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SPECIAL HEARING ON MAPLE AVENUE IMPROVEMENT  
MAYOR AND COUNCIL  
June 3, 1953

Mayor Beville called the meeting to order at 8:00 p.m. Those present: Councilmen Eccleston, Klinck, Kramer, Miller and Tymesoh. Absent: Councilmen McClenon and Parkhill.

Mayor Beville welcomed the citizens present and pointed out the purpose of this special meeting after which he turned the meeting over to Councilman Klinck who gave a summary of the conditions existing in this area which necessitated the proposed improvement.

Councilman Klinck stated that after careful consideration that decision was made on the type of street that would be most acceptable and it was agreed that a section at a time be done in proper manner. The portion to be improved at this time was from Philadelphia to Sherman Avenues.

Councilman Klinck submitted sketches displaying to the public in detail how the street will be laid including details of construction for the Brashear's Run storm drainage. He stated that seven bids had been submitted the lowest of which was \$47,349.00 on which the approximate cost to abutting property owner was figured provided this bid was the one accepted by the Council. Using this figure the total cost of the job was estimated to run \$51,749.00 less \$880.00 for the cost of sidewalk or a net figure of \$50,869.00 which it was proposed that the City pay 61 $\frac{1}{2}$ % which represents \$31,307.00 leaving a total of \$19,562.00 to be assessed against the assessable front property owners, at approximately \$15.65 per linear foot.

At this point Councilman Klinck asked that the citizens present who wished to make comments, address the Council at this time.

Dr. Samuel Hillman, 249 Missouri Ave., owner of Lots 22, 23 and 24, Block 50A, Austin Subdivision, asked when was the construction going to start. Councilman Klinck advised that he was hoping that the awarding of the contract be made at Monday night's meeting. Dr. Hillman also asked what method of financing would be made. Councilman Klinck answered that the usual plan was a three year period but on this proposed improvement he favored a 10 year period.

Mrs. Templin, 7505 Maple Avenue, asked if this assessment were paid off in a certain length of time would there be a discount allowed. Councilman Klinck informed Mrs. Templin that discounts were not allowed on assessment bills as Certificates of Indebtedness were issued for payment of such work.

Mr. Byrne Austin, 7419 Maple Avenue, addressed the Council congratulating Mr. Klinck on the splendid job which had been done preparatory to this improvement and is in favor of the awarding of the contract. He also asked if the matter of Maple Avenue being a State highway had ever been discussed with State Roads Commission. Councilman Klinck informed him that this had been done. Mr. Austin further stressed the urgent need of Maple Avenue being made one-way; if not all the time, at the rush hour periods particularly.

Dr. Hillman stated to the Council that he was in favor of going along with these improvements and to get started as soon as possible.

Mrs. Picking who owns lot on west corner of Maple at Sherman Avenue, asked Councilman Klinck is the proposed storm drain improvement would go thru her property. He advised her that it would and that he would be glad to discuss the right-of-way deeds with her following this meeting.



The following vote as to those in favor or against the proposed improvement were as follows:

IN FAVOR

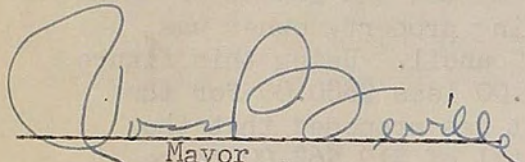
Dr. & Mrs. Samuel Hillman      Mr. Byrne Austin      Mrs. Templin

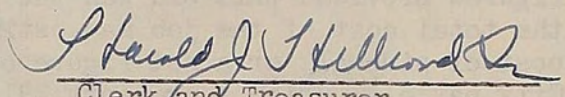
OPPOSITIONS

None

Mrs. Picking and Mr. Bernard reserved the right to pass their opinion at this time.

There being no further business to come before the Council at this time, upon motion being made and properly seconded and carried the meeting adjourned at 9:30 p.m.

  
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Mayor

  
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Clerk and Treasurer



EXECUTIVE MEETING  
MAYOR AND COUNCIL  
June 8, 1953

Mayor Beville called the meeting to order at 8:00 p. m. Those present:  
Councilman Eccleston, Klinck, Kramer, McClenon, Miller and Parkhill. Absent:  
Councilman Tymeson.

Councilman Kramer moved to dispense with the reading of the minutes of May 25, 1953.

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

CORRESPONDENCE:

1. Postcard signed "Indignant Citizen" complaining about dog situation. File
2. Letter from John Nevins Andrews School making an offer for the purchase of Part Lot 27, Block 16, B. F. Gilbert's Subdivision for the sum of \$600.00. Referred to Civic Improvement Committee.
3. Letter from Maryland-National Capital Park and Planning Commission regarding fill dirt being permitted to be placed on two steep dedicated streets, namely, Hudson and Kennebec Avenues. Referred to Public Works Committee.
4. Letter from Lincoln Valley Citizens' Association giving suggestions for proposed Housing Ordinance. Referred to Public Welfare Committee.
5. Letter from Hampshire Green Community Assn. concerning sewer on north side of Merwood Drive between New Hampshire Avenue and Wildwood Drive. Referred to Public Works Committee.
6. Letter from Herbert Nurmi commending Mr. Thomas and Mr. Klinck in alleviating the overflow of clay-filled water from the Spring Park development project into their yard and basement. Referred to Public Works Committee.
7. Letter from Miss Idamae Melendy, 507 Lincoln Avenue, relative to inspections on one-family houses as well as others. Referred to Public Welfare Committee.

Mayor Beville called the attention of the Council to supporting the Variety Show to be given on Saturday, June 13, 1953, at the Silver Spring-Takoma Elementary School, Chicago and Philadelphia Avenues for the benefit of the Special Police of Takoma Park.

