

SPECIAL MEETING
MAYOR & COUNCIL
January 16, 1950

The meeting was called to order at 8:10 p.m. Those present were: Mayor Post, Councilman Beville, McClenon, Nies, Oosterhous, and Parkerson. Councilman Heffner reported later. Absent: Councilman Perring.

The Executive Secretary presented the letter from Niles, Barton, Morrow and Yost regarding the legal interpretation of the laws governing the issuance of bonds for capital improvement. After some discussion of this interpretation, Mr. Senseman was called upon to explain the preliminary plans for the Municipal Building, which at an approximate cost of \$349,000 would also include a City library. Councilman Parkerson stated he did not feel we should spend the entire amount of the bond issue for the building, but recommended the site be purchased now and the remainder of the money from the bond issue be spent on widening streets and providing off street parking facilities. Councilmen Beville and Nies agreed with this. Mayor Post stated that, since the interpretation specified the bond issue referendum could not be included in the general election this spring, immediate action was not necessary and tabled the matter for further consideration at the Regular Meeting on January 23.

Mr. Van Zile and Mr. Smith of the Takoma Park Chamber of Commerce presented to the Council a proposed plan for acquiring off street parking facilities in the area of Block F, bordered by Elm and Carroll Avenues, a total of approximately two acres and capable of providing parking for 400 vehicles. This area is presently owned by eight different owners and probably can be obtained for \$60,000. After discussion, this matter was deferred until further information could be obtained.

Mr. Malarky, representing the March of Dimes Fund of the Montgomery County Council of the American Legion, requested that his group be permitted to place signs on parking meters in Takoma Park asking that a dime be placed in the meter instead of a penny. This plan would give the City one cent and the March of Dimes Fund nine cents of every dime received.

Councilman Oosterhous stated he had no objection to such a plan provided that a certain amount of the money so received be given to the Prince Georges County Fund, perhaps two cents of each dime received. Mr. Coffman, a member of the Takoma Park March of Dimes Fund Committee, stated that such a procedure would be unnecessary since the funds were to be allocated from a central fund as required and therefore Prince Georges County would not be deprived of any funds it needed. After further discussion it was agreed that Mr. Malarky, Mr. Coffman and the Prince Georges County Fund Committee would make whatever arrangements for dividing the money as seemed agreeable to the three groups.

Councilman Nies moved that this request from the Montgomery County Council of the American Legion be approved and permission granted them to place these placards on all parking meters in Takoma Park.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Councilman Parkerson stated we had received two bids for installing the equipment for the new radio frequency for the Police Department. The bid from the Link Radio Corporation was for \$1300, which included a transmitter of 35 watts and servicing of all receivers and transmitters for \$6.00 per set per month. The bid from Motorola, Inc., was for \$1288.50, which included a 10 watt transmitter and servicing of the master set for \$25.00 per month and the other sets for \$10.00 per month.

Councilman Beville stated he felt that the Link bid was the lower, since it included a larger transmitter and the servicing was offered at a cheaper rate. He further stated he believed it desirable to install equipment of the same make as that being presently used.

Councilman Beville moved the following ordinance be approved:

ORDINANCE NO. 974

BE IT ORDAINED that the Mayor and Council, having duly opened sealed bids for the installation of equipment for the Police Department radio transmitting station, as set forth in the specifications, submitted by the Link Radio Corporation and the Motorola, Inc., do hereby accept the bid of the Link Radio Corporation in the amount of \$1,300, which is considered to be the lower bid received when the type of transmitter and the cost of maintenance is compared with the Motorola bid, and

BE IT FURTHER ORDAINED that the contract for this work, as set forth in the specifications, is hereby granted to the Link Radio Corporation.

Councilman Parkerson seconded the motion.

The motion was put to question, with the following roll call vote: Yea - Councilmen Beville, McClenon, Nies, Oosterhous and Parkerson. Nay - None.

Councilman Beville presented the bids received for the storm drainage work to be done at the Gorin project. He stated that only one bid had been received by the time specified in the notice and that therefore additional bids had been requested from three other companies. The bids received were as follows:

Intercounty Construction Corporation 4720 Baltimore Ave., Hyattsville, Md.	\$2525.72
J. L. McIlvaine Co. 925 - 12th St., N.E., Washington, D.C.	\$3906.00
Bles and Muns, McLean, Va.	\$2541.00
Treadwell Excavating and Bulldozing Service 507 Greenwood Ave., Takoma Park, Md.	\$3075.00

After discussion of the legality of accepting the bids received after the specified date, it was determined that it would be legal to do so since the notice did not specifically state that bids would not be received after a certain date, and they were not opened until January 16. None were received after they were opened. Councilman Oosterhous moved that the following ordinance be approved:

