

SPECIAL MEETING
MAYOR & COUNCIL
December 12, 1949

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

Mayor Post stated this meeting was called at the request of Mr. Seymour Pollack to hear the Citizens on Garland Avenue regarding their assessment.

Mr. Lester Rubin, 7206 Garland Avenue, addressed Council and stated that after they received their bills with the cost of \$2.45 per foot, several residents consulted with Mr. Hegarty and Mr. Hilliard and found that the Park and Planning Commission was being assessed against the property of the abutting properties, and they were then given lower rates. He stated they would like to have the following points clarified:

1. The matter of three intersections which takes in about 20 houses of property owners.
 - A. About 150 feet of paving at Flower Avenue which the people on Garland Avenue are being assessed for. He brought out that this was not only a benefit to them, but a benefit to the entire community.
 - B. The intersection at Garland and Trescott Avenues.
 - C. The intersection at Garland and Central Avenues.
2. We find that on the curb and gutter the town is paying for 686 feet of curb and gutter. We are trying to find out where this curb and gutter is located in our block. We have found 350 feet of curb and gutter, and would like to know where the other feet are.
3. A competitive bid by Contee figured out to a 1/3 less material than was actually charged by Suburban for the job. He stated Contee estimated approximately 400 tons of black top @ \$7.00, 360 feet of curb and gutter at \$2.40, and 450 gallons of tack coat at .15¢ a gallon. He added it was possible they had the material in their street, but it was more than should have been put in. He also brought out that the contract was let on the basis of a 2 inch street, and he did not think the Citizens should be obligated to pay the assessment if the Contractor went ahead and put the material in some other place.

Mr. Joe Massey, 7211 Garland Avenue, stated he did not have a great deal to add to Mr. Rubin's statements. He emphasized the statement that they had no way of knowing if the material went into the street and the quantity used. Also, they would like to know where the additional curb and gutter is that they cannot account for.

Mr. Robert Sanford, 7116 Garland Avenue, addressed Council and brought out that the contract was let on a tonnage basis, and the two competitive bids were less on a footage basis. Also, the people on Garland Avenue contracted for two inches of pavement, and if the Contractor put in more than was necessary, he did not think they should be charged for it.

Mr. John Azzara, 7205 Garland Avenue, brought out that he received a notice that the City had plans to surface this street for 80¢ per lineal foot; shortly after this notice, the Contractor came out and started work without notice to the residents. He stated he received a bill in October with a levy date of August 22nd, which was 3 months late. He asked that the Citizens be given co-operation by mailing out necessary forms and notices.

Councilman Beville informed Mr. Azzara that the notice he received was a notice of the Hearing for Citizens to express their views on the matter.

Mr. William S. Gran, 7204 Garland Avenue, stated he was of the same opinion as the other Citizens from Garland Avenue, and brought out that he did not know how much bituminous they put in, but in front of their houses where the paving started down to the intersection of Garland and Central Avenues, the paving is over the first level of the cement so that they have a very shallow curb.

Mr. Clarence Coffin, 7301 Garland Avenue, brought out that if they had had the opportunity to realize the charge would be as great as it is, they would have chosen a concrete street instead of the bituminous. He further stated they had built several houses and sold them to the people, and he did not feel they were entirely clear of representing the charge of 80¢ to them.

Mr. Joe Massey, 7211 Garland Avenue, addressed Council again and brought out that he was familiar with a job that consisted of ripping up an old street, grading down 5 inches, regrading entire street, laying curb along complete street, and laying 5 inches of bituminous concrete, and the people were assessed on the same basis as we are at a total cost of only \$6.45 - for street, curb and gutter. This street was Dallas Avenue, out toward Four Corners from Forest Glen.

Mrs. Clarence Coffin, 7301 Garland Avenue, stated to Council that she wanted to be sure their protest was heard.