**LAW AND ORDINANCES COMMITTEE:** Councilman McClenon stated that Mr. Hilliard had on file all of the Bills that were actually adopted by Legislature and that in the near future he expected to correct the City Charter accordingly. He also stated that there were two Bills which called for a referendum and it was his suggestion to have a public hearing on these prior to the City election next March.

**PARKS AND RECREATION COMMITTEE:** Councilman Miller reported that the sodding at Spring Park has been completed.

Councilman Miller stated that study had been given to the problem explained by Mrs. Moore on Holly Avenue at Grant Avenue, which complaint is justified, and that the Committee is endeavoring to alleviate this condition as soon as possible.

Regarding Washington Park, Councilman Miller stated they expected to have this completed during July or as early as possible.



Councilman Miller advised the Council that progress is being made in the Recreational program and that he is working with both Montgomery and Prince George's Counties Recreational Committees for the purpose of outlining similar programs for the citizens in Takoma Park. It is anticipated that there will be several band concerts during the summer as well as other musical programs.

Councilman Miller mentioned that a tentative date had been set for July 5, 1953 for the presentation of "The Creation" by Hayden which is to be put on by the Associated Studio of Sacred Music under leadership of Oliver S. Beltz of the Takoma Park Oratorio Chorus.

#### FINANCE COMMITTEE:

In the absence of Councilman Tymeson, Councilman Kramer, member of the Merit Plan Committee advised that the original Merit Plan as submitted has been revised in accordance with suggestions made since the distribution of the first one, and that the Committee hopes to have the final plan ready for next Council meeting.

#### PUBLIC WELFARE COMMITTEE:

Councilman Eccleston announced the second public hearing on the Housing Ordinance to be held on Wednesday, June 17, 1953, at the Fire House.

Following a discussion regarding the size of the refuse cans Councilman Eccleston moved that regulations governing the collection of residential refuse adopted April 21, 1953, under Ordinance No. 1116 of that date (21:154): Paragraph 5 be amended by inserting before the period at the end of the second sentence of the first paragraph a semicolon and the words: Provided that one container of not less than 20 gallons capacity but not less than 10 gallons may be used to supplement one or more standard containers of 20 gallons or more.

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

Regarding the increase by Washington Suburban Sanitary Commission for Refuse Disposal Mayor Beville suggested that the commercial trash collections be charged at the rate of 10% less than private collectors charge. After further discussion on this matter it was decided that further study be given to this matter and decision made at next Council meeting.

Councilman Eccleston moved that rest homes be classified as commercial establishments for trash collection purposes.

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

Councilman Eccleston moved the adoption of the following Ordinance:

#### ORDINANCE NO. 1193

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

That Ordinance No. 433 of March 30, 1926 (8:10), as amended by Ordinance No. 438 of May 17, 1926 (8:26), is further amended by adding at the end thereof:

"Section 6. Designation of Unfit Dwellings and Legal Procedure of Condemnation.



"(a) Any building which shall be found by the Council to come within any of the following descriptions shall be condemned by the Council as unfit for human habitation, and shall be so designated and placarded by the inspector of buildings:

"(1) one which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public;

"(2) one which lacks illumination, ventilation or sanitary facilities adequate to protect the health or safety of the occupants or of the public; or

"(3) one which because of its general condition or location is insanitary or otherwise dangerous to the health or safety of the occupants or of the public.

"(b) Whenever the inspector of buildings, or the health officer of the county in which the premises are situated, has reason to believe that any building used for human habitation, he shall so notify the City Council, stating the location of the building and the respect or respects in which he believes it to be unfit. *or intended to be so used (condemned) (unfit) human habitation*

"(c) The Council may set a time and place for a hearing as to the condition of any building to which their attention has been called under subsection (b) of this section, and shall give at least ten days' notice of such hearing. The notice, which shall state the nature of the alleged defect or defects in the building, shall be served on the owner or his agent, if he can be found, and on the occupant or occupants of the building; a copy shall also be posted in a conspicuous place on the premises on which the building is located; and a copy shall be published in a newspaper of general circulation in the City of Takoma Park.

"(d) At the hearing the inspector of buildings and/or the health officer shall submit evidence to substantiate his belief that the building comes within one of the descriptions set forth in subsection (a) of this section; and any person wishing to oppose the condemnation of the building as unfit for human habitation shall, if having filed notice of such intention with the City Clerk at least two days previously, be given a reasonable time for the presentation of any reasons why the building should not be so condemned. The Mayor or Acting Mayor, or in their absence any Councilman designated for the purpose by a majority of the Councilmen present, shall preside at the hearing and determine how much time shall be allotted to each person, and the order in which they shall speak; Provided, That the health officer of the inspector of buildings shall present his evidence first and shall be permitted to address the Council after all others have spoken.

"(e) After the hearing the Council shall determine whether or not the building should be condemned as unfit for human habitation. In case it is so condemned, the Council may also determine whether it should be destroyed or whether the defect or defects found can be corrected by making specified improvements.



"(f) Any building condemned by the Council as unfit for human habitation, after a hearing as provided in this section, shall if so directed by Council be so placarded by the inspector of buildings, and shall be vacated within a reasonable time as ordered by the Council, or by the inspector if no time has been specified by the Council.

"(g) No building which has been condemned by the Council under the provisions of this section shall be again used for human habitation until written approval is secured from the inspector of buildings, and from the health officer if he has participated in any way in the proceedings under this section. Such approval must be given, and the placard removed, by the inspector of buildings, whenever the defect of defects on which the Council's condemnation was based shall have been eliminated or adequately corrected.