ORDINANCE NO. 975

BE IT ORDAINED that the Mayor and Council, having duly opened sealed bids for the installation of storm drains and end wall on Carroll Avenue from New Hampshire Gardens to Sligo Branch submitted by the following:

Intercounty Construction Corporation	\$2525.72
J. L. McIlvaine Company	\$3906.00
Bles and Muns	\$2541.00
Treadwell Excavating & Bulldozing Service	\$3075.00

do hereby accept the bid of the Intercounty Construction Corporation in the amount of \$2525.72, which is the lowest bid received, and

BE IT FURTHER ORDAINED that the contract for the above referred to project is hereby granted to the Intercounty Construction Corporation.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried, with a roll call vote as follows: Yeas - Councilmen Beville, McClenon, Nies, Oosterhous and Parkerson. Nays - None.

Councilman Parkerson presented the matter of erecting a tower for the fire department siren and, after discussion, recommended that the Superintendent of Public Works, in conjunction with the Fire Chief, be authorized to undertake the work and do whatever is necessary at the least possible cost.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

Councilman Beville brought up the matter of some steps to be taken to control the street cuts made to tie in with the sewer and water lines, and stated that several streets are almost impassable because the cuts have not been repaired properly. The Assistant Superintendent of Public Works stated that the Suburban Sanitary Commission is drawing up a new set of specification for repairing such street cuts, which would appoint an engineer to supervise the repairs made by the plumbers, and he feels this will control the matter adequately.

Councilman McClenon moved that we drop the proposed ordinance to control the street cuts and moved that the Superintendent of Public Works and the Assistant Superintendent be directed to contact the Suburban Sanitary Commission to see if something cannot be worked out with them, and that the Commission be asked to appoint the Superintendent of Public Works and/or his assistant as supervising engineers of all street cuts in the City.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Mayor Post stated that at a recent Fire Board Meeting the matter of Fireman La Scola appearing in court, against the owner of the car struck by the fire truck, without legal counsel was brought out. Mr. Gingerich stated that he had not been informed of the case coming to court. Chief Thomas stated that since our fireman was not the defendant in the case it was not required that he be represented by counsel. Chief McBride was directed to report these facts to the Fire Board.

Councilman Nies stated that the Finance Committee has been advised by the Executive Secretary that the legal corporations in the City have not been taxed for their personal tangible property; a tax which the City is authorized to levy. Under the tax regulations this tax could be imposed for the current year and the past three years. The Finance Committee recommends that the past three year's taxes be abated, however, and that the taxes on personal property for the current year be billed, and that subsequently this tax be collected each year.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried with Councilmen Beville, McClenon, Nies and Oosterhous voting yea. Councilman Heffner and Parkerson voted nay.

Councilman Beville moved that the property owners on Manor Circle be billed for their street improvement at the rate of \$2.02 per linear foot.

This motion failed for lack of second.

Councilman Nies stated that he had made a check of this street and felt that it was an excellent street, well worth the \$3.00 per foot which it cost. He stated he did not feel that the citizens should be billed \$2.00 for a \$3.00 street when they had agreed to pay for the improvement. Councilman Nies stated that the Finance Committee recommends the abutting property owners be billed for Manor Circle at the rate of \$2.45 per foot.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried. Councilman Beville noted nay.

Mayor Post read letter from Community League regarding the contamination of the spring in Spring Park. He read proposed letter in reply which he had prepared and stated that if there were no objections the proposed letter would be sent. No objections were raised.

The Executive Secretary presented the situation with regard to the Justice of Peace. The Chief of Police stated that Judge Wilmeth is too ill to prepare warrants and that the people are suffering because there is no place where they can forfeit collateral instead of going to court.

Councilman McClenon moved that payment of salary to Judge Wil-
meth be discontinued effective February 1, 1950.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Mr. Gingerich was instructed to investigate the possibility of
having appointed a Justice of the Peace who would be available in
Takoma Park at all times.

The Executive Secretary presented Zoning Petition A-1417 for
Elm Avenue. The Mayor directed that the residents of the area
concerned be notified and that the matter be deferred until such
time as the residents had a chance to be heard.

The Executive Secretary read a letter from Mr. Ralph G. Shure
in regard to the drainage on the private property of Messrs. Raines
and Phillips on Elm Avenue in which the owners threaten to stop
natural water flow if the City refuses to provide drainage for
their property. Mr. Gingerich stated that he felt the City was
without obligation in this matter and that he recommended no action
be taken to provide drainage. The Council instructed Mr. Gingerich
and Mr. Hilliard to prepare reply to Mr. Shure stating the attitude
of the City.

There being no further business to come before the Council,
upon motion properly made and seconded, the meeting adjourned at
11:30 p.m.

