cost and that the levy be refigured on the smaller cost.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

Mr. Hilliard read the letter from Chief Thomas requesting the termination of employment of Albert Lee Thompson from the Police Department because of misconduct and lack of cooperation.

Councilman Heffner moved that his employment be terminated effective December 1.

Motion was seconded by Councilman Parkerson.

Upon being put to question the motion was carried.

The letter from Mr. Hegarty regarding the repairing of the bymasium floor was read. The matter was referred to Councilman Oosterhous for further study, and he was given authority to spend several hundred dollars to fix the floor temporarily, if such work was possible.

The letter from Chief Thomas requesting the installation of a private radio station was read. Mayor Post referred the matter to a special committee consisting of Councilmen Beville, Nies and Parkerson for further study.

Mr. Hilliard requested permission to transfer from the reserve fund the amount of \$5,750.00 to pay for the aerial truck to be received

by the Fire Department within the next week. This transfer of money was approved by the Council. Motion was made by Councilman Nies, seconded by Councilman McClenon, and upon being put to question was carried.

Mr. Hilliard was instructed by Mayor Post to wire the shipper of the truck to change the instructions given by Chief McBride to have the truck driven through to Takoma Park, and request that if possible the truck be sent by freight, if such shipping could be made at no additional cost to the City.

Mr. Hilliard presented the dedication plan of the area bordered by Spring, Poplar, Lake and Cockerill Streets for resubdivision.

Councilman Oosterhous moved that the following ordinance be accepted:

ORDINANCE NO. 971

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

Section 1. That Plat of subdivision of land within the corporate limits of the City of Takoma Park, Prince Georges County, Maryland, resubdividing parts of Lots 8, 10, 11, 12 and 16 and all of Lots 9, 17 and 18, Block 11, Gibbs and Kosacks Addition, as presented by Israel Diamond and Jennie Diamond, be and the same is hereby approved.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried with Councilmen Beville, Heffner, Nies, Oosterhous and Parkerson voting Aye. Not voting: Councilman McClenon.

Mr. Hilliard read the letter from Blair Lee concerning the installation of a cascade in Spring Memorial Park, and which requested a plan for future park planning in the City of Takoma Park. The matter was referred to the Park and Playgrounds Committee for action, and was referred to the Park and Playgrounds Committee for action, and Mr. Hilliard was instructed to write a letter of thanks to Mr. Lee.

Mr. Nies presented the bill from Conte Sand and Gravel Company for work on Erskine and Elson Streets

Councilmen Nies moved that the bill of \$1796.50, plus a charge of \$80.20 for engineering fees, be authorized for payment.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon presented the following Fire Prevention Ordinance and moved that it be approved.

ORDINANCE NO. 972

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

Section 1. The following areas are hereby declared to be restricted areas for the purpose of fire prevention:

(a) All lots bordering on Laurel Avenue.

(b) All lots bordering on Carroll Avenue between the District of Columbia line and Sherman Avenue and/or Carroll Manor Circle North, and between Merrimac Street and University Lane.

(c) All lots bordering on University Lane between Carroll Avenue and New Hampshire Avenue.

(d) All lots bordering on New Hampshire Avenue between University Lane south and the Corporate Limits of the City of Takoma Park.

(e) All lots bordering on Ethan Allen Avenue between Elm Avenue east and the Corporate Limits of the City of Takoma Park and between Carroll Avenue and Woodland Avenue.

(f) All lots bordering on Flower Avenue between Piney Branch Road and Domer Avenue and between Kennebec Avenue and Carroll Avenue.

