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REGULAR MEETING
MAYOR AND COUNCIL
November 23, 1953

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

Councilman Kramer corrected the minutes of November 9, 1953, as follows: Page 1, in Councilman Parkhill's motion to adopt a Resolution, last sentence, change the word "he" to "him", and in the last paragraph of the Resolution, change the word "he" to "him".

Mayor Beville corrected the minutes of November 9, 1953, as follows: Under correspondence, paragraph number 4, fifth line, strike out the word "comprising" and insert in lieu thereof the word "compiling".

Councilman Kramer moved that the minutes of November 9, 1953, be accepted as corrected. Upon being seconded and put to question, the motion was carried.

Councilman Eccleston moved to dispense with the reading of the minutes of November 9, 1953. Upon being seconded and put to question, the motion was carried.

FINANCIAL STATEMENT ✓
October 1953
Summary

	Revenues Oct. 1953	Revenues to 10/31/53	Bal. Bud. to 6/30/54	Total Budget
9/30/53 Cash on Hand Citiz. Bank	80501.94			
9/30/53 Cash on Hand Sub. Tr. Co.	10122.97			
9/30/53 Cash on Hand Both Banks	<u>90624.91</u>			
<u>REVENUES</u>				
1.0 Taxes: General	26729.91	273457.37	63158.38	336615.75
1.0 Penalties & Interest	.26	99.53	400.47	500.00
2.0 Licenses & Permits	13657.36	15033.59	7916.41	22950.00
3.0 Fines & Forfeitures	1067.05	1179.45	1520.55	2700.00
4.0 Use of Money & Property	.00	.00	267.00	267.00
5.0 Revenue other sources	1195.72	1563.96	28271.04	29835.00
6.0 Service Chg.-Curr.Serv.	505.00	880.40	519.60	1400.00
Rms. & Apts. Registration	.00			
Accounts Received	827.42	292214.30	102053.45	394267.75
	<u>43982.72</u>			
Less discount	31.34	43951.38		
	<u>134576.29</u>			
<u>DISBURSEMENTS</u>				
10. Gen. Govt.-Clerks Off.	3078.90	11480.54	22179.46	33660.00
10. " " Govt. Bldg.	3094.28	13309.69	299.69	13010.00
10. " " P/W shop	870.04	4769.92	6600.08	11370.00
11.1 Police Dept.	4915.74	20206.86	42973.95	63180.81
11.2 Fire Dept.	3247.97	28111.44	23083.55	51194.99
12.1 P/W Office	1199.63	4623.93	12516.07	17140.00
12.2 " Highway	4148.45	16146.06	15553.94	31700.00
12.5 " St. Lighting	1020.35	2620.60	7629.40	10250.00
13.3 " Sanitation	7618.09	22821.25	30678.75	53500.00
19.3 " Recreation	1445.50	4977.14	4270.86	9248.00
19.4 Cultural: Library	10851.72	10851.72	1561.28	12413.00
21.1 Miscellaneous	2950.40	3518.82	6490.35	10009.17
22.1 Capital Budget	9417.45	53829.11	14511.81	68340.92
23.1 Insurance	122.10	4187.47	1625.53	5813.00
Accounts Receivable	138.82	201454.55	189375.34	390829.89
Rooms & Apts. Registration	426.00	54545.44		
	<u>80030.85</u>			

		SPECIAL IMPROVEMENT ACCOUNT		
10/31/53	Bal. both banks	9/30/53	Bal. Citiz. Bank	12459.58
"	" Bal. Citiz. Bank		Deposit during Oct. 1953	170.68
"	" Bal. Sub. Tr. Co.			<u>12630.26</u>
10/31/53	Bal. both banks		Withdrawals	202.50
			10/31/53 Citiz.Bk. Total	<u>12427.76</u>

CORRESPONDENCE:

1. Letter from Mr. O. R. Mathews, Secretary-Treasurer, North Takoma Citizens' Association, requesting consideration for better lighting for the end of the overpass over the B & O Tracks near Montgomery Jr. College, and along Takoma Ave. from Philadelphia Avenue to overpass. Referred to Public Safety Committee.
2. Letter from Mr. O. R. Mathews, Secretary-Treasurer, North Takoma Citizens' Association, requesting that some action be taken to alleviate the traffic hazards at the overpass of the B & O tracks near the intersection of Blair Road and Juniper Street. Referred to Public Safety Committee. Mayor Beville asked that the Supt. of Public Works work with the Corporation Counsel in this matter.
3. Letter from Russel G. Perkins, Pres., North Takoma Citizens' Association, requesting that the Council hold a public hearing to reconsider its action in the enactment of Ordinance 1232 concerning the 20 foot park strip on Baltimore Ave. Referred to Parks and Recreation Committee and the Corporation Counsel.
4. Petition signed by property owners of the 7500 block of Hancock Ave., calling attention to the bad condition of the street pavement in that block (improved by the City in 1950) asking the City to assume full responsibility for the necessary repairs. Referred to Public Works Committee. Mayor Beville directed that the City Clerk write a letter stating that the City will assume responsibility.
5. Letter from Vincent Amoroso, President, Hampshire Greens Community Association, requesting a stop sign at intersection of 13th Avenue and Erskine Street. Referred to Public Safety Committee.
6. Letter from R. H. Adair, Assistant Treasurer, General Conference of Seventh-day Adventists, requesting that study be given to a proposal to change the Capital Transit bus stop from Eastern Avenue (in front of General Conference Building) to another location. Mayor Beville appointed a Committee with Councilmen Tymeson, Klinck and Kramer as members, and instructed the City Clerk to write a letter to Mr. Adair to this effect.
7. Letter of commendation to Police Department and Public Works Department from Mrs. Katharine M. Reed. Referred to Public Works Committee and Public Welfare Committee.
8. Letter from Mrs. Oscar Reiver, Chairman, Health & Safety Committee, Carolé Highlands Elementary School Parent-Teacher Association, requesting stop sign at intersection of 13th Avenue and Erskine Street. Referred to Public Safety Committee.
9. Letter from Mr. J. W. Peeke, Business Manager, Washington Missionary College, requesting the marking off of a "No Parking" zone at the rear of their school on Greenwood Avenue. Referred to Public Safety Committee.
10. Letter from Robert Mandel, President, and Clifford J. Waldron, Secretary, Spring Park Community Association, calling attention to the unsatisfactory storm drainage condition existing on Elm Avenue at Forest Park. Referred to Public Works Committee.

OPEN MEETING:

1. Mr. Robert Mandel, President, Spring Park Community Association, addressed the Council concerning the condition that exists on Elm Avenue at Forest Park.

2. Mr. Miller, attorney representing the Spring Park Community Association, explained the probable reasons for excessive accumulation of water affecting the street and nearby citizens' property. He presented several pictures showing the damage done in the area in question after a rain. He stated that he would like to see something done with the culvert in order that it might take care of the excessive accumulation of water.

3. Mr. Rose addressed the Council stating that his property was being affected as a result of this condition to the extent of causing his house to crack at the corner, and also quite a bit of his land had been washed away, and stated that he would like to see something done to correct the situation.

4. Mr. Joseph Simpson, attorney representing Montgomery County Nursing Homes Association raised the question to the Council as to whether or not persons in Takoma Park operating nursing homes should be included in Ordinance 1216, of which there are twelve. He questioned the descriptive wording in Ordinance 1215 defining "rooming house", and cited legal cases where the term rooming house was defined, which in his opinion did not coincide with the definition in Ordinance 1216. Mr. Simpson stated that the nursing homes were included within the State and County regulations that license and regulate hospitals wherein hospitals are defined as the care and/or treatment of two or more patients. Mr. Simpson contended that there was nothing in the Ordinance that had any tendency to regulate or establish standards for any type of nursing home operation, and asked the Council that the matter concerning the instructions that the 12 nursing homes in Takoma Park to register, be reconsidered.

5. Mr. Michael Derato called to the attention of the Council the need of a stop sign at Larch and Elm Avenues.

EXECUTIVE SESSION:

Councilman Klinck stated to the Council that consideration should be given to filling the vacancy on the Council left by Mr. Walter H. McClenon, and recommended that Mr. O. J. Forehand be considered to fill the vacancy.

Councilman Klinck moved that Mr. O. J. Forehand be placed for nomination for the vacancy now existing on the Council.

Councilman Eccleston, Kramer and Miller seconded the motion.

Councilman Parkhill moved that the nomination be tabled. The motion failed for lack of second.

Mayor Beville asked that the vote be taken by ballot. Mayor Beville then read aloud the ballots which unanimously elected Mr. O. J. Forehand as Councilman.

Councilman Klinck moved that Mr. O. J. Forehand be sworn in immediately as Councilman for the City of Takoma Park.

