

MAYOR AND COUNCIL
REGULAR MEETING
April 28, 1952

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

Councilman Tymeson moved that we dispense with the reading of the minutes and inasmuch as there were no corrections, that they 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 March as follows:

FINANCIAL STATEMENT

	Revenues March 1952	Revenues to 3/31/52	Bal. Budget to 6/30/52	Total Budget
Cash on Hand	Citiz. Bk. 83431.31			
	Sub.Tr.Co. 11350.13			
	<u>94781.44</u>			

REVENUES

1.0	General Taxes	12615.26	284902.07	17474.67	267427.40
2.0	Licenses & Per.	102.70	16939.34	2985.66	19925.00
3.0	Fines & Forf.	46.00	2296.45	496.45	1800.00
4.0	Use of Money & Property	.00	20.00	105.00	125.00
5.0	Rev. from other sources	14486.57	16303.80	6901.20	23205.00
6.0	Serv. chg. Current Exp.	30.00	27280.53	1228.50	28.50
			<u>122061.97</u>	<u>321690.16</u>	<u>8007.76</u>
					313682.40

DISBURSEMENTS

10.	Gen'l. Govt.	1888.57	17949.11	5645.89	23595.00
10.	Clerk & Off.				
10.	Gen'l. Govt.				
	Govt. Bldg.	2110.35	19206.69	3446.69	15760.00
10.	P/W Rep. Shop	848.18	13257.60	452.60	12805.00
11.1	Police Dept.	3508.17	38307.46	8620.04	46927.50
11.2	Fire Dept.	23357.66	47324.65	8579.65	38745.00
12.1	P/W Dept. Off	699.92	7957.11	1397.89	9355.00
12.2	" Hgh.	1590.61	36141.54	1891.54	34250.00
12.4	" other Hgh.	146.60	68.11	21568.11	21500.00
12.5	" St. Lgt.	746.98	6799.98	980.02	7780.00
13.2	" Sanitation	4158.70	35667.09	13532.91	49200.00
19.4	Cultural-Lib.	.00	9158.93	441.07	9600.00
19.3	P/W Dept. Recrea.	884.22	5745.49	1897.51	7643.00
21.	Miscellaneous	1776.00	41715.96	8218.82	1085.16
			<u>80346.01</u>	<u>245666.36</u>	<u>38627.80</u>
					284294.16

3/31/52	Bal. Citz. Bank	68995.88
	B al. Sub. Tr.	<u>11350.13</u>
3/31/52	Bal. both banks	80346.01

SPECIAL IMPROVEMENT ACCOUNT

2/29/52	Bal. Citizens Bank	9552.06
	Dep. during March	<u>762.72</u>
		10314.78

No withdrawals	<u>.00</u>
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3/31/52	Bal. Citizens Bank	10314.78
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CORRESPONDENCE:

1. Letter from Lewis Nelson regarding drowning of Linda Beth Maloney. Referred to Public Safety Committee.
2. Letter from Hampshire Greens Community Association in connection with the unhealthy condition on vacant lot adjacent to the intersection of Carroll Avenue and Old Baldensburg Road, owned by Joseph Horning. Inasmuch as Mr. Horning has agreed to attend to this matter, Mayor Beville asked that this be followed up to see if the condition has been alleviated.
3. Letter from Hampshire Greens Community Association regarding the installation of signs as a slow-down measure on Wildwood Drive, Public Safety files.
4. Letter from Spring Park Community Association regarding conditions in Forest Park. Referred to Public Welfare Committee for investigation.
5. Letter from Spring Park Community Association regarding the adoption of a Resolution to resume rescue-squad service to the Chillum-Adelphi area. Referred to Public Safety Committee for study and report.

OPEN MEETING:

Mr. Gordon Cole, 7115 Garland Avenue, addressed the Council regarding Ordinance No. 1083, adopted by Mayor and Council on October 22, 1951, relative to the fire tax area of Prince George's County. He stated he felt that where human lives are concerned, the Fire Chief should be instructed to furnish a rescue squad to this area. He further stated he felt that we, as Christian people, should not refuse to send such protection as a matter of policy.

Chief McBride stated that the Fire Department never knows what might be an emergency until they arrive on the scene.

Mayor Beville at this point explained in detail the correct way in which the message was given to our Fire Department and commended the department in the way they handled the matter, as he had investigated very thoroughly and found that our Fire Department was in accord with the rules and regulations.