"(h) No person shall deface or (except as provided in subsection (g) of this section) remove any placard placed on any premises in accordance with subsection (f) of this section.

"(i) The word "building" as used in this section shall be construed to mean "building or part thereof."

"(j) Any person who shall violate any provision of this section shall upon conviction be fined not less than ten nor more than fifty dollars; and each day's failure to comply with any such provision shall constitute a separate violation. In default of payment of such fine, the person shall be imprisoned for not less than ten nor more than thirty days.

"Section 7. If any provision of this ordinance is for any reason held to be invalid, either altogether or with respect to some particular circumstance, such invalidity shall not affect the validity of any other provision of this ordinance, or the validity of that provision with respect to other circumstances."

Councilman McClenon seconded the motion.

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

PUBLIC SAFETY COMMITTEE:

Councilman Kramer moved that the resignation of Mr. DeKalb from the Fire Dept. be accepted as of June 15, 1953.

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

Councilman Kramer moved that Stanley Richard Fickes be appointed as a fireman on a probationary period of 6 months at a salary of \$3000.00 per annum, beginning June 16, 1953.

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



Relative to the changing of the sign at the driveway between the two groups stores facing New Hampshire Avenue at the intersection of University Lane, Councilman Kramer moved that Gude and Abrams be advised that it is the present position of the Council that if they extend the sidewalk 1 1/2 feet in each direction with a protective iron rail in accordance with sketch they submitted on May 18, 1953, the Council will give favorable consideration to rescinding the ordinance making the driveway a one-way street.

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

Regarding the removal of the "No Parking" sign in front of 660 1/2 Allegheny Ave. Councilman Kramer suggested that the City Clerk write a letter to the Coles explaining that the Council cannot remove the sign because if moved further toward the corner fire trucks or other large vehicles could not make the turn.

Councilman Kramer moved that the probationary period of Officer Hayes of the Police Department be extended to June 30, in order that further observation of him can be made.

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

Councilman Kramer moved that "Slow" signs be installed on Grant Avenue between Maple and Holly Avenues.

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

Councilman Kramer moved that the following Ordinance be adopted for the installation of a Stop sign on Spruce Avenue at the intersection of Tulip Avenue.

ORDINANCE NO. 1194

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

Section 1. THAT a stop sign be erected on Spruce Avenue at the intersection of Tulip Avenue.

Section 2. AND that the Public Works Department be directed to proceed with the erection of signs necessary to enforce this Ordinance.

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 Eccleston seconded the motion.

Upon being put to question the Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, McClenon, Miller and Parkhill. Nays: None. Absent: Councilman Tymeson.

Regarding request for street light in front of 7117 Willow Avenue, Councilman Kramer read the recommendation made by the Potomac Electric Power Co. and asked that the City Clerk write a letter giving the suggestion made by the Electric Company.

Following quite a lengthy discussion on the matter of the installation of mercury vapor lights, on a trial basis, to be placed in certain sections of the city, it was suggested to hold this matter open for further consideration at the next meeting.



"(f) Any building condemned by the Council as unfit for human habitation, after a hearing as provided in this section, shall if so directed by Council be so placarded by the inspector of buildings, and shall be vacated within a reasonable time as ordered by the Council, or by the inspector if no time has been specified by the Council.

"(g) No building which has been condemned by the Council under the provisions of this section shall be again used for human habitation until written approval is secured from the inspector of buildings, and from the health officer if he has participated in any way in the proceedings under this section. Such approval must be given, and the placard removed, by the inspector of buildings, whenever the defect of defects on which the Council's condemnation was based shall have been eliminated or adequately corrected.

"(h) No person shall deface or (except as provided in subsection (g) of this section) remove any placard placed on any premises in accordance with subsection (f) of this section.

"(i) The word "building" as used in this section shall be construed to mean "building or part thereof."

"(j) Any person who shall violate any provision of this section shall upon conviction be fined not less than ten nor more than fifty dollars; and each day's failure to comply with any such provision shall constitute a separate violation. In default of payment of such fine, the person shall be imprisoned for not less than ten nor more than thirty days.

"Section 7. If any provision of this ordinance is for any reason held to be invalid, either altogether or with respect to some particular circumstance, such invalidity shall not affect the validity of any other provision of this ordinance, or the validity of that provision with respect to other circumstances."

Councilman McClenon seconded the motion.

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

PUBLIC SAFETY COMMITTEE:

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

Councilman Kramer moved that Stanley Richard Fickes be appointed as a fireman on a probationary period of 6 months at a salary of \$3000.00 per annum, beginning June 16, 1953.

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



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

Regarding the removal of the "No Parking" sign in front of 6604 Allegheny Ave. Councilman Kramer suggested that the City Clerk write a letter to the Coles explaining that the Council cannot remove the sign because if moved further toward the corner fire trucks or other large vehicles could not make the turn.

Councilman Kramer moved that the probationary period of Officer Hayes of the Police Department be extended to June 30, in order that further observation of him can be made.

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

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Councilman Eccleston seconded the motion.

Upon being put to question the Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, McClenon, Miller and Parkhill. Nays: None. Absent: Councilman Tymeson.

Regarding request for street light in front of 7117 Willow Avenue, Councilman Kramer read the recommendation made by the Potomac Electric Power Co. and asked that the City Clerk write a letter giving the suggestion made by the Electric Company.

Following quite a lengthy discussion on the matter of the installation of mercury vapor lights, on a trial basis, to be placed in certain sections of the City, it was suggested to hold this matter open for further consideration at the next meeting.



Mayor Beville reported that he and Chief Thomas met with the American Automobile Association on Monday, June 8, 1953, for lunch and the City was presented with a Safety Award for the excellency of pedestrian control in Takoma Park.