Section 2. Within any area described in Section 1 the following restrictions shall apply:

No building or structure of frame construction or of unprotected metal construction or which has a wooden cornice, shall be erected, except

(a) dwellings not more than two stories in height and separated by at least five feet from the nearest line separating the owner's property from that of any other owner;

(b) porches or balconies on dwellings, not over ten feet in width nor extending more than three feet above the second story floor beams, nor extending within less than three feet of a lot line or joined to a similar structure of another building;

(c) private garages not more than one story in height nor more than 750 square feet in area, located on the same lot with a dwelling and at least three feet from the nearest line separating the owner's property from that of any other owner and at least eight feet from any dwelling house on another person's property;

(d) fences not over ten feet in height;

(e) sheds open on the long side, not more than fifteen feet in height nor more than 100 square feet in area;

(f) green houses not more than fifteen feet in height, on the same lot with an accessory to a dwelling or a store;

(g) builders' shanties for use only in connection with a duly authorized building operation and located on the same lot with such building operation, on a lot immediately adjacent thereto, on an upper floor of the building under construction, or on a sidewalk shed;

(h) cooling towers not over 250 square feet in base area nor over fifteen feet in height;

(i) coal tipples, ice houses, material bins, trestles or water tanks, built of planking and timbers of the dimensions usual for heavy timber construction;

(j) all-metal gasoline service stations or similar structures not over 1000 square feet in area, nor more than one story in height, and located at least ten feet from the nearest line separating the owner's property from that of any other owner.

Section 3. Within the corporate limits of the City of Takoma Park:

(a) Every roof hereafter placed on a building shall be covered with an approved roofing of brick, concrete, tile, slate, metal, asbestos, prepared asphalt asbestos-felt shingles, or built-up roofing finished with asphalt, slag or gravel, or other approved material.

(b) Except where roofing is of a character permitting attachment direct to frame work, it shall be applied to a solid or closely fitted deck.

(c) Roofings which are listed as Class A or B roof covering materials by Underwriters' Laboratories, Inc., shall be accepted as meeting the requirements of this section.

(d) Roofings which are listed as Class C roof covering materials by Underwriters' Laboratories, Inc., shall be accepted as meeting the requirements of this section on buildings as follows:

(1) Dwellings.

(2) Buildings of wood frame construction.

(3) Buildings located outside the restricted areas described in Section 1, which do not exceed two stories or 30 feet in height, nor 2500 square feet in area, and are not occupied as stores, factories or warehouses.

(4) Buildings which under this Ordinance could be of wood frame construction.

(e) The use of cork, fiber board or other approved insulation is permitted on top of the roof deck provided such insulation is covered with an approved type of fire resistive roof covering applied directly thereto.

(f) No roofing on an existing roof shall be renewed or repaired to a greater extent than one-tenth of the roof surface, except in conformity with the requirements of this section.

Section 4. No building or structure of the character prohibited by Section 2 and Section 3 hereof shall be moved into any area described in Section 1 from any other place.

Section 5. No building or structure of frame construction or unprotected metal construction shall be extended in such a way that the extended building or structure could not be erected under the terms of Section 2.

Section 6. Every violation of any provision of Sections 2, 3, 4 and 5 shall constitute a misdemeanor, and shall be punishable by a fine of not over fifty dollars; provided that the maintenance of a building or structure prohibited by Sections 2, 3, 4 and 5 shall constitute a separate offense for each day of such maintenance, subject to the same penalty as the original erection.

Section 7. Nothing in this ordinance shall affect the original construction of any building or structure commenced on or before December 1, 1949, and completed on or before May 1, 1950.

Councilman Beville seconded the motion.

The motion was carried by voice vote with Councilman Beville, Heffner, McClenon, Nies, Parkerson and Oosterhous voting Aye. Nays: none.

The petition for sidewalks on Garland Avenue was presented. Councilman Beville made the motion that the project be dropped for the time being.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

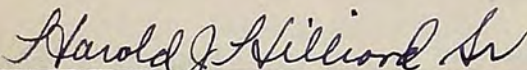
The letter from Joseph I. Horn, 717 Auburn Avenue, requesting installation of curb was presented. Mr. Hilliard was instructed to write a letter to Mr. Horn informing him that the planting, etc., which has been done should take care of his drainage problem, and if he has any further trouble to bring the matter to the attention of the Council at a later date.

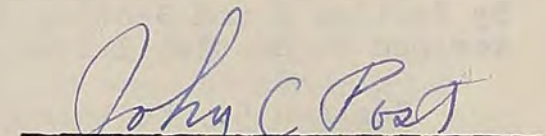
The letter from Mrs. Rosea Darhanion requesting installation of a storm sewer was presented. Mr. Hilliard was instructed to write her that we appreciate her problem, but that there is nothing that the City can legally do to assist her.

