

SPECIAL HEARING  
MAYOR AND COUNCIL  
March 17, 1952

Councilman Oosterhous called the meeting to order at 7:00 p.m. Those present: Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, and Tymeson. Absent: Councilman Perring.

Councilman Oosterhous explained that this Special Hearing had been called in order that the Council might hear five petitions that had been referred to it by the Maryland-National Capital Park and Planning Commission for recommendations. He requested the City Clerk to read the petitions that would be heard this evening.

The first petition to be heard was Zoning Amendment Petition No. A-866, filed by Mr. John E. McKenney for a change in zoning of his property located at 7511 Carroll Avenue, from Residential A to B. Councilman Oosterhous called for discussion from the floor.

Mr. L. Lee Ellrader, 7510 Carroll Avenue, speaking in protest of this petition, charged that since Mr. McKenney had acquired the property approximately one year ago, it had become a disgrace to the neighborhood. The condition in which the property has been left is such that it lowers the value of all surrounding property.

Mr. William E. Dougherty, 7507 Carroll Avenue, vigorously protested the rezoning of this property owned by Mr. McKenney. He described the conditions of the property, stating that work had been started, then left unfinished, and that a ladder was partially suspended from the building, constituting a hazard to the neighborhood. Mr. Dougherty then stated that Mr. Seymour and Mr. Taylor, both residents of the area but unable to attend this meeting, were also strenuously opposed to the rezoning of 7511 Carroll Avenue for multi-family dwelling.

Mr. McKenney spoke in his own behalf. He stated that he had begun repairs on the property, but upon discovering the zoning classification, had discontinued the work until he could learn the results of his rezoning application. He stated that the building had been used as a six and seven family dwelling for many years.

Councilman Oosterhous pointed out that the subject property was surrounded by Residential A housing.

Councilman Oosterhous presented Zoning Amendment Petition No. A-876 of Ronald S. Senseman for discussion. Mr. Bradshaw, attorney for Mr. Senseman, requested that this petition be considered simultaneously with No. A-877 of Carl D. Ford, as the subject property of these petitions is adjoining and Mr. Bradshaw is attorney for both gentlemen. This being granted, Mr. Bradshaw proceeded. The property under discussion consisted of 28 unimproved lots located in Block 55A and Block 55B of Gilbert Sub-division. The application was for a change in zoning of the area from Residential A and B to C. Attorney Bradshaw exhibited the map showing the proposed zoning plan of the Park and Planning Commission. He pointed out that the applications of his clients were in accord with this plan, as the entire subject area has been designated by the Park and Planning Commission as suitable for "C" zoning. He explained that the terrain of the lots makes the expense of building single-family housing prohibitive. Though there would be many difficulties in the construction of multi-family dwellings, the additional revenue from the complete structures would be great enough

to compensate for this exorbitant cost. Mr. Senseman, an architect, pointed out that single-family dwellings on these lots would have to be individually designed, this at great expense. He also stated that since the proposed plan of the Park and Planning Commission zones this area "C", there would not be many individuals willing to build or buy "A" housing in the area.

Attorney Bradshaw then pointed out that this was an institutional area greatly in need of apartment housing, as the turn-over of transient residents is rapid. He discussed also the attractive apartments houses Mr. Ford has built in the past, referring especially to those on Flower Avenue between Piney Branch and Carroll. He stated that the proposed apartments would meet with the Ordinance requiring sufficient off-street parking for each unit. Mr. Thomas McNeill, a prominent engineer of the area, was then called upon. Mr. McNeill stated that the property under consideration would be practically impossible to develop into Residential A housing and show a profit. He stated also that to provide off-street parking resubdividing of the lots would be necessary. He concurred with Mr. Bradshaw that the proposed rezoning would work very well into the over-all zoning plan for the City of Takoma Park as submitted by the Park and Planning Commission.

In summing up, Attorney Bradshaw pointed out that a large percentage of the property in the area was either zoned "C" or actually in use as "C", in violation of zoning laws. He stated that the approval of these two petitions would serve two purposes: (1) it would provide multi-family dwellings in the institutional area where they are greatly needed; (2) it would make legitimate many zoning violations of the area. As a final point, Attorney Bradshaw mentioned that, if these apartments are built, they will bring to the City government approximately \$8,000.00 per annum in taxes.

Councilman Oosterhous stated that a petition had been received from the abutting property owners in protest to Zoning Amendment Petitions Nos. A-876 and A-877.

Mr. James Roth, 8211 Sligo Creek Parkway, addressed the Council in opposition to the petitions. Mr. Roth stated that he was familiar with the type of building Mr. Ford constructs. He admitted that Mr. Ford's work is attractive and durable. He went on to say, however, that Mr. Ford leaves his jobs unfinished, and that he does not clean up the rear of his buildings. The apartments in question would back on Sligo Creek Parkway. He felt, that in view of his previous experience in regard to apartment housing, this would lend a disgraceful appearance to the parkway, and that the trash and rubbish which would inevitably accumulate would depreciate the value of the Roth property. Mr. Roth's front porch would be less than 60 feet from the rear of the proposed apartments.

Mrs. James Roth, 8211 Sligo Creek Parkway, also spoke in opposition to these petitions, stating particularly that transients do not keep their homes up as do permanent home owners.