CIVIC IMPROVEMENTS COMMITTEE:

Councilman Parkhill presented sketch showing drawing of the proposed new entrance of 8 Columbia Avenue at an approximate cost of \$1200.00.

Regarding the matter concerning the purchase of Part of Lot 27, Block 16, B. F. Gilbert's Subdivision by the J. N. Andrews School, Councilman Parkhill advised that the property had been appraised at an appraisal figure of \$1200.00. He then read letter from school in which they stated they would pay \$600.00 for same. In view of the fact that the school has not been notified of the appraisal figure, it was suggested to hold this matter in abeyance until next meeting.

Councilman Parkhill moved the approval of the preliminary subdivision Plan No. 1-53100, covering the resubdivision of Lot 14, Block 62, B. F. Gilbert's Addition to Takoma Park.

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

PUBLIC WORKS COMMITTEE:

Councilman Klinck reported that he together with Superintendent of Public Works and Corporation Counsel had paid a visit to State Roads Commission in Baltimore for the purpose of transmitting the dedication deeds for the properties acquired for the widening of Carroll Avenue. He stated it was the City's feeling that we had complied with all of the requirements requested by the State Roads Commission and that the matter was now completely in their hands.

Concerning the acceptance of the Bid for the Maple Avenue project, Councilman Klinck moved the adoption of the following Ordinance:

ORDINANCE NO. 1195

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

Section 1. THAT, in accordance with Section 1198C of the City Charter, the Mayor and Council are of the opinion that the public Health, safety and comfort require the paving of Maple Avenue from Philadelphia to Sherman Avenues, work in part to consist of concrete paving, concrete curb and gutter, and related storm drain structures and such other work as may be required in the proposal.

Section 2. THAT, after carefully considering competitive bids received on this construction work from,

Curtin & Johnson-----	\$54,819.00	Corson-Gruman-----	\$59,948.80
Contee-----	\$47,400.00	Princeton Const. Corp.---	\$52,712.80
L & S-----	\$51,212.30	Bright Shepphard-----	\$51,459.05

Maryland Enterprise----- \$47,349.00

That the contract be and is hereby awarded to Maryland Enterprise, Inc. in the amount of \$47,349.00.



Section 3. AND THAT, the awarding of the contract to Maryland Enterprise, Inc. is contingent upon this concern furnishing a Performance Bond to the Clerk and Treasurer to insure the work being done in conformance with the specifications as set forth in our letter of May 17, 1953 and that all materials and engineer services will be subject to inspection to guarantee compliance with the specifications.

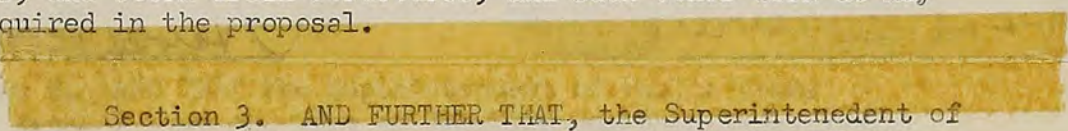
Section 4. AND FURTHER THAT, the City will assess the cost of part of this work against the abutting and benefiting property owners.

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Section 5. AND FURTHER THAT, assessments under this Ordinance shall be payable in 10 annual installments, the first installment due and payable within 90 days from date of levy with interest at the rate of 6% per annum beginning 30 days from date of levy, and each subsequent annual payment due and payable within 90 days of the same date in each subsequent year. Balance due may be paid in full at any time plus the accumulated interest. Property delinquent January 1 of any year will be sold for the total amount of assessment, including interest and costs, then due. The total cost of the job was estimated to run approximately \$51,749.00 less \$880.00 for the cost of sidewalk or a net figure of \$50,869.00, the City to pay 61 1/2% or approximately \$31,000.00, leaving a total of approximately \$20,000.00 to be assessed against the assessable benefiting property owners at approximately \$15.65 per linear foot.

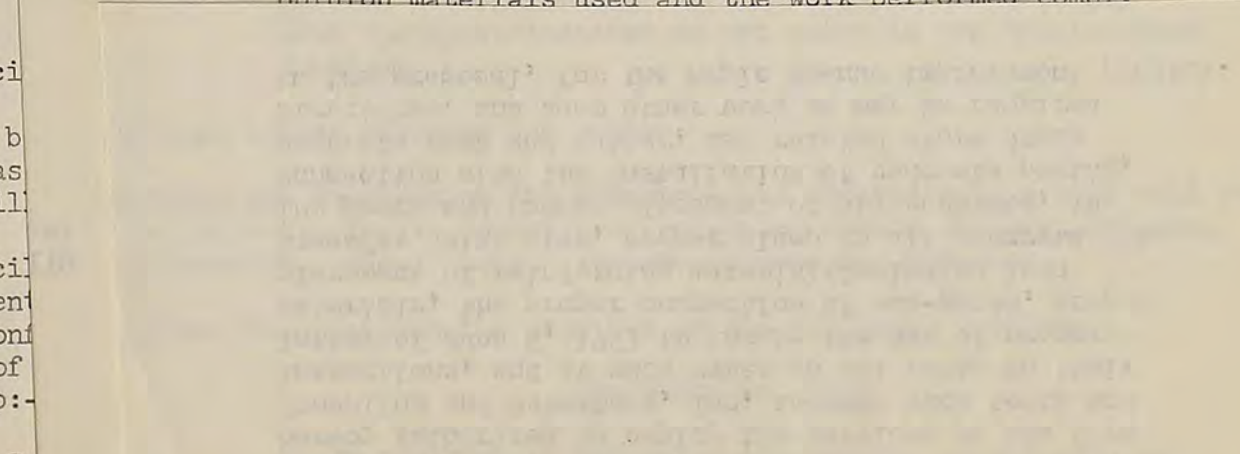
Avenues in accordance with the specifications as set forth for its completion by the Superintendent of Public Works and at such rates as indicated in the Thomas B. McNeill Surveys, Inc. letter of June 3, 1953.

