

SPECIAL TELEPHONE POLL OF THE COUNCIL ON  
OCTOBER 23, 1951, IN CONNECTION WITH THE  
APPROVAL OF BIDS FOR CARPENTRY WORK AT  
8 COLUMBIA AVENUE

Bids were received from the following:

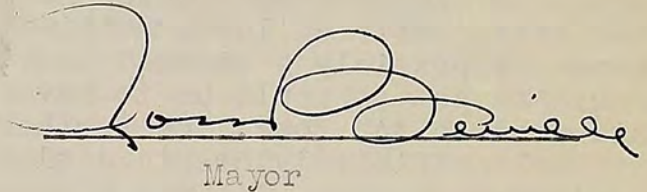
One from Gillun at \$3.00 per hour, or not to exceed \$925.00.

One from Borgman at \$2.40 per hour, or not to exceed \$860.00.

The Council approved the bid of Mr. Borgman with a vote recorded as follows:

Yeas: Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson. Nays: None.

  
Clerk and Treasurer

  
Mayor

PUBLIC HEARING  
MAYOR AND COUNCIL  
November 13, 1951

Minutes of the Public Hearing held at the Community Center on November 13, 1951 in connection with the proposed ordinance to regulate rooming houses in the City of Takoma Park.

Mayor Beville opened the meeting with an explanation of the proposed ordinance and after making brief comments on the subject turned the meeting over to the Chairman of the Law and Ordinances Committee, Councilman McClenon, who made a short talk outlining the reasons why such an ordinance is proposed.

Mayor Beville called on certain citizens by name and address who had expressed a desire to speak and the following spoke in opposition to the proposed ordinance:

W. P. Bradley  
8014 Maple Ave.

E. Franklin  
13 Poplar Ave.

S.L. Curtis  
717 Erie Ave.

Walter Prichard  
521 Albany Ave.

J. E. McKenney  
7511 Carroll Ave.

Hanserd K. Presley  
207 Lincoln Ave.

H. P. Ware  
107 Elm Ave.

Mrs. A. Isabel Walton  
7310 Hilton Ave.

Gillian W. Lamond  
908 Hudson Ave.

Robert Ford  
8004 Maple Ave.

Mrs. Clarence Lowry  
718 Kennebec Ave.

March C. Rodriguez  
7055 Eastern Ave.

A. H. Jennings, 903 Flower Ave.	Dr. C.R. Anderson 7921 Sligo Creek Pkwy	Robert M. Whitsett 807 Flower Ave.
Mrs. A. G. Baird	C. H. Gillon 706 Hudson Ave.	Geo. B. Kissinger, 7015 Sycamore Ave.
John H. Mencken 7408 Flower Ave.	S.E. McNeill	
William K. Dennis 7001 Carroll Ave.	L. W. Graham 104 Park Ave.	

Mr. Peter Remsen addressed the Council stating that he was not in favor of the proposed ordinance inasmuch as there were quite a number of large houses which had been owned by old-time residents, and after their children married it left just the two of them in the house or possibly a widowed lady, in which case the only use the house could be put to would be to have apartments made although it was situated in "A" zone. He further stated that if this was prohibited it would definitely create a slum area, which the Council is strictly against.

Mrs. Davis, 708 N. H. Ave. addressed the Council, stating that she had been in contact with several Doctors who were greatly concerned as to what would happen if an epidemic of disease would start, because of the number of overcrowded homes. She felt that these places should be inspected first of all.

Mr. Harry Millard, 8 Crescent Place, addressed the Council, favoring in principle the ordinance and stated that he certainly felt that some regulation should be put on overcrowded homes. He further stated that, in his experience for a great number of years in canvassing for the Community Chest and Red Cross within the City, there appears quite a number of slum areas which should be controlled.

Mayor Beville explained to the citizens that this ordinance was not only meant for revenue purposes but to try to equalize for those paying a fair price for their sanitation service, where others who had many more people living within their home would pay the same rate. Also this ordinance was intended to bring about health standard controls. Mayor Beville also stated that, if the City does not put this ordinance into effect, in all probability the County will adopt a similar ordinance which is now under consideration and extend to make it applicable to the City.

Mr. Elliott, 506 Tulip Ave., addressed the Council, stating he was opposed to this ordinance but particularly thought that the same requirements for basement apartments should be made as those for attic apartments.

At this point the citizens were given a 3/4 hour period for presenting any questions.

Councilman Tymeson spoke to the citizens explaining that the Mayor, he and the other Councilmen worked many hours, even very late hours trying to bring about better living conditions for the citizens within the City and that they were not trying to bring about any detrimental conditions as some seem to feel is being done. He also explained that the City Council has absolutely no control over the assessments within the City of Takoma Park, as this is controlled completely by the County.

Councilman McClenon spoke to the citizens stating that all people who have apartments in residential "A" zone are violators of the law and that this proposed ordinance was merely a method of meeting the problem, but any alternative would be greatly appreciated. Councilman McClenon further stated, inasmuch as the item under Section 4 regarding the investigation as to the moral character of the owner and lessee had brought so much protest, that this would be stricken from the ordinance, but explained that this was inserted merely to protect the City from having undesirable citizens moving within the City. Mayor Beville substantiated Councilman McClenon's remarks in this respect.