Upon being seconded and put to question, the motion was carried, whereupon Mr. Forehand took oath of office.

PUBLIC SAFETY COMMITTEE:

Councilman Kramer reported that he had word from Annapolis that undoubtedly action would be taken to confirm the appointment of Mr. Carter by the State Central Committee as Justice of the Peace for Prince George's County.

Councilman Kramer suggested that parking be restricted to one side on Kingwood Drive between Wildwood Drive to Glenside Drive, and that the City Clerk solicit an opinion from the citizens of that block.

Councilman Kramer stated that in connection with their cab stand radio antenna, the Taxi Association informed him that permission to attach an aluminium pole was denied, and permission to run an underground conduit on the Church property was also denied.

Councilman Kramer moved that the Takoma Taxi Association be given permission to erect a telephone pole along side their cab stand on Laurel Avenue.

Councilman Kramer withdrew his motion.

Councilman Tymeson suggested that the City Clerk write the telephone company and the Potomac Electric Power Company, and ask about the feasibility of using an aluminium pole, and also, if the Church would authorize the use of their property, whether the telephone company or electric company would put a conduit on the Church property.

CIVIC IMPROVEMENTS COMMITTEE:

It was reported that the map of the City has been given to Mr. McNeill who hopes to have the map ready in about two weeks.

Concerning the Fire House Gym, it was reported that the lights are being installed, and that the gym is expected to be completed within two weeks.

Concerning the renovation of 8 Columbia Avenue, it was reported that as the plans are now, the cost would probably be around \$15,000.00.

Mr. Thomas, Supt. of Public Works suggested that the City advertise for bids, with various costs for component parts.

Councilman Parkhill moved that the City Clerk be authorized to advertise for bids as per plans by Mr. Ronald S. Senseman, the architect, specifying that the plans be altered to permit unit prices to be obtained for certain items of work and that the plans also be changed in a manner to permit the bids to cover the installation of asbestos siding and/or brick veneer.

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

PARKS AND RECREATION COMMITTEE:

Councilman Miller reported that, through the sponsorship of Takoma Park Elementary School and the Takoma Park Junior High School, they have entered negotiations with Montgomery County for a teen age club which would meet on Saturday nights at the gym.

Following a discussion of the sound system to be installed, Councilman Miller moved that the City be authorized to spend not more than \$200.00 for the sound distribution system in the fire house gym, to consist of speakers installed in the ceiling, an amplifier, a microphone, and small turn table to permit playing of records.

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

PUBLIC WORKS COMMITTEE:

Regarding the storm drainage condition at Prince George's and Elm Avenues,

Councilman Klinck stated that at the present time, there is no easement existing where the natural storm drainage line would be.

Councilman Klinck moved that the Supt. of Public Works be authorized to make a study of the storm drainage requirements there and obtain the estimated cost for such requirements, and after they are available to the Council, then get together with the property owners and any other interested property owners, and go forward from there.

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

Councilman Klinck suggested that the City Clerk be instructed to address a letter to the Spring Park Community Association as to the action taken by the Council.

Councilman Klinck reported on a meeting be held with Mr. Oosterhous to discuss improvements to Larch Avenue abutting Church property, in accordance with the request made in the letter from Mr. Pace dated September 16, 1953.

Councilman Klinck requested that a letter be addressed to Gordon W. Pace of the Grace Methodist Church advising them that Mr. Klinck met with Mr. Oosterhous and inspected the area on Larch Avenue, and that Mr. Oosterhous told Mr. Klinck that he would report to the Board of Trustees.

In regard to Mr. Anthony Checchia's letter concerning the condition at Hudson and Roanoke Avenues, Councilman Klinck requested that the City Clerk reply to the letter and advise Mr. Checchia that the Supt. of Public Works is in the progress of correcting the situation.

In regard to storm drainage and street improvement on Glenside Drive proposed by Mr. Calcara, Councilman Klinck thought that there should be a hearing, though the cost of such improvement would be borne solely by Mr. Calcara and Mr. Gorin.

Mr. Vincent Gingerich, Corporation Counsel, stated that there are other properties involved, and all those benefiting by the improvement should be assessed.

It was decided not to take any action on the matter, and was referred to Public Works Committee for study.

LAW AND ORDINANCES COMMITTEE:

Councilman Kramer presented the Council with the Merit Plan, for final adoption.