Clerk and Treasurer

Mayor

Harold J. Hilliard Jr.
Clerk and Treasurer

John C. Post
Mayor

SPECIAL MEETING
MAYOR & COUNCIL
January 23, 1950

The meeting was called to order at 7:30 p. m. Those present were: Mayor Post, Councilmen Beville, Heffner, McClenon, Nies, Parkerson, and Perring. Absent: Councilman Oosterhous.

Mayor Post informed Council that this meeting was called for a reconsideration of their decision regarding Corporation Tax at the last Special Meeting on January 16, 1950, and then turned the meeting over to Councilman Nies, Chairman of the Finance Committee.

Councilman Nies stated that the Finance Committee has been advised by the Executive Secretary that the legal corporations in the City could be taxed for their tangible personal property, but this had never been done. The Finance Committee had a meeting and then recommended to Council at the Special Meeting on January 16, 1950, that the Corporations be billed for the 1949-50 taxes. This recommendation was approved. Since then, however, many complaints have been received regarding this tax. In view of the vigorous opposition registered against this taxation, Councilman Nies moved that we reconsider the action taken at our last meeting.

Councilman Perring seconded the motion.

Upon being put to question the motion was carried with Councilmen Beville and McClenon voting Nay.

Councilman McClenon moved that we refer this question to the Corporation Counsel as to his opinion of whether we are required by law to levy this tax, or whether the law gives us the right to impose this tax or not impose it.

Councilman Beville seconded the motion.

Upon being put to question, the motion was lost with Councilmen Heffner, Nies, Parkerson and Perring voting Nay; Councilmen Beville and McClenon voting Yea.

After further discussion, Councilman Perring moved that the action of the Council at the last meeting in imposing Corporation Tax on foreign and domestic Corporations trading in the City of Takoma Park be rescinded.

Councilman Nies seconded the motion.

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

The Mayor adjourned the Special Meeting at 8:05 p. m., and immediately convened the Regular Meeting.

REGULAR MEETING
MAYOR & COUNCIL
January 23, 1950

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

Councilman Beville moved the reading of the bills be deferred.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

Councilman Nies moved the bills in the amount of \$21,948.14 be approved for payment.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried.

Councilman Nies moved that we dispense with the reading of the Regular Minutes of December 19, 1949, and the Special Minutes of January 16, 1950.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried with Councilman McClenon suggesting a minor change.

The Clerk and Treasurer presented the Financial Statement for the month of December, and upon motion properly seconded and carried, was ordered filed as follows:

FINANCIAL STATEMENT

GENERAL ACCOUNT

RECEIPTS

General Taxes - Real Property	\$5,337.43
General Taxes - Public Utilities	10.40
Penalties	91.00
Special Assessments	734.21
Special Assessments - Interest	7.55
Delinquent Taxes	36.00
Franchise Tax	6.25
Traders Licenses	16.09
Corporation Tax	10.84
Fire Tax	248.79
Special Trash Pickup	11.00
Commercial Trash Pickup	20.00
Share - Motor Vehicle Tags	6,209.50
Dog Tax	1.75
Misc. Permits	17.00
Taxicab Badge Deposits	19.25
Misc. Receipts	38.25
Parking Meter Collections	543.30
Parking Meter Violations	10.00
	<u>\$13,368.61</u>

SPECIAL IMPROVEMENT ACCOUNT

RECEIPTS

Certificate of Indebtedness	\$55,000.00
Special Assessments	3,943.18
Special Assessments - Interest	8.69
	<u>\$58,951.87</u>

DISBURSEMENTS

Office:	Salaries	1,159.16	
	Postage	15.68	
	Telephones	38.79	
	Supplies	50.45	
	Equipment Repairs	22.75	
	Rent	100.00	
	Assoc. Dues (League of Municipalities)	288.00	
	Mayor & Council Misc. Expense	29.20	
	Clerk's Bond	630.00	
	Misc. Expense	11.00	
	League of Municipalities Conv. Expense	33.24	
	Pr. Geo. Co. Charge Tax Bills	250.00	
	Equipment	<u>5.00</u>	\$2,633.27
	Justice of Peace (2)	<u>50.00</u>	50.00
	Corporation Counsel Salary	<u>80.00</u>	80.00
	Municipal Building Expense	<u>53.78</u>	53.78

POLICE
DEPT.:

	Salaries	2,783.33	
	Clothing Allowance	115.50	
	Gasoline	2.83	
	Car Washpring Vol. F. D. Telephone	5.00	
	Auto Repairs	47.24	
	Tires & Tubes	19.36	
	Utilities: Gas	2.02	
	Lights	14.84	
	Telephones	57.65	
	Fuel	22.07	
	Silver Spring Vol. F. D. Telephone	71.25	
	Insurance	129.75	
	Administrative Supplies	8.20	
	Misc. Expense	<u>11.88</u>	3,290.92