Councilman Parkhill reminded Mrs. Roth that there is an Ordinance dealing with the removal of trash.

Mrs. Roth replied that she had, on several occasions, attempted to have this Ordinance enforced, and had been unsuccessful.

Others speaking in opposition to these petitions were: Mr. H. C. Paul, 807 Houston Avenue; Mrs. S. B. Lee, 8116 Flower Avenue; Mr. V. A. Tribbett, 8210 Roanoke Avenue; Mr. J. E. Simcock, 8109 Roanoke Avenue; Mrs. W. P. McNeill, 8107 Roanoke Avenue; Dr. R. N. Calvert, 716 Kennebec Avenue.

Those speaking in favor of the petitions were: Mr. James C. Coffin, 810 Jackson Avenue; Mr. John E. Moorehead, 311 Greenwood Avenue; and Mr. Earl H. Opal, 805 Kennebec Avenue.

Councilman Oosterhous proceeded to the next petition, that of Clifton C. McMillin, Petition No. A-861, for rezoning from Residential B to C.

Councilman Oosterhous stated that he was in receipt of a petition protesting this application and signed by 23 abutting property owners.

Mr. Joseph B. Simpson, attorney for Mr. McMillin, described the location of this property as on the west side of Flower Avenue, 100 feet north of Kennebec Avenue. He stated that this property, located as it is on an arterial boulevard, should be used for Residential C housing. He explained that he felt that the Park and Planning Commission had been wrong in designating this property for Residential B use in their proposed plan. Mr. Simpson further explained that he felt that a zoning plan should look to the future and designate a zone, not necessarily in accordance with the use to which the land is now being put, but in accordance with the use to which the land will eventually be forced because of its location.

Mayor Beville questioned Mr. McMillin as to what type of structure he intended to build on the property. Mr. McMillin stated that he hoped to build an apartment unit, which he would, of course, build in accordance with all Ordinances on the subject. He stated that he had no plans drawn up at present, pending the outcome of the hearing.

Those citizens protesting this petition were as follows: Mrs. W. P. McNeill, 8107 Roanoke Avenue; Dr. R. N. Calvert, 716 Kennebec Avenue; Mr. J. E. Simcock, 8109 Roanoke Avenue; Dr. W. P. McNeill, 8107 Roanoke Avenue.

Mr. Sydney W. Tymeson, speaking as a resident and not in his capacity as Councilman, stated his opposition to the petition. Mr. Tymeson questioned Mr. Simpson's disagreement with the Park and Planning Commission's zoning map as regards the block in which the McMillin property is situated, inasmuch as Attorney Simpson expressed his agreement with the map in most other respects. Mr. Tymeson pointed out that the dwellings surrounding the McMillin property are for the most part one-family homes, with a very few two-family dwellings. Mr. Tymeson stated that he was very definitely opposed to the zoning of this lot for apartments.

Attorney Simpson then summed up his argument by stating that his only criticism of the City of Takoma Park was its negligence in looking to the future in its zoning arrangements, particularly the zoning of land located on arterial boulevards. He proclaimed that many of the citizens now protesting this petition will, in the not-too-distant future, be themselves applying for "C" zoning for the area.

Councilman Oosterhous presented Zoning Amendment Petition No. A-1834, filed by Andrew A. Horner, Jr. No opposition was registered against this petition. There being no further business to come before the Council at this hearing, upon motion properly seconded and carried, the meeting adjourned at 9:00 p.m.

EXECUTIVE MEETING  
MAYOR AND COUNCIL  
March 17, 1952

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The meeting was called to order at 9:00 p.m. by Mayor Beville. Those present: Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill and Tymeson. Absent: Councilman Perring.

Mayor Beville read to the Council a letter he had received from Richard F. Green, Vice-Chairman, and Park Commissioner of the Maryland-National Capital Park and Planning Commission, regarding Sligo Creek Parkway. This letter stated that the parkway is the property of the Commission, and that the Commission was attempting to work out some plan of cooperation with Montgomery County on the repair and maintenance of the park roads. Mayor Beville stated that the condition of the parkway was such that immediate action was necessary and recommended that the road either be closed or repaired. If this was not feasible, he suggested that signs be erected at the entrances of the parkway stating that the maintenance of the parkway was not the responsibility of Takoma Park, but was under the jurisdiction of the Maryland-National Capital Park and Planning Commission. Councilman Klinck responded that, in view of the cooperation we have received from the Park and Planning Commission, this would not be desirable in his opinion. He suggested entrance signs reading simply "End of Takoma Park Maintenance". Mayor Beville then asked if it would be possible for the City to repair these roads. Councilman Klinck suggested that we might use our materials and forces to repair these roads if we could make some arrangements with the Commission concerning reimbursement. Councilman Parkhill made the motion that the following letter, dictated by Mayor Beville, be addressed to the Park and Planning Commission:

"Dear Mr. Green:

" This will acknowledge your letter of March 11, 1952, regarding the condition of Sligo Creek Parkway from the Prince George's County line to Maple Avenue, thence from Maple Avenue along Mississippi Avenue to its intersection with Parkside Road. The Council has discussed at length your comments, but feels that the condition of these two thoroughfares is such that some sort of immediate remedial action is required.