Section 2. AND THAT a part of these services shall constitute the performance of such inspection during construction as will insure the proper grade and alignment for all paving, curb and gutter, and storm drain structures, and such other work as may be required in the proposal.



Section 3. AND FURTHER THAT, the Superintendent of Public Works shall request from Thomas B. McNeill Surveys, Inc. certification, in writing, that in their opinion materials used and the work performed comply

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paving, curb and gutter, sidewalk and storm drain structures.



Councilman Eccleston seconded the motion.

Upon being put to question the Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, McClenon, Miller and Parkhill. Nays: none. Absent: Councilman Tymeson.

Councilman Klinck moved the adoption of the following Ordinance:

ORDINANCE NO. 1196

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

Section 1. THAT the Superintendent of Public Works is hereby authorized to employ the services of Thomas B. McNeill Surveys, Inc. to make all the necessary inspections in connection with the improvement of Maple Avenue between Philadelphia and Sherman Avenues in accordance with the specifications as set forth for its completion by the Superintendent of Public Works and at such rates as indicated in the Thomas B. McNeill Surveys, Inc. letter of June 3, 1953.

Section 2. AND THAT a part of these services shall constitute the performance of such inspection during construction as will insure the proper grade and alignment for all paving, curb and gutter, and storm drain structures, and such other work as may be required in the proposal.

Section 3. AND FURTHER THAT, the Superintendent of Public Works shall request from Thomas B. McNeill Surveys, Inc. certification, in writing, that in their opinion materials used and the work performed comply with the specifications as set forth in the construction contract.

Councilman Kramer seconded the motion.

Upon being put to question the Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, McClenon, Miller and Parkhill. Nays: None. Absent: Councilman Tymeson.

Councilman Klinck moved the adoption of the following Ordinance:

ORDINANCE NO. 1197

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

Section 1. THAT the Superintendent of Public Works is hereby authorized to employ the services of the firm Froehling and Robertson, Inc. to make such tests and inspections, and at such rates as set forth in their letter of June 5, 1953 to insure the use of proper materials, the proper compaction of sub-grade, proper placement of reinforcing material-including load transfer joint ties, proper slump in all concrete during pours and proper placement of all concrete, in connection with the installation of concrete paving, concrete curb and gutter, and related storm drain structures, and such other work as may be required in the proposal, for the Maple Avenue improvement project.

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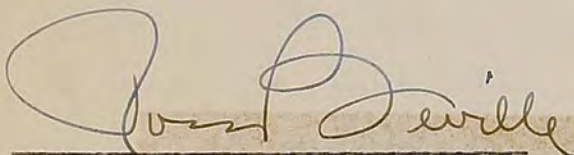



2. Secure the services of the firm of Froehling & Robertson, Inc. to perform such inspections as may be required to insure the use of proper materials, proper compaction of sub-grade, proper placement of reinforcing material-including load transfer joint ties, proper slump in all concrete during pours and proper placement of all concrete.
3. Before submission to the Mayor and City Council of any requests from the contractor for partial payments as provided for in the contract, the Superintendent of Public Works shall require in writing from the Firm of Thomas B. McNeill a statement to the effect that the requested payment does not represent more than 75% of the value of the work completed for which payment was requested.
4. Upon receipt or request from the contractor for final payment and acceptance by the City of all work as set forth in the proposal and under the terms of the contract, the Superintendent of Public Works shall require from the firms of Thomas B. McNeill and Froehling and Robertson certifications in writing that in their opinions the materials used and the work performed comply with the specifications as set forth in the construction contract. The Superintendent shall then submit to the Mayor and Council his recommendation for acceptance of the work and final payment to the contractor.

Councilman Eccleston seconded the motion.

Upon being put to question the motion was carried.

There being no further business to come before the Council at this time, upon motion being made and properly seconded and carried the meeting adjourned at 12:00 (midnight).

  
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Mayor

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



REGULAR MEETING  
MAYOR AND COUNCIL

June 22, 1953

Mayor Beville called the meeting to order at 8:10 p. m. Those present:  
Councilmen Eccleston, Kramer, McClenon, Miller, Parkhill, Tymeson and Klinck.  
Absent: None.

Councilman McClenon pointed out that the minutes of June 8, 1953 should be corrected as follows:

Under Law and Ordinances Committee, the last word "soon" should be stricken out and the words "prior to the City election next March" added.

Under Ordinance No. 1193 (d) "an/or" should be "and/or".

Councilman Eccleston moved that we dispense with the reading of the minutes of June 8, 1953 and they be accepted as corrected.