Mr. James Coffin, 8515 Greenwood Avenue, stated he sold the house at 7307 Garland Avenue before the street was completed. After being told the cost would be 80¢ per lineal foot, he based his profit on this amount and agreed in the sales contract to pay the charge whatever it would be, and he feels that the City has a definite responsibility when they give the property owners an estimate.

Mr. J. T. Hall, 7305 Garland Avenue, stated he bought one of the houses from Mr. Coffin, and it put both of them on the spot.

Mr. Bricker, Kensington, Maryland, owner of house at the corner of Davis and Garland Avenue, voiced his opinion as that of the other citizens.

Councilman Beville pointed out to the Citizens that the reason a hearing was held for the paving of this street was due to a request in writing from the Civic Association in that neighborhood, and this letter included other streets and intersections. The letter that went out with the Notice of Hearing contained an estimate based on the lineal feet of an example Street. If a street was 27 feet wide, then the cost for surfacing only would be approximately 80¢,

with an additional charge not to exceed 40¢ for additional engineering and other incidental expenses that might go along with the repaving of the street. If you expand that street to a 31 or 31½ foot street, the cost would be somewhat larger than the 80¢ plus 40¢ figure. Councilman Beville further stated that the Council thought they were doing a good job by sending out estimates rather than the original Ordinance, which explained nothing, and the Charter says that we must include intersections, exemptions from side lots, irregular lots, and any other cost incidental to the project. The rate of assessment is higher than it might turn out to be if you figured it on a strictly lineal foot basis. As to the curb and gutter, Councilman Beville stated he was informed that there was not 686 feet of curb and gutter that was put in on Garland Avenue. He pointed out that the curb and gutter was erroneously put on the Garland Avenue bill, but this charge was never billed against them. Councilman Beville also brought out that there could be a two inch thickness at the curb line and the street would be sunk in the middle; whereas, you would have to put a 3 inch crown on this, which would take quite a hunk of bituminous concrete. Councilman Beville also explained that the streets should come up to and not over the curb and gutter. However, their street was specified in that manner because the cost was less.

Mr. Hegarty informed the Citizens that each load of material was checked, and Garland Avenue varied from 2 to 5 inches and there was an average of 3 inches.

Mr. L. Buffe, 7111 Garland Avenue, stated the street was in very good condition at the time the black top was laid as a scraper spent three days grading the road.

Councilman Nies addressed the Citizens from Garland Avenue and stated he felt very sympathetic toward them and recognized their problem as he had been building some roads and streets also, but he did not feel that \$2.00 was a high figure considering present day values and felt that they had as good a street now as some Contractors put down back in 1940. Councilman Nies brought out that we are inclined to remember the lowest figure, consequently the 80¢ is remembered. He also assured the Citizens that they have a good street and one that will last as long as the cement street in front of his house.

Councilman Beville pointed out that when the Council accepts a bid they do not accept a bid on individual streets, they accept a bid which covers the lowest cost to the City for the number of streets being paved at that time. Suburban Engineering Company was the lowest bidder at the time bids were submitted.

Mr. Coffin stated that if the Contractor had used more sub-surface material and more grading had been done, more money could have been saved.

Councilman Oosterhous stated he thought they had a pretty fine street and he could not see how a reputable company would put more material in a street than he was supposed to. However, it was very unfortunate that the Citizens had the idea the street was only going to cost them a minimum figure; whereas, it cost them much more than that.

Mayor Post thanked the Citizens for coming out and concientiously expressing their views, and assured them that their problem would be given careful consideration by the Council.

EXECUTIVE SESSION: After Council discussed the statements of the Citizens on Garland Avenue, Councilman Nies moved that although the Council is very sympathetic to the problem, we feel that the street was put down strictly in accordance with the specifications and a very good street resulted from this improvement; therefore, assessments as levied are not excessive.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried with Councilman Heffner voting Nay.

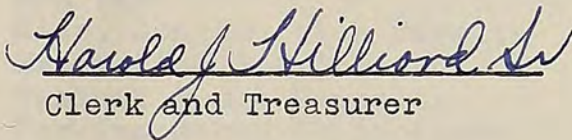
The Clerk and Treasurer presented to Council for Councilman McClenon the matter of having a straw ballot made up in regard to the number of polling places we should have in the City for the Citizens to vote. After discussion, the Council did not favor a straw ballot.