Councilman Kramer moved that on page three, Section 5(a)(1) second sentence, the words "during the year" be stricken and the words "up to July 1 of that year" be inserted in lieu thereof.

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

Mayor Beville suggested that Section 5(b) should have the words "with the consent of the Mayor" inserted.

Councilman Kramer moved that the words "the Mayor and" be inserted in Section 5(b) between the words "approved by" and "the chairman", and strike out the words "after consultation with the Mayor".

6 Mayor Beville seconded the motion. Upon being put to question, the motion failed.

Councilman Kramer moved the adoption of the merit plan ordinance as submitted with changes.

ORDINANCE NO. 1234

An Ordinance to provide a merit plan for employees of the City of Takoma Park.

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

Section 1. Classification of Employees.

Employees of the City of Takoma Park shall be classified as follows:

- (a) Permanent or regular employees, who are those selected to fill a vacancy in the full-time, year-round organization of a department in the City service. All such employees shall be appointed by the City Council at a fixed annual salary.
- (b) Probationary employees, who shall be appointed as provided in this subsection. Standard application forms shall be filled in and signed by each applicant, after which he shall be interviewed by the head of the department in which he is seeking employment. The department head shall, after verifying all facts set forth in each application, submit all applications, together with his recommendations, to the chairman of the committee of the Council having jurisdiction of the services in which the applicant is seeking employment. The said committee may by majority vote authorize the employment of any such applicant for a probationary period of six months, within budgetary limitations. At the end of the first five months of the probationary period, the department head shall report to the Council committee having jurisdiction with respect to the position occupied by the employee his recommendation for or against the continued employment of the probationary employee. The committee may by majority vote terminate the probationary employment, or may recommend to the Council that he be made a permanent or regular employee. In case the committee votes to terminate a probationary employment, the department head shall promptly notify the employee of such action.
- (c) Hourly employees, who are hired by the head of a department at an hourly rate of pay.
- (d) Temporary employees, appointed by the Mayor under Charter provisions.

Section 2. Compensation.

- (a) The Council shall determine the maximum and minimum salary for each position in the service of the City. These shall be determined with due regard to the payment for other types of service, relative difficulty and responsibility, the requisite qualifications, prevailing rates of pay for similar private employment and other public employment in the Takoma Park area, cost of living factors, and other economic considerations.
- (b) No employee shall receive total compensation greater than the maximum or less than the minimum prescribed for his position, except as the Council may expressly authorize in harmony with a budget provision for such greater pay allowance, and except as provided in sections 3(a) and 4(a).
- (c) The Council may determine reasonable amounts to be allowed for official travel or other expenses incurred by City employees in connection with City business.
- (d) Where a new employee receives special clothing or a money allowance in lieu of clothing, he must sign a receipt for the same. In case the employment of a probationary employee is for any reason terminated, he shall return to the City Clerk the clothing issued, or the clothing bought with the allowance granted, before receiving his final pay check.

Section 3. Salary Adjustments.

- (a) On the effective day of any new pay plan or of any amendment thereto, each employee whose pay is less than the minimum rate therein prescribed for his position shall be automatically advanced to the prescribed minimum rate. Each employee whose pay is in excess of the maximum rate prescribed for his position shall continue to receive pay at the higher rate, but shall not receive any further pay increase except in accordance with the plan prescribed.
- (b) No employee shall be eligible for a salary increase during his probationary period.
- (c) When an employee is promoted, transferred, or demoted to a new class of position, his rate of pay for the new position shall be determined as follows:

- 6 (b)
- (1) If his previous rate of pay was less than the prescribed minimum rate for the new position, it shall be increased to this minimum.
 - (2) If his previous rate of pay was more than the maximum rate prescribed for the new position, it shall be reduced to this maximum.
 - (3) In other cases the previous rate of pay shall remain unchanged.

Section 4. Hours of Work.

(a) The head of each department, with the approval of the Council, shall prescribe the hours of work for employees in his department. Time worked in addition to the regular number of hours per week, at the request or instruction of the head of the department, shall be treated as overtime, and be compensated for on the basis of the employee's calculated hourly rate. The head of the department shall each week report to the committee chairman all overtime worked by the employees in his department. The head of a department shall not be paid for overtime work unless such work has been authorized in advance by the Mayor or the Chairman of the Council committee having jurisdiction of the work performed.

(b) The head of each department may set up such requirements or procedure as he may see fit, to enforce the prompt appearance of all employees for work at the hour specified. He may, with the approval of the Council, establish penalties for infractions, up to and including suspension without pay, and dismissal for repeated offenses, subject to the provisions of Section 6.

