

SPECIAL MEETING
MAYOR AND COUNCIL
August 9, 1954

Mayor Miller called the meeting to order at 8:00 p.m. and informed those citizens present that the purpose of this meeting was to appoint a new Chief of the Fire Department. Those present: Councilmen Collison, Forehand, Juhl, McKenzie and Sidell. Absent; Councilmen Kozel and Tymeson.

Councilman Forehand gave a brief summarization as to how the vote was taken by the Fire Board on the seven applications received for Fire Chief.

Mr. Henry E. Marschalk, President of the Takoma Park Fire Board, addressed the Council giving some of the main factors which were the determining factors in recommending Lt. Carter for the Fire Chief and invited the Council to ask any questions which he might clarify.

Mr. Hilliard asked Mr. Marschalk if the special phone line from the Fire Department directly into Mr. McBride's home should be discontinued. Mr. Marschalk agreed that he felt this should be done.

Councilman Forehand moved that Lt. Carter be appointed as Chief of the Fire Dept. of Takoma Park on six month's probationary period at a salary of \$5200.00, effective August 16, 1954.

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

At this point Mr. Hilliard was requested to advise Lt. Carter of his appointment and that he would be sworn in on the evening of August 16th.

Mayor Miller asked Mr. Hilliard to write a letter to Chief McBride expressing the Council's appreciation for his service and cooperation with this Council and past Councils and the fine work he has done here in the City.

Mr. Marschalk asked that Mr. Hilliard advertise for a new fireman to take the place of Lt. Carter.

Councilman Forehand moved that Elliott M. Anderson be appointed to the Police Dept. as a desk clerk on a probationary appointment at a salary of \$3000.00 per year, effective August 10, 1954.

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

Councilman Juhl moved the adoption of the following Ordinance:

ORDINANCE NO. 1273

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

Section 1. THAT it is a resubdivision of part of Lot 10 of the subdivision of part of the Virginia B. Barclay Tract as per plat recorded in Plat Book 3 Plat 202 among the Land Records of Montgomery County, into Lot 10A, Block 83, Virginia B. Barclay Subdivision; and that it is a subdivision of all the lands conveyed by Hallie T. Kruse, widow, to Giuseppe Crupi and Frances Crupi, his wife, by deeds dated September 21, 1953 and December 21, 1953 and recorded respectively in Liber 1843 at Folio 398 and Liber 1875 at Folio 117 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 Forehand seconded the motion. Upon being put to question, the motion
was carried, and the Ordinance adopted with a roll call vote recorded as follows:
Yeas: Councilmen Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None.
Absent: Councilman Tymeson.

There being no further business to come before the Council at this time, upon
motion being properly made, seconded and carried the meeting adjourned at 8:40 p.m.

George M Miller
Mayor

Harold D. Hilliard
Clerk and Treasurer

REGULAR MEETING
MAYOR AND COUNCIL
August 23, 1954

Mayor Miller called the meeting to order at 8:10 p.m. Those present: Councilman Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Absent: Councilman Tymeson.

Reverend Herbert W. Baucom, Jr., of the Takoma Park Baptist Church, delivered the invocation.

Councilman Kozel moved to dispense with the reading of the minutes of July 26, 1954 and that they be accepted as correct.

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

Mr. Hilliard advised the Council that Mr. Thornton had donated two flags to the City of Takoma Park for their use, for which the Mayor expressed his appreciation and asked that a letter of thanks be written to Mr. Thornton.

Mr. Hilliard presented the financial statement for the month of July, 1954 as follows:

FINANCIAL STATEMENT
July 1954
Summary

	Revenues July 1954	Revenues 7/31/54	Bal. Bud. to 6/30/54	Total Budget
6/30/54 Bal. Citizens Bank	267.89			
6/30/54 Bal. Sub. Tr. Co.	20.96			
6/30/54 Bal. Both Banks	288.85			
<u>REVENUES</u>				
1.0 General Taxes	192467.96	192467.96	169562.48	362030.44
1.0 Penalties & Interest	82.71	82.71	417.29	500.00
2.0 Licenses & Permits	630.19	630.19	22694.81	23325.00
3.0 Fines & Forfeitures	47.00	47.00	2153.00	2200.00
4.0 Use of Money & Property	.00	.00	175.00	175.00
5.0 Revenue-other sources	258.68	258.68	30641.32	30900.00
6.0 Serv.-current services	273.00	273.00	1727.00	2000.00
Rms.&Apts.-Registration	43.96	43.96	7981.04	8025.00
Accounts Receivable	37.37			
Pol.Dept.-Towing Charge	15.50			
	<u>193856.37</u>	193803.50	235351.94	429155.44
Less Discounts	3172.08	190684.29		
		<u>190973.14</u>		
<u>DISBURSEMENTS</u>				
	Disb. July 1954	Disb. to 7/31/54	Bal. Bud. to 6/30/54	Total Budget
10. Gen. Govt: Clk's. Off.	4020.64	4020.64	33774.36	37795.00
10. " " Govt. Bldg.	192.12	192.12	4437.88	4630.00
10. " " P/W Shop	1442.61	2068.23	9231.77	11300.00
11.1 Police Dept.	6822.67	6822.67	65451.20	72273.87
11.2 Fire Dept.	5287.65	5342.79	42762.21	48105.00
11.39 Protective Inspection	477.06	477.06	5972.94	6450.00
12.1 P/W Dept: Office	1579.82	1578.93	19686.07	21265.00
12.201 " " General	13451.75	13451.75	78614.25	92066.00
12.202 " " Highway	376.49	376.49	5863.51	6240.00
12.5 " " St. Lighting	861.55	861.55	9438.45	10300.00
13.3 " " Sanitation	1913.00	1913.00	14087.00	17000.00
19.3 " " Recreation	1220.67	1220.67	3569.33	4790.00

19.4 Cultural Library	.00	.00	13710.00	13710.00
21.1 Miscellaneous	2471.18	1541.88	8368.12	9910.00
22.1 Capital Budget	2499.66	2499.66	18983.03	21482.69
23.1 Insurance	1824.18	1824.18	5865.82	7690.00
Accounts Receivable	57.24			
Rms.&Apts.-Registration	.00	44191.62	340815.94	385007.56
Towing Account	24.50			
Certificate of Indebt.	25145.82	69668.61		
		<u>121304.53</u>		

7/31/54 Bal. Citiz. Bank	113802.15	<u>SPECIAL IMPROVEMENT ACCOUNT</u>	
7/31/54 Bal. Sub. Tr. Co.	7502.38		
7/31/54 Bal. Both Banks	<u>121304.53</u>	Bal. 6/30/54	20158.59
		Deposits	<u>1732.35</u>
			21890.94
<u>SPECIAL LIBRARY BLDG. ACCOUNT</u>		Withdrawals	.00
7/14/54 Cert. of Deposit	35,055.42	Bal. 7/31/54	<u>21890.94</u>
Withdrawals during 7/54	2,264.50		
Bal. 7/31/54	<u>33,790.92</u>		

CORRESPONDENCE:

- Petition with five signatures relative to the drainage problem on Holton Lane. Referred to Public Works Committee.
- Letter from Mrs. Lilly Castell regarding drainage problem between 7701 Takoma Avenue and 523 New York Avenue. Referred to Public Works Committee.
- Letter from Milton Kramer relative to Car Wash situation. Referred to Law and Ordinances Committee.
- Petition requesting "Slow-Children at Play" signs at Lincoln and Larch Avenues. Referred to Public Safety Committee.
- Letter from Mina E. Fischer making suggestions regarding street cleaning. Referred to Public Works Committee.
- Petition of 42 signers relative to drainage condition beginning at south of Tulip Avenue and extending to Barclay Avenue. Referred to Public Works Committee.
- Petition with 8 signatures requesting better lighting on Dogwood Avenue. Referred to Public Safety Committee.
- Letter from Philip A. Scott, Secretary, Takoma Park Boys' Club notifying of a dangerous condition existing on baseball diamond of Takoma Park Recreation Center. Referred to Parks and Recreation Committee.
- Letter from Henry E. Marschalk, President Fire Board, advising that Fire Board recommended the appointment of Chief Carter as Delegate and Irving W. Johnson as alternate to Montgomery County Fire Board. Referred to Public Safety Committee.
- Letter from Charles H. Howe, Jr., relative to spending of motor vehicles between Columbia and Elm Avenues on Poplar Avenue and requesting "Children at Play" sign. Referred to Public Safety Committee.

OPEN MEETING:

Mr. J. Douglas Bradshaw, Attorney for General Conference Corp. of Seventh-day Adventists, addressed the Council requesting that the Council consider the approval

of rezoning application B-126, giving a resume of the zoning of the surrounding lots.

Mr. O. W. Youngblood, President of the Citizens Bank of Takoma Park, addressed the Council stating that the purpose for the request for the rezoning was due to the fact that the bank had purchased the entire property from the Seventh-day Adventists and that this particular lot needed rezoning in order that a parking lot might be made for the patrons of the bank, as well as a drive-in window installed on that side of the bank. Mr. Joseph Carr, Cashier, of the Citizens Bank of Takoma Park, addressed the Council supporting Mr. Bradshaw's and Mr. Youngblood's statements.