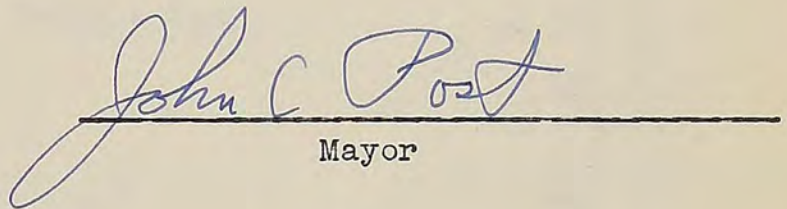
Councilman Oosterhous moved that the Fire Chief be instructed to allow the Chief of Police to continue to use the crystal until the question is decided about the Police wave length.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

There being no further business to come before Council, upon motion properly seconded and carried, the meeting adjourned at 11:05 p. m.


Clerk and Treasurer


Mayor

REGULAR MEETING
MAYOR & COUNCIL
December 19, 1949

The meeting was called to order at 8:05 p. m. Those present: Mayor Post, Councilmen Beville, Heffner, McClenon, Nies, Oosterhous, Parkerson and Perring. Absent: None.

Councilman McClenon moved that the reading of the minutes of the last meeting be dispensed with.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

The Clerk and Treasurer presented the financial statement for the month of November:

FINANCIAL STATEMENT
November 1949

RECEIPTS

General Taxes - Real Property	\$7,813.51	
General Taxes - Railroad, Public Util.	6,085.61	
	<u>13,899.12</u>	
Less Discounts	61.75	
		\$13,837.37
Penalties		50.30
Montgomery County Bank Shares		949.25
Montgomery County Fire Tax		407.44
Montgomery County Share Auto Tags		3,763.50
Montgomery County Licenses		13.42
Prince Georges County Licenses		8.05
Prince Georges County Fines		11.00
State of Maryland Franchise Tax		6.25
State of Maryland Gas and Motor Vehicle Tax		2,521.64
Dog Tax		5.25
Misc. Construction Permits		470.36
Excavation Permits		1.00
Taxicab Badge Deposits		2.75
Parking Meter Collections		541.00
Parking Meter Fines		29.00
Special Assessments		3,302.09
Interest on Special Assessments		113.17
Special Trash Pickup		14.30
Commercial Trash Pickup		131.00
Fred L. Glaize' Share Storm Sewer Construction		2,590.90
3 Photostat Maps		2.50
		<u>\$28,771.54</u>

DISBURSEMENTS

Office - Salaries, Clerk & Treasurer	\$416.66
Salaries, Clerks	778.17
Postage	15.00
Telephones	9.19

Stationery Supplies	20.79	
Printing Supplies	57.47	
Annual Audit	225.00	
Rent	100.00	
Audit Expense (Advertising)	145.35	
Mayor & Council Expense (Telephone)	5.00	
Clerk & Treas. Expense (Oct & Nov)	85.45	
Clerk & Treas. Badge	7.95	
Insurance - Clerk's Bonds	20.00	
20 Volumes Municipal Law	<u>150.00</u>	\$2,036.03
Corporation Counsel Salary	80.00	80.00
Justice of Peace (2)	<u>50.00</u>	50.00
Municipal Building Expense	<u>26.05</u>	26.05

Police Department:

Salaries, Chief	375.00	
Salaries, Officers	2,455.00	
Clothing Allowance	160.00	
Telephones	54.90	
Lights	13.94	
Gas	2.43	
Fuel Oil	18.17	
Stationery Supplies	26.15	
Postage	15.00	
Auto Repairs	35.76	
Car Wash	6.00	
Building Maintenance	<u>1.20</u>	3,163.55

Fire Department:

Salaries, Chief	375.00	
Salaries, Firemen	1,349.00	
Telephone	14.27	
Lights	21.34	
Gas	12.06	
Fuel Oil	67.50	
Laundry	10.78	
Building and Janitor Supplies	111.20	
Firefighting Supplies	35.45	
Trucks' Repair	<u>40.75</u>	2,037.35

Public Works - Streets

Salaries, Supt. of Public Works	208.34	
Salaries - Asst. Supt	125.00	
Laborers Wages	1,413.40	
Expense - Supt of Public Works	5.55	
Expense - Asst. Supt	4.95	
Telephones	24.14	
Stationery Supplies	25.30	
Trucks' Repair	9.98	
Street Repairs	3,434.24	
Storm Sewer Construction	5,258.00	
(\$2590 paid by F. L. Glaize)		
Repairing intersection, N.H. Ave.	2,040.00	
Street Signs	3.00	
Special Improvements	8,234.05	
Equipment	879.05	
Warehouse Supplies	22.02	
Misc. Expense	<u>39.65</u>	21,726.67

Highway Lighting:		
Street Lights	653.23	
Traffic Lights	<u>12.92</u>	666.15
Refuse Department:		
Salaries - Supt. of Public Works	208.32	
Salaries - Asst. Supt.	125.00	
Wages - Laborers	3,116.00	
Wages - Commercial Pickup	184.00	
Trucks' Repair	124.86	
Oil	1.40	
Tires & Tubes	44.97	
Disposal	539.60	
Supplies	5.60	
Misc. Expense	<u>10.00</u>	4,359.75
Recreation:		
Wages - Labor	209.30	
Supplies	17.81	
Equipment	61.75	
Freight on Equipment	<u>5.90</u>	294.76
Miscellaneous:		
Baseline Account	300.53	
General 1949 Tax Refund	219.56	
Workmen's Compensation Insurance	988.56	
Parking Meter Expense	53.93	
Henry Field - Retirement	25.00	
Taxicab Badge Refund	<u>2.00</u>	1,589.58
		<u>\$36,029.89</u>

BANK STATEMENT

General Accounts			
10/31/49	Balance, Citizens Bank	\$59,461.79	
	Deposits, November 1949	<u>28,270.07</u>	
		87,731.86	
	Withdrawals, November 1949	<u>36,029.89</u>	
11/30/49	On Hand		\$51,701.97
10/31/49	Balance, Suburban Nat'l Bank	\$10,122.62	
	Deposits, November 1949	<u>501.47</u>	
		10,624.09	
	No Withdrawals		<u>10,624.09</u>
			\$62,326.06
9/1/49	Certificate of Deposit, Citizens Bank		25,000.00

Councilman McClenon raised the question as to whether or not this statement reflected the addition of the \$55,000.00 received for the Certificates of Indebtedness. The Clerk advised him that it did not, but that the money from the Certificates would be included in the December financial statement.

COMMUNICATIONS: The Clerk and Treasurer read to the Council a letter from Mr. Jesse F. Nicholson, Park and Planning Commission, dated December 15th, advising the City that Zoning Petition A-637 was being forwarded to the Montgomery County Council with their recommendation that it be disapproved, in view of the objections of citizens of the area concerned. The Mayor directed that this letter be filed until further developments in the case.

The Clerk and Treasurer read the letter from the Secretary-Treasurer of the Maryland National Capital Park and Planning Commission, dated December 7th, stating that they had received from the City of Takoma Park three bills for special improvements, and that the bills were being referred to their General Counsel.

The Clerk and Treasurer read the letter from Dr. M. F. Weingarten, President, Sligo Park Terrace Citizens Association, dated November 27, stating that his Association supported the protest of the lower Garland Avenue residents for a reduction in their special assessment. Mayor Post directed this letter be referred to the Streets and Highways Committee.

The Clerk and Treasurer read the letter from Dr. Weingarten, dated November 27th, stating that his Association indorsed the Four Point program as presented in the Takoma Journal. Mayor Post directed this letter be referred to the Civic Improvements Committee.