The Garland Avenue, Minter Place, Central Avenue and Jackson Avenue drainage situation was presented. Mr. Hegarty was instructed to meet with the group requesting action and discuss with them the problem and advise them of the approximate cost.

Mr. Gingerich presented the letter from Mr. Rogers, who requested action be taken to insure drainage of his property on Manor Circle, which was caused when the paving of the Circle was done. Mr. Gingerich was instructed to write a letter to Mr. Rogers stating that there is nothing the City can legally do to assist him.

There being no further business to come before the Council, upon motion properly seconded and carried, the meeting adjourned at 11:40 p.m.


Clerk and Treasurer


Mayor

REGULAR MEETING
MAYOR & COUNCIL
November 28, 1949

Meeting was called to order at 8 O'clock p. m. Those present: Mayor Post, Councilmen Heffner, McClenon, Nies, Oosterhous, and Perring. Councilmen Beville and Parkerson reported later in the evening. Absent: None.

Councilman Oosterhous moved the reading of the Minutes of October 24th, November 14th and 24th, 1949, be dispensed with.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman Perring moved the reading of the bills be dispensed with and approved as recommended by the Finance Committee.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

The financial statement for the month of October 1949, was presented by the Clerk and Treasurer and upon motion properly seconded and carried was ordered filed as follows:

FINANCIAL STATEMENT

Receipts

General Taxes - Real Property	\$16,688.15	
Less Discounts	<u>78.82</u>	\$16,609.33
Penalties		.12
Overpaid Taxes		145.10
Parking Meter Collections		326.30
Miscellaneous Permits		3.00
Excavation Permits		1.00
Identification Permits		2.00
Dog Tax		5.75
Taxicab Stand Rental		200.00
Taxicab Badge Deposits		11.00
Parking Meter Fines		39.00
Miscellaneous Current Service (Replacing Parking Signs)		20.00
Montgomery County Support (Police Department)		1,991.27
Montgomery County Licenses		14.11
Montgomery County Fire Department Annual Allotment		1,500.00
Montgomery County Fire Tax - 22nd Precinct		438.88
Montgomery County Corporation Tax		9.14
Prince Georges County Fines		2.00
State of Maryland - Admission Tax		1.05
State of Maryland - Franchise Tax		5.00
Special Trash Pickup		23.00
Commercial Trash Pickup		15.00
Special Assessments		1,608.94
Interest on Special Assessments		<u>19.32</u>
		\$22,990.31

DISBURSEMENTS

OFFICE:

Salaries: Clerk & Treasurer	\$ 453.06	
Clerks	710.90	
Supplies, printing	134.70	
Postage	15.60	
Telephones	41.45	
Rent	100.00	
Transfers Prince Geo. County	35.00	
Miscellaneous Expense	8.00	\$1,498.71
	<u> </u>	
Justice of Peace Salaries (2)	50.00	50.00
	<u> </u>	
Corporation Counsel Salary	80.00	80.00
	<u> </u>	
Municipal Building Expense	128.35	128.35
	<u> </u>	

POLICE DEPARTMENT:

Salaries: Chief	414.00	
Officers	2,567.60	
Clothing Allowance	937.91	
Oil	1.60	
Car Wash	8.00	
Auto Repairs	181.97	
Tires and Tubes	38.72	
Utilities		
Gas	2.43	
Electricity	15.06	
Telephones	53.30	
Building Maintenance	107.81	
Administrative Supplies	34.75	
Miscellaneous Expense	21.35	
Equipment	38.78	4,423.28
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FIRE DEPARTMENT

Salaries: Chief	397.40	
Firemen	1,446.33	
Truck Repairs	20.00	
Tires and Tubes	3.05	
Utilities		
Telephone	32.01	
Gas	12.76	
Electricity	11.70	
Supplies - First Aid	4.50	
Laundry	8.79	1,936.54
	<u> </u>	
Renovation of Fire Dept. Bldg.	8,555.29	8,555.29

