

EXECUTIVE MEETING
MAYOR AND COUNCIL
February 9, 1953

Mayor Beville called the meeting to order at 8:00 p.m. Those present: Councilmen Eccleston, Klinck, Kramer, Lucas, McClenon, Parkhill and Tymeson. Absent: None.

Councilman Kramer corrected the minutes of January 26, as follows: Second paragraph on page 5 should read as follows: This new pay scale shall become effective on February 1, 1953. For privates and corporals only, the scale is retroactive; that is, a private or corporal on February 1 will receive the salary on this scale which he would be receiving had the scale been in effect upon his entrance into the service, or promotion to the grade. Other members of the departments will receive, beginning February 1, the minimum on the scale, except in cases where they are already receiving above the minimum, in which instance they will retain their present rate of pay. The six-month probationary period and the annual increments will be based from the date of entrance into the service.

Councilman Kramer moved that we dispense with the reading of the minutes and that the minutes be approved as corrected.

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

CORRESPONDENCE:

1. Letter from Mr. Fowler in regard to the fixing of the sewer pipe in his yard. Mayor Beville, by letter, asked that he contact Corporation Counsel concerning the matter.
2. Letter from Mr. Wolfe in regard to the inadequate drainage system installed under his driveway by the City. Referred to Public Works Committee.
3. Letter from J. T. Baker, Takoma Park Fire Department, regarding an easement from Mr. Bennett for a driveway on his property, to be used by the firemen. Referred to Public Safety Committee.
4. Letter from Joint Committee of the Prince George's-Takoma Civic Associations recommending enactment of legislation to improve conditions relating to fire, health, and safety precautions in Takoma Park. Referred to Civic Improvements Committee.
5. Letter from Ellery Denison questioning Ordinance No. 1163. Referred to Public Works Committee. Mayor Beville, by letter, informed Mr. Denison that a hearing was to be held at some future date, to be advertised in the usual manner, at which time he may state his opinion concerning the manner.

PARKS AND RECREATION COMMITTEE:

Mr. Gordon Cole, member of the Board of Trustees of the Library Association, was present to represent the Association in their endeavor to obtain action from the Council for expanding permanent facilities of the Library. Mrs. Elon G. Salisbury, member, was also present. After a brief resume of the history of the Library, Mr. Cole stated that the Library would be moved from its present location and a building would be erected on a suitable site, such building not to exceed \$50,000.00 in cost on the basis of preliminary plans. Mr. Cole mentioned that the Association's choice of a land site was that triangular plot at Philadelphia and Maple Avenues, but it was suggested by the Council that a land site be proposed at a later date. Mention was made that the present financing of the library

comes from the tax payer's money, and that by adding 1¢ to the present 5¢ tax rate the future building could be financed. After presentation of the Library Association's study, the Council discussed the matter at length.

Councilman Lucas made the following motion: It is the sense of the Council that the City shall take appropriate action to assist in furnishing more adequate housing for the Takoma Park Public Library. Councilman Kramer seconded the motion, and upon being put to question the motion was carried unanimously.

Thereupon two ways of financing were discussed i.e., (1) to raise the minimum tax rate and let the Library Association erect the building, or (2) the City can issue bonds or issue Certificates of Indebtedness; and in connection with the second method Councilman Lucas asked Mr. Cole if the Association would be willing to let the title be vested in the City, to which Mr. Cole replied in the affirmative.

Councilman Parkhill made a motion that the Council ask the Maryland General Assembly for authority to issue Certificates of Indebtedness up to and including \$35,000.00 to run for a period extending from two (2) to ten (10) years for the purpose of erecting a building to provide facilities for the Takoma Park Public Library. Councilman Lucas seconded the motion, and upon being put to question the motion was carried unanimously.

Mayor Beville received assurance from the committee that the Library Association will continue to operate the Library as it has done in the past providing that adequate housing is provided.

CIVIC IMPROVEMENTS COMMITTEE:

Councilman Parkhill moved that Petition No. A-940, Lot 3, Block 37, B. F. Gilbert's, owner Paul E. Hottel, for reclassification from Residential A to Residential B zone be approved.

Councilman Tymeson seconded the motion, and upon being put to question, the motion was carried.

Councilman Parkhill moved the adoption of the following ordinance accepting the dedication from Mr. & Mrs. Franklin G. Connor of that portion of Lot 8 which is now used as Holton Lane in order that curb and gutter might be installed.

ORDINANCE NO. 1165

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

Section 1. THAT the dedication of the subdivision described herewith is accepted by the City of Takoma Park, Maryland:

Lot 8, Block 4, Section 1, Green Hill Farms, Records of Prince George's County, Maryland and being part of the lands conveyed by A. F. Corp., a Delaware Corporation, to Franklin G. Connor and Margaret B. Connor by deed dated August 14, 1951, and recorded in Liber 1402 at Folio 391 among said Land Records; and that stones marked thus: □, and iron pipes marked thus: O, have been placed as indicated to the approved finish grade. The Total area included in this subdivision is 2,322 square feet of land.

Adopted by the Mayor and Council
February 9, 1953

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Mayor Beville received assurance from the committee that the Library Association will continue to operate the Library as it has done in the past providing that adequate housing is provided.

CIVIC IMPROVEMENTS COMMITTEE:

Councilman Parkhill moved that Petition No. A-940, Lot 3, Block 37, B. F. Gilbert's, owner Paul E. Hottel, for reclassification from Residential A to Residential B zone be approved.