" The suggestion has been made, first, that these thoroughfares should be repaired or closed to through traffic; second, in the event that your Commission does not feel that these thoroughfares can be closed but should be repaired, and that your Commission is unable to appropriate funds for the repairs at this time, then the City of Takoma Park will make such repairs as are necessary on an emergency basis provided that the Commission will agree to reimburse the City in a manner agreed upon before the work is started.

" We will greatly appreciate your immediate consideration of this matter."

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

Mayor Beville presented to the Council a list of possible election officials submitted by the City Clerk. Councilman Oosterhous moved that these citizens be appointed election officials.

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

Councilman McClenon moved that the Mayor be authorized to appoint an additional election official, and to fill any vacancies that may occur.

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

Mayor Beville informed the Council that he has written a letter to be addressed to the Ministers of the churches within the City limits, and to heads of various civic organizations, etc., requesting them to urge their members to vote in the coming election. He said that due to the lack of opposition in this year's election, a light vote may result, and he especially wanted to have a large vote on the question of the City Manager Bill. An open letter to all citizens on this subject will be published in the Takoma Journal.

Mayor Beville discussed the unequal distribution of work among the Council committees. He suggested that the Public Safety Committee be split into two committees, one to work with the Fire Department, and the other, the Police Department. The Public Works Committee is also carrying an especially heavy burden, and the placing of a portion of this responsibility with the Civic Improvement Committee was considered. No action was taken on this problem at this meeting.

#### PUBLIC WORKS COMMITTEE

Councilman Klinck discussed the matter of improvement on Wabash Avenue. There are only two abutting property owners, one of whom has agreed to go along with the City in the repair of the street. The other property owners has said that he is willing to pay up to \$500 for these repairs. However, the estimated cost of this improvement is \$3000.00. Councilman Klinck suggested that, in view of the fact that the street to be improved abuts only the side lots of these owners, the City might defray one-half of the cost, of \$1500.00. The other \$1500 would be divided equally among the two abutting property owners, and assessed in the usual manner. Councilman Klinck moved that the abutting property owners be notified of this proposal.

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

Mayor Beville brought up the matter of Holton Lane. He said that he had received several complaints on the condition of this street, and suggested that a Public Hearing be called. Councilman Klinck moved the adoption of the following ordinance:

#### ORDINANCE NO. 1108

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

Section 1. In accordance with the provisions of Section 1198 of the City Charter, the Mayor and Council have under consideration the improvement of Holton Lane from Wildwood Drive west to the existing paving, abutting the following lots: Lots 6, 7, 8, 5, and 4 of Block 3 and Lots 7, 8, 9, 10, 11, and 12 of Block 8, Greenhill Farms Subdivision, said improvement to consist of bituminous concrete topping, at a cost not to exceed \$1,200.00.

Section 2. That the construction of said improvement be assessed against the lots abutting same in the usual manner.

Section 3. The Mayor and Council at a special meeting on March 24, 1952 convening at seven-thirty o'clock P.M. in the Municipal Building, 8 Columbia Avenue, Takoma Park, Maryland, will hear all property owners desiring to be heard in regard to the work herein proposed.

Councilman Eccleston seconded the motion.

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

Because of the many complaints presented by citizens at the Special Hearing, Mayor Beville directed that a memorandum be addressed to Chief Thomas, requesting him to make an investigation of the McKenney property, located at 7511 Carroll Avenue, to determine if the condition of the property, especially in regard to the ladder reported to be partially suspended from the building, is in violation of any City, County or State law.

#### FINANCE COMMITTEE

Councilman Tymeson reported that we are 5 percent over the budget this month.

#### CIVIC IMPROVEMENTS COMMITTEE

Councilman Oosterhous moved that the Council recommend approval of Zoning Amendment Petition No. A-1834, filed by Mr. Andrew A. Horner, Jr., and that the Park and Planning Commission be so notified.

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

Councilman Tymeson, because of his personal interest in the petition, disqualified himself from the discussion and voting on the petition of Mr. Clifton C. McMillin. Councilman Oosterhous moved that the Council recommend disapproval of Zoning Amendment Petition No. A-861, filed by Mr. Clifton C. McMillin.

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

Councilman Oosterhous moved the Council recommend approval of Petitions Nos. A-876 and A-877, filed by Mr. Ronald S. Senseman and Mr. Carl D. Ford, respectively.

Upon being seconded and put to question, the motion was carried with Councilman McClenon voting "nay".

Councilman Oosterhous moved that the Council recommend disapproval of Petition No. A-866, filed by Mr. John E. McKenney.

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

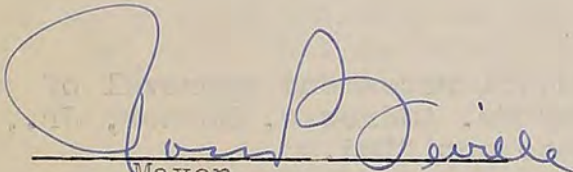
The City Clerk was directed to notify the Maryland-National Capital Park and Planning Commission of the decisions reached by the Council regarding the above-mentioned petitions.