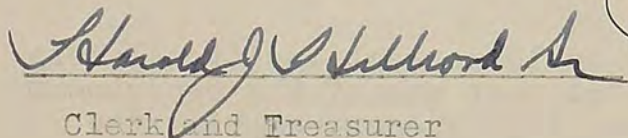
Councilman Perring spoke to the citizens pointing out the following reasons why this law was necessary:

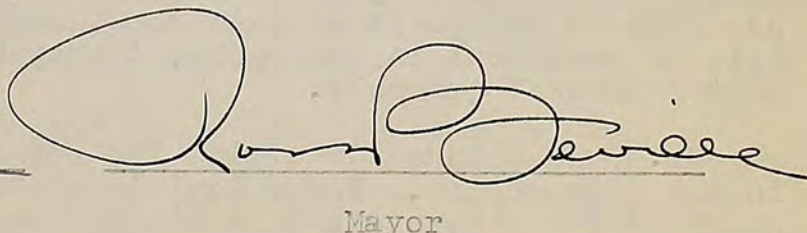
1. Cost of the a additional services required for multiple-family dwellings must be met.
2. More adequate fire protection, with a fire marshall on hand
- 3 . Sanitation standards controlled.

He further explained that to have these very important improvements it would mean more expense; therefore, he felt that revenue could be raised to take care of such by taxing these units as outlined in the proposed ordinance.

Councilman Parkhill spoke to the citizens stating that he felt this matter was too big to be settled on the spot and that it should be given more serious study. He read a portion of a letter received from Millward C. Taft regarding this proposed ordinance.

There being no further business to be brought up before the Council, the meeting adjourned at 11:15 P.M.

  
Clerk and Treasurer

  
Mayor

HEARING ON CITY MANAGER BILL  
Mayor and Council  
November 15, 1951

Mayor Beville informed approximately 40 citizens who had appeared at the Community Center in regard to a hearing on the City Manager Bill that the provisions contained in this bill were not in effect as yet, but that the Act sets up a referendum (to be held March 25, 1952) which permits the citizens to vote on whether or not they want to adopt the City Manager form of government. Mayor Beville further pointed out that the City Council is not sponsoring this bill and that these hearings were held for discussion on various sections of this bill. Mayor Beville then turned the meeting over to Councilman McClenon.

Councilman McClenon briefly outlined the sections of the City Manager Bill, and then stated that in 1948 he requested that an advisory committee of citizens be set up to consider and recommend desirable amendments to the City Charter. This Committee represented various associations from the City of Takoma Park; such as, Community League, League of Women Voters, etc., Councilman McClenon explained that this Committee had gone over all provisions of the Charter and that the City Manager Bill as it is now printed is a draft that has been revised many times.

Mrs. Philip W. Woods, 313 Ethan Allen Avenue, pointed out that if the referendum is carried and a City Manager appointed, the powers of our elected City Council will be as much as at present or more. The budget will still be adopted by the Council and a hearing will be held at which it can be discussed by the citizens. In regard to the setting up of a Merit System, Mrs. Woods brought out that this was a protection for our City employees.

Mr. S. L. Curtis, 717 Erie Avenue, addressed the Council regarding the salary of a City Manager. He pointed out that it would be difficult, if not impossible, to hire a City Manager for less than \$10,000 or \$15,000 per year. Mr. Curtis wondered just what advantages would accrue to the City that we do not now enjoy under the present system, and whether the cost of a City Manager might off-set the reduction in expenses. He also pointed out that he did not see any provision in this bill for reverting back to the old system of government in case the new form of government did not work.

Mr. L. W. Graham, 104 Park Avenue, stated he did not know whether or not this type of government would prove beneficial to a City the size of Takoma Park, and wondered if it would be possible to change this bill before it goes to the public. Mayor Beville stated it was possible to change it only in the event it was approved; then if it is felt an amendment is desirable, it may be presented at the next session of the General Assembly.

Mr. Graham asked if a City Manager would warrant additional help in the City office. Mayor Beville stated that one of the Department Heads of the City would probably be the City Manager, combing the two offices.

Mr. H. C. Heffner, 7107 Carroll Avenue, stated he would hesitate to have a City Manager for the City of Takoma Park when we have lost practically 80 per cent of our utilities. 63

Mr. H. P. Ware, 107 Elm Avenue, stated that the proposed bill offers nothing that we cannot have under the present City Charter, and that a City Manager would cost the City more money; also, the proposed bill seems to delegate too much power to one individual.

Mayor Beville invited each Councilman to speak.

Councilman Parkhill and Councilman Eccleston stated they were still in the stage of open mindedness regarding this proposed bill.

Councilman Tymeson stated that during the summer he had visited several cities that have the City Manager form of government, and that a large number of these cities having a City Manager also have large sewer plants, etc. The City of Columbia, S. C. has announced what their City Manager has done toward saving the City money, but Councilman Tymeson found it was largely a bookkeeping adjustment. They pay their City Manager \$15,000 per year. Councilman Tymeson further pointed out that a City Manager would relieve the Council considerably.

Councilman Klinck stated that the City Manager plan was passed along to the Councilmen from the League of Women's Voters and Citizens' Advisory Committee, and that the unanimous opinion of the Councilmen was that this plan had not been approached from a definite point of view, either for or against.

Councilman McClenon stated that we lack substantial coordination in the present system of government, and that if we had had a City Manager in 1949-50, we would have spent about \$50,000. less of the taxpayers' money than was actually spent, and if we have a City Manager in 1952, it will result in a saving to the taxpayers of at least \$15,000.

In regard to the date in Section 5, Page 8, Councilman McClenon stated that Dr. Flack insisted this be inserted.

Mrs. Ware, 107 Elm Avenue, opposed the City Manager Plan.

Mrs. Vera Hash, 424 Lincoln Avenue, called attention to Purchases and Contracts on Page 2 whereby it states "Every contract involving a total expenditure by the City of \$1,500. or more shall be approved by the Council," and asked if that meant the City Manager would be able to give his approval for an amount under \$1,500. Councilman McClenon referred her to Page 6 whereby it states "No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation ordinance or any revision thereof." Councilman McClenon further stated that if the City Manager spent money that was not appropriated, he would be subject to impeachment.