Councilman Tymeson seconded the motion, and upon being put to question, the motion was carried.

Councilman Parkhill moved the adoption of the following ordinance accepting the dedication from Mr. & Mrs. Franklin G. Connor of that portion of Lot 8 which is now used as Holton Lane in order that curb and gutter might be installed.

ORDINANCE NO. 1165

(T O B E F O R W A R D E D)

Councilman Kramer seconded the motion. The motion was carried with the roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, Lucas and Parkhill. Nays: None. Not voting: Councilman McClenon. Absent: None. *+ Tymeson*

Councilman Parkhill moved that upon receipt of the record plat that the Superintendent of Public Works be instructed to proceed with the installation of curb and gutter from the rear of Lot 8 along Holton Lane around the corner to join existing curb and gutter. Upon being seconded and put to question, the motion was carried.

Councilman Parkhill moved the adoption of the following Rooming House Ordinance:

ORDINANCE NO. 1166

An Ordinance to provide for the Registration of Rooming Houses and Multiple Family Dwellings.

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

Section 1. Definitions.

As used in this Ordinance---

(a) The word "person" shall mean and include natural persons of either sex, also copartnerships, corporations, and associations.

See p. 105
 (b) The term "rooming house" shall mean any building occupied for more than thirty (30) days consecutively during any calendar year as the dwelling place of three or more persons not included in the family of the owner or lessee of such building, and in which the owner or lessee provides common or separate services, not including cooking and/or eating facilities; also the property on which such building is located; Provided, That a building shall not be regarded as a rooming house merely because it is a multiple family dwelling as defined in subsection (c) of this section.

(c) The term "multiple family dwelling" shall mean any building occupied at any time during the calendar year as the dwelling place of more than one family unit, each of which occupies a portion of such building, which portion contains either a kitchen sink or cooking accommodations or both, and in which common or separate services are provided by the owner or lessee; also the property on which such building is located; Provided, That a building shall not be regarded as a multiple family dwelling merely because it is a duplex house or a set of row houses.

(d) The word "family" shall mean one or more persons, whether or not related by blood or consanguinity, occupying a dwelling and maintaining a household therein; Provided, That a roomer shall not be regarded as a part of the family of the person to whom he or she pays rent unless such person is his or her ancestor or descendant, sister or brother (by whole or half blood), or parent or child by adoption.

(e) The word "dwelling" shall mean a building which is occupied in whole or in part as the home, residence or sleeping place of one or more individuals; Provided, That bona fide guests who do not pay for their accommodations shall not be regarded as having a dwelling place at the home where they are visiting.

(f) The word "building" shall mean "building or any part thereof".

Section 2. Registration.

The owner or lessee of every rooming house and the owner of every multiple family dwelling located in the City of Takoma Park shall in person or by agent, on or before the first day on which the building is used as a rooming house or a multiple family dwelling, file with the City Clerk an application for the registration of such rooming house or multiple family dwelling. Such application must

(a) be accompanied by the payment of the registration and inspection fee prescribed in section 3;

(b) identify the building or dwelling, indicating its approximate date of construction, and give the owner's full name, residence and post office address. If the owner is a partnership, the application shall show the names and addresses of all the partners; if a corporation, the names and addresses of its principal officers;

(c) state the name and address of the lessee, if any, with the same details as prescribed for the owner in subsection (b);

(d) list the rooms or family units to be rented, showing the size of the rooms, the number of beds, bathrooms, shower stalls, lavatories and water closets on each floor; if private facilities are available in connection with private rooms, these must be specifically indicated;

See p. 177

(e) contain or be accompanied by the owner's agreement to permit reasonable inspection of the premises by the duly authorized agents of the City or other governmental authority to ascertain whether or not this ordinance and other applicable laws and ordinances are being complied with.

Where a family unit in a multiple family dwelling constitutes a rooming house under this Ordinance, it shall be so registered, in addition to the registration of the multiple family dwelling itself.

At least 30 days before the beginning of each year after the year in which the building is first used as a rooming house or a multiple family dwelling, the owner may, in person or by agent, make application for a renewal of his registration, specifying in such application any modifications needed in the original application or the most recent renewal thereof.

Section 3. Registration and Inspection Fees.

Each application filed under section 2 shall be accompanied by the following registration and inspection fees:

- (a) In the case of a rooming house---
 - (1) if rooms are rented to not more than four persons at any time during the calendar year, \$10;
 - (2) if rooms are rented to more than four but not more than twelve persons at any time during the year, \$20;
 - (3) if rooms are rented to more than twelve persons at any time during the year, \$30;

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(b) In the case of a multiple family dwelling, \$10 for each family unit rented at any time during the calendar year not in excess of five, plus \$5 for each family unit so rented in excess of five and not in excess of ten, plus \$1 for each family unit so rented in excess of ten. A family unit occupied by the owner shall not be included in the number of family units rented.

In case the number of rooms or family units rented during the calendar year is increased over the number specified in the application, the application shall within five days of such increase be amended, such amended application being accompanied by any additional amount of registration and inspection fee required by reason of such increase.

Section 4. General Regulations.

The following regulations shall apply to rooming houses and to multiple family residences:

- (a) The premises shall be maintained in conformity with all the building and health and fire prevention regulations prescribed by or for the City of Takoma Park and/or the county in which such premises are located.
- (b) The owner or lessee of the rooming house or multiple family residence shall be responsible for the maintenance of those areas therein which are not under the immediate control of any single room or dwelling unit.
- (c) Nothing in this Ordinance shall be construed as authorizing the violation of any applicable zoning regulation issued by a competent zoning authority, or of any other applicable law or regulation.