(c) The following days shall be recognized as holidays for City employees: New Year's Day (January 1); Inauguration Day (January 20, in 1957 and every four years thereafter); Washington's Birthday (February 22); Memorial Day (May 30); Independence Day (July 4); Labor Day (first Monday in September); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25). If any of these days falls on Sunday, the Monday of that week shall be treated as a Holiday.

Section 5. Leave of Absence.

(a) Each permanent employee of the City shall be entitled to the following amounts of vacation leave, at full pay, during each calendar year:

- (1) employees not on the payroll as of January 1 of the year, one day for each two months of service or major fraction thereof up to July 1 of that year, but not in excess of the number of days equivalent to one work week;
- (2) employees on the payroll as of January 1 of the year, but not as of July 1 of the preceding year, a number of days equivalent to one work week;
- (3) employees on the payroll continuously since July 1 of the preceding year, but not since July 1 of the tenth preceding year, a number of days equivalent to two work weeks;
- (4) employees on the payroll continuously since July 1 of the tenth preceding year, a number of days equivalent to three work weeks.

(b) All vacation leave shall be taken at such times as may be approved by the head of the department. Vacation leave of the head of a department shall be taken at such times as may be approved by the chairman of the Council committee having jurisdiction with respect to that department, after consultation with the Mayor.

(c) Each employee of the City shall, in addition to vacation leave, be entitled to the following amounts of sick leave during each calendar year, at full pay:

- (1) Employees serving not less than one year nor more than two years prior to time of sickness, 12 days.
- (2) Employees serving two years or more prior to time of sickness, 15 days.

(d) Sick leave shall be allowed only on presentation of evidence acceptable to the head of the department, in accordance with a plan worked out by him with the approval of the chairman of the Council committee having jurisdiction with respect to that department. Such chairman shall determine whether the head of the department is entitled to sick leave in accordance with the plan applicable to that department. The head of each department, with the consent of the committee chairman, may engage a physician to determine whether or not any employee in his department is entitled to sick leave.

6(c)

(e) Except by express vote of the Council, no leave allowed under this section may be accumulated from one year to the next.

Section 6. Discipline.

(a) Statement of charges; reply. No person holding a permanent appointment under the Merit Plan shall be removed, demoted, or suspended without pay, unless he is given a statement in writing of the reasons for such action. Any person holding such an appointment who receives a statement that he has been, is thereby, or will be removed, demoted, or suspended without pay shall have the right to reply to such statement in writing. Such reply shall, within ten days after he receives such statement, be addressed to the Mayor and Council and delivered to the office of the City Clerk.

(b) Requests for hearing. Any person making a reply to a statement, as provided in subsection (a), shall have the right to accompany the reply with a request for reconsideration of the action or for a hearing to determine whether or not the removal, demotion, or suspension is unjustified.

(c) Hearing board. Whenever a request for a hearing is made as provided in subsection (b), the City Clerk shall promptly notify the Mayor or acting Mayor that such request has been made. The Mayor or acting Mayor shall with all reasonable dispatch, and not later than ten days after the request has been received in the office of the City Clerk, appoint a hearing board composed of three registered voters of Takoma Park, and shall designate one of them as chairman. Any member of the Council, but not more than one such member, may be appointed to the hearing board; no member of the Council may be designated as chairman of the board. The Mayor may sit with the hearing board during its hearings and deliberations. The hearing board is empowered to call witnesses.

(d) Hearings. Within ten days after its appointment, the hearing board shall hold a hearing to determine whether or not the removal, demotion, or suspension was unjustified. The hearing shall be open or closed, as the board shall determine. The employee removed, demoted or suspended shall have the right to be present during all sessions of the hearing, with a representative of his own choosing, and to present oral or written evidence to the board.

(e) Report. Within seven days after the conclusion of the hearing the board shall, on the basis of the evidence presented to it at the hearing, report in writing to the Council, thru the City Clerk, whether or not in its opinion the removal, demotion, or suspension is unjustified.

(f) Action of Council. The Council shall, not later than its second regular meeting after receiving the report of the hearing board, rescind or affirm the removal, demotion or suspension. A suspension may be rescinded regardless of whether or not the period of suspension has expired.