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

Mr. Hilliard presented the Financial Statement for the month of May as follows:

✓ FINANCIAL STATEMENT  
May 1953  
Summary

	Revenues May 1953	Revenues to 5/31/53	Bal. Bud. to 6/30/53	Total Budget
4/30/53 Cash on Hand Citz. Bk.	17674.08			
4/30/53 Cash on Hand Sub.Tr.	22394.02			
	<u>40068.10</u>			

REVENUES

1.0 Taxes: General	927.10	311972.12	13809.55	298162.57
1.0 Penalties & Int.	140.40	650.09	99.91	750.00
2.0 Licenses & Permits	868.63	20983.66	766.34	21750.00
3.0 Fines & Forfeit.	25.00	2409.44	590.56	3000.00
4.0 Use of Money & Prop.	184.16	214.16	85.84	300.00
5.0 Revenue-other Sour	21198.22	1977.76	30176.24	32154.00
6.0 Serv. Chge-Current Services	132.00	1594.25	244.25	1350.00
Accounts Receivable	352.94	23728.45		
	<u>63796.55</u>	<u>339801.48</u>	<u>17665.09</u>	<u>357466.57</u>

	Disb. May 1953	Disb. to 5/31/53	Bal. Bud. to 6/30/53	Total Budget
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DISBURSEMENTS

10. Gen. Govt.-Clk. Off.	2940.03	28244.54	2089.24	30333.78
10. " " Govt. Bldg.	562.70	9033.45	576.55	9610.00
10. " " P/W Shop	2000.38	15917.64	1902.64	14015.00
11.1 Police Dept.	4283.83	49590.63	6029.37	55620.00
11.2 Fire Dept.	2812.10	50401.41	2278.59	52680.00
12.1 P/W Dept: Office	809.50	9078.25	533.25	8545.00



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	Disb. May 1953	Disb. to 5/31/53	Bal. Bdd. to 6/30/53	Total Budget
<u>DISBURSEMENTS (Con'd.)</u>				
12.2 P/W Dept: Hgwy.	4798.97	32882.88	8554.79	41437.67
12.5 " " St. Lgtg.	804.00	8380.93	1069.07	9450.00
12.6 " " Cont. Fund	.00	322.13	577.87	900.00
13.2 " " Sanitation	5579.44	56303.54	11853.54	44450.00
19.1 " " Recreation	848.33	9744.03	1950.03	7794.00
19.4 Cultural-Library	3073.60	10812.41	187.59	11000.00
21.1 Miscellaneous	717.61	6614.41	3385.59	10000.00
22.1 Capital Budget	15945.15	36171.32	25397.69	61569.01
23.1 Insurance	1457.58	5673.69	781.56	4892.13
Accounts Rec.	264.31	46897.53		
Cash on Hand 5/31/53		329171.26	33125.33	362296.59

Special Improvement Account

Bal. Citiz. Bk 4/30/53	12212.43
Deposit during May 1953	918.10
	<u>13130.53</u>
Withdrawals	.00
Bal. Citz. Bk. 5/31/53	<u>13130.53</u>

## CORRESPONDENCE:

1. Letter from Maryland National Capital Park & Planning Commission concerning fill dirt being placed at Hudson and Kennebec Avenues adjacent to Sligo Creek Park. Referred to Public Works Committee.
2. Letter from Mrs. Westlyne B. Tankersley expressing her appreciation for the Council's help in helping build up the program for the colored citizens during the past six years she has served as our public health nurse. File Health and Welfare Committee.
3. Letter from Mr. & Mrs. Garnet W. Deardorff opposing proposed housing ordinance. Referred to Public Welfare Committee.
4. Letter from Stephen L. Curtis, representing the Takoma Park Citizens Assn., opposing the proposed housing ordinance and listed several of the most serious objections. Referred to Public Welfare Committee.
5. Letter from H. Brooks Perring, relative to employees insurance. Referred to Finance Committee.
6. Letter from Clifford Waldron, Spring Park Community Assn. complimenting Council on work done at Spring and Forest Parks. Referred to Parks and Recreation Committee.
7. Letter from Mr. Prichard regarding complaint about cats. Referred to Public Welfare Committee.
8. Letter from Mr. M. C. Taft, strictly opposing the proposed housing ordinance.

Mayor Beville made a report to the Council of the Maryland Municipal League Convention held in Ocean City on June 12 and 13, which he and several of the Councilmen attended.



OPEN MEETING:

Mr. Michael Derato, 413 Lincoln Avenue, addressed the Council relative to the letter read by the City Clerk from Mr. Milward Taft, stating he was not in accord with his viewpoints. Mr. Derato also questioned as to whether Mr. Curtis has the right to speak at the Council meetings when he represents two civic organizations within the City.

Mr. Maurice Taylor, 7604 Wildwood Drive, representing the Joint Takoma-Prince George's County Civic Assns. addressed the Council regarding the recreational program being outlined for the Prince George's section of the City. He also commended Councilman Miller for the splendid work he is doing on the recreational program.

Mr. Stephen Curtis, 717 Erie Avenue, addressed the Council, in answer to Mr. Derato's question regarding his speaking and representing two civic organizations. He informed the Council that whenever he spoke it was his personal opinion and anything in connection with the organizations was in the form of writing, or representative from either a association would appear at the Council meeting to present their problem therefore there should be no conflict regarding this question.

Mr. Frank Lewis, addressed the Council, making a plea for a playground for the midgets of the Prince George's Takoma Boys Club to finish out their ball games. He pointed out that the field which they had been using at Riggs Rd. & E. W. Highway just over the City line, had been taken over by another group and thru a misunderstanding the boys were not permitted to use it on their regular night, which is Mondays. Mayor Beville assured him that the matter would be given prompt attention in order that the boys could continue their games.

EXECUTIVE SESSION:

PARKS & RECREATION COMMITTEE: Councilman Miller read letter written by the City Clerk to Park & Planning Commission relative to playground area located in the 7100 block of 13th Avenue, in which they were advised that inasmuch as this playground was under the jurisdiction of the Commission our Council did not take any action, however, our Police Chief made two recommendations, namely; only allowing the playing of softball together with other safe games, and only children ranging in age up to either 8 or 9 years be allowed to use this playground.

Councilman Miller advised the Council that work is progressing in the installation of a water fountain on the Holly Avenue playground.