Mrs. Hash stated she could not find any provision in the bill for various other positions in the City office other than Clerk. Mayor Beville informed her the number of employees, salaries, and titles were covered in the budget.

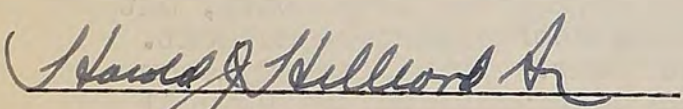
Mrs. Hash concluded her remarks by stating that she did not think a City Manager with the qualifications required in this bill could be employed for \$7,000. or \$8,000. per year.

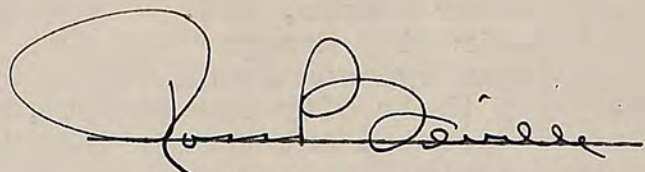
Mr. Curtis brought out that it was his impression that the Clerk and Treasurer acted as a watch dog over the expenditures in the different departments. Mayor Beville explained that all Department Heads are given equal status by the present City Charter.

Mrs. Woods stated that, out of one thousand cities in the Country having City Managers, thirty abandoned the plan; two later returned to the City Manager form of government.

Mr. Longacre stated he thought we should have more information on the plan.

Mayor Beville announced that there would be another meeting in February or March, and asked that the Citizens study this bill and inform their neighbors of the same. The meeting adjourned at 10:20 p.m.

  
Clerk and Treasurer

  
Mayor

EXECUTIVE SESSION  
MAYOR AND COUNCIL  
November 15, 1951

The meeting was called to order at 10:20 p.m. Those present: Councilmen Klinck, McClenon, Parkhill and Tymeson. Absent: Councilmen Eccleston, Oosterhous and Perring.

Councilman Tymeson moved adoption of the following Ordinance:

ORDINANCE NO. 1092

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

WHEREAS, replacement of Police Car No. 1 is considered necessary to maintain maximum police protection, and

WHEREAS, after being duly advertised in accordance with law, the Council accepts the bid of Hanley Motor Company in the amount of \$1185.00, including an allowance of \$692.00 for used police car

NOW, THEREFORE, the City Clerk is hereby authorized to issue an order for the purchase of this police vehicle from the Hanley Motor Company under the terms of purchase as set forth in their bid dated November 12, 1951.

Councilman McClenon seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Klinck, McClenon, Parkhill and Tymeson. Nays: None.

Councilman McClenon moved adoption of the following Ordinance:

ORDINANCE NO. 1093

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

Section 1. Ordinance No. 155 of June 8, 1908 (5:120) and Article 19 of the Police Regulations are hereby repealed.

Section 2. Article 7 of the Police Regulations is amended by adding at the end thereof the following:

"Section 12 (a). No person shall keep or confine temporarily, habitually, or permanently, within the corporate limits of the City of Takoma Park, any horse, mule, donkey, cow, steer, bull, sheep, hog, goat, or other animal whatsoever, except that nothing herein contained shall be construed to forbid the keeping, as household pets, of dogs, cats, rabbits, or other small and inoffensive animals.

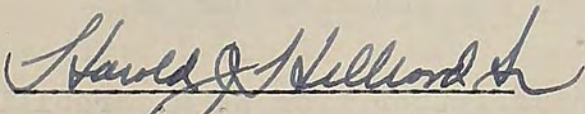
"(b). Any person violating any provision of this section shall for each such offense be fined not less than \$5 nor more than \$25, and each day that any animal is kept in violation of any such provision shall be deemed a separate offense."


Section 3. This ordinance shall take effect December 1, 1951; but any violation of any provision repealed by section 1 committed before that date may be prosecuted and punished in the same manner as if such provision had not been repealed.

Councilman Tymeson seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Klinck, McClenon, Parkhill and Tymeson. Nays: None.

There being no further business to come before Council, upon motion properly seconded and carried, the meeting adjourned at 10:40 p.m.

  
Clerk and Treasurer

  
Mayor

EXECUTIVE MEETING  
MAYOR AND COUNCIL  
November 19, 1951

The meeting was called to order by Mayor Beville at 8:00 p.m. Those present: Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill and Tymeson. Absent: Councilman Perring.

Mr. George R. Spaeth, representing the Capitol Fleets Inc. of Alexandria, Va. addressed the Council, to go over the possibility of the City leasing cars rather than buying them. Mr. Spaeth explained that this company is one of a very few that operate on such a basis and that their company operates nationally. He pointed out the following points why they feel they can lease cars to us more satisfactorily and to better effect than if we bought them outright:

1. They can buy cheaper.
2. They replace the cars each year.
3. Control maintenance better than a municipality or business. Keep the cars serviced at all times. This one item is their selling feature.
4. Sell cheaper.

Mr. Spaeth explained that they select the garage which would be equipped to service the make car which is being leased within our vicinity. They would perhaps make arrangements to purchase the cars from this concern as well as to have them serviced and then in turn this company would bill them for the cars. In other words they take care of everything incidental to the operation of the car except to the furnishing of gas and oil.

The Mayor advised Mr. Spaeth that the Council would make a further study on this matter.

**LAW AND ORDINANCES COMMITTEE:** Councilman McClenon reviewed several points of various ordinances to be determined before codification. This matter was deferred until the next meeting.