(g) Effect of rescission. Any removed, demoted or suspended employee who is reinstated or whose demotion or suspension is rescinded, shall be paid compensation, at the rate received by him immediately prior to such removal, demotion, or suspension, for the period of the removal, demotion or suspension, less any amounts earned by him thru other employment during such period, and for all purposes shall be deemed to have rendered service during such period in the position from which he was removed, demoted, or suspended; and his leave shall be calculated as tho he had never been removed, demoted or suspended.

(h) Exception. Nothing in this section shall be applicable to employees in the Fire Department.

Section 7. Loss of Life.

In case an employee in the Police Department or the Fire Department, other than a desk clerk, loses his life while on duty in such employment;

(a) His widow shall receive \$60 a month for ten years, except that in case she remarries payment shall be made only until the month following the date of her remarriage;

(b) The widow shall also receive \$15 a month for each child of the deceased employee until such child reaches the age of 18; provided, that if any such child has a legal guardian, payment shall be made to the guardian instead of to the widow.

Section 8. Exception.

The provisions of Section 6 shall not apply to the head of any department. Except as specifically provided therein, the provisions of Section 4 shall not apply to the head of any department.

Section 9. Repeals.

Ordinance No. 1138 of July 14, 1952, (22:2), and any provision of any other Ordinance, resolution, or other action of the City Council inconsistent with any provision of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 10. Separability Clause.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of that provision to other persons or circumstances shall not be affected thereby.

Section 11. Effective Date.

The provisions of this Ordinance shall take effect January 1, 1954; but service prior to that date shall be included in all computations of service for the purposes of this Ordinance.

Councilman Parkhill seconded the motion.

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

FINANCE COMMITTEE:

Councilman Tymeson moved that the bills in the amount of \$14,934.26 for the month of October be approved.

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

Councilman Tymeson reported that he was preparing forms for the inventory for the Finance Committee to start working on.

PUBLIC WELFARE COMMITTEE

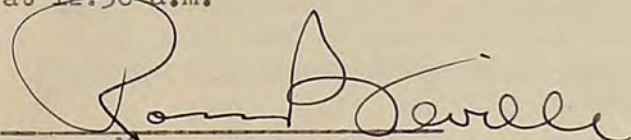
Councilman Eccleston suggested that registration and re-registration should be publicized, as re-registration is required January 1.

Mr. Remsen reported that Dr. Adlai Esteb, 8013 Sligo Creek Parkway, Takoma Park, had requested that he be allowed to discuss the situation as it now stands in regard to his building application 532809 as filed with the County on Nov. 11, 1953. The application referred to proposed to erect a 4 room bungalow on Lot P48 which, in accordance with the strict interpretation of the Building Code of Montgomery County, constitutes an interior lot. Mr. Remsen explained that after receiving the duplicate application of the number noted above he did visit the premises and wrote a letter to the Building Inspector's office calling attention to the probable variances from the Montgomery County Code. The County office indicated that they were denying the application for the same reasons. It appears however, that the County Inspector's office did indicate to Mr. Esteb that he would be allowed to appeal their decision through the proper channels. This office indicated to Mr. Esteb that a letter would be prepared setting forth all facts in the case as now known by this office, and did explain in that letter the various and necessary steps which he would have to take in order to satisfy the Mayor and City Council. Mr. Esteb was then allowed to discuss the matter briefly and show pictures and plats of the lot involved. He then stated his reasons why he was appealing the negative decision by the County office. The letter as prepared by Mr. Remsen was then read and discussed.

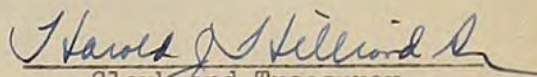
Councilman Parkhill moved that the Council offer no objection to the writing of the letter as presented by the Inspector of Buildings.

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

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



Mayor



Clerk and Treasurer

EXECUTIVE MEETING
 Mayor and Council
 December 14, 1953

Mayor Beville called the meeting to order at 8:00 P. M. Those present: Councilmen Eccleston, Klinck, Forehand, Miller, Parkhill and Tymeson. Absent: Councilman Kramer.

Councilman Tymeson moved that the Council dispense with reading of the minutes of November 23 and that they be accepted.

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

CORRESPONDENCE:

1. Letter from James F. Magner asking to be notified in the event the Council considered grading, paving and placing curb on Glengary Place in order that he may make public his reasons for opposition. Referred to Public Works Dept.
2. Letter from Hampshire Greens Community Assn. placing opposition to the issuance of a license for the sale of beer (Class D- on-and-off sale). Referred to Public Welfare Committee.
3. Letter from H. S. Swink, Staff Engineer, of the C & P Telephone Co. relative to the installation of telephone service to the Takoma Park Taxi Service. Referred to Public Safety Committee.