PUBLIC WORKS: STREETS

Salaries: Superintendent	222.34	
Asst. Supt.	104.17	
Laborers	1,449.90	
Truck Repairs	48.29	
Street Repairs	493.03	
Street Signs	13.38	
Special Improvements	3,561.68	
Telephone	13.98	
Miscellaneous Expense	1.56	5,908.33
	<u> </u>	

Road Equipment	500.46	
Warehouse Supplies	11.10	
Garage Renovation	<u>1,865.26</u>	\$2,376.82
HIGHWAY LIGHTING:		
Street Lights	632.20	
Traffic Lights	<u>13.67</u>	645.87
REFUSE:		
Salaries: Superintendent	222.32	
Asst. Supt.	104.16	
Wages: Laborers	3,181.40	
Labor - Commercial Pickup	192.80	
Gas	36.11	
Oil	1.40	
Repairs	238.66	
Tires and Tubes	141.00	
Disposal	590.30	
Supplies	171.90	
Miscellaneous Expense	<u>.75</u>	4,880.80
RECREATION:		
Municipal Parks - Maintenance	<u>216.00</u>	216.00
Improvements & Equipment	294.82	
Colored Playgrounds	<u>70.16</u>	364.98
PENSIONS:		
Henry Fields	25.00	
General Retirement	<u>897.47</u>	922.47
Workmen's Compensation	<u>1,047.83</u>	1,047.83
MISCELLANEOUS:		
Gasoline Account	<u>205.00</u>	205.00
Refund of Overpaid Taxes	<u>57.18</u>	<u>57.18</u>
		<u>\$33,297.45</u>
<u>BANK STATEMENT</u>		
GENERAL ACCOUNTS:		
9/30/49 - Bal. on hand, Citizens Bank	\$70,553.53	
Deposits in October, 1949	<u>22,205.91</u>	
	92,759.44	
Withdrawals in October, 1949	<u>33,297.45</u>	
	59,461.99	
Error Check No. 1938, Citz. Bank	<u>.20</u>	
10/31/49 - Balance on Hand		\$59,461.79
9/30/49 - Balance on Hand, Suburban Bank	9,338.22	
Deposits in October, 1949	<u>784.40</u>	
	10,122.62	
10/31/49 - Withdrawals in October, 1949	<u>- -</u>	<u>10,122.62</u>
10/31/49 - Balance on Hand both banks		<u>69,584.41</u>
9/1/49 - Certificate of Deposit, Citz. Bank		<u>25,000.00</u>

COMMUNICATIONS: Letter from Mr. Ward W. Caddington, Chief Clerk, Supervisor of Elections, Rockville, Maryland, agreeing to permit the City to use their voting machines in our next election without rental charge, providing the City would defray all expenses. Letter was referred to the Law and Ordinance Committee, and the Clerk & Treasurer was directed to send the Board of Election Supervisors a letter of thanks for this offer.

Letter from Mrs. Vera Hash, Secretary to Lincoln Valley Citizens' Association, calling attention to the unsightly appearance of the area at Lincoln and Boyd Avenues where Larch is to be cut through. Mr. Hilliard stated the Superintendent of Public Works had advised him this situation would be remedied immediately. Referred to the Municipal Services Committee and Superintendent of Public Works.

Letter from Mr. John J. Hartey, Lincoln Valley Citizens' Association, regarding their Association meeting at 8 Columbia Avenue the second Monday in each month at 8 p. m. Referred to Health and Welfare Committee.

Letter from Mr. Ellery Denison, East Takoma Citizens' Association, requesting the installation of street lights and street signs in the vicinity of Hillwood Manor. Referred to the Municipal Services Committee, Superintendent of Public Works and Clerk and Treasurer.

Letter from Mr. Victor Judson with a breakdown of the additional cost of renovation of the Fire Department. Referred to the Civic Improvements Committee.