Councilman McClenon asked if the Council wanted the Law and Ordinances Committee to revise the rooming house ordinance or to drop it. The Mayor stated he thought that it should be modified but definitely should be considered. The Chief of Fire Dept. was asked to check the ruling on fire escapes in the District. A meeting of the Law and Ordinances Committee was scheduled for December 6th to go over the rooming house ordinance further.

**PUBLIC WORKS COMMITTEE:** Councilman Klinck read letter from L. R. Grabill suggesting creation of a parkway along the lower part of Brashears Creek. In regard to this matter Councilman Klinck moved that the City Clerk be authorized to reply to Mr. Grabill's letter setting forth the situation at the present time and explain our proposal with Washington Suburban Sanitary Commission regarding this matter.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.



Councilman Klinck read letter from Mr. Waldron, Secretary Spring Park Citizens Association regarding a storm drainage problem on Prince Georges Avenue. Mr. Klinck suggested that a communication be addressed to Mr. Waldron explaining that this condition exists on private property and it has never been the responsibility of the City to care for storm drainage on private property but that this is solely the responsibility of the property owner.

Councilman Klinck presented a petition for a surface road and curbing to be installed on properties of 7400-7402 and 7404 New Hampshire Avenue. He suggested that the City Clerk reply to this petition stating that, in view of the fact that all of the property owners' signatures did not appear on this petition a hearing would be necessary, however if 100% of the signatures could be secured a hearing would not be necessary before the work was considered.

In regard to the Second Avenue storm drainage project, Councilman Klinck read reply from Washington Suburban Sanitary Commission explaining their provisions in this project. After discussion on the matter Councilman Klinck Moved that action on this project be deferred until the Public Works Committee had been able to meet and discuss the matter.

Upon being seconded and put to question the motion was carried.

Mayor Beville reported that he had attended a meeting consisting of Mayors, the Chillum Adelpia Citizens Association and other groups at which meeting the fire tax was discussed. He stated at this meeting an offer was made by the group representing the Chillum Adelpia Citizens Association that they would be willing to support legislation regarding the fire tax, and that from the 10¢ tax being set up 35% would be distributed to the municipalities furnishing protection and the remaining 65% be kept by the Association Mayor Beville stated he would be willing to attend any future meetings where the fire tax problem might be discussed and bring information to the Council.

Chief McBride announced that he had already received five inquiries regarding the sale of the old pumper. Councilman McClenon moved that the Clerk be authorized to advertise for bids on the old pumper.

Upon being seconded and put to question the motion was carried.

**CIVIC IMPROVEMENT COMMITTEE:** In the absence of Councilman Oosterhous Councilman Parkhill brought up the matter of repairing the plaster around the windows of the fire house where they have been leaking. After discussion on this matter Councilman Parkhill recommended that bids be received on the repair to these windows.

The matter of **securing** flooring for 8 Columbia Avenue was discussed. Following discussion on the various types of flooring, Councilman Eccleston moved that the flooring for 8 Columbia Avenue be installed in accordance with the recommendations of the Civic Improvement Committee;.

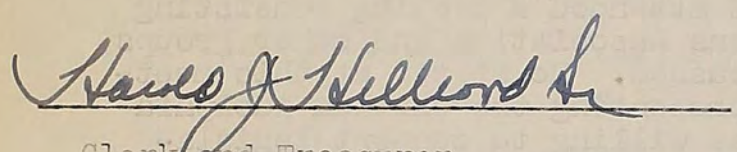
Upon being seconded and put to question the motion was carried.

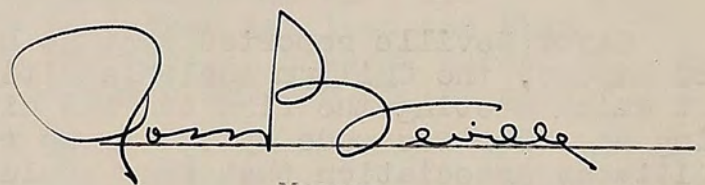
FINANCE COMMITTEE: Councilman Tymeson pointed out that the Library Association is \$300.00 better off than they were this time last year.

Councilman Tymeson discussed the percentage chart which he had prepared and distributed to the Council indicating the status of revenues and expenditures up to the present time.

Councilman Tymeson presented the question of publishing the budget in the local newspaper as required by law. After a short discussion on this matter Councilman Klinck suggested the motion be amended to permit the Finance Committee to determine what part of the budget should be published; in other words delete any portion they felt unnecessary in an effort to economize on the cost of publishing. The Council, therefore, directed the Finance Committee to prepare an abstract of the budget for publication.

There being no further business to come before the Council, the meeting adjourned at 11:00 P. M.

  
Clerk and Treasurer

  
Mayor

REGULAR MEETING  
MAYOR & COUNCIL  
November 26, 1951

The meeting was called to order at 8:00 p.m. Those present: Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson. Absent: None.

Councilman Tymeson moved that we dispense with the reading of the minutes of the October 22 and November 19 meetings, and insert Councilman McClenon's corrections in the November 19 minutes.

Councilman McClenon seconded the motion.

Upon being put to question, the motion was carried.