Councilman Eccleston moved that the Council dispense with their Regular meeting scheduled for December 28, 1953.

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

CIVIC IMPROVEMENT COMMITTEE:

Councilman Parkhill advised the Council that the new City map would be ready by January 1st.

Councilman Parkhill moved the adoption of the following Ordinance:

ORDINANCE NO. 1235

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

Section 1. THAT the Plat of the resubdivision of part of Lot 3, Block 37, B. F. Gilbert Subdivision of Plat Book A at plat 50 among the Land Records of Montgomery County, Maryland, into Lot 3A, Block 37, B. F. Gilbert Subdivision conveyed by Charles S. Hottel, et ux, to Paul E. Hottel and Arlie M. Hottel, his wife, by deed dated June 14, 1938 and recorded in Liber 702 at Folio 257, among said Land Records is hereby approved subject to conditions as set forth in Ordinance 920 adopted by the Mayor and Council at a Special Meeting on February 5, 1949.

Councilman Tymeson seconded the motion.

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

Regarding Zoning amendment petition No. A-2247, John F. Lillard, agent, for rezoning on Lots 5 and 6, Block D, Cunningham Subdivision, from R55 to R35, Councilman Parkhill moved that this petition be approved.

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

Regarding the renovation to the exterior of 8 Columbia Avenue, after reviewing the six bids received, Councilman Parkhill moved the adoption of the following Ordinance:

ORDINANCE NO. 1236

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 provision of the City Charter for the renovation to the exterior of 8 Columbia Avenue, the City Council accepts the base Bid of the Clifford M. Johnson, Inc. in the amount of \$9946.00 which is in accordance with the specification notes and addenda #1 and #2.

Section 2. This contract is awarded to the Clifford M. Johnson, Inc. with the understanding that they agree to furnish a Performance Bond to cover this work.

Councilman Klinck seconded the motion.

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

Councilman Parkhill mentioned that the City forces will attend to the grading around 8 Columbia Avenue inasmuch as this item was deleted in the bids for the renovation of the exterior of this building.

Councilman Parkhill advised the Council that the renovation of the gym was in the process of completion.

PUBLIC SAFETY COMMITTEE:

Councilman Parkhill moved that Private Fickes of the Fire Department be granted permanent appointment beginning December 16, 1953 at a salary of \$3400.00 per annum.

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

Relative to making a "No Parking" area in the rear of the Sligo Normal School on Greenwood Ave., between Division and Carroll Avenue, Councilman Parkhill moved the adoption of the following Ordinance:

ORDINANCE NO. 1237

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

Section 1. THAT the area located in the rear of the Sligo Normal School on Greenwood Avenue, 20 feet west and 20 feet east of the existing cross-walk shall be considered a restricted zone and "No Parking" permitted at any time.

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Section 2. AND THAT the Superintendent of Public Works is hereby directed to paint the zone as designated above with yellow paint and erect the necessary warning signs.

Section 3. AND FURTHER THAT the penalties and 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 Ordinance was adopted with a roll call vote recorded as follows: Yeas: Councilman Eccleston, Klinck, Miller, Forehand, Parkhill and Tymeson. Nays: none
Absent: Councilman Kramer.

PARKS AND RECREATION COMMITTEE:

Councilman Miller moved the adoption of the following Ordinance relative to retaining service of an architect to prepare plans and specifications for the new Municipal Library and to advertise for Bids for same.

ORDINANCE NO. 1238

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

Section 1. THAT in accordance with Chapter 341 of the Laws of the State of Maryland 1953, the City Council was authorized to issue Certificates of Indebtedness in the amount of \$35,000.00 to construct and equip a Library building within the corporate limits of the City of Takoma Park.

Section 2. AND in contemplation of construction of said Library the City Council hereby authorizes and approves the employment of an architect to draw the necessary plans and specifications and the advertising for bids for the purpose of the construction of this Library building and that the architect's fee be included in the cost of the erection of the new Municipal Library.

Councilman Eccleston seconded the motion.

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

Councilman Miller announced the presentation of the Messiah, by the choral groups of Bethany Baptist Church, Takoma Park Oratorical Choir and the Choir of the College Park Presbyterian Church, to be held at the Grace Methodist Church New Hampshire Avenue and Kentland Avenue, on December 15, 1953 at 8:00 P. M.