FIRE
DEPT.:

	Salaries	1,645.00	
	Utilities: Gas	14.75	
	Lights	31.86	
	Telephone	19.76	
	Silver Spring Vol. F. D. Telephone	217.50	
	Fuel	144.67	
	Auto Repairs	72.27	
	Tires & Tubes	12.60	
	Building Maintenance	104.65	
	Firefighting Supplies	60.00	
	First Aid Supplies	18.50	
	Laundry	18.38	
	Misc. Expense	<u>1.00</u>	2,360.94
	Fire House Renovation	<u>3,714.58</u>	3,714.58
	Aerial Ladder Truck	<u>33,750.00</u>	33,750.00

PUBLIC WORKS:

Streets-Salaries	333.34	
Wages	1,744.65	
Repair Materials	1,513.21	
Street Signs	170.78	
Engineer Fees	1.08	
Repairs - Trucks	133.69	
Adm. Supplies	6.50	
Equipment Repairs	25.75	
Insurance	70.00	
Warehouse Supplies	11.00	
Misc. Expense	<u>7.42</u>	4,017.42

Equipment	<u>301.92</u>	301.92
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Street Lights	633.26	
Traffic Lights	<u>14.69</u>	647.95

Refuse--Salaries	333.32	
Wages	4,082.00	
Disposal	498.40	
Gasoline - Trucks	21.18	
Repairs - Trucks	91.56	
Tires & Tubes	19.17	
Supplies	<u>173.19</u>	5,218.82

Recreation:		
Wages	260.00	
Equipment	<u>20.82</u>	280.82

Miscellaneous:		
General Taxes Refunded (paid twice)	336.86	
Special Assessments " (overpaid)	34.50	
Gasoline Account	321.60	
Oil Account	12.42	
Antifreeze Account	131.25	
Henry Fields Retirement	<u>25.00</u>	861.63

\$57,262.05

SPECIAL IMPROVEMENTS

Paid on Contract	<u>5,053.92</u>	5,053.92
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Certificate of Indebtedness Expense	<u>104.31</u>	<u>104.31</u>
		<u>\$5,158.23</u>

BANK STATEMENT

GENERAL ACCOUNT

11/30/49 - Balance, Citizens Bank	51,701.97	
Deposits during Dec. 1949	<u>12,882.15</u>	
	64,584.12	
Withdrawals during December	<u>57,262.05</u>	
12/31/49 - Balance		7,322.07
11/30/49 - Balance, Suburban Bank	10,624.09	
Deposits during December 1949	<u>486.46</u>	
	11,110.55	
No withdrawals		
12/31/49 - Balance		11,110.55
12/31/49 - Balance, both banks		<u>\$18,432.62</u>

SPECIAL IMPROVEMENT ACCOUNT

12/16/49 - Certificate of Indebtedness	55,000.00	
Deposits during December	<u>3,951.87</u>	
	58,951.87	
Withdrawals	<u>5,158.23</u>	
12/31/49 - Balance		53,793.64
9/1/49 Certificate of Deposit, Citizens Bank		25,000.00

COMMUNICATIONS: Letter from Mr. Louis D. Bliss, President of the Bliss Electrical School, expressing the sincere thanks of the Bliss School and the local Alumni Association for the courteous and efficient way in which the Police officers handled their traffic problem. Mayor Post requested the Clerk and Treasurer to write a letter of thanks and file with Municipal Services.

Letter from Mr. Jesse F. Nicholson, Secretary-Treasurer of the Maryland-National Capital Park and Planning Commission, submitting Petition No. A-1417, requesting reclassification of Lots 10 to 15, inclusive, and Lots 24 to 30, inclusive; Block 33, Gilbert's Subdivision of Takoma Park from the R-55 to the C-1 and R-18 Zones. Referred to the Civic Improvements Committee.

OPEN MEETING: Many Citizens appeared to oppose the new Corporation Tax. Mayor Post informed the Citizens that the Council had met early for a reconsideration of this matter, and that it had voted to rescind its previous action.

Mr. D. D. Lamond addressed Council to ascertain if the Council had any idea of levying taxes against all businesses later on. Mayor Post informed him that he could not definitely answer this question, but from the debate regarding this matter, it was his opinion that there is no such thought.

Mr. H. L. Thorton also addressed Council opposing the Corporation Tax.