Sealed Bids for the purchase of Certificates of Indebtedness in the amount of \$55,000.00 were opened at this time and the following bids were received:

The Suburban National Bank, Silver Spring, Maryland, quoted an offer of par for all or part of \$55,000.00 on interest rates as quoted below:

\$20,000.00 due 12/15/50 - Par at 1-3/4% per annum
 \$20,000.00 due 12/15/51 - Par at 2-1/4% per annum
 \$15,000.00 due 12/15/52 - Par at 2-1/2% per annum

Alex Brown & Sons, Washington 5, D. C., quoted an offer for all but not for any part of \$55,000.00, to bear interest at the rate of 1-7/8% per annum at the rate of \$100.092 and accrued interest to date of delivery per \$100.00 principal amount thereof.

The Citizens Bank of Takoma Park, Takoma Park, Maryland, quoted an offer to purchase the 6 Certificates, or any one or more of them, at an interest rate of 1 1/2% per annum.

Councilman Oosterhous moved that the following Ordinance be adopted:

Ordinance No. 973

BE IT ORDAINED that the Mayor and Council, having duly opened sealed bids for the purchase of Certificates of Indebtedness in the amount of \$55,000.00, submitted by the Suburban National Bank, Silver Spring, Maryland;

Handwritten: 154-164

Alex Brown & Sons, Washington 5, D. C.; and the Citizens Bank of Takoma Park, Takoma Park, Maryland, hereby accept the bid of the Citizens Bank of Takoma Park at 1½ per cent (one and one-half per cent) per annum, which is the lowest rate received from the Companies herein referred to, and BE IT FURTHER ORDAINED that these Certificates be issued on December 15, 1949, as follows:

	<u>DATE OF MATURITY</u>
Two \$10,000.00 Certificates	12/15/50
Two \$10,000.00 Certificates	12/15/51
One \$10,000.00 Certificate	12/15/52
One \$ 5,000.00 Certificate	12/15/52

Councilman Nies seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Heffner, McClenon, Nies, Oosterhous, and Perring. Nays: None.

OPEN MEETING: Mr. R. L. Dunn, 616 Albemarle Avenue, commended the Superintendent of Public Works on the good job he has done since he has been here. He suggested the town should paint the yellow part of the curbing on the intersections, and Kennebec and Erie Avenues coming into Flower Avenue were very bad Streets. The Superintendent of Public Works stated this would be done when the weather was too bad for any other work.

Mayor Post invited Mr. Oliver W. Youngblood, Mr. J. Douglas Bradshaw and Mr. Howard S. Fisk to speak before Council.

Mr. Youngblood stated he was very interested in the parking lot program and it was very much needed in the City.

Mr. Bradshaw, a member of the County Council for Montgomery County, addressed the Council, stating that he had followed with considerable interest the current street construction program in Takoma Park. He stated some of the problems encountered by Montgomery County in carrying out a similar program amounting to about \$200,000.00, and remarked that the current program now being completed in Takoma Park of approximately \$100,000.00 was a remarkable accomplishment when one compares the size of the County with that of the City. Mr. Bradshaw congratulated the City Council on successfully carrying out such a program. He also outlined the basis upon which special improvement of street, sidewalk and storm drainage projects were undertaken and the manner in which the costs thereof were apportioned by the County and the Citizens whose property is benefitted thereby. In the course of his remarks, he stated that the Director of Public Works of Montgomery County was of the opinion that even if the County's share of such special improvement projects amounted to as much as fifty per cent of the entire cost, over a period of 5 or 6 years the money expended by the County for its share of constructing such projects would be returned to it in the form of reduced maintenance cost. He went on to explain that the policy of apportioning the cost of constructing streets and sidewalks in Montgomery County is as follows:

The County pays the entire cost of excavating and grading as well as the entire cost of construction of any storm drainage

structure and 1/3 of the total cost of construction between the inside faces of the curbs. The property owners are called upon to bear the entire cost of constructing curb and gutters, sidewalks, and 2/3 of the total cost of construction between the inside faces of the curbs.

Mr. Fisk addressed Council, stating that he was glad the street program was getting along as well as it was, and he thought the Council would eventually solve the drainage problem. He complimented Council on the splendid way they have been handling things since they have been in office.