Mr. Ellery Denison, 7207 13th Place, addressed the Council relative to the fire tax problem. He stated he was in hope that steps could be taken to prevent a recurrence of the recent drowning in Prince George's County. He further stated he felt the action on this problem was sound and hoped arrangements can be made for the proper support and assistance financially, in order that Takoma Park may see its way clear to restore its services, but definitely the City should have a pretty good assurance that it would get some financial assistance. He felt that we should give full service or none and our service should not be jeopardized by going out on indiscriminate calls.

Mr. L. A. Oosterhous, 904 Glazewood Court, addressed the Council relative to the fire tax problem. Regarding the recent drowning accident, Mr. Oosterhous stated he felt that what was done was the proper thing, but recommends that the Fire Board be given instructions to notify our firemen to respond with the rescue squad when there is a case of life or death, and that this be purely on an emergency basis. He was asked how one would know an emergency case, and he answered by stating that question should be left up to the Chief to determine.

Mr. Phil Huck, 27 Pine Avenue, addressed the Council relative to the same subject and feels this Ordinance was made and adopted and thinks the City should stick to it. He does not think our Fire Department should be blamed any more than the District of Columbia Fire Department, inasmuch as there is one of their stations closer to the scene of the tragedy than ours, which he understood had been notified.

Mr. Paul Wilson, 7602 Wildwood Drive, addressed the Council and was in full agreement with the Council that they should not change the decision made last October relative to the fire tax problem unless some equitable agreement be made by Prince George's County.

Mr. Michael Derato, 413 Lincoln Avenue, addressed the Council relative to the fire tax problem and feels that the City is entirely right in its stand on this question. He believes in helping a fellow man, but when they do not help themselves, he does not think anyone else should help. After making quite an intensive study of such problems in other areas, Mr. Derato felt the City should be treated the same as other areas in the taxing for fire protection.

Mr. Charles Yost, 7207 Central Avenue, addressed the Council relative to the fire tax problem, and stated he felt the City should recognize their moral responsibility, but still feels we should push for some remuneration.

Mr. W. R. Hughes, delegate to Annapolis from Prince George's County, spoke in behalf of the fire tax question. He stated that we have quite a problem here which would only exist until the very first day of the legislative session which begins January 1st of next year, and that would be when Takoma Park will be relieved of the responsibility that it will take on. He also stated that if the City would rescind the Ordinance on the fire tax, he would personally advance \$100.00, and guarantee \$1300.00 within ten days, with a promise to introduce a Bill in the next session of legislation, making it retroactive to this date.

Mayor Beville stated he felt the City did not withdraw fire and ambulance service for the purpose of the \$1400.00, but feels that if the City furnishes said services it should be treated the same as other communities. The Mayor also stated he was very much surprised at the fact that there had been only one area which had contacted the City relative to the paying for fire service which was allowed under the Ordinance, passed in October 1951, which stopped free fire service in Prince George's County.

Chief McBride explained in brief the set-up of the Fire Department and rescue squad service in comparison with other communities.

Reverend Hodgson, 1005 Hopewell Avenue, addressed the Council, asking if it would be possible to send fire service to the area in question and bill later. The Mayor answered that this had been suggested but found it would be hard to tell on what basis to make a charge.

Mr. John Coffman, 435 Ethan Allen Avenue, addressed the Council presenting the following proposal for consideration for inclusion in the 1952-53 budget:

"Appearing as an individual citizen and resident of Takoma Park, I wish to submit the following items for your consideration for inclusion in the Takoma Park budget for 1952-53, or as support for those items already under consideration.

"1. Utilize the 10 feet off Triangle Park on Carroll and Laurel Avenues to open up traffic congestion there.

"2. Widen Carroll Avenue from Laurel to Philadelphia Ave., based on the anticipated widening from Philadelphia to Lee Avenue.

"3. Complete the Maple Ave., project, including Grant Ave., crossing: widen Maple Ave. from the D.C. Line to Flowe Ave., and develop park land along lower Maple Ave.

"4. Widen Tulip Ave. from Carroll to Holly Ave. and widen Willow Ave. from Carroll to Park Ave.

"5. Provide (on whatever basis necessary) off-street parking in areas near Carroll and Laurel Avenues, Carroll and Grant Avenues and Flower Avenue. Master zoning plan makes these recommendations, but with some difference and the Chamber of Commerce has complete recommendations of its own.

"6. Develop a full scale recreation program, including ball fields, tennis courts and equipment, equitably located throughout the City. Employ a recreation director for summer programs, especially for small children. Clean up and equip North Takoma Park and investigate possibility of free "fish pond" and one large picnic area.