A Resolution was received from the Chamber of Commerce asking that Council take immediate action on the following:

1. Obtain larger, safer and improved underpasses at VanBuren, Aspen and Cedar streets into Takoma Park from the District of Columbia with wider and improved connecting streets to Laurel and Carroll, also Eastern Avenues to provide four-lane highways with parking on each side of each street; these improved underpasses and streets to be undertaken by the City of Takoma Park, the Maryland State Roads Commission, the Baltimore and Ohio Railroad and the District of Columbia.
2. Provide adequate off-street parking facilities for each of the business areas of Takoma Park. There is a very imminent and critical need for public off-street parking lots in Takoma Park. Your Committee has conferred with the officials of the General Confernece of the Seventh Day Adventist Church. They have expressed a willingness to cooperate to their fullest ability. We find that the Conference owns certain tracts of land on Carroll Street and Carroll Avenue which we believe the City should immediately start negotiations for its purchase and use for off-

street parking lots. Your Committee also finds that the General Conference of the Seventh Day Adventist Church is willing to negotiate with the City of Takoma Park for the transfer of the triangular park bounded by Eastern Avenue, Laurel Avenue and Carroll Avenue; therefore, we recommend that the City of Takoma Park request the General Conference to donate this park to the City of Takoma Park; that the City of Takoma Park pay all costs incident to such transfer; that the streets bounding the Park be widened to four-lane highways with additional parking strips on each side of each street; that the taxi stand be eliminated from the corner of Eastern and Laurel Avenues; that all shrubbery be replanted; and that no building of any type be permitted to be built on this triangular park area.

The matter was referred to the Civic Improvements Committee.

Mrs. Ida S. Asher and Mrs. B. F. Levin, 1650 Harvard Street, N.W., addressed Council in regard to Zoning Petition No. A-1417, which is a request for reclassification of Lots 10 to 15, inclusive, and Lots 24 to 30, inclusive; Block 33, Gilbert's Subdivision of Takoma Park, from the R-55 to the C-1 and R-18 Zones. They stated they had been offered different prices for this property, but it was bought for an investment only, and it was their idea to open a store on New Hampshire Avenue and put apartments in the back. They showed a picture of the proposed store and stated it would be a great favor if Council granted them the privilege of going ahead with the building. Councilman Beville informed them that if they would cut down their request to a store on New Hampshire Avenue, he felt their request would be more successful.

Mr. Van Zile of the Chamber of Commerce asked if any portion of their land was available, would they use it for off-street parking. They were agreeable to off-street parking.

Mr. Richard Buddeke, 7205 Central Avenue, a representative of the Joint Committee of Takoma Park and the Sligo Park Terrace Citizens Association, addressed Council in opposition to this Petition. He stated that he did not think it was a matter of whether they would provide off-street parking, but was more concerned with how this would be done as it was very expensive to grade this area so that there could be off-street parking. He also stated they would like to see stores placed further back from the street, and that there were too many commercial facilities in that area - more than the population could sustain. He also stated that back into Elm Avenue from New Hampshire Avenue was strictly a residential area, and they were not interested in opening up that area for apartment house construction.

The matter was referred to the Executive Session.

Commander Albert Brown of the Veterans of Foreign Wars, Post No. 350, presented Councilman Herman Heffner with a Citizenship Award Medal, explaining that it was only presented for outstanding citizenship and only to non-members of the organization.

Mrs. William F. Fischer, 112 New York Avenue, addressed Council regarding off-street parking, and stated that she thought there should be parking meters on the parking lots as it would be foolish to have a free parking lot next to a line of transportation.

Mr. H. P. Graham, 600 Flower Avenue, stated he has a problem that has been existing since the resurfacing of Flower Avenue as Flower Avenue was raised two inches higher than Erie Avenue, and when it rains, the water stands in puddles and the people cannot get by. He explained that it was also becoming a very bad eye sore. The Superintendent of Public Works stated he was familiar with the situation, and it would take quite a sum of money to fix it as two catch basins would be required. Mr. Graham stated he spoke with the State Roads Commission about the matter, and they were sending someone over to investigate. The matter was referred to the Superintendent of Public Works.

Mr. R. L. Dunn, 616 Albemarle Avenue, stated he had brought the same complaint up sometime ago in regard to Flower and Kennebec Avenues, and thought that in conjunction with the Erie Avenue project, the Kennebec Avenue problem should be considered also. The matter was referred to the Street and Highways Committee in conjunction with the Superintendent of Public Works.

Councilman Perring announced that we have been successful by means of enlarging our Fire Department, getting our Aerial truck, adopting certain ordinances governing fire regulations in the City, in having the City changed from a Class "C" to a Class "B" town. There are only four Class "B" Cities in the State of Maryland, including Takoma Park, and only one Class "A" City, which is Baltimore, Maryland. He discussed the savings in dollars and cents, and stated it would mean anywhere from \$3,000.00 to \$5,000.00 savings to the Citizens of Takoma Park because of this change.