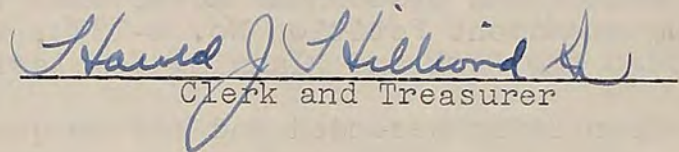
Councilman Klinck brought up the question of the Refuse Regulations. Councilman Klinck said that it was the desire of the Superintendent of Public Works to include in these regulations the prohibition of the establishment of more under-ground garbage and trash containers. Mayor Beville asked Superintendent Thomas to explain his reasons for this request. Mr. Thomas said that his objection to the under-ground containers was mainly from the standpoint of "misses". The personnel on the trash trucks is constantly changing, and it is necessary for a man to be familiar with the whereabouts of the containers before they may be efficiently collected. He stated, also, that these containers are more often in disrepair, constituting a hazard to the collector. After a short discussion on the merits and demerits of the under-ground containers, Councilman Tymeson moved that the Superintendent of Public Works be directed to furnish the City Clerk with a list of those citizens now using under-ground containers.

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

It was suggested that Section 6 of the Refuse Regulations be substituted for Section 2 of the Article; and that said Section 2 be inserted in place of said Section 6. The suggestion was also made that these Regulations and the Article become effective May 1, 1952. Definite action on these questions was deferred until the next meeting.

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

  
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 Mayor

  
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 Clerk and Treasurer

SPECIAL HEARING  
MAYOR AND COUNCIL  
March 24, 1952

Councilman Klinck called the meeting to order at 7:30 p.m. Those present: Councilmen Eccleston, Klinck, McClenon, Parkhill, and Tymeson. Absent: Councilmen Oosterhous and Perring.

Councilman Klinck stated that the purpose of this hearing was to take under consideration the improvement of Holton Lane from Wildwood Drive west to the existing paving, said improvement to consist of bituminous concrete topping at a cost not to exceed \$1,200.00. Councilman Klinck explained that the cost to the individual property owner would be approximately \$1.30 per linear foot. A Certificate of Indebtedness can be issued to the property owners for a period of three to five years.

Three property owners were present at the hearing. They were Mr. John O'Connor, 1121 Holton Lane; Mr. John Oliva, 7119 Georgia Avenue; and Mr. Eric C. Metzgeroth, 1108 Holton Lane. These property owners registered no protest against the proposed improvement, but were interested in what said improvement would cost each one, and in how the payments could be made.

Mr. Oliva stated that his property consisted of two unimproved lots. Councilman Klinck asked if there were any proposed improvements to be made on these lots. Mr. Oliva replied that he would have the services installed for the improvement of these lots before the paving is done, eliminating the necessity of making street cuts in the new street when homes are built on his property.

After a short discussion, the three property owners present agreed to the issuance of three-year Certificates of Indebtedness to the assessed abutting property owners.

Councilman Klinck explained that he would hold in abeyance the actual construction of the paving topping until he has heard from Mr. Oliva as to the completion of the installation of services for his property.

There being no further business to come before the Council at this time, upon motion properly seconded and carried, the meeting adjourned at 8:00 p.m.



REGULAR MEETING  
MAYOR AND COUNCIL  
March 24, 1952

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

Councilman Parkhill moved that we dispense with the reading of the minutes of February 25, and March 17, 1952.

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

Councilman Parkhill moved that the minutes be approved.

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

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

FINANCIAL STATEMENT

	Revenues Feb. 1952	Revenues to 2/29/52	Bal. Budg. to 6/30/52	Total Budget
Cash on hand 2/29/52	Citizens Bank Sub. Tr. Co.	94837.20 11234.39		
		<u>106071.59</u>		
<b>REVENUES</b>				
1.0 General taxes	12783.99	272280.28	4852.88	267427.40
2.0 Licenses & per.	2893.17	16836.64	3088.36	19925.00
3.0 Fines & forfeit.	11.00	2250.45	450.45	1800.00
4.0 Use of money & property	.00	20.00	105.00	125.00
5.0 Revenue from other sources	463.84	2373.55	20831.45	23205.00
6.0 Service chg. from current serv.	243.00	1198.50	1.50	1200.00
	<u>16395.00</u>	<u>1198.50</u>	<u>1.50</u>	<u>1200.00</u>
	122466.59	294959.42	18722.98	313682.40
<b>DISBURSEMENTS</b>				
10. Gen'l. Govt. Clerk Off.	1692.52	16060.54	7534.46	23595.00
10. " Govt. Bldg.	7608.35	17096.34	1336.34	15760.00
10. P/W Rep.shop	1154.17	12117.39	687.61	12805.00
11.1 Police Dept.	4188.76	34960.83	11966.67	46927.50
11.2 Fire Dept.	2040.47	23928.27	14816.73	38745.00
12.1 P/W Dept.off.	710.63	7310.44	2044.56	9355.00
12.2 " Highways	1478.14	34550.93	300.93	34250.00
12.4 " other hghs.	91.00	214.71	21714.71	21500.00
12.5 " Hghwy.lgts.	775.22	6053.00	1727.00	7780.00
13.2 " Sanitation	5182.15	31508.39	17691.61	49200.00
19.3 " Recreation	1754.86	4961.27	2681.73	7643.00
19.4 Cultural-lib.	.00	9158.93	441.07	9600.00
11. Miscellaneous	1008.88	7115.10	18.56	7133.66
2/29/52 Bal. both banks	<u>27685.15</u>	<u>7115.10</u>	<u>18.56</u>	<u>7133.66</u>
	94781.44	204606.72	79687.44	284294.16
2/29/52 Bal. Citizens Bank	83,431.31			
" Sub. Tr. Co.	<u>11,350.13</u>			
	<u>94,781.44</u>			