(d) The owner or lessee of the premises shall not knowingly countenance the commission of any unlawful act on the premises.

1/11/53

Section 5. Special Rooming House Regulations.

The owner or lessee of every rooming house shall maintain a register similar to a standard hotel register, in which shall be inscribed in ink the names of all persons, other than members of his immediate family, renting or occupying rooms in such rooming house, and which shall be signed by the person or persons renting each room. This register shall be open at all reasonable times to inspection by any authorized inspector or peace officer of the City or County or State. No person shall write or cause to be written in such register any other or different name than the true name of the person referred to or the name by which he is generally known.

Section 6. Penalties.

Any person violating any provision of this Ordinance, or maintaining a rooming house or multiple family dwelling without registering the same under section 2 and paying the fee prescribed in section 3, shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$10 nor more than \$50. Each day on which such violation occurs shall constitute a separate offense; but the total fine imposed shall not, if more than \$100, be greater than \$10 for each day on which a violation occurs.

Section 7. Separability Clause.

If any provision of this Ordinance, or its application to a particular situation, is held invalid, such invalidity shall not affect the validity of any other provision of the Ordinance, or the application of that provision to other situations.

Section 8. Effective Date.

See p. 119-120
1/11/53

This Ordinance shall take effect April 1, 1953. In the case of premises used as a rooming house or multiple family dwelling on that date, the application referred to in section 2 shall be filed, and the fee prescribed in section 3 shall be paid, for the calendar year 1953, not later than April 15.

Councilman Eccleston seconded the motion.

The motion was carried with the roll call vote recorded as follows:

Yeas: Councilmen Eccleston, Kramer, McClenon and Parkhill. Nays: Councilman Tymeson. Not voting: Councilman Lucas and Councilman Klinck's explanation for not voting was that he had not had time to study the ordinance thoroughly.

After a lengthy discussion on Petition No. A-2027, Nicholas Orem, Jr., Attorney for Chas. M. Plunkert, owner, Part of Lot 7, fronting Green Hill Farms regarding letter written on Dec. 31, 1952 to Park and Planning and Prince George's County Commissioners, advising that the Council recommended the approval for the reclassification of this petition, which letter apparently was erroneous. Councilman Klinck moved that this matter be tabled until next Council meeting.

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

Councilman Kramer moved that a letter be written to Park and Planning and County Commissioners advising that this letter was written in error and that the Council would consider it further in their next meeting.

The motion failed for lack of second.

Councilman Parkhill moved the adoption of the following Ordinance:

ORDINANCE NO. 1167

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

Section 1. THAT the plat of the resubdivision of (1) of Lots 11 and 12, Block 89, Takoma Park, being part of the lands conveyed by Opha Mays and Belle F. Mays, his wife, to Manor Apartments, Inc. by deed dated August 14, 1951 and recorded in Liber 1565 at Folio 534, among the Land Records of Montgomery County, Maryland; and (2) a resubdivision of Lots 13 and 14, Block 89, Takoma Park being all of the lands conveyed by Arthur C. Bready, et al, to Manor Apartments, Incorporated, by deed dated April 11, 1952 and recorded in Liber 1658 at Folio 580, among said Land Records, into Lots 11A, 12A and 13A, Block 89, Takoma Park Subdivision, is hereby approved subject to conditions as set forth in Ordinance No. 920 adopted by the Mayor and Council at a Special Meeting on January 5, 1949.

Councilman Klinck seconded the motion. The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Klinck, Kramer, Lucas, McClenon, Parkhill and Tymeson. Nays: None. Absent: Councilman Eccleston.

LAW AND ORDINANCE COMMITTEE:

Councilman McClenon moved that the Council put back on the legislative program the recommendation that the City be authorized to levy taxes for a part of a year in the case of new improvements and that this proposed legislation be turned over to the Joint Maryland-Prince George's County Delegation for introduction in the Maryland General Assembly. Councilman Tymeson seconded the motion. Upon being put to question, the motion was carried.

PUBLIC SAFETY COMMITTEE:

Councilman Kramer made a motion to ratify the employment authorizing overtime for policemen till February 24th.

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

Councilman Kramer made a motion that overtime rates for the policemen be paid at time and a half for overtime for the period from February 1 to the 24th.

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

Councilman Kramer moved that the resignation of Officer James Merson be accepted. Upon being seconded and put to question, the motion was carried.

Councilman Kramer moved that the resignation of Officer William Blankenship be accepted. Upon being seconded and put to question, the motion was carried.

Councilman Kramer moved the adoption of an ordinance to prohibit the parking on either side of Maple Avenue between Philadelphia and Grant Aves.

ORDINANCE NO. 1168

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

Section 1. THAT parking be restricted on either side of Maple Avenue between Philadelphia and Grant Avenues.

Section 2. AND that the Public Works Department is hereby 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 McClenon seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilman Klinck, Kramer, Lucas, Parkhill, and Tymeson and McClenon. Nays: None. Absent: Councilman Eccleston.

Councilman Kramer moved the adoption of an ordinance prohibiting parking on either side of Maple Avenue between Valley View and Philadelphia Avenues between 7 and 9:30 a.m. and 4 and 6 p.m.