Councilman Miller also announced that the County will provide a supervisor for the new recreational program to be held on Saturday evenings beginning January 1st in the gymnasium of the Takoma Park Fire House.

PUBLIC WORKS COMMITTEE:

Councilman Klinck moved the adoption of the following Ordinance for the acceptance of Larch Avenue from Hayward to Lincoln Avenues:

ORDINANCE NO. 1239

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

Section 1. That the paving construction improvement on Larch Avenue from Hayward to Lincoln Avenues complies with the standard specification of the City.

Section 2. AND upon the recommendation of the Superintendent of Public Works the City hereby approves and accepts this street for maintenance in accordance with the provisions of the City Charter.

Councilman Parkhill seconded the motion.

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

Councilman Klinck moved that the Council express by letter to Lenkin Homes, Inc. the City's appreciation of the type of development that they have constructed in the area adjoining Larch, Hayward and Lincoln Avenues and the manner in which they have handled the installation of streets.

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

Councilman Klinck moved that the City Clerk be instructed to sign the form requested by the Washington Suburban Sanitary Commission for the completion of the construction work on Brashears Run.

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

Councilman Klinck informed the Council that endeavor was being made to secure resubdivision plats and new division plats in duplicate for the purpose of retaining one on file in the City Office, therefore, he moved that the City Clerk and Treasurer be directed to send a letter to both Prince George's and Montgomery County's Park and Planning Commission offices requesting that this plan be carried out.

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

Councilman Klinck moved that the City Clerk and Treasurer be authorized to forward a letter to all registered engineers requesting that preliminary resubdivision plats be submitted in duplicate in order that the City Office may retain one copy for their files.

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

Relative to the letter received from James P. Magner regarding a possible grading, paving and curbing on Glengary Place, Councilman Klinck moved that the City Clerk and Treasurer be instructed to advise Mr. Magner that the Council would not proceed with any assessable improvement to this street without first notifying the abutting property owners.

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

LAW AND ORDINANCES COMMITTEE:

Councilman Forehand moved the adoption of the following Ordinance:

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ORDINANCE NO. 1240

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

Section 1. THAT subsection (f) of Section 1 and Subsection
(d) of Section 2 of Ordinance No. 1216 (22:193) are hereby
repealed and reenacted with amendments to read as follows:

"Section 1(f) the word "Building" shall mean a structure
having a roof supported by columns or walls for the
shelter, support, or enclosure of persons, animals, or
chattels. When any portion thereof is completely
separated from all other portions by a division wall
from the ground up to the roof and without any door or
other opening, such portion shall be deemed a separate
building."

"Section 2(d) List the rooms of family units to be
rented, showing the number of bathrooms, shower stalls,
lavatories and water closets on each floor; if private
facilities are available in connection with the private
rooms, these must be specifically indicated."

Councilman Tymeson seconded the motion.

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

Councilman Tymeson moved that a public hearing be held on Monday, December
21, 1953, at 8:00 P.M. at 8 Columbia Avenue for the purpose of presenting the
proposed Ordinance for the Registration and Inspection of Institutions.

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

PUBLIC WELFARE COMMITTEE:

Following a discussion regarding the request for an on-and-off sale, Class D
Alcoholic Beverage License, Councilman Eccleston moved that the Council disapprove
this application, stating that the Council was elected on a platform which pro-
hibited the sale of any alcohol beverages within the corporate limits of the City
of Takoma Park.

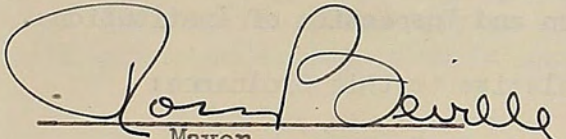
Upon being seconded and put to question the motion was carried.

Councilman Klinck reported that a demonstration had recently been conducted by
the City displaying the Bondactor machine which is a new method of placing concrete
by air for the purpose of making curb, gutter and sidewalk.


Councilman Klinck moved that the Corporation Counsel be authorized to
negotiate, by the submission of a contract, offering to purchase Lot 3, Block 62,
B. F. Gilbert Subdivision for the sum of \$2500.00 and that any previous correspondence
relative to this be given to Mr. Gingerich for his observation and that any future
negotiations pertaining to this property be handled by the Corporation Counsel.

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

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



Mayor



Clerk and Treasurer