SPECIAL IMPROVEMENT ACCOUNT

1/31/52	Bal. Citizens Bank	7945.43
	Deposits during Feb., 1952	<u>1606.63</u>
		9552.06
2/29/52	No. withdrawals	.00
	Bal. Citizens Bank	<u>9552.06</u>

CORRESPONDENCE:

1. Letter from Luke J. Bennett, Jr., President of the Community League, dated March 11, 1952, commending the Superintendent of Public Works and his Department for the excellent job they are doing in regard to the upkeep of the streets. Referred to Public Works file.
2. Letter from Luke J. Bennett, Jr., President of the Community League, regarding the Snow Removal Ordinance. Referred to Law and Ordinances Committee.
3. Letter from Robert Mohr, President of Spring Park Community Association, regarding the reopening of Second Avenue at its termination at Eastern Avenue. Referred to Public Works Committee. Mr. Mohr also called attention to the speeding motorists on the three hills that lead to Forest Park. Referred to Public Safety Committee.
4. Petition signed by 16 citizens protesting conditions resulting from the development of Hodges Tract and West Grant Avenue. Referred to Public Works Committee and Parks and Playgrounds Committee.
5. Letter from Virginia Dorsey Lightfoot protesting Snow Removal Ordinance. Mayor Beville directed the City Clerk to reply to Mrs. Lightfoot that the Snow Removal Ordinance has been referred back to the Law and Ordinances Committee for study. Referred to Law and Ordinance Committee
6. Letter from William B. Marks, Director of Transportation for the Montgomery County Board of Education, regarding the school bus ordinance. Referred to Law and Ordinances Files.
7. Letter from Eric W. Andberg, Chairman of the Building Committee for New Hampshire Kindergarten, Inc., requesting the rescinding of the ruling of the Fire Inspector requiring the use of panic bolts on the exit doors of the kindergarten building located at the J. Enos Ray Elementary School. The City Clerk read the reply to Mr. Andberg written by Chief McBride, which explained the reasons for the Fire Inspector's ruling, and urged the Board of Directors of the New Hampshire Kindergarten, Inc., to install panic bolts for the safety of their children.

Mr. Andberg requested to be heard in regard to the above-mentioned subject. He stated that since this is a small, one-room building, capacity of 28 students, having two exits leading directly out-of-doors, panic bolts are unnecessary. He added that the building, which was constructed this year, had already been costly to several of the parents, and he felt it unfair to add another expense to their burden.

Councilman Perring <sup>stated</sup> that the cost per child would be approximately \$3.00, which he did not feel was prohibitive.

Mayor Beville suggested that the purchase of these panic bolts be delayed until next year, when the incoming group of parents, who had not been put to any great expense as yet, might be willing to make the purchase of these bolts. Mr. Andberg stated that he favored this proposal.

The problem was referred to the Public Safety Committee for study and recommendation, and report back at the next meeting.

#### OPEN MEETING:

Mayor Beville welcomed Mrs. Hogan and her sixth graders from the J. Enos Ray Elementary School. He introduced the Councilmen, giving a short summary of the duties of each.

Mr. Roger Fowler, 7203 Garland Avenue, read a letter which he had written to the Council in May, 1951, regarding the condition of a storm drainage pipe left open on his property. Mr. Fowler stated that the condition resulting from this open pipe is rapidly becoming worse, and asked if the Council could take some action on the matter. Mayor Beville said that he was familiar with the problem, and that he had understood that the Council had attempted to reach some agreement with Mr. Fowler in the past. He further stated that he was in favor of some action being taken on this matter, but that he did not feel that the entire responsibility rested with the City.

Mayor Beville asked Mr. Fowler if the storm drainage pipe had been in similar condition when he purchased the property, to which Mr. Fowler replied in the affirmative, going on to state that the real estate agency had assured him that the matter would be taken care of.

Mr. Fowler stated that both the Park and Planning Commission and the Washington Suburban Sanitary Commission had been contacted in regard to this problem, with no success.

After further discussion, Councilman Perring moved that this subject be taken up as the first order of business in the Executive Session immediately following this open meeting.

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

Mr. S. M. Derato, 413 Lincoln Avenue, commended the Police Department for their work in the recent gambling raids. He asked if the City would receive any part of the fines levied on the guilty parties by Prince George's County.

Mayor Beville replied that he had been informed by Mr. Thomas Hicks, Clerk for the Prince George's County Commissioners, that the City of Takoma Park receives a large portion of the fines levied by Prince George's County on law-breakers taken into custody by City Police Officers.

Mr. Derato explained that the Charter stated that the City may, by Ordinance, levy a fine up to \$100.00 in such cases. He suggested the City look into this matter, if it does not receive a share of the fine previously levied by Prince George's County.