ORDINANCE NO. 1169

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

Section 1. THAT parking be restricted on either side of Maple Avenue between Valley View and Philadelphia Avenues between 7:00 and 9:30 a.m. and 4:00 and 6:00 p.m.

Section 2. AND that the Public Works Department is hereby 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 Tymeson seconded the motion.

The motion was carried with the roll call vote recorded as follows: Yeas: Councilmen Klinck, Kramer, Lucas, Parkhill, McClenon and Tymeson. Nays: None. Absent: Councilman Eccleston.

Councilman Kramer made a motion that Officer Farran's service with the City be considered from the date of his employment on April 3, 1951. Upon being seconded and put to question, the motion was carried.

Councilman Kramer made a motion that the following pay scale be accepted:

PRESENT SALARY LENGTH OF SER. TIME IN GRADE NEW RATE

POLICE DEPARTMENT:

	PRESENT SALARY	LENGTH OF SER.	TIME IN GRADE	NEW RATE
Sgt. Bell	4050.00	Dec. 1, 1946	July 1948	4200.00
Corp. Hite	3620.00	Feb. 1, 1947	July 1949	4050.00
" Foster	3770.00	July 31, 1947	July 1, 1949	4050.00
" Merson	3600.00	July 31, 1948	July 1, 1952	3750.00
Private Jones	2720.00	Feb. 5, 1952		3400.00
" Hayes	2600.00	Dec. 15, 1952		3000.00
" Farran	2860.00	April 3, 1951		3500.00

FIRE DEPARTMENT:	PRESENT SALARY	LENGTH OF SER.	TIME IN GRADE	NEW RATE
Sgt. Carter	3760.00	Feb. 19, 1946	July 1, 1949	4200.00
Flagg	3340.00	Oct. 16, 1948		3700.00
Battersby	3220.00	Apr. 16, 1948		3700.00
LaScola	3100.00	Mar. 22, 1948-12/24/48		3700.00
Minton	2620.00	10/16/49		
		Prob. 7/1/52		3400.00
		Perm. 1/1/53		
Weimer	2620.00	Prob. 12/1/52		3000.00

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

PUBLIC WORKS COMMITTEE:

Councilman Klinck asked that consideration be given to the reconstruction of Maple Avenue from Philadelphia Avenue, northeasterly to Maplewood; the reconstruction of Maple Avenue from Sligo Parkway to Maplewood Avenue to be of lesser width than that provided from Philadelphia Avenue to Sligo Parkway. The foregoing plans would include an improvement on Lincoln Avenue from Carroll Avenue to Maple Avenue.

Councilman Klinck moved that the Public Works Committee be authorized to ask Mr. McNeill to give an overall estimated cost of this project and also what his engineering charges would be.

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

Councilman Parkhill moved that the Council empower the Supt. of Public Works to make an investigation of the building at Westmoreland and Carroll Avenues, to ascertain as to whether or not the building is structurally safe. Upon being seconded and put to question, the motion was carried.

Mayor Beville reported that he was anticipating figures as to the cost of mercury vapor lighting installed at Philadelphia Ave., and Piney Branch Road, Philadelphia & Carroll Aves., Carroll & Ethan Allen Aves., Carroll and Laurel Aves. When these costs are available, consideration will be given to the installation of the mercury vapor lighting.

FINANCE COMMITTEE:

Councilman Tymeson reported that the merit system is still being reviewed, and that it would be presented for final consideration shortly.

Councilman Tymeson moved the adoption of the following Ordinance:

ORDINANCE NO. 1170

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

THAT Ordinance No. 1095 of November 26, 1951 (21:74-77), as amended, is further amended by inserting between Section 6 and Section 7 thereof the following:

"Section 6 1/2 Preparation of Record. All information relative to resolutions, motions, or ordinances, and pertinent data thereto, and all votes cast for and against, whether by yea and nay or otherwise, shall be read back to the Council by the person preparing the record of the meeting."

Councilman Parkhill seconded the motion. The roll call vote was recorded as follows: Yeas: Councilmen Klinck, Kramer, Lucas, McClenon, Parkhill and Tymeson. Nays: None. Absent: Councilman Eccleston.

Assessment charges for Second Avenue, Boyd Avenue, New Hampshire Avenue, Service Drive were reviewed after which Councilman Klinck moved that the City Clerk be authorized to proceed in obtaining Certificates of Indebtedness for Second Avenue, Boyd Avenue and New Hampshire Avenue Service Drive.

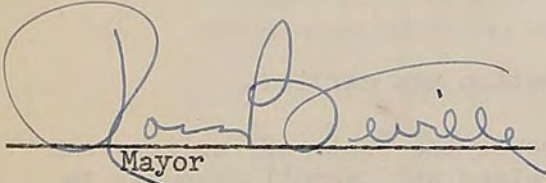
Councilman Tymeson seconded the motion. Upon being put to question, the motion was unanimously carried.

Councilman Parkhill moved the payment of the bill in the amount of \$423.36 for Mr. Ridgeway.

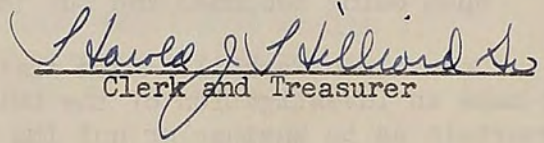
Upon being seconded and put to question, the motion was carried.