HEALTH AND WELFARE: In regard to the letter from Mr. John J. Hartey, Lincoln Valley Citizens' Association, asking for permission to meet at 8 Columbia Avenue the 2nd Monday in each month, Councilman Heffner stated he would write a letter to Mr. Hartey.

LAW AND ORDINANCE: In regard to the number of voting machines we should have, Councilman McClenon brought out that Mr. Ward W. Caddington recommended in his letter that one machine should be used for every five hundred (500) registered voters, and the number of registered voters in Takoma Park would be approximately five thousand (5000). The number of voting places we should have was discussed, and it was Councilman McClenon's opinion that if we had seven voting places (one voting place for every voting precinct), it would be easy, but any number less than seven or more than one would be confusing to the people. After further discussion, the matter was referred to the Law and Ordinance Committee.

FINANCE: Councilman Nies brought before Council the question of whether or not the members of the Council and the City employees who attended the convention of the Maryland League of Municipalities in Baltimore would be reimbursed. After discussion, Councilman Nies moved that we go on record to pay the expenses of the men who attended the convention of the Maryland League of Municipalities in Baltimore.

Councilman Heffner seconded the motion.

Upon being put to question, the motion was carried.

The matter of repairing the gymnasium floor at the Fire House was again brought before Council, and Councilman Oosterhous said he would see what could be done about this in the very near future.

PARKS AND PLAYGROUNDS: Councilman Perring stated the Park and Planning Commission assures us Mr. Plachta is now working on our place, and he would continue to contact them regarding this.

MUNICIPAL SERVICES: Councilman Parkerson moved that Mr. Kenneth B. Hamilton and Mr. Steve J. LaScola be appointed permanently to the Fire Department and the resignation of Mr. Grant Pudliener be accepted.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

CIVIC IMPROVEMENTS: After a full discussion of Petition No. A-637 for rezoning Lots 35 and 36, Block 45, B. F. Gilbert's Subdivision, located at 301 Carroll Avenue in the name of Arthur L. and Lottie F. Reynolds, from Residential "A" to Commercial "D", Councilman Oosterhous moved that Council approve this petition if it meets with the proposed Master Zoning Plan of Takoma Park.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried.

STREETS AND HIGHWAYS: Relative to the drainage problem in the section bounded by Central Avenue, Garland Avenue, Minter Place and Jackson Avenue, Councilman Perring stated that Mr. Hegarty had made certain suggestions whereby this could be alleviated for an estimated cost of \$2,000.00. He moved that the drainage work in this area be done at the City's expense for approximately \$2,000.00, in accordance with Mr. Hegarty's proposal, provided the property owners dedicate the necessary property to the City.

Councilman Oosterhous seconded the motion.

After a lengthy discussion, the motion was lost with Councilman Heffner, McClenon and Nies voting Nay; Councilman Oosterhous and Perring voting Yea.

Councilman McClenon then moved that the Mayor be requested to communicate with the Washington Suburban Sanitary Commission requesting their assistance in connection with the survey to establish drainage area in Long Branch.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

Councilman Beville stated that Council at the last meeting approved the removal of \$1,398.65 from the cost of Boston Avenue and Margaret Drive. He then moved that we set the rate of assessment at \$2.02.

Councilman Nies seconded the motion.

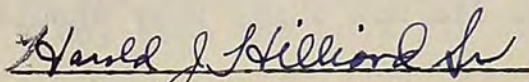
Upon being put to question the motion was carried.

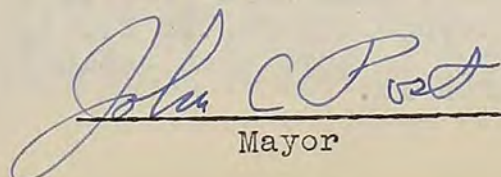
Councilman Beville moved that the assessment on Dogwood and Barclay Avenues be set at the rate of \$2.00 per assessable foot for paving and \$2.00 per assessable foot for curb and gutter.

Councilman Perring seconded the motion.

After a lengthy discussion, the motion was carried with Councilman Nies and McClenon voting Nay.

There being no further business to come before the Council, upon motion properly seconded and carried, the meeting adjourned at 10:50 p. m.


Clerk & Treasurer


Mayor