EXECUTIVE SESSION: Councilman Beville moved that we accept the following Ordinance:

ORDINANCE NO. 976

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

Section 1. That the Plat of Subdivision of the lands conveyed by Gorin and Horning, Inc., a District of Columbia Corporation, to Gussie Gorin, Theresa E. Horning, Harry E. Gorin and Louis Gorin, by deed dated April 6, 1942, into Lots 1, 2, 3, and a resubdivision of Lot 4, Block 12, to be known as New Hampshire Gardens Subdivision, Prince Georges County, Maryland, as presented by Gussie Gorin, Theresa E. Horning, Harry E. Gorin and Louis Gorin, be and the same is hereby approved, subject to conditions as set forth in Ordinance No. 920, adopted by the Mayor and Council on August 16, 1948, and Ordinance No. 935, adopted by the Mayor and Council at a Special Meeting January 5, 1949.

Councilman Perring seconded the motion.

Upon being put to question the motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Beville, Heffner, McClenon, Nies, Oosterhous, Parkerson and Perring. Nays: None.

LAW AND ORDINANCE COMMITTEE: Councilman McClenon presented an Ordinance for the regulation of Laundry in the City of Takoma Park and moved its adoption.

Councilman Parkerson seconded the motion.

After discussion, Councilman McClenon withdrew his motion and Councilman Parkerson his second. The Ordinance was referred to the Corporation Counsel.

Councilman McClenon moved the adoption of the following Ordinance:

ORDINANCE NO. 977

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

Section 1. The City Clerk shall call a meeting of citizens for the making of nominations for Mayor and Councilmen at 8 p. m., Tuesday, March 14, 1950, at the firehouse at the corner of Denwood and Carroll Avenues. The said meeting shall be conducted as perscribed in section 1189 (H) of the City Charter, as amended by Chapter 331 of the Maryland Laws of 1949.

Section 2. There shall be a City election to elect a Mayor and seven Councilmen at the firehouse at the corner of Denwood and Carroll Avenues, between the hours of 7 a. m. and 7 p. m., on Tuesday, March 28, 1950. The said election shall be conducted in accordance with the provisions of section 1189 of the City Charter; it shall be conducted by means of voting machines, and so far as practicable all laws and regulations governing the use of voting machines in elections in Montgomery County shall apply to the use of voting machines in the said City election.

Section 3. The City Clerk shall make arrangements with the Board of Election Supervisors of Montgomery County for the use of eight voting machines at the said City election, and shall arrange to have placed on each voting machine the names of all candidates nominated at the citizens' meeting of March 14, except any who may within three days thereafter have filed with the City Clerk his refusal to have his name so placed.

Section 4. The City Clerk shall cause a notice of the citizens' meeting and the City election to be inserted in the Takoma Journal the first week in March. He shall also cause the insertion in the Takoma Journal, the week before the election, of a facsimile of the arrangement of the names on the voting machines.

Section 5. The City Clerk shall prepare cards bearing the names of all voters certified by the Boards of Election Supervisors of Montgomery and Prince George's Counties, and shall furnish such cards to the judges and clerks of election.

Section 6. The City Clerk shall recommend to the Council the names of a sufficient number of persons for designation by the Council as judges and clerks of election.

Section 7. The City Clerk, with the assistance of the Chief of Police, shall see that the City election is conducted in accordance with the provisions of this Ordinance and of section 1189 of the City Charter.

Apt. 239

Section 8. The judges of election shall meet at the City Office as a board of election at 10 a. m., Wednesday, March 29, 1950, and shall determine and certify the results of the election, as provided in section 1189 (I) of the City Charter. The Council shall meet in special session to receive the certification from the judges at 8 p.m. on Thursday, March 30, 1950.

Councilman Perring seconded the motion.

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

Councilman McClenon moved that Luke Bennett be placed on the payroll at \$25.00 a month as Justice of Peace until further action to the contrary is taken by Council.

Councilman Parkerson seconded the motion.

Upon being put to question the motion was carried.

Mr. Luke Bennett addressed Council and explained the amount of time and work required for a Justice of Peace, and you could not have a competent J. P. at the salary of \$300.00 per year. Mr. Bennett accepted the position temporarily.

CIVIC IMPROVEMENTS COMMITTEE: The bond issue for capital improvements was discussed at length. Councilman Oosterhous moved that the Council go on record approving proceeding with the plans for a new Municipal Building and that the Law and Ordinance Committee recommend a time for the matter to be presented to the voters.

Councilman Beville seconded the motion.