Councilman Tymeson moved that Chief McBride be authorized to have the 750 gallon Seagrave pumper overhauled at a cost of \$5200.00 to be included in the 1953 budget. Councilman Kramer seconded the motion. Referred to the Public Safety Committee.

There being no further business to come before the Council, upon motion made, seconded and put to question, the meeting adjourned at 1:20 a.m.



Mayor



Clerk and Treasurer

99

REGULAR MEETING
MAYOR AND COUNCIL
February 23, 1953

Mayor Beville called the meeting to order at 8:00 p.m. Those present: Councilmen Eccleston, Klinck, Kramer, Lucas, McClenon, Parkhill, and Tymeson. Absent: None.

Councilman McClenon corrected the minutes of February 9, 1953, as follows:

Page 4, Section 4 (d) - the word "premised" should be changed to "premises".

Page 8, in Ordinance No. 1170 - the sub-quote should be stricken out.

Councilman Klinck corrected the minutes of February 9, 1953, as follows:

Page 2, paragraph 1, line 2 - the phrase "or (2) the City can raise" should read "the City can issue".

Page 7, under the Police Department pay scale - the ditto marks should be removed from Jones, Hayes, and Farran, and the word "Private" should precede their names.

Councilman Lucas corrected the minutes of February 9, 1953, as follows:

Page 8, at the end of the second to the last paragraph - there should be added the following phrase, "refer to the Public Safety Committee".

Mayor Beville corrected the minutes of February 9, 1953, as follows:

Page 2, paragraph 3 - instead of "Mayor Beville stated", it should be changed to "Mayor Beville received assurance from the committee".

Councilman McClenon moved that we dispense with the reading of the minutes and that the minutes be approved as corrected.

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

Mr. Hilliard presented the financial statement for the month of January, 1953, as follows:

FINANCIAL STATEMENT
January 1953
Summary

	Revenues Jan.1953	Revenues to 1/31/53	Bal. Bud. to 6/30/53	Total Budget
12/31/52 Cash on Hand Citiz. Bk.	50058.91			
12/31/52 Cash on Hand Sub. Tr. Co.	22009.93			
12/31/52 Cash on Hand Both Banks	72068.84			
<u>Revenues</u>				
1.0 Taxes: General	17939.53	278626.00	19536.57	298162.57
1.0 Penalties: Interest	129.50	451.03	298.97	750.00
2.0 Licenses: Permits	739.35	15657.12	6092.88	21750.00
3.0 Fines & Forfeitures	142.59	2256.74	743.26	3000.00
4.0 Use of Money-Prop.	.00	30.00	270.00	300.00
5.0 Rev. - other sources	362.99	987.10	31166.90	32154.00
6.0 Service Charges	.00	874.00	476.00	1350.00
Accounts Received	54.93	19368.89		
		91437.73	298881.99	58584.58
				357466.57

Disbursements	Disbursements		Bal. Bud. to 6/30/53	Total Budget
	Jan. 1953	to 1/31/53		
10. Gen. Gov't Clerk's Off.	2435.03	18561.27	11302.51	29863.78
10. " " Gov't Bldgs.	1283.00	5556.26	4053.74	9610.00
10. " " P/W Shop	1183.77	10862.57	3152.43	14015.00
11.1 Police Dept.	4150.19	31884.07	23735.93	55620.00
11.2 Fire Dept.	2594.80	23980.39	28699.61	52680.00
12.1 P/W Dept: Office	789.78	6031.83	2513.17	8545.00
12.2 P/W " Highways	2306.40	19550.45	21887.22	41137.67
12.5 " " St. Lighting	939.15	4892.89	4557.11	9450.00
12.6 " " Contingent Fund	.00	217.13	682.87	900.00
13.2 " " Sanitation	4658.64	37015.89	7434.11	44450.00
19.1 " " Recreation	534.35	8051.43	257.43	7794.00
19.4 Cultural: Library	.00	7738.81	3261.19	11000.00
21.1 Miscellaneous	2732.67	5150.28	4849.72	10000.00
22.1 Capital Budget	.00	34546.21	40845.21	75391.42
23.1 Insurance	350.64	4200.07	692.06	4892.13
Accounts Received	350.00	24308.42	218239.55	157409.45
Bk. Balance 1/31/53 Both Banks		67129.31		375649.00
Sub. Tr. Bal. 1/31/53	22360.49			
Citizens Bal. 1/31/53	44768.81			
Banks Bal. 1/31/53	67129.30			

Certificate of Deposit, Citiz. Bk. 20,000.00

Special Improvement Account

12/31/52	Bal. Citizens Bank	1239.55
	Deposit in Jan. 1953	1831.61
		<u>3071.16</u>
	Withdrawals	.00
1/31/53	Bal. Citizens Bank	<u>3071.16</u>

CORRESPONDENCE:

- Letter from Mr. William Blankenship requesting the Takoma Journal to retract the untrue and unfounded statement concerning him. Referred to Public Safety Committee.
- Letter from Irving G. McNayr regarding payment for emergency telephone and radio maintenance for Fire Department. Referred to Finance Committee for Budget Consideration.
- Letter from Chief McBride concerning overtime payment for firemen at time and a half. Referred to Public Safety Committee.
- Letter from Ina V. Weidman relative to unsightly exposed garbage pails. Earl Thomas, Superintendent of Public Works, was advised to look into this matter.
- Letter from Harry H. Milliard commending Council on the action taken on the Rooming House Ordinance. Referred to Civic Improvements Committee.
- Letter from Henry E. Marschalk, Chairman, City Fire Board, commending Council for action taken on new pay scale for police and firemen. Referred to Public Safety Committee.
- Letter from Dr. V. L. Ellicott, Montgomery County Health Officer regarding number of patients treated at Takoma Park Health Center for past year. To become a part of Public Welfare files.
- Letter from Mrs. C. A. Reed congratulating efficient staff of men employed by the City. Referred to Public Safety Committee.