The Clerk and Treasurer presented the Financial Statement for the month of October as follows:

FINANCIAL STATEMENT

Cash on hand	Citz. Bank	123,508.30			
9/30/51	Sub. Trust Co.	9,507.94			
		133,016.24			
	<u>Revenues</u>				
1.0	Gen. Taxes	31292.02	229,019.59	38,407.81	267,427.40
2.0	Lic. & Permits	2935.40	12,760.49	7,164.51	19,925.00
3.0	Fines & Forfeit.	32.00	98.00	1,702.00	1,800.00
4.0	Use of Money & Property			125.00	125.00
5.	Revenue fr oth Sources	4287.66	218.00	22,987.00	23,205.00
6.	Serv. chg. for current serv.	283.50	38,830.58	558.00	642.00
		171,846.82	242,654.08	71,028.32	313,682.40
	<u>Disbursements</u>				
10.	Genl. Govt.	1715.85	7,283.04	16,311.96	23,595.00
	Clerk's Of.	1715.85	7,283.04	16,311.96	23,595.00
10.	Govt. Bldgs.	629.93	1,912.16	12,047.84	13,960.00
10.	P.W. Repair Shop	697.17	5,141.07	7,663.93	12,805.00
11.1	Police Dept.	3585.42	17,701.27	29,226.23	46,927.50
11.2	Fire Dept.	2175.78	13,788.78	24,956.22	38,745.00
12.1	P.W. Dept.				
	Office	789.74	4,380.88	4,874.12	9,255.00
12.2	Highways	2908.00	22,762.41	11,487.59	34,250.00
12.4	Oth "	7255.31	5,110.83	16,389.17	21,500.00
12.5	Hghway Lght	726.29	2,804.05	4,975.95	7,780.00
13.2	Sanitation	3285.14	14,404.78	34,795.22	49,200.00
19.3	Recreation	335.88	1,620.24	6,122.76	7,743.00
19.4	Cultural-				
	Library	7374.55	7,374.55	2,225.45	9,600.00
21.	Miscellaneous	2232.05	33,711.11	4,707.42	2,426.24
		138,135.71	108,991.48	173,502.68	282,494.16
	Check #0827 cancelled	10.00			
		138,145.71			
	Bank--DM chg. 7/1951	.04			
		138,145.67			
10/31/51	Bal. Citizens Bank		127,857.76		
10/31/51	Bal. Sub. Trust Company		10,287.91		
			138,145.67		

## SPECIAL IMPROVEMENT ACCOUNT

9/30/51	Balance Citizens Bank	15,865.74
	Deposits during Oct. 1951	<u>6,799.35</u>
		22,665.09
	Withdrawals " " "	<u>3,284.17</u>
10/31/51	Balance Citizens Bank	19,380.92

CORRESPONDENCE: Letter from Mr. Morton Thomas, Director of Inspection and Licenses of Montgomery County, stating an investigation was under way regarding the addition of an apartment unit at 7301 Birch Avenue.

Letter from Mr. Perce L. Wolfe acknowledging our letter of November 13, 1951, relative to a zoning violation at 7006 Aspen Avenue. Mr. Wolfe informed us the owner had been given thirty days to return his home to one family use.

Letter from Mr. L. V. Lamson giving information regarding liability of the City for Civilian Defense workers who might be called on special duty. Referred to Finance Committee in conjunction with the Public Safety Committee.

Letter from Mr. George Lewis, Director of State Roads Commission, replying to our letter of October 17, 1951, regarding the results of radar tests made by the State Roads Commission. Referred to Public Safety Committee.

Letter from Mr. Thomas Hicks, Clerk to the Prince George's County Commissioners, acknowledging our letter of October 23, 1951, relative to the furnishing of police guards at the intersections of Ray Road and New Hampshire Avenue and Larch Avenue and New Hampshire Avenue; the Commissioners were without authority to allocate any funds since the budget was approved in April. Referred to Public Safety Committee.

Letter from Mr. J. Bond Smith submitting check of his clients, G. Albert Gude and Joseph P. Abrams, in the amount of \$1,847.25, to cover payment of City taxes, and stating this payment was made under protest and solely to avoid payment of interest on such portion of the amount of these taxes as may be determined to be legally due and payable, and that his clients would file a claim for refund of the amount by which the \$1,847.25 exceeds the amount of taxes legally due.

Letter from Mr. K. P. Grabarkiewicz, Superintendent of Buildings and Grounds of the Takoma Junior High School, expressing appreciation for cooperation given to him by the Fire Department of Takoma Park in the recent emergency at the school. To be filed in Public Safety file.

Letter from Mr. Morgan L. Tenny, Clerk to the Montgomery County Council, transmitting a copy of the opinion and resolution of the County Council in connection with Zoning Application No. A-817, Edith Schaffer, Applicant.

Mr. G. W. Schwager, 7601 Hammond Avenue, stated that he had been having only one garbage collection a week for some time, which caused an unsightly condition in the neighborhood due to the overflow of containers.

Councilman Perring addressed Council as a citizen and stated that he would like to go on record as having the same problem as Mr. Schwager.

The Superintendent of Public Works was advised to pay particular attention to the area in which Mr. Schwager lives.

Mr. C. L. Risher, 7308 Cedar Avenue, addressed Council regarding the zoning violation at 7301 Birch Avenue, owned by Mrs. Maude Welsh.

Mayor Beville read a letter that he wrote to Mr. Morton Thomas, Director of Inspection and Licenses, on November 13, 1951, and stated that he talked with Mr. Thomas today, and was informed that an investigator from Mr. Thomas's office had been refused admittance to Mrs. Welch's house and now he was waiting on a report from the Construction Department.

Mr. Risher stated that Mrs. Welsh had previously been convicted of a zoning violation, and that he had contacted the Justice of Peace to swear out a warrant on the present violation, but the Justice of Peace did not have the proper forms for a search warrant.

Councilman Perring stated that the function of taking care of violations of the zoning ordinance had been established as a prerogative of the County Council and that he could see no reason why the City Council should get involved. Councilman Perring further suggested that Mr. Risher get the proper papers from the Circuit Court if he could not get them from the Justice of Peace.

Councilman Klinck stated that this was a violation of the County law and that their regulations should be enforced.