"7. Include in this year's budget a "public relations" fund for the city. If officials expect citizens to "take a pride" in their town, then let's provide the ways and means to inspire them and to enable us to maintain our position along with the growing modern nearby areas. We have a pace to maintain and after four years of progress and "groundwork," it's time we applied a little salesmanship to our own town and its many good points.

"8. Halt negotiations on the tentatively accepted plan to construct an open culvert for Brashears Creek as proposed by the Washington Suburban Sanitary Commission. While I appreciate the fact that this type of construction is not what the Council proposed, nevertheless, by our acceptance of the suggestion, the City, not the WSSC, will receive any criticism of the dangerous open ditch. We want and need, for our children's protection and our health, a closed culvert for the full 300 feet. Any compromise at this time is asking for a certain drowning and an eyesore in an area admirably suited for park land.

"9; Hold a public hearing on the proposed budget, emphasizing departmental or recurring expenses, capital expenditures, and new development projects as requested by our citizens.

"These suggestions are made with the full understanding some of them are already under consideration, or are now under way. Nevertheless, we have been "considering" such things for years, and I therefore request the budget committee either include the projects in this year's budget, or, as well may be necessary, include a sinking fund in this budget, thus insuring a definite start on those projects which might be construed to be "future developments."

"In the event any of these requests are not included in the budget either as a complete item or as a start on such a program. I would appreciate being advised as to the reason why no provision can be made at this time."

Relative to the item on Brashears Creek, Councilman Klinck gave a detailed explanation of negotiations with the Washington Suburban Sanitary Commission and the efforts of the City to get closed type construction rather than an open type culvet construction.

Reverend H. R. Hodgson addressed the Council reporting the unclean condition of the streets, and asked if a study could not be made of the street sanitation program in the City. He also asked after the City makes this study, would it be possible that recommendations for some positive corrective measures be made, possibly a purchase of a machine to do the job. Referred to the Finance Committee and the Public Welfare Committee.

Mr. L. A. Oosterhous addressed the Council, urging the Council to consider the problem of parking at the Hillwood Shopping Center and review this situation with the Park and Planning Commission. It appears that the parking facilities are very limited and that there are three store vacancies in this section. This matter was referred to the Civic Improvement Committee for study and report to Council.

Mr. Maurice Taylor addressed the Council regarding the unsightly condition at Carroll Avenue and Old Bladensburg Road. This was referred to the Public Welfare Committee.

Mr. Michael Derato addressed the Council regarding the damaged curb and gutter in front of 413 Lincoln Avenue. Referred to Public Works Committee.

EXECUTIVE MEETING

Finance Committee:

Councilman Tymeson moved that the bills, amounting to \$16391.66, be accepted.

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

The Mayor announced to the citizens that the fire tax problem would be passed to the Public Safety Committee for complete study.

Law and Ordinances Committee:

Councilman Parkhill moved that the City not renew its membership in the Montgomery County Civic Federation.

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

Civic Improvement Committee:

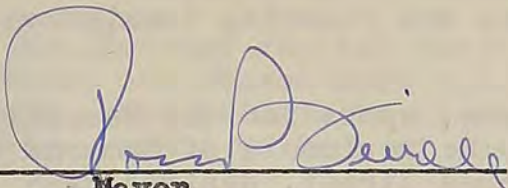
Councilman Parkhill moved that zoning petition No. A-1876, Lot 11 and P12, Block 47, Fletcher's Addition, in the name of T.E. & Anne Namey, be recommended for approval of reclassification from R55 to R35.

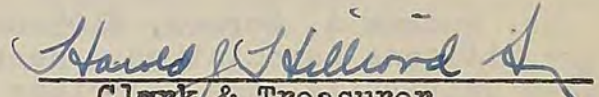
Upon being seconded and put to question, the motion was carried.

Councilman Parkhill moved the approval of the resubdivision of Part of Blocks 86 and 5, B. F. Gilbert's Subdivision.

Upon being seconded and 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 midnight.


 Mayor


 Clerk & Treasurer

PUBLIC HEARING
 Zoning Study
 PRINCE GEORGE'S PORTION
 April 29, 1952

The meeting was called to order at 8:15 p.m. by Councilman Parkhill, Chairman of the Civic Improvement Committee. Those present: Councilmen Kramer, Lucas, Parkhill, and Mayor Beville.