Mayor Beville referred this question to the Law and Ordinances Committee for investigation.

EXECUTIVE SESSION:

In regard to the open storm drainage pipe on property owned by Mr. Roger Fowler, Councilman Klinck said that he did not have available the estimated cost for such repairs as are needed.

Councilman Perring pointed out that the estimate made some time ago had been \$800 to \$1000, and that the cost would probably exceed this now, due to the further damage done to the property since that time and the rise in prices.

Councilman McClenon asked for the opinion of the Corporation Counsel on the question.

Corporation Counsel Gingerich said since there is a catch basin on Garland Avenue, we have some responsibility in the matter. He did not feel, however, that the City had primary responsibility. He suggested that the Council use its power and declare a storm drainage area.

Councilman Klinck stated that our liability was for the amount of public water going into the catch basin. He felt that we should take care of our responsibility. He added that Mr. Fowler has indicated a willingness to dedicate a right-of-way, but that more help would be necessary from him.

Counsel Gingerich asked if this was natural drainage before the pipe was installed; Mayor Beville replied that it had been 90 percent natural drainage previously.

Councilman McClenon moved that the Public Works Committee canvass the situation and see if it is possible to make arrangements with the various property owners involved; get an estimate of the cost; obtain an engineer's opinion as to the natural drainage there; obtain the opinion of the corporation counsel; and report back the Committee's recommendation to the Council at the second meeting in April.

Upon being seconded and put to question, the motion was carried with Councilmen Oosterhous and Perring voting "nay". Councilman Perring stated that he was in favor of the City doing the work and assuming the entire cost.

Public Safety Committee:

✓ Councilman Perring moved the appointment of Richard W. Scott, 710 Erie Avenue, as a Special Police Officer.

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

✓ Councilman Perring moved the appointment of Luke J. Bennett, Jr., 7211 Maple Avenue, as a Special Police Officer.

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

Civic Improvements Committee:

Councilman Oosterhous moved the adoption of the following Ordinance:

## ORDINANCE NO. 1111

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

Section 1. That the Plat of the Subdivision of part of the land 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 16, 1942, and recorded among the Land Records of Prince George's County, Maryland, in Liber 654, Folio 174, known as Lots 26-33, Block 14, New Hampshire Gardens, from which Joseph F. Horning and Theresa A. Horning, his wife, relinquished their claim by a Quit Claim Deed dated October 13, 1952, and recorded among the same Land Records in Liber 1284 at Folio 3, 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 Eccleston 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. Nay: None.

Councilman Oosterhous moved that the City Clerk be directed to write to the Maryland-National Capital Park and Planning Commission requesting that the Commission furnish the City with copies of all plats submitted to the City for approval in the future, and with copies of all such plats submitted to the City within the last six months; and also, that the City be notified of the date of approval of said plats.

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

Insert:

Councilman McClenon moved that we place on record the feeling of the Council that they very much regret the fact that Mr. Oosterhous and Mr. Perring will no longer be serving with them.

...has been received in response to the advertisement for bids on the construction of the New Hampshire Avenue service drive, between Merwood and Kingwood Drives. The four bids were as follows: Sweetman and Hall, \$8128.00; Gontee, \$6956.40; Carter-Weigant, \$6800.00; Maryland Enterprises, Inc., \$5465.00. Councilman Klinck stated that the lowest bid received was that of Maryland Enterprises, Inc. who had submitted a bid of \$5465.00. The cost of this construction as estimated by the Superintendent of Public Works is \$4829.00, exclusive of driveways.

Personal  
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Civic Improvements Committee:

Councilman Oosterhous moved the adoption of the following Ordinance:

## ORDINANCE NO. 1111

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

Section 1. That the Plat of the Subdivision of part of the land 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 16, 1942, and recorded among the Land Records of Prince George's County, Maryland, in Liber 654, Folio 174, known as Lots 26-33, Block 14, New Hampshire Gardens, from which Joseph F. Horning and Theresa A. Horning, his wife, relinquished their claim by a Quit Claim Deed dated October 13, 1952, and recorded among the same Land Records in Liber 1284 at Folio 3, 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 Eccleston 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. Nay: None.

Councilman Oosterhous moved that the City Clerk be directed to write to the Maryland-National Capital Park and Planning Commission requesting that the Commission furnish the City with copies of all plats submitted to the City for approval in the future, and with copies of all such plats submitted to the City within the last six months; and also, that the City be notified of the date of approval of said plats.

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

Councilman Oosterhous then expressed his regret, that, due to his personal situation, he would no longer be associated with the Council in the capacity of Councilman, but hoped that at some future date he might once again take an active part in the Civic Government of Takoma Park.

Insert

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

Councilman Perring also stated his regrets in leaving the Council.

Public Works Committee:

Councilman Klinck reported that four bids had been received in response to the advertisement for bids on the construction of the New Hampshire Avenue service drive, between Merwood and Kingwood Drives. The four bids were as follows: Sweetman and Hall, \$8128.00; Gontee, \$6956.40; Carter-Weigant, \$6800.00; Maryland Enterprises, Inc., \$5465.00. Councilman Klinck stated that the lowest bid received was that of Maryland Enterprises, Inc. who had submitted a bid of \$5465.00. The cost of this construction as estimated by the Superintendent of Public Works is \$4829.00, exclusive of driveways.