At this point, Corporation Counsel Gingerich read the following phraseology: "Public Officials of any municipality or political subdivision, or any neighboring property owner or occupant may institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful construction, reconstruction, erection, alteration or use, and any court of competent jurisdiction is hereby granted.

Councilman Oosterhous stated that in view of the statements made by Councilman Klinck and Councilman Perring, he thought that we should direct a letter to the County and ask them why they are not enforcing their regulations.

Mayor Beville stated that the City Council has been trying for over three years to get a master zoning map. On a periodical basis, the Park and Planning Commission would say that such a mpa was forthcoming shortly. However, three months ago they informed us that they were writing a new County ordinance which would take considerable time. Meanwhile, zoning violations have run wild in the City, and the result is that no one accepts the responsibility. Mayor Beville recommended that we write a letter to the County Council or Mr. McNayr stating that, while we are aware of many violations, we are of the opinion that this number should not be permitted to increase.

Councilman Klinck stated that, since it is the duty of the County Council to enforce the zoning law, he thought we should advise them of the situation and ask them why they are not enforcing their law in the City of Takoma Park.

Mayor Beville further stated that everyone has been waiting on the Park and Planning Commission to come out with a zoning map, and that no one wants to prosecute anyone for a violation which may not be a violation two months hence.

Councilman Perring stated it was true that the City Council could force the issue, but it was also true that any neighbor could do the same, and he could not see why we should get in the middle to enforce something that is not our primary responsibility. Councilman Perring further stated that he thought the vitally interested person should swear out a warrant.

Mr. Risher stated that he had gone through that avenue before and wanted to try a new approach.

Mr. Ellery Denison, 7207 13th Place, stated he would like to see the Council support proper claims in matters of this kind.

Councilman Oosterhous moved that the Council go on record supporting Mayor Beville's recommendation.

Councilman Perring moved that the motion be tabled.

Councilman Klinck seconded the motion.

Upon being put to question, the motion failed with Councilmen McClenon, Oosterhous, Parkhill, Eccleston and Tymeson voting Nay.

Councilman McClenon suggested that we request an investigation of 7301 Birch Avenue, and if it is ascertained that a violation exists, take appropriate steps to stop it.

Mayor Beville suggested a Resolution be adopted by the Council stating that while it is recognized that there are wrong standards of zoning violations within the Montgomery County portion of the City, the Council is of the opinion that this number should not be permitted to increase and that any move on the part of individuals to expand these violations further should be stopped.

Councilman McClenon moved adoption of the following Resolution; also, that we request the County Council in this particular case to ascertain whether or not a violation exists at 7301 Birch Avenue.

#### RESOLUTION

BE IT RESOLVED that the Council recognizes the probability that there are many zoning violations in the Montgomery County portion of the City of Takoma Park, and in general, these violations are of long standing, and

WHEREAS it is the feeling of the Council that these violations should not be permitted to increase beyond the number that appears to exist at the present time;

THEREFORE the Montgomery County Council is requested to take whatever steps may be necessary to prevent any additional violations of the present Montgomery County zoning laws within the City of Takoma Park pending the issuance of a new master zoning plan of the City of Takoma Park by the Park and Planning Commission.

Upon being properly seconded, the motion was carried with Councilman Klinck and Councilman Perring voting nay.

EXECUTIVE MEETING: Councilman Oosterhous stated that Council had authorized the Civic Improvements Committee at the last meeting to decide on the type of floor covering, and that Mr. Thomas had recommended plastic tile. However, the plastic tile would run about \$400.00 over the estimated amount for the renovation of 8 Columbia Avenue. After discussion of cost of asphalt tile, plastic tile, and rubber tile, it was agreed that asphalt tile should be used.

Councilman Perring moved adoption of the following Ordinance:

ORDINANCE NO. 1094

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

Section 1. THAT signs shall be erected to read "No Parking Sundays from 8 a.m. to 1 p.m." on the east side of Maple Avenue from Tulip Avenue to the end of the Presbyterian church property, and on the north side of Tulip Avenue from Maple Avenue east to the end of the church property.

Section 2. AND that the Public Works Department be authorized to proceed with the erection of the necessary signs.

Section 3. AND FURTHER, that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Parkhill seconded the motion.

The ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson. Nays: None.

Councilman Perring gave a brief report on the meeting that the Mayors had with citizens in connection with fire service for the Chillum area, which he and Mayor Beville attended. He reported that the discussion was led by some individuals of the area who definitely did not know what they were talking about. Their proposal was to establish a 10¢ tax by means of a referendum, which they hope to put in at the next session of the legislature. However, all legal opinions seemed to be that it would not be permissible at that time, and if it were entered and passed, it would be declared unconstitutional because of a lack of emergency existing in the area. Therefore, it would be necessary for them to put in this 10¢ referendum at the 1953 session of the legislature. Out of the 10¢ tax, they proposed that 65 per cent should go to a newly established fire department, and 35 per cent should be divided between the interested municipalities, of which 35% we would get approximately 25 per cent, or approximately 8/10 cent per \$100.00 valuation. Councilman Perring further pointed out that we could operate without too much loss to the City with 25 per cent of a possible \$40,000. income from the area, or \$10,000. Councilman Perring

announced that another meeting was scheduled for November 29 between the Mayor of municipalities involved and representatives of certain citizens' groups, at which time they hope to arrive at some solution.

Chief McBride stated he was working on a set of "cost per call" operational figures and that he had invited Mr. Howe to make his old survey in Takoma Park based on the same figures he used in 1948, which gave us a Class "B" rating, and to roughly survey the chillum area west of Riggs Road. Chief McBride stated that he had inquired as to what would happen if primary protection should be given by Takoma Park in the Chillum area to the "B" rating in Takoma Park, and what would be necessary financially to put Takoma Park back into the "B" rating under these conditions.