9. Letter from Anthony J. Checchia complaining about the trash and garbage condition in the 8300 block of Roanoke Ave. Referred to Public Welfare Committee.

10. Communication from M. C. Taft enclosing letter to editor of Takoma Journal regarding Rooming House Ordinance. The letter to Mr. Coffman was summarized by Mr. Hilliard and was referred to Civic Improvements Committee files.

11. Letter from Mrs. Davis regarding rezoning. Referred to Civic Improvements Committee for consideration.

12. Mayor Beville read a letter he received, with regret, from Frank E. Lucas regarding his resignation from the Council as of March 31, 1953.

Councilman McClenon moved that Mr. Lucas's resignation as of March 31, 1953, be accepted, and further that Mayor Beville be directed to write a letter to Mr. Lucas thanking him for his many services and that the Council regretfully accepts his resignation.

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

Mayor Beville stated he would prefer any suggestions for new Council members submitted before the next meeting on March 9, 1953, and this matter would be discussed at the Regular Meeting on March 23, 1953.

Councilman Parkhill read the Resolution referring to the death of John W. Coffman, Sr., and moved it be adopted.

RESOLUTION

WHEREAS, it has pleased Almighty God to call John W. Coffman, Sr., from this earth on the 20th day of February, 1953; and,

WHEREAS, the said John W. Coffman, Sr., was for many years of his life one of the outstanding citizens of the City of Takoma Park and through his thoughtful counseling and guidance he was instrumental in the founding of the Takoma Park Volunteer Fire Department and the Takoma Park Chamber of Commerce; and,

WHEREAS, the said John W. Coffman, Sr., as a civic leader in the City of Takoma Park gave unstintingly of his time and energy to such civic and service organizations as the 4th of July Celebration Committees, Takoma Park Lions Club, Community League, Historical Society and many others too numerous to mention herein;

THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Takoma Park, Maryland, that they express the heartfelt sympathy of all of the citizens of the City of Takoma Park unto the beloved wife of John W. Coffman, Sr., for the loss of a beloved friend, counselor and civic leader of the City of Takoma Park; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be given unto Annie G. Coffman, wife of John W. Coffman, Sr., and John W. Coffman Jr., and Robert D. Coffman, sons of John W. Coffman, Sr., as a small token of esteem and appreciation for the unselfish service rendered by John W. Coffman, Sr., to the City of Takoma Park.

Upon being seconded and put to question, the Resolution was adopted with a unanimous vote.

OPEN MEETING:

Mr. Curtis of 717 Erie Avenue asked if there was any good feasible reason why the Council could not get a recording machine, to which Mayor Beville replied that it would be too expensive to supply the machine with tape. Mr. Curtis offered to pay for the tape.

Concerning the Rooming House Ordinance, Mr. Curtis said that he was surprised when he heard that the remodeled Ordinance was passed. He suggested that the Council hold another hearing on this Ordinance. Mayor Beville said that there already have been two hearings on this Ordinance, but any new thoughts concerning it should be written in a letter to the Council and they would be glad to accept them.

Mr. Vincent Amoroso, 8111 Carroll Avenue, President, Hampshire Greens Civic Association, spoke in regards to a letter in favorization of a tract of land on New Hampshire Avenue being rezoned. He stated that the zoning map had it zoned as R-55 and the zoning petition as R-18. He opposed to any further rezoning in that area and said it should be retained as R-55.

Mr. Paul Wilson, 7602 Wildwood Drive, endorsed what Mr. Amoroso had stated, and said that the City map had the property across from his house zoned Residential "A" and he wanted it retained that way.

Mr. M. E. Taylor of 7604 Wildwood Drive, stated that the land in question in New Hampshire Greens is a potential school site and the school would not be able to take care of the population. He said the people in Carroll Highlands would also be affected.

Mrs. Profe of 1202 Jackson Avenue agreed with Mr. Wilson about the rezoning.

Mr. Henry Bison, 709 New York Avenue, referring to 7,327 square feet of property on Woodbury Drive, New York Avenue, and Chicago Avenue, known as Lot 1, Block L, Blair Subdivision, being rezoned from Residential "A" to Commercial "D", stated the fact that this property is located in Silver Spring and he thinks it should continue to be Residential "A".

Mrs. Roderic Davis, 707 New York Avenue, said she found out that the County owns the said piece of property in Blair Subdivision, and she stated her desire to make a park out of it.

Mr. Konrad Bailer, 306 Grant Avenue, wanted to know what the Council is going to do about the dumping of ashes down on Travis Drive. Mr. Klinck reminded Mr. Bailer that he had told him he would have this taken care of, but as yet it has not been done. Mr. Klinck said these ashes were dumped there without City authorization, however, they were small in quantity and he felt it would not hurt or inconvenience the public in any way.

Mrs. Conrad Nix, 7104 Central Avenue, spoke in regard to delinquent taxes. She said that she paid her taxes on December 31, 1952, and yet her name was published on the sales tax list in three different newspapers on February 5, 12, and 19. She stated that she did not want her reputation ruined by such a publication, and said she would take further action against it.