Councilman Klinck then moved the adoption of the following Ordinance:

ORDINANCE NO. 1109

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

Section 1. THAT the Bid of Maryland Enterprises, Inc., Takoma Park, Maryland, in which they agree to paving curb and gutter and certain driveway approaches, said construction work to be that of the installation of a service drive between Merwood and Kingwood Drives and parallel to New Hampshire Avenue, in the amount of \$5465.00 is accepted, and they are hereby authorized to proceed to furnish this work and materials.

Section 2. AND FURTHER, that Maryland Enterprises, Inc., be required to furnish the necessary performance Bond to insure that this work shall be performed in a workmanship-like manner and the materials be furnished in accordance with the specifications

Councilman Eccleston seconded the motion.

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

Councilman Klinck reported on the hearing on the improvement of Holton Lane. He reported that the improvement would consist of bituminous concrete topping and a certain amount of grading. Councilman Klinck suggested that the grading could be done by the City. However, the Corporation Counsel suggested that the City advertise for bids on this improvement, including both the concrete topping and grading. Councilman Klinck then moved that the Superintendent of Public Works prepare specifications for the surfacing and grading of Holton Lane from Wildwood Drive to the existing paving, and that the City Clerk be directed to advertise for bids on the construction of said improvement.

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

Councilman Klinck reported on the progress he has made in getting dedications on Carroll Avenue. He advised the Council that he has received dedications from all the property owners, with the exception of the Texas Company. Mayor Beville commended Councilman Klinck for his excellent work in obtaining these dedications. Councilman Klinck went on to state that the State Roads Commission is awaiting word from him to set a date to discuss final plans for the widening of the Carroll Avenue intersection at Ethan Allen and Sycamore Avenues. Councilman Klinck said that it is our intention to recommend that the City's share of the cost be paid to the State Roads Commission and that they proceed with the advertising for bids.

Councilman Klinck discussed the matter of improvement of Maple Avenue. He said that he and Mr. Thomas had met with Mr. Shaw, Chief Engineer, and Commissioner Ray of the Washington Suburban Sanitary Commission, and that the Commission had presented two proposals, which were discussed. The estimated cost of an open channel with sloping sides and a flat base was \$33176.00. The alternate plan, regarding an entirely closed type of

construction consisting of two 9 by 5 box culverts side by side, with an overall width of 20 feet, was estimated as costing \$53,124.00. Another proposal for a box culvert over the Niagara Avenue portion and the remainder being an open channel was estimated as costing \$45,660.00. Councilman Klinck stated that the Commission will study these proposals, and that we will then receive a communication as to which proposal they prefer. Some assistance from the City will probably be requested.

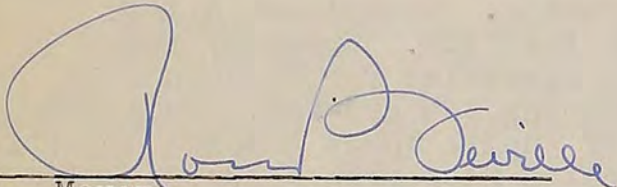
Finance Committee:


Councilman Tymeson moved that the bills, in the amount of \$27623.73, as approved by the Finance Committee, be paid.

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

Mr. Earl Thomas, Superintendent of Public Works, stated that he had met with Mr. Chrisman of the Capital Transit Company, and that the proposed changes in bus stops had been accomplished, with the exception of the bus stop in the center of the block between Eastern and Carroll Avenues, which Mr. Chrisman advised would be changed as requested as soon as the Potomac Electric Power Company can effect a change in a guy wire leading from a power pole to the street.

There being no further business to come before the Council at this time, upon motion properly seconded and carried, the meeting adjourned at 10:30 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk and Treasurer



SPECIAL MEETING  
MAYOR AND COUNCIL  
March 26, 1952

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

The Clerk and Treasurer read the following report from the Judges  
of Election:

March 26, 1952

"Mayor and Council  
Takoma Park, Maryland

"Gentlemen:

"The undersigned, duly appointed and qualified as Judges of  
Election, have the honor to submit the following report of the City  
Election, held the 25th day of March 1952, in the Takoma Park Fire  
Department Building:

The Board organized with the appointment of Peter Remsen  
Chairman; Frank Troll, Julius Peter, Jr., Mrs. Lauraline K. Schleicher,  
Mrs. Vera Hash, and R. C. Hill as Judges, and Mrs. William E.  
Culleen as Clerk, after having taken the prescribed oath of office  
before the Mayor. The Polls were opened at the legal hour of 7  
o'clock a. m., and closed at the legal hour of 7 o'clock p. m.