Councilman Parkhill explained the purpose of this hearing, which was consideration of the zoning study submitted by the Maryland National Capital Park and Planning Commission for the City of Takoma Park. This hearing was to give those residents of the Prince George's portion of the City an opportunity to express their views. Councilman Parkhill then introduced Mayor Beville. Mayor Beville stated that the City has no real authority in the matter of zoning, but that the Council has been invited to submit a recommendation in this regard. He further explained that the Council wished to submit a recommendation in the best interest of the citizens, and it was for the purpose of determining this that the public hearing had been called. He added that many difficulties that are not ironed out at these hearings may be further discussed at the hearing held by the Park and Planning Commission before the study is presented to the Montgomery County Council and the Prince George's County Commissioners for a decision.

Councilman Parkhill introduced Mr. William C. Burrage, Planning Engineer of the Park and Planning Commission. He stated that Mr. Burrage would attempt to answer any questions raised by the citizens.

Mrs. A. Isabel Walton, 7310 Hilton Avenue, raised the question of what would happen to property owners in areas zoned R-55 who have apartments in their homes. She stated that many of these property owners, like herself, had purchased the property in ignorance of all zoning ordinances, etc.

Mr. Burrage replied that many of these people are already in violation of zoning laws, and that their situation would not be altered. He added that after final adoption of the plan by the Park and Planning Commission, it will be certified and sent to the County Council and Commissioners for a decision, and they, after making a decision on the study, will either grant rezoning petitions of individual applicants or not, as they see fit. Violators will be prosecuted in the same manner as they have in the past.

Mr. H. W. Lowe, 808 Jackson Avenue, stated that his case was similar to that of Mrs. Walton.

Councilman Parkhill requested these citizens to go on record in writing, both to the City Council and the Park and Planning Commission, stating clearly their predicament.

Mr. Andrew A. Horner, 8105 Kennebec Avenue, spoke for the Hampshire Greens Citizens Association. He stated that the residents of Hammond Ave. between University Lane, Merrimac Drive and Anne Street, desired R-55 zoning for the area. The area was previously zoned R-18, and is planned for R-35. A group of residents from Hammond Avenue rose in a body to support this statement.

Mr. M. E. Taylor, 7604 Wildwood Drive, spoke also as a representative of the Hampshire Greens Citizens Association. Speaking of the area bounded by New Hampshire Avenue, Holton Lane and Hammond Avenue, Mr. Taylor stated that there are five building sites along New Hampshire Avenue which are presently zoned R-55 and are proposed for R-35. These sites back on single-family dwellings, and the Association desires to see them remain R-55. In this area also is a portion of land zoned R-18, and planned for R-18, which the Association would like to see rezoned to R-55.

Residents of Jackson Avenue, Hammond Avenue, and Holton Lane rose in a body to support Mr. Taylor's statement.

Councilman Kramer stated that he had received several calls concurring with the statements presented by Mr. Taylor.

Mrs. Vera Hash, 424 Lincoln Avenue, spoke for the Lincoln Valley Citizens Association. She stated that the Association is against any further spreading of apartments, other than Lots 2, 3, 4, and 6 of Block 35, B. F. Gilbert's subdivision, for which a contract has been signed by the Association with the owners. She further stated that the Association is against the zoning of property on Sligo Creek Parkway, between Cherry and Lincoln Avenues and backing on Larch, to R-18. The Association desires this property to remain R-55.

Mrs. Hash spoke for Mr. Eric Andberg, 1013 Heather Avenue, stating opposition to the zoning of lots between New Hampshire and Heather Avenue near Glengary Place for apartments, and requesting that this property be zoned R-55.

Mrs. Molly Kaplan, 1007 Sligo Creek Parkway, concurred with the views set forth by Mrs. Hash.

Mr. S. M. Derato, 413 Lincoln Avenue, spoke about the same area discussed by Mrs. Hash. He stated that there is a sub-standard area between Sligo Creek Parkway and Larch Avenue. The Prince George's side of the City is in need of a recreational area, and he suggested that the Park and Planning Commission give consideration to the use of this land for recreational purposes.

Mr. W. French, 8130 Lockney Avenue, stated that the triangle bounded by Carroll Avenue, University Lane, and Merrimac Drive is proposed for R-55, or "A" zoning. He favors this proposal.

Mr. Robert Mandel, 7003 Woodland Avenue, spoke for the Spring Park Citizens Association. He declared that his Association felt that any zoning ordinance is worthless unless rigorously enforced. He asked if enforcement of this plan, if adopted, would be possible. If so, how?