Consideration was given to matter explained by Mr. Frank Lewis in attempting to secure playground area for the midgets of the Takoma Prince George's Boys Club for the purpose of continuing their ball games. After discussion on the matter it was decided that Spring Park could be used for this purpose for boys of that small age group and some plans would be made to put up a temporary back-stop for them.

Councilman Miller announced the tentative dates for the two service bands who will give concerts in July at Spring and Washington Parks.

FINANCE COMMITTEE:

Councilman Tymeson moved that the bills in the amount of \$24,802.92 be approved for payment.

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

Councilman Tymeson moved the appointment of Mr. Harold J. Hilliard, Sr., as Clerk and Treasurer at a salary of \$5800.00 per annum for one year beginning July 1, 1953.



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

Regarding the matter concerning the Special Assessment charges for A. V. Ceccone's property, the attorney for Mr. Ceccone advised our Corporation Counsel that an old assessment made against this property twelve or thirteen years ago for paving Allegheny Avenue indicated that this assessment was based on the Allegheny Avenue side of the lot being the frontage. A further check disclosed that this statement was correct, therefore, Councilman Tymeson moved that the following Resolution be adopted in reference to the A. V. Ceccone assessment on Lot 11, Block 12, Pinecrest Subdivision, located at the intersection of Allegheny and Second Avenue.

#### RESOLUTION

WHEREAS, the assessment for the improvement on Second Avenue abutting the property known as Lot 11, Block 12, Pinecrest Subdivision in the name of A. V. Ceccone was computed on the basis of the Second Avenue side of this property being the frontage, thereof, which amounted to \$825.00, and which the Council at their meeting on March 30, 1953 affirmed, and

WHEREAS, since this decision of the Council defining the Second Avenue side of this lot as the frontage of this property, evidence and facts have been presented, to the Council and confirmed to the effect that approximately 12 or 13 years ago the City of Takoma Park made an assessment on the other side of this lot known as Allegheny Avenue, and at that time defined this side as the frontage, the assessment being made on this basis,

NOW THEREFORE, since Allegheny Avenue was declared the frontage at the time this assessment was made for the improvement of this street in 1941, the action of the Council taken on March 30, 1953 is hereby rescinded, and the Clerk and Treasurer is authorized to issue a corrected bill to A. V. Ceccone based on using Second Avenue as a side lot in computing the assessment cost to this property owner.

Upon being seconded and put to question the Resolution was adopted.

Councilman Tymeson discussed certain items to be considered as trust funds for the new fiscal year, and moved that the City Clerk be authorized to set aside the following items as trust funds and hold as such for the new fiscal year 1953-54:

\$4000.00	for Willow Ave.
\$4000.00	for Tulip Ave.
\$5000.00	for Maple Ave.
\$3000.00	for storm drain Second Ave.
\$5000.00	for Building 8 Columbia Ave.
\$4000.00	for Gymnasium
\$3000.00	for setting up depreciation fund
\$4700.00	Contingent Fund for moving Police Dept. to 8 Columbia Ave.
<u>\$32700.00</u>	TOTAL

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

#### PUBLIC WELFARE COMMITTEE:

Councilman Eccleston moved that the City advertise for Bids on a new 16 yd. load-



packer as well as Bids on our 9 yd. load-packer #1.

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

Following quite a lengthy discussion on the proposed housing ordinance, Councilman Eccleston moved that the ordinance known as the housing code be accepted as amended.

Councilman McClenon seconded the motion.

Following further discussion as to whether an opinion in writing should be received from the Corporation Counsel, Councilman Klinck moved that the original motion on the Housing Ordinance be tabled until an opinion as to the legality of the Housing Ordinance as proposed and amended through June 22, 1953 be received from the Corporation Counsel in writing.

Councilman Miller seconded the motion.

Upon being put to question the motion was carried with Councilmen McClenon and Eccleston voting nay.

Councilman Tymeson moved that the Corporation Counsel be requested to give an opinion in writing as to the legality of the proposed ordinance relative to the standards of health and safety in relation to housing.

Councilman Kramer seconded the motion.

Upon being put to question the motion was carried with Councilman McClenon not voting.

PUBLIC SAFETY COMMITTEE:

Councilman Kramer moved the appointment of Mr. C. E. Thomas as Chief of Police Department at a salary of \$5200.00 per annum for one year beginning July 1, 1953.

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

Councilman Kramer moved the following appointments for the Police Department for one year beginning July 1, 1953, at the salaries as specified in the budget:

Sergeant Bell	\$4300.00
Corp. Hite	\$4150.00
" Foster	\$4150.00
" Merson	\$3850.00
Officer Keegan	\$3633.33
" Farran	\$3625.00
" Hayes	\$3455.00
" Jones	\$3541.66

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

Councilman Kramer moved that Officer Hayes be made permanent as of July 1, 1953.

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

Councilman Kramer moved that the following men of the Police Department have their probationary period extended into the 1953-54 fiscal year as indicated:

Officer W. T. Lane	8/23/53
" A. G. Bowers	9/1/53
" W. R. Ringer	10/1/53



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

Councilman Kramer moved that the following Special Police be reappointed for the next 1953-54 fiscal year:

Arthur Phipps, 209 Spring Ave.	Robert E. Mohr, 217 Spring Ave.	Heister K. Bucher 7209 13th Ave.
Vincent Amoroso 8111 Carroll Ave.	Mike Derato 413 Lincoln Ave.	Warren J. Magner 7526 Maple Ave.
C. E. Werback 6607 Cockerille Ave.	T. J. Gooch 7312 Glenside Dr.	O. J. Forehand 7129 Maple Ave.
F. D. Slye 7314 Trescott Ave.	M. E. Taylor 7604 Wildwood Dr.	James Hash 424 Lincoln Ave.
John Coffman 435 Ethan Allen Ave.	Carl Crezee 7001 Carroll Ave.	O. W. Youngblood 7131 Maple Ave.
Robert B. Shaw 8302 Flower Ave.	David L. Merkle 207 Spring Ave.	Henry J. Myers 606 Elm Ave.
Russell Ridgeway 7808 Takoma Ave.	Earl W. Thomas 7519 Maple Ave.	Ray H. Eccleston 7209 Trescott Ave.
Charles H. Klinck 44 Philadelphia Ave.	Harold J. Hilliard, Sr. Sandy Spring, Md.	Sydney W. Tymeson 8118 Flower Ave.
Milton Kramer 7602 Hammond Ave.	James B. Parkhill 44 Columbia Ave.	

and that the following four be appointed:

William F. Miller 912 Prospect Ave.	William Randolph 30 Lee Ave.	William I. Thompson 710 Ludlow Ave.
	George M. Miller 7019 Eastern Ave.	

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

Councilman Kramer moved the appointment of M. E. McBride as Chief of the Fire Department at a salary of \$5400.00 per annum for one year beginning July 1, 1953.

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

Councilman Kramer moved the appointment of the following firemen for one year beginning July 1, 1953 at the salary as specified in the budget:

	Sergeant Carter	\$4300.00
Acting	" Battersby	\$3750.00
"	" LaScola	\$3700.00
Private	Flagg	\$3700.00
"	Minton	\$3500.00
"	Weimer	\$3458.33

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



Councilman Kramer moved the adoption of the following Ordinance accepting the Bid of the General Electric Company for a radio in the amount of \$994.75 for the Fire Department.

ORDINANCE NO. 1198

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

Section 1. THAT after duly advertising in accordance with the law for the purchase of one (1) 3-way-two frequency Radio transmitter receiver, 60 watt with selective frequencies of 33.78 mc and 33.86 mc., the Mayor and Council do hereby accept the Bid of the General Electric Company in the amount of \$994.75.

Councilman Eccleston seconded the motion.

Upon being put to question the Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Kramer, Miller, McClenon, Parkhill and Tymeson. Nays: none. Absent: Councilman Klinck.

Councilman Kramer reported that he had conversed with Mr. Graham of the Telephone Co. relative to the changing of the telephone numbers in Takoma Park and he advised him that as soon as the engineer returned to his office a date would be set for members of the Council to meet with him to discuss this matter further.

CIVIC IMPROVEMENT COMMITTEE:

Relative to the sale of Lot 27, Block 16, B. F. Gilbert, Councilman Parkhill moved that the Council accept the offer of the School Board of the J. N. Andrews School for \$750.00 for that portion of Lot 27, Block 16, B. F. Gilbert's Sub-division of Takoma Park filled in yellow on plat prepared by Thomas B. McNeill Surveys, dated May 26, 1953.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried, with Councilman Klinck voting nay and Councilman Tymeson abstaining.

PUBLIC WORKS COMMITTEE:

Councilman Klinck moved the appointment of Earl Thomas as Superintendent of Public Works for the ensuing fiscal year, 1953-54 at a salary of \$5200.00 per annum.

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

Councilman Klinck moved that the paving proposal as outlined in the letter, dated June 8, 1953, from Frank Calcara including any required storm drainage be advertised for Bids. This proposal to include street paving installments, curb and gutter and storm drainage as may be required on that section of Jackson Avenue between Glenside Drive and Holton Lane.

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

Councilman Klinck moved the adoption of the following Ordinance:

ORDINANCE NO. 1199

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 to Jackson Avenue between Glenside Drive and Holton Lane, said construction to consist of 4" bituminous base course, 2" bituminous top course, curb and gutter, related drainage structures; said improvements to abut Lots 1, 2 and 3, Block 2, Green Hill Farms; Lot 4, Block 1, Green Hill Farms; Lot 1, Block 7, Green Hill Farms; Lot 1, 28 and 29, Block 8 Green Hill Farms.

Section 2. That the construction of said improvement be assessed against the abutting property owners.

Section 3. The Mayor and Council at a special meeting on July 13, 1953, convening at 7:00 p. m. at 8 Columbia Avenue will hear all property owners desiring to be heard in regard to the work herein proposed.

Councilman Eccleston seconded the motion.

Upon being put to question the Ordinance was adopted with the roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Kramer, Miller, Parkhill and Tymeson. Councilman McClenon not voting.

LAW AND ORDINANCES COMMITTEE:

Councilman McClenon moved the appointment of Vincent L. Gingerich as Corporation Counsel at a salary of \$1500 per annum for one year beginning July 1, 1953.

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

Councilman McClenon moved that J. Wilson Dodd be appointed as Justice of Peace for the City of Takoma Park at a salary of \$600.00 per annum for one year beginning July 1, 1953.

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

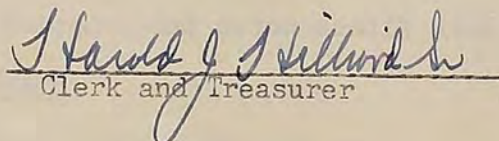
Councilman McClenon moved that H. Earle Russell be appointed as Justice of Peace for the City of Takoma Park at a salary of \$300.00 per annum for one year beginning July 1, 1953.

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

Councilman Tymeson moved that Ordinance #1166 be published with a notation from the City Clerk informing the rooming house operators that they must register by July 15, 1953 in accordance with the Ordinance.

There being no further business to come before the Council at this time, upon motion being made and properly seconded and carried the meeting adjourned at 12:30 a.m.

  
\_\_\_\_\_  
Mayor

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