Councilman McClenon moved adoption of the following Ordinance:

ORDINANCE NO. 1095

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

Section 1. Meetings of the Council.

The City Council shall hold its regular meetings at the Municipal Building (No. 8 Columbia Avenue) at 8 p.m. on the fourth Monday of each month, unless they shall for any month prescribe a different time or place. There shall also, unless otherwise determined, be an executive meeting at 7:30 p.m. on the third Monday of each month, such meeting to be held in the Municipal Building. Special Meetings may be called by the Mayor or Acting Mayor at such times and places as he may deem proper. On written request signed by three or more Councilmen, special meetings shall be called.

*amended  
See p. 177*

Section 2. Committees of the Council.

There shall be seven standing committees of the Council, as listed below, each consisting of a chairman or vice-chairman and an additional member. These committees shall be appointed by the Mayor in the April following his election, but he may at any time thereafter make changes in their membership. Each Committee shall meet at such times and places as may be determined by the chairman, and two members of each committee shall constitute a quorum.

*52 proposed  
See p. 144*

The duties of the standing committees shall be as follows:

Finance: to examine all bills and accounts and recommend their approval or disapproval by the Council; to recommend to the Council the annual City budget and tax rate; to keep informed as to the financial affairs of the City and the operations of the Treasurer's office; and to make recommendations to the Council in regard to receipts and disbursements, the keeping of accounts, and any other matters relating to the finances of the City.



**Public Safety:** to keep informed as to the operation of the Police and Fire Departments, street lighting, and civilian defense; and to make recommendations to the Council in regard to the appointment, promotion, and discipline of the personnel of the Police and Fire Departments, improvements in the efficiency of these departments, taxicab permits, the organization of civilian defense, and all other matters relating to the public safety.

**Public Welfare:** to investigate and keep informed as to all matters affecting the health and general welfare of the community; to be responsible for public relations and the use of the gymnasium and all rooms maintained by the City as public meeting places; to see that such rooms are maintained in suitable condition; to organize the participation by the Mayor, Councilmen, and other personnel of the City government in public ceremonies, and to make recommendations to the Council in regard to the other matters and with regard to miscellaneous permits.

**Civic Improvements:** to investigate and keep informed as to public buildings, except those portions coming within the jurisdiction of some other committee, and as to street names, the numbering of houses, building regulations, zoning, and overall planning; and to make recommendations to the Council with regard to all such matters.

**Public Works:** to investigate and keep informed as to the condition of streets, sidewalks, bridges, and other public works, the collection and disposal of trash, garbage, and other refuse, drainage, and other engineering work; to make plans for the improvements of streets and other public works; and to make recommendations to the Council with regard to all such matters and to the personnel of the Public Works Department.

**Law and Ordinances:** to keep informed as to all legal questions in which the City is concerned; to assist other committees in the drafting of ordinances relating to matters coming within their jurisdiction; to draft needed ordinances relating to matters not coming within the jurisdiction of any other committee; and to make recommendations to the Council in matters relating to the Corporation Counsel or the Justices of the Peace, to the arrangement, indexing and codification of municipal ordinances, to proposed amendments to the City Charter and other legislation of interest to the people of Takoma Park, and any other matters of a legal nature.

**Parks and Playgrounds:** to keep informed as to park and recreational facilities and activities in and near Takoma Park; and to make recommendations to the Council with regard to such matters, including the acquisition and disposal of land for parks or recreational purposes.

There shall be such special committees as may be deemed by the Mayor or the Council to be needed, with the duties prescribed by the Mayor or the Council at the time of their establishment or subsequently.

### Section 3. Order of Business.

(a) At each regular meeting the order of business shall be as follows:

- (1) Roll Call
- (2) Reading of minutes of the last regular meeting and any subsequent executive or special meetings.
- (3) Report of the City Treasurer.
- (4) Reading of communications.
- (5) Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council. Each person wishing to address the Council shall, when recognized by the Mayor, give his name and address; he shall direct his remarks to the Council and not to the other citizens present; he shall be limited to one period of not over five minutes, unless granted additional time by unanimous consent of the Council. Priority shall be given to persons who have signified to the City Clerk their desire to address the Council. It shall be the duty of the Mayor to enforce this paragraph.
- (6) Unfinished business.
- (7) Reports of special committees.
- (8) Reports of standing committees, in such order as may be determined by the Mayor.
- (9) New business.
- (10) Adjournment.

This order may be modified by the Council or the Mayor as circumstances may require.

(b) At executive and special meetings the order of business shall be similar to that at regular meetings, except that item (6) and in general items (2), (3) and (4) shall be omitted.

### Section 4. Communications.

All communications received by the City Clerk which require action of any sort by the Council shall be promptly submitted to the Mayor for reference to the proper committee. Communications not received in time for such reference shall be read to the Council under item (5) of section 3, except that, by direction of the Mayor, the City Clerk shall prepare and read only a brief summary of any communication which is too long to justify its reading in full. The Mayor shall refer to the proper committee all communications read or summarized at the meetings of the Council. The Committee to which the communication is referred shall return the same, with its recommendation thereon, within two months of the date of the first meeting at which the communication was in the hands of the committee.

Section 5. Bills and Accounts.

All bills and accounts shall be referred to the Finance Committee for investigation and report before action thereon is taken by the Council. All bills received by the Mayor or any Councilman or any of the other personnel of the City government shall be sent promptly to the City Treasurer, for reference to the Finance Committee.

Section 6. Duties of the City Clerk.