Mr. Burrage replied that enforcement was difficult if handled by the Counties. He stated that the City could inaugurate the use of Occupancy Permits, said permits to be renewed on a two or three year basis. Inspections would be made of the premises at the time of issue and renewal.

Now, however, if a zoning violation comes to the attention of the Park and Planning Commission in Montgomery County, it is handled through the Bureau of Licenses and Inspection. Violations in Prince George's County are handled through the Building Inspector's Office of the Park and Planning Commission.

Mr. Clarence E. Werbeck, 6607 Cockerill Avenue, stated that he would like to see the Spring Park area retained in an R-55 zone.

Mr. Burrage replied that he felt that this area, if left in R-55 zone, would leave many violators, and if the zoning is rigidly enforced as has been requested, prosecution would be necessary.

Mr. C. J. Waldron, 600 Elm Avenue, raised the question as to whether property owners would need to petition, as they have in the past, for rezoning of their property if the Park and Planning Commission study is adopted. Mr. Burrage replied that they would, and that the machinery for rezoning would be the same as at present. Mr. Burrage further explained that this plan is only an advisory plan, and, that even though it be accepted, houses zoned A in an area then zoned B would still have to follow the regular machinery before their individual property would be rezoned. Each application is studied individually and zoned individually. No blanket zoning would result from the adoption of this plan.

Mr. Ellery Denison, 7207 - 13th Place, raised the question as to whether or not this zoning study represents the violations; that is, does the zoning study present a true picture of the land usage today.

Mr. Burrage replied that the map did not represent the exact picture of present day land usage. The map attempts to create, as much as possible, additional multi-family areas in the densely populated regions where they are most needed.

Mr. A. B. Cole, 906 Davis Avenue, stated that he did not feel that violations in existence for many years could be prosecuted. He felt that future violations should be prevented, but that violations of long-standing should be let alone. In many cases, the property is maintained only by the financial aid received through the renting out of apartments. Were all violations prosecuted, the many displaced persons would also create a very real problem.

Mr. Charles Yost, 7207 Central Avenue, spoke for the Sligo Park Terrace Citizens Association. He stated that this map is a recognition of the laxity of the law enforcing zoning regulations. He recommended that the Council, in presenting their official recommendation to the Park and Planning Commission, incorporate in substance, the idea that they want a strong written assurance that there will be enforcement of the zoning regulations as set forth on the map.

Councilman Parkhill thanked Mr. Yost for his suggestion, and stated that he would like more constructive opinions of this sort.

Councilman Kramer asked Mr. Burrage if he was correct in understanding that the map, if adopted, does not constitute the rezoning of any individual lots, but that individuals must apply as before for such rezoning.


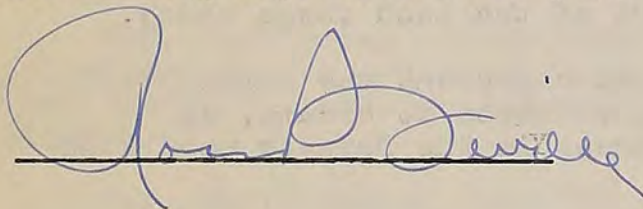
The map only represents the Commission's stand on zoning applications. Councilman Kramer further stated that owners of property presently zoned R-18 and proposed for R-35 would probably not apply for rezoning, as R-18 property is more valuable than that zoned R-35. He went on to say that the result of this map would be an increase in multi-family dwellings, as the proposed rezoning of R-55 property to R-35 would be an open invitation to residents to apply for apartments in their dwellings.

Mr. Burrage replied that this was very possible, but added that the map had been planned for the general good of the public, in order to improve the whole pattern of land usage in the area.

Mr. Paul Wilson, 7602 Wildwood Drive, concurred with the opinion set forth by Councilman Kramer, and asked Mr. Burrage if he could give any percentage figure of the recommendations set forth by the Park and Planning Commission on various zoning applications which had been adopted by the two Counties.

Mr. Burrage replied that he had no contact with the actual recommendations made by the Park and Planning Commission, and therefore had no way of knowing the counties' acceptance or rejection of same.

Councilman Parkhill thanked the citizens for presenting their views at this meeting and stated that the Committee would do its best to submit a recommendation in accordance with the best interests of Takoma Park. There being no further business to come before the Committee at this time, the meeting adjourned at 10 p.m.



HAROLD J. HILLIARD, SR.
Clerk and Treasurer