Mr. M. E. Taylor, 7604 Wildwood Drive, stated he thought that the matter of the issuance of the Certificate of Indebtedness to provide facilities for the new Public Library should be submitted to the people by a referendum.

Mr. Ellery Denison, 7207 - 13th Place, wanted to know if the sidewalk would be extended on the north side of Larch Avenue, east of New Hampshire Avenue, for the protection of the children. Mayor Beville told him to send a note to the Superintendent of Public Works.

Mr. Denison also asked that a white line be painted on Erskine Street, off center to the south, to the top of the hill. Councilman Kramer moved that the Public Works Department be authorized to repair a double white line on Erskine Street beginning at New Hampshire Avenue and extending to the intersection at 13th, the line to be located off center to the south approximately 1 foot and 1/2.

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

Pertaining to a referendum for the financing of the Library, Councilman Lucas asked the following two questions:

1. Should there be a referendum on capital improvement?
2. Where do you draw the line on the spendings?

EXECUTIVE SESSION:

Finance Committee:

Councilman Tymeson moved that the bills in the amount of \$7,451.94 be approved and paid.

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

Councilman Tymeson stated that the Budget should be 58 1/2% and that we have hit that basis as of January 31, 1953.

Councilman Tymeson said that the property vacated by Lawrence Boyd located at 121 Geneva Avenue, known as part of Lot 6, Block 59, Gilbert's Subdivision, is now owned by the City by a quit-claim deed, deeded to the City February 25, 1948.

Councilman Tymeson brought up the matter regarding the high rate of assessment on New Hampshire Avenue Service Drive. The total bid price amounted to \$9.04, and the estimate cost was \$8.048, therefore, three property owners would like the Council to consider \$1.00 reduction.

Mr. Hilliard was instructed to address a letter to Mrs. Godfrey, Mrs. David Hutchison, and Mr. Scaldaferrri, explaining in detail why the cost of \$9.04 for paving, curb and gutter, and street curb can not be reduced.

In regard to the authorization of paying policemen time and a half for all over eight hours from February 24, 1953, Councilman Tymeson referred this to the Public Safety Committee.

Referring to the bills of Mr. and Mrs. Nix, Councilman Tymeson advised the City Clerk to write a letter to them stating why this was not handled correctly. He said that there was confused liaison between our office and Prince George's County office. Mr. Hilliard was asked to trace through the records or find a list of the delinquent taxes, then write the Mayor and Council concerning this.

Councilman Parkhill moved that we instruct the Clerk to make a complete report on Mr. and Mrs. Nix's case.

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

Civic Improvements Committee:

Councilman Parkhill showed a progress report chart on the improvements to the exterior of 8 Columbia Avenue.

Concerning the demolition of 11 Columbia Avenue, Councilman Parkhill said you can walk out the front door and see that the building is down. Councilman Klinck suggested that the ground be grated back as far as the fill dirt goes, but first consider the suggestion with the Superintendent of Public Works.

Councilman Tymeson said there is \$475.00 in the Budget to cover this project.

Councilman Parkhill moved that we spend up to \$300.00 to grate and clean up the lot known as 11 Columbia Avenue to make it presentable.

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

Councilman Parkhill moved that an appropriate letter be written to the Prince George's County Commission and the Park and Planning Commission to recall the recommendation sent, in error, to them as of December 31, 1952, regarding zoning amendment petition #2027, Charles M. Plunkert, owner, Lot 7 fronting G. H. F. on N. H. Ave.

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

Public Works Committee:

Concerning the widening of Carroll Avenue, Councilman Klinck stated that further dedication had been received.

Councilman Klinck moved that the City Clerk reply to the communication from Mr. and Mrs. Pohle, 700 Cherry Avenue, relative to their request pertaining to the paving, stating that in view of the fact that the use of this street will only be of service benefit to those requesting this improvement. The City will entertain their proposal for paving of this street on the cost basis being assessed 50% against each abutting property owner. With this in mind, if Mr. and Mrs. Pohle will so advise us that they desire for us to proceed, we will be glad to set this proposal for public hearing as required in instances of this sort.

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

Councilman Klinck moved that the City Clerk reply to the letter of January 14, 1953, received from Daniel M. Lewis, stating in effect that the City will be happy to follow their suggestions in regard to the gutters along Cherry Avenue and if in the future the people in that area wish to consider permanent pavement in regard to the policy which we have previously conveyed to them, we shall be happy to consider same.

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

Councilman Klinck moved that the Corporation Counsel be instructed to reply to the letter of February 3, 1953, from the Baltimore and Ohio Railroad stating that it is the sense of this Council that the increase in water coming from their right of way is the cause of the difficulty, because excess volume of water is over-taxing the existing system, which system has been satisfactory and adequate until recently. The Council feels that the Baltimore and Ohio Railroad Company is responsible for this increase in water volume so far as the City of Takoma Park is concerned, because if additional water is now being dumped into their right of way from some other source, it is their responsibility to have such dumping stopped or to assure any liability which may result by their permission to allow water to be dumped on their right of way.