Councilman Parkerson stated he was opposed to using the entire amount of bond issue for the Municipal Building as this would preclude going ahead with the off-street parking program. He then moved an amendment to give priority to consideration of street widening and off-street parking; first priority to be given to off-street parking and widening of streets, and the others in the following order: Municipal Building, Public Library, and Recreation Facilities.

Councilman McClenon seconded the motion.

Councilman Perring stated he thought a Municipal Building would be nice, but the City was lacking in other things, and it was his desire to have a reduction in taxes. He further stated he did not believe the City has done too much to encourage the growth of the City, which is an overflow from the District, and we have a lot to do regarding development of the City before we can give ourselves a show-place.

Councilman Beville brought out that in any City, you have to have a focal point to plan the progress of the City. Also, the Civic Associations meant a great deal to the City, and he was in favor of having a Municipal Building for their meeting place, Council meetings, etc.

Councilman McClenon stated he was in favor of reducing the taxes and not putting up a Municipal Building. He was also in favor of Councilman Parkerson's amendment as this was the cheaper part of the program.

Councilman Nies brought out that Council would have to be very careful in their decision as taxes were getting higher and higher.

Councilman Perring moved that this matter be tabled until the next special meeting in which this will be the only subject discussed.

Councilman Nies seconded the motion.

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

The Special Meeting for the discussion of the bond issue was set for Tuesday night, January 31, 1950.

Councilman Oosterhous presented Zoning Petition No. A-1417 for reclassification of Lots 10 to 15, inclusive, and Lots 24 to 30, inclusive; Block 33, Gilbert's Subdivision of Takoma Park, from the R-55 to the C-1 and R-18 Zones. He moved that the Council go on record again opposing this rezoning and appropriate letters be sent to the Park and Planning Commission.

Councilman Beville seconded the motion.

Upon being put to question the motion was carried.

In regard to the Civilian Defense Program, the Clerk and Treasurer read the letter he had written to the different Civic Associations asking the appointment of a representative from each organization. Mayor Post urged that this Program be carried through.

Mayor Post stated the original Fire Ordinance as drawn up by the City establishing the Fire Department needs some revision at this time. It does not provide for the Mayor to be an ex officio member of the Fire Board, and in strict interpretation of the Ordinance, as it now stands, does not provide for the Council to hold their public hearings in the Fire House. He referred the Ordinance to Councilman McClenon in conjunction with the Municipal Services Committee for changes. Councilman Parkerson suggested they meet with the Fire Board at its next regular meeting.

Under the Police Regulations, the Superintendent of Public Works would like Ordinance pertaining to collection of garbage and trash amended so that he may be authorized to designate what material should be separated. The matter was referred to the Law and Ordinance Committee.

The Clerk and Treasurer reported to Council that he was going to have a meeting with Mr. Browning of the Washington Suburban Sanitary Commission the next day regarding the matter of plumbers.

Mayor Post stated it was his intention to write a letter to the Park and Planning Commission in the very near future regarding the Master Zoning Survey as nothing can be done on the correction of house numbers and street names until this is received.

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Councilman Oosterhous stated he would like to go on record as ~~changing~~ his point of view ~~from the last meeting~~ regarding the ~~the~~ criticized for Corporation Tax; that he felt the Council was too hasty in adopting being the resolution approving billing Corporations, and now he feels the Council was hasty in rescinding its action without making a thorough study of the matter; and that he wished he could have been present earlier during the discussion.

There being no further business to come before Council, upon motion properly seconded and carried, the meeting adjourned at 11:00 p. m.

David J. Hilliard Sr.
Clerk and Treasurer

John C. Post
Mayor

SPECIAL MEETING
MAYOR & COUNCIL
January 31, 1950

207

The meeting was called to order at 8:00 p. m. Those present were: Mayor Post, Councilmen Beville, Heffner, McClenon, Nies, Oosterhous, Parkerson and Perring. Absent: None.

On behalf of the Parent Teachers Association of the Silver Spring Intermediate School, Mrs. Ted McHold, Chairman of the Safety and Transportation Committee, appeared before Council and urged them to request a change in the State law regarding traffic regulations of school busses within incorporated limits of towns of more than 5000 population. She stated the present law, Article 66 $\frac{1}{2}$, Section 201 of the Public General Laws of Maryland, requires a car to stop when a school bus is stopped to pick up or discharge children outside the incorporated limits of towns over 5000, but not within the city limits. She suggested the change be one of two ways: (1) that towns be allowed to pass a law regulating traffic and school busses, (2) that the limitation of the 5000 population be removed. After Council discussed the matter, Councilman Perring moved that the Law and Ordinance Committee be authorized to draw up a suitable amendment to the current law authorizing the City Council of Takoma Park to have control of all traffic in the City limits, and after amendment is prepared, distribute to the Mayor and Council, and a telephone poll be considered approval.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Mayor Post informed Council that this meeting was called for further discussion of our proposed Civic Improvements.