At each meeting, the City Clerk shall submit to the Mayor a statement of all matters pending and not disposed of by the Council at its last preceding meeting, which matters shall be considered as "unfinished business." He shall also submit a list of all special committees with the date of appointment and the subjects referred thereto, and a list of all matters specifically referred to each of the standing committees and not yet reported on. He shall transmit to the chairman of each committee all papers (or copies thereof) relating to matters referred to that committee by the Mayor. He shall submit to the Mayor a list of all persons who have expressed a desire to address the Council together with the subjects to be discussed by them.

*56 1/2 Sec 22:97*

Section 7. Duties of the Mayor.

The Mayor shall be the executive officer of the Council. In addition to the appointment of standing and special committees and the reference of communications to them, as provided in other sections of this ordinance, he may in his discretion assign to any such committee for investigation and report matters which come within the proper functions of that committee.

*37 1/2 Sec 22:40*

Section 8. Changes in Rules.

Any rule of procedure may be waived by a majority vote of the members present, but any permanent amendment to a rule must be by ordinance duly adopted.

Section 9. Parliamentary Authority.

Robert's Rules of Order shall be the recognized authority as to any matter of procedure not covered by this Ordinance.

Section 10. Repeal.

Ordinance No. 531 (originally labeled 231) of June 6, 1932 (8:369), and all previous rules of order or procedure, are hereby repealed.

Councilman Parkhill seconded the motion.

The Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, McClenon, Parkhill and Tymeson. Nays: None.

Councilman Klinck suggested we adopt the policy of notifying Mr. Thomas of the Public Works Department whenever an ordinance is adopted for establishment of signs.

Councilman Klinck moved adoption of the following ordinance:

ORDINANCE NO. 1096

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

WHEREAS, Kingwood Drive between Wildwood Drive and Glenside Drive, Glenside Drive between Kingwood Drive and Jackson Avenue, and Holton Lane between Jackson Avenue and the existing paving has been improved in accordance with the specifications of the City of Takoma Park, and

WHEREAS, the Superintendent of Public Works has recommended that the City accept these streets for maintenance in accordance with the provisions of existing ordinances, the Council hereby officially accepts these streets in the name of the City of Takoma Park for maintenance under the provisions of ordinances now in effect.

After being duly seconded, a roll call vote was recorded as follows: Yeas: Councilmen Eccleston, Klinck, McClenon, Parkhill, Perring and Tymeson. Nays: None.

Councilman Klinck presented letter from State Roads Commission relative to their inspection of the condition existing on New Hampshire Avenue from Ray Road to University Lane, East West Highway between New Hampshire Avenue and Larch Avenue, and Piney Branch Road between Mississippi Avenue and East West Highway. Councilman Klinck stated these intersections have loose gravel shoulders and the traffic carries loose gravel onto the pavement, thereby making a traffic hazard. However, it was the opinion of the State Roads Commission in connection with Piney Branch Road between Mississippi Avenue and East-West Highway that the shoulders had been surface treated and if any gravel washed onto the highway, it must come from adjacent property and is not the responsibility of the State Roads Commission. In regard to the shoulders on New Hampshire Avenue, they stated that New Hampshire Avenue is a 20 foot concrete road with dirt shoulders which have been patched with gravel, and it is not of sufficient depth to surface treat because this highway carries about 11,000 vehicles daily and with this volume of traffic the shoulders would be used extensively and the surface treatment would disintegrate. In regard to East-West Highway between New Hampshire Avenue and Larch Avenue, the Commission stated the shoulder was dirt with a thin coat of gravel, which was on a steep grade, and heavy rainfall would cause the washing, and in their opinion the only solution was to pave this area. Councilman Klinck further pointed out that the Commission had fixed a short section of shoulder near the intersection of New Hampshire Avenue and Sligo Parkway in front of the Shopping Center. However, it was interesting to see their statement whereby they state that they have no future plans for anything on New Hampshire Avenue. Councilman Klinck stated the reason he requested the traffic counter to be put on New Hampshire Avenue was to know the amount of traffic within the corporate limits, so that we might thereby call it to the State Roads attention and request that they include in their future plans the widening of New Hampshire Avenue to such a width as an arterial highway should be.

Councilman Tymeson recommended payment of bills in the amount of \$8245.78.

Councilman Parkhill seconded the motion.

Upon being put to question, the motion was carried.

Councilman Eccleston recommended that a carpenter be sent to the Fire House to fix the plaster around the windows where it is beginning to powder and come out.

Councilman Parkhill so moved.

Councilman Tymeson seconded the motion.

Upon being put to question, the motion was carried.

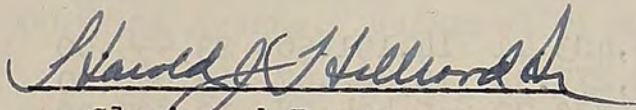
Mayor Beville pointed out that the City streets are being cut up by the Washington Suburban Sanitary Commission and not being repaired as they should. The Superintendent of Public Works was instructed to write Mr. James B. Parkhill of the Commission and give him all tangible evidence in the matter.

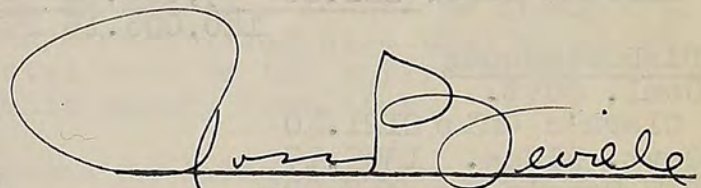
Councilman Klinck moved that the matter of a new map for the "greater Washington area" be referred to the Finance Committee for report.

Councilman Perring seconded the motion.

Upon being put to question, the motion was carried.

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

  
Clerk and Treasurer

  
Mayor