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

Law and Ordinances Committee:

Councilman McClenon suggested that Section 1 (b) of Ordinance No. 1166 should be amended by inserting the words "whether or" before the word "not", and to that end, moved the adoption of the following Ordinance:

ORDINANCE NO. 1171

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

THAT section 1 (b) of Ordinance No. 1166 of February 9, 1953 (22: 92) is amended to read as follows:

repealed p. 193

"(b) The term "rooming house" shall mean any building occupied for more than thirty (30) days consecutively during any calendar year as the dwelling place of three or more persons not included in the family of the owner or lessee of such building, and in which the owner or lessee provides common or separate services, whether or not including cooking and/or eating facilities; also the property on which such building is located; Provided, That a building shall not be regarded as a rooming house merely because it is a multiple family dwelling as defined in subsection (c) of this section."

Councilman Eccleston seconded the Ordinance. The Ordinance was adopted by a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, Lucas, McClenon, Parkhill, and Tymeson. Nays: None. Absent: None.

Mayor Beville read a report on several meetings he attended at the Montgomery County Chapter of Maryland Municipal League and Prince George's Municipal Association.

Public Safety Committee:

Councilman Kramer stated that he was sorry about the misunderstanding pertaining to Officer Blankenship's resignation from the Police Department.

Councilman Kramer moved that Mr. Albert I. Nemire be appointed Police Officer on a probationary period of 6 months with a salary of \$3000 a year, to be effective immediately.

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

Councilman Kramer moved that William Thomas Lane, Jr. be appointed Police Officer on a probationary period of 6 months with a salary of \$3000 a year, to be effective as of February 25, 1953.

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

Councilman Kramer moved the appointment of Baron Elsworth DeKalb, Jr. as fireman for a probationary period of 6 months, with a salary of \$3000 a year, to be effective as of March 1st, 1953.

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

Councilman Kramer moved that proposed Account # 48604 of the Potomac Electric Power Company estimate which covers lighting on Maple Avenue from Tulip to Philadelphia Avenue to be effective as of July 1st, 1953.

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

Councilman Parkhill moved we recommend disapproval of the rezoning in the area covered by zoning amendment petition # A-2027, Charles M. Plunkert, owner.

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

Public Welfare Committee:

In regard to the trash and garbage condition in the 8300 block of Roanoke Avenue, Councilman Eccleston stated that it would be taken care of by Earl Thomas.

In reference to the "Housing Code" or "Proposed Housing Ordinance", Councilman Eccleston stated that a date should be set for a public hearing. It was finally concluded that copies of the "Proposed Housing Ordinance" would be available in the City Office by March 7 and the public hearing would be held on March 12.

Councilman Eccleston moved that the Council hold a public hearing on the Proposed Housing Ordinance to regulate housing, to be held at the Gymnasium of the Fire House on Thursday, March 12, 1953, at 8:00 p.m.

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

Councilman Parkhill moved that the City Clerk write a letter to the Council of Montgomery County, Rockville, Maryland setting forth the reasons why the Mayor and Council opposed the reclassification from Residential "A" to Commercial "D" on the triangular property known as Lot 1, Block L, Blair Subdivision section 2, located at Woodbury Drive, Chicago Avenue, and New York Avenue, putting forth the reasons that the area immediately surrounding Residential "A" is in the City of Takoma Park, and the fact that it will reduce the value of the adjoining properties.

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

Councilman Parkhill moved the adoption of the following Ordinance:

ORDINANCE NO. 1172

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

Section 1. In accordance with Ordinance No. 433 of March 30, 1926 (8:10) as amended by Ordinance No. 438 of May 17, 1926 (8:26), which Ordinance as so amended is hereby declared to be in full force and effect, the owner of Lot 1, Block F, of Gilbert and Wood Subdivision, at the intersection of Carroll and Westmoreland Avenues, is called upon to show cause, on or before March 23, 1953, why the maintenance of the structure on the said premises should not be declared a nuisance and ordered to be abated.

Section 2. The Chief of Police shall, in person or by deputy, serve a copy of this Ordinance on the record owner of the said premises, or any member of his household over 16 years of age. If the owner or such person cannot be served personally, a copy shall be mailed to the last known post office address of the said owner, and a copy of Section 1 shall be published in two successive issues of the Takoma Journal.

Section 3. The City Council shall meet at 8:00 p.m. March 23, to consider any statement which may be submitted by the owner or his representative. Subsequent action, if in the opinion of the Council such action is called for, shall be taken in accordance with sections 3-5 of Ordinance No. 433.

Councilman McClenon seconded the Ordinance.

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

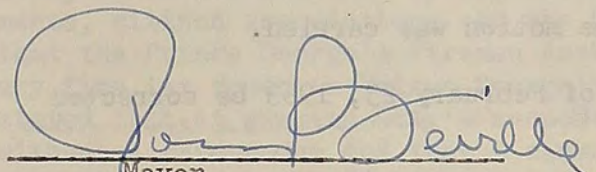
Mayor Beville moved that the policy of the City be that no department head shall receive over time pay for extra work unless so authorized by the Council or by the Mayor on declaration as an emergency exists, and then only until the next Council Meeting.

After duly seconded and put to question, the motion was carried.

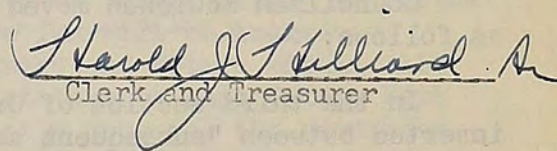
Councilman Kramer moved that we approve Chief MrBride's request dated February 16, 1953, so far as it applies to the month of February.

The motion failed for lack of a second.

There being no further business to come before the Council at this time, upon motion made, seconded and carried, the meeting adjourned at 12:10 a.m.



Mayor



Clerk and Treasurer