Three representatives of the Chamber of Commerce were present at the meeting: Mr. Krochmal, Mr. Van Zile, and Mr. Potts. Mr. Van Zile presented the following resolution by the Executive Committee of the Takoma Park Chamber of Commerce, adopted January 30, 1950:

RESOLUTION

Be it resolved that the Executive Committee of the Takoma Park Chamber of Commerce views with favor the proposals of the City Council of the City of Takoma Park, Maryland for the city to issue bonds in the amount of not less than \$200,000.00; that, it earnestly recommends and requests the City Council to use the major portion of the bond issue for off-street parking lots, street widening and straightening, and the remainder of it be used for other civic improvements; and

Be it further resolved that the Executive Committee of the Takoma Park Chamber of Commerce commends such action by the City Council to all citizens and registered voters of Takoma Park for their most favorable consideration and action by referendum vote as provided by law so that these greatly needed civic improvements may become an accomplished fact at the earliest possible date.

The resolution was unanimously adopted by the Executive Committee, those present and voting on the resolution were:

Jack Krochmal, President
 Roy C. Potts, Secretary
 John W. Coffman, Jr.
 William E. Van Zile
 Carl Crezee
 Ronald Senseman
 Ralph Sidell

NOTE: (Mr. Roy C. Potts, Secretary of Chamber of Commerce, came into the office this morning, February 1, 1950, at 9:20 a.m., and stated that he wished to make a correction of a grave error that was made in the Resolution adopted by the Executive Committee of the Chamber of Commerce at their meeting on January 30, 1950, "in which it was stated that the Resolution was unanimously adopted by the Executive Committee." Mr. Potts stated that this Resolution was not unanimously adopted inasmuch as Mr. Ronald Senseman did not register a vote on this Resolution. Mr. Potts has requested that we delete the word "unanimously" from the 3rd paragraph of the Resolution, also the signature of Ronald Senseman)

Mr. Van Zile presented the following figures on the contemplated cost:

Off Street Parking including parking behind Fire House	\$98,000.00
Realteration of Fire House for recreation	5,000.00
City Offices	35,000.00
Street Widening	100,000.00
	<u>\$238,000.00</u>

He further brought out that the money appropriated in the budget for recreation and rental of City Offices could be credited back to their respective departments, or added to some other department. Also, Ethan Allen and Carroll Avenues would be the major streets for widening, and if the City does want to progress, we must take a chance on getting more commercial houses in the City - commercial houses increase the revenue considerably, and a business concern would not move into Takoma Park as it now stands.

Some of the thoughts brought out by discussion of Council were: A smooth flow of traffic is essential according to Municipal Planning, and where you find congested areas, it is usually a slum area; also, as to whether or not the section at Laurel and Carroll Avenues will be the center of the commercial area since there are other commercial areas opening up in the City, and to what extent should the commercial area be developed, or whether it should be developed at all.

Mayor Post expressed the appreciation of Council for the efforts of the Chamber of Commerce and stated most of the Council showed sympathy with the off-street parking and widening of street program. However, he was strictly opposed to the adoption of this Resolution. One reason being the use of general revenue for the purchase and maintenance of parking lots. He then brought out four ways in which

parking lots could be financed: (1) general revenue, (2) special assessments, (3) issuance of revenue bonds, (4) issuance of revenue bonds where certain sums were earmarked. He further stated that the Resolution of the Chamber of Commerce would prevent practically all other Civic Improvements, and questioned the representatives of the Chamber of Commerce as to whether or not Mr. Ronald Senseman had approved this Resolution since Mr. Senseman had previously expressed opposite views on the matter to Mayor Post. Mayor Post was assured by both Mr. Krochmal and Mr. Van Zile of the Chamber of Commerce that Mr. Senseman had approved and signed the Resolution.

After further discussion, it was suggested that a firm of City Planning Engineers be employed to make a study of Takoma Park. Councilman Perring moved that this be done at a cost not to exceed \$5,000.00.

Councilman Parkerson seconded the motion.

Due to the fact that the City has not received the Master Zoning Plan from the Park and Planning Commission, and the desire for more knowledge regarding the entire matter,

Councilman Beville moved that the motion be tabled.

Councilman Oosterhous seconded the motion.

Upon being put to question, the motion was carried with Councilman Parkerson and Perring voting Nay.

Councilman Perring moved that the meeting adjourn.

Councilman Parkerson seconded the motion.

Upon being put to question, the motion was carried with Councilman Beville, Heffner and Oosterhous voting Nay.

The meeting adjourned at 10 p. m.

Harold J. Hilliard Sr.
Clerk and Treasurer

John C. Post
Mayor