The results of the referendum on question No. 1 "Shall the  
Mayor and Councilmen be compensated at the rate of \$600.00 and \$300.00  
each, per annum, respectively, in lieu of expenses" were as follows:

Y es 696  
N o 376

The **results** of the referendum on question No. 2 "Shall the  
Charter of the City of Takoma Park be amended to provide for the  
office of City Manager" were as follows:

No. 824  
yes 227

The following candidates for Mayor received the number of votes  
set opposite their respective names:

Ross H. Beville 1096

The following candidates for Councilmen received the number of  
votes set opposite their respective names:

4TH AND 20TH PRECINCTS, MONTGOMERY COUNTY

Frank E. Lucas 1008  
Walter H. McClenon 926

## 6TH AND 21ST PRECINCTS, MONTGOMERY COUNTY

James B. Parkhill 924  
 Charles H. Klinck 991

## 9TH AND 22ND PRECINCTS, MONTGOMERY COUNTY:

Sydney W. Tymeson 997

## 6TH &amp; 4TH PRECINCT, 17TH DISTRICT PRINCE GEORGE'S COUNTY:

Gordon H. Cole 451  
 Ellery Denison 516  
 Ray H. Eccleston 735  
 Milton Kramer 610

It appears from the ballots cast that the following candidate for Mayor received the highest number of votes, and was duly elected Mayor for a period of two years from the second Monday in April, 1952.

(Ross H. Beville)

It appears from the ballots cast that the following candidates for Councilmen received the largest number of votes in their respective precincts and were duly elected Councilmen for a period of two years from the second Monday in April, 1952:

4th and 20th Precincts, Montgomery County

(Frank E. Lucas)  
 (Walter H. McClenon)

6th and 21st Precincts, Montgomery County

(James B. Parkhill)  
 (Charles H. Klinck)

9th and 22nd Precincts, Montgomery County

(Sydney W. Tymeson)

4th and 6th Precincts, 17th District, Prince George's County:

(Ray H. Eccleston)  
 (Milton Kramer)

The results of the tabulation of the election indicates the following:

512 votes	Prince George's County
<u>774</u> votes	Montgomery County.

1286 votes Total

Certificates of Election in accordance with the results as above stated are attached hereto for delivery to the Mayor and Councilmen elect.

Very respectfully,

JUDGES OF ELECTION

(s) Peter Remsen  
(s) Frank Troll  
(s) R. C. Hill

(s) J.C. Peter, Jr.  
(s) Vera A. Hash  
(s) Lauraline K. Schleicher

Attest:  
(s) Agnes R. Culleen

Councilman Oosterhous moved that the report of the Judges of Election of the results of the election be accepted as read.

Councilman Tymeson seconded the motion.

Upon being put to question the motion was carried.

Councilman Parkhill moved the adoption of the following Resolution to be submitted to each of the election officials:

RESOLUTION

WHEREAS, the Mayor and Council recognize the splendid manner in which the Judges and Election officials performed their duties at the City Election, held in the Takoma Park Fire House on March 25, 1952, BE IT ORDAINED, that the Council express its sincere thanks and appreciation to the Election Officials for their diligent efficient, and courteous assistance to the voters in the expeditious handling of the election, and, BE IT FURTHER RESOLVED, that this Resolution be recorded in the official records of the City of Takoma Park and a copy be forwarded to each of the Election Officials.

Councilman Tymeson seconded the motion.

Upon being put to question the motion was carried.

Mayor Beville complimented Mr. Hilliard on the splendid work he had accomplished in organizing the procedures of the election on election day, March 25, 1952.

Councilman Parkhill moved that the Council compliment Mr. Hilliard on his splendid job of organizing the election procedures for the election on March 25, 1952.

Councilman Tymeson seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the City of Takoma Park, Maryland, That we hereby express our appreciation of the services of our Colleague H. Brooks Perring as a member of the City Council during the last four years. Mr. Perring's practical knowledge and sound judgment have contributed much to the successful administration of the affairs of the City. In particular, his activities as Chairman, of the Council's committee on Public Safety deserve greatful acknowledgment by all citizens of our community. We shall miss his participation in our activities, and trust that we shall from time to time receive suggestions from him relative to the welfare of Takoma Park.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon moved the adoption of the following Resolution:

RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the City of Takoma Park, Maryland, That we express our appreciation of the services of our colleague Lawrence A. Oosterhous as a member of the City Council during the last three years. Mr. Oosterhous has contributed much to the successful administration of the affairs of the City, in particular, in relation to the difficult problems of zoning and resubdivisions. We hope that the reason he has felt it necessary to relinquish his municipal activities at this time will soon be overcome, so that the City can again profit from the expression of his interest in the welfare of our Community.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon moved the adoption of the following Ordinance:

ORDINANCE NO. 1110

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

Section 1. Sections 1 and 2 of Ordinance No. 1107 of February 25, 1952 (21:119) are hereby repealed.

Section 2. There shall be a bus stop on the west side of Laurel Avenue, between the taxicab stand and Carroll Avenue.

Councilman Eccleston seconded the motion.

The Ordinance was adopted with a roll call vote as follows:

Yeas: Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill and Tymeson. Nays: none. Absent: Councilman Perring.

Councilman Parkhill moved that a dinner be given at the time the new Mayor and Councilmen are to be sworn in, and that all of the old Council and the new Council, City Officials, Department heads and the press should also be included.

Councilman Tymeson seconded the motion.

Upon being put to question the motion was carried.

Upon motion properly made and seconded the meeting adjourned at 8:35 P. M.

Harold J. Williard  
Clerk and Treasurer

R. Gordon Devere  
Mayor