The Clerk and Treasurer read the letter from Mr. Jack Krochmal, President, Takoma Park Chamber of Commerce, dated December 5th, expressing the thanks of the Chamber and the Lions Club, for the cooperation received from the Council and city officials at the Halloween Street Party. The letter was referred to the Civic Improvements committee.

Mrs. C. E. Kimble, 2610 University Place, N. W., appeared before Council regarding the drainage on her property, part of Lot 11 and 12, block 7, Gilbert's subdivision, on Tulip and Holly Avenues. She stated that water from a large terra cotta pipe, probably installed by the Washington Suburban Sanitary Commission, was flowing across the property, inundating the street as well as her property. She requested information as to what course of action she should pursue to get either the City or the Sanitary Commission to take care of this storm water. Councilman Beville advised her that the City would not accept any responsibility for this matter and advised her to contact the Sanitary Commission and request their assistance in solving the problem, since theirs was the responsibility of handling storm drainage for suburban areas.

The Clerk and Treasurer presented the bills for the month of November, 1949, in the amount of \$55,651.14. Mr. Oosterhous raised the question of the charge of \$630 for bonding the Clerk. The Clerk stated that it was required by the City Charter that he be bonded in an amount equal to 40% of the anticipated revenues for the year. Mayor Post stated that this requirement of the Charter should probably be changed, and directed that the Law and Ordinance Committee consider this matter.

Councilman Perring addressed the Council. He stated that he had just returned from a two week's course at Richmond on Economic Mobilization in the event of war. He stated that he was convinced

it was necessary for the civilian populace to formulate some type of civilian defense in case of war, and thought it was imperative that Takoma Park start work along this line. He recommended that a Committee be formed to study the problem and initiate plans for organization.

Mayor Post stated that he believed Chief Thomas was undertaking such work and that a Civil Air Patrol had already been formed. He directed that Chief Thomas submit to him the names of men who would be qualified and willing to become a part of this Committee, and asked Councilman Perring to be Chairman of the Committee.

Councilman Perring stated he did not feel that he, as a member of the Army, should lead this work, but that he would be glad to assist in any way possible and be a member of the Committee.

Councilman Perring moved that a Committee be appointed from members of the Council, citizens, and to include the heads of the departments to formulate a tentative policy for civilian defense--the committee not to exceed 15 men.

Councilman Parkerson seconded the motion.

Upon being put to question, the motion was carried.

Councilman Nies stated he had gone through the bills and approved them, and moved they be submitted to the Treasurer for payment.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Mr. Ellery Dennison appeared before the council and reported a hazardous traffic condition on New Hampshire Avenue. This matter was referred to the Municipal Services Committee.

Councilman Parkerson read the letter from Chief McBride stating that the new aeriell truck was in operation and that his personnel are being trained in its operation. Mayor Post directed no action on this letter.

Councilman Parkerson presented the applications for permanent taxicab driver permits from the following:

Orville Walter Kierstead, 709 Kennebec Avenue
 Donald Anthony Dungan, 4331 Kansas Ave., N.W.
 Willard David Normandy, Jr., 814 Buchanan St., N.W.
 Douglas J. Pudleiner, 205 Flower Avenue
 Donald Eaton Magness, 5 Valley View
 Howard Gilbert Bullock, 626 Carroll Avenue
 Lilly Pearl Dildine, 4 Hickory Avenue

and moved that they be approved.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

Councilman Beville presented the application of Mr. Hegarty for two week's military leave, effective January 9-21, and moved it be approved, with full pay by the City during this leave.

The motion was seconded by Councilman McClenon.

Upon being put to question the motion was carried.

Councilman Beville read the letter from Theodore Raines requesting the City take action to divert storm water from property at 515, 517 and 519 Elm Avenue, and moved the Clerk be authorized to write a letter to Mr. Raines advising him of the City's policy as followed in this respect, in that we accept no responsibility for water drainage on private property.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Councilman Beville brought up the matter of roping off several streets in Takoma Park which were suitable for sledding so that the children would have a safe place to sled, and recommended that the Police and Public Works Department take the necessary action in this matter.

Councilman McClenon moved that we delegate to the Streets Committee, in conjunction with the Chief of Police, the authority to designate the streets to be roped off, and that the Police Department take the necessary action when snow comes.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried.

Councilman Beville stated that he felt it desirable that the numbering of streets in Takoma Park be corrected so that the blocks be renumbered in consecutive order. Mayor Post stated that this was under consideration by the Civic Improvements and Municipal Services Committees and that presently the master plan was before the Maryland National Capital Park and Planning Commission, and that they would be requested to expedite the matter.

Councilman Beville gave the report of the special committee for the Police Department radio communications system, and stated that they approved the installation of the radio frequency. He moved that the Council adopt an Ordinance to advertise for bids "for construction of a police transmitting station and conversion of existing equipment to the frequency assigned to the Police Department by the Federal Communications System, according to specifications drawn up by the Chief of Police in consultation with Councilman Beville", the exact wording to be worked out by him in conjunction with the Chief of Police and the Executive Secretary.

Upon being properly seconded, the motion was put to question and carried by a unanimous roll call vote.

Councilman Beville discussed the matter of the special assessment for the paving of Manor Circle and recommended, in view of the

unusual and irregular lots there that the cost be reduced from the \$3.02 per linear foot to \$2.00 per foot.

Councilman McClenon stated he felt we were being very inconsistent in this matter, and that we could not justify reducing the assessment on this street when we had refused to reduce it for other streets.

Councilman Beville stated he did not feel this was true, inasmuch as Manor Circle was such an unusual street, that it would be impossible to arrive at a really equitable assessment. The City owns islands in the middle of the intersections which have been paved over, and that, certainly, the property owners should not be assessed for this.

Councilman Perring moved the matter be tabled for further study and brought up at the next special meeting.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried, with Councilmen Beville and Parkerson voting nay.

Mayor Post presented the matter of the proposed Dog Vaccination Ordinance for Montgomery County. He stated that a meeting was held in the County Council Chambers in Rockville on the night of December 15, 1949, at which the mayors and representatives of the municipalities in Montgomery County were present. The Executive Secretary represented the City of Takoma Part at this meeting. The County proposed to impose a dollar fee for vaccination, including the rabies control program, and asked the various municipalities if they would cooperate with the County and provide for the necessary ordinance that would make it mandatory that dogs be vaccinated before the cities would issue the dog tags. The Mayor stated that he recommended that the fee received by the City from licensing the dogs be turned over to the County for the vaccination and rabies control cost and that the citizens not be required to pay twice for the dogs. The Mayor further stated that Mr. Hilliard would attend another meeting of the Montgomery County Council on Wednesday, December 21, 1949, at which there would be a public hearing on the matter.

Mr. Oosterhous presented a bill from Mr. Judson for additional charges for renovation of the Fire House, stating they were necessary when it was found the present beams were not strong enough to support the additional concrete, and that Mr. Senseman had approved the change in plans; and that the Civic Improvements Committee recommended the bill be paid.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Councilman Oosterhous presented several possibilities for repairing the gymnasium floor in the basement of the Fire House. Councilman Perring recommended the floor be taken up, stored so that it could be used again, and that the Superintendent of Public Works be instructed to observe the drainage problem, make the necessary corrections to stop the seepage of water from outside, and advise the Council what could best be done to repair the floor.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman Oosterhous stated the Civic Improvements Committee had met with the Citizens Advisory Committee on the new municipal building, and discussed proposed sites. He recommended we accept the option on Manor Circle for five months for \$1.00, while considering other possible sites.

The motion was seconded, and upon being put to question was carried.

There being no further business to come before the Council, upon motion properly made and seconded, the meeting adjourned at 11:10 p. m.

Harold J. Villione Jr
Clerk and Treasurer

John C Post
Mayor