Mr. Walter McClenon, 7211 Cedar Avenue, addressed the Council, expressing his feeling in supporting the attitude of the Mayor and Council with regard to the Band Concerts and complimented the Council on this fine project for better Civic relationship.

Mayor Miller announced that on the first meeting in September he hoped to have a list completed and those persons contacted to serve on the Citizens' Advisory Committee.

EXECUTIVE SESSION:
PUBLIC WORKS COMMITTEE:

Relative to the payment of the proposed construction of storm drain project on Second Avenue, Councilman Collison moved the adoption of the following Ordinance:

ORDINANCE NO. 1274

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

Section 1. THAT Ordinance No. 1272, adopted by the Mayor and Council on July 26, 1954, be and is hereby amended in include an additional sentence at the end of Section 3, after the words "in the agreement" to read as follows:

The City likewise agrees to pay any additional amount which might exceed one-half of the cost of this project in excess of \$3000.00.

Councilman Sidell seconded the motion. Upon being put to question, the motion was carried and the Ordinance adopted with a roll call vote recorded as follows: Yeas: Councilmen Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None. Absent: Councilman Tymeson.

Relative to the B & O drainage problem, Councilman Collison inquired if a copy of a letter had been received, by the City, of a letter that was to have been sent to the Washington Suburban Sanitary Commission by the B & O, in accordance with a verbal agreement reached at a meeting with the B & O officials; also whether or not an answer had been received by the City to a letter sent to the Washington Suburban Sanitary Commission by the City's Corporation Counsel. Neither of these letters had been received by the City.

Relative to the drainage condition at the rear of the properties from 1203 - 1211 Holton Lane, Councilman Collison stated his committee would come up with a recommendation at the next Council meeting.

Concerning the improvement to Ritchie Avenue, Councilman Collison gave a brief resume of the meeting his committee had with the Citizens' Association of that area and the outcome was that the property owners affected agreed to a 10 foot

dedication, thus giving a wider street. Therefore, Councilman Collison instructed the Corporation Counsel to prepare the necessary dedications.

Councilman Collison asked the Superintendent of Public Works to report on the status of the negotiations between the City and the Shapiro Inc, for the sale of the property abutting Maple Avenue. Mr. Thomas stated that he had been advised by the County Attorney's office that Mr. Shapiro would not be able to make use of the property the City intended to sell until it was zoned to the same classification as the property upon which the building now located is zoned. It was, therefore, suggested that the Council ask the Corporation Counsel to prepare and file a petition requesting this zoning in order that negotiations can be consummated between the City and Shapiro Inc. Therefore, Councilman Collison moved that the Corporation Counsel be instructed to prepare and file a petition for rezoning on that parcel of ground between Niagara and Maple Avenues which the Mayor and Council expect to sell to the Shapiro Corp. together with the abandonment portion of the Niagara Avenues right-of-way, said petition shall request for zoning comparable with the zoning now in effect on the Shapiro Corp. property abutting the property and right-of-way referred to above.

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

Relative to the improvement of Glenside Court, Councilman Collison moved the adoption of the following Ordinance:

ORDINANCE NO. 1275

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 Glenside Court between Merwood Drive and Haverford Road, for the purpose of paving and installing curb and gutter; said improvements to abut Lots 2, 3, 4, 5 and 6, Block 9, New Hampshire Highlands Subdivision.

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 September 13, 1954 convening at 7:30 p.m. at 8 Columbia Avenue, Takoma Park, Maryland, will hear all property owners desiring to be heard in regard to the work herein proposed.

Councilman McKenzie seconded the motion. Upon being put to question, the motion was carried and the Ordinance adopted with a roll call vote recorded as follows: Yeas: Councilman Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None. Absent: Councilman Tymeson.

Concerning the improvement of Houston Avenue at the intersection of Sligo Pkwy., it was explained that the delay in the improvement was due to the fact that no progress could be made until the Washington Suburban Sanitary Commission made the street and water connections. In view of the fact that one property owner is completely barred from entering into his home during inclement weather, Councilman Collison moved that temporary improvement be made in order to permit Mr. Angel to have egress and ingress to his property from Sligo Parkway.

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

Relative to the construction of sidewalk on Boston Avenue from 500 to 510, Councilman Collison advised the Council that two bids had been received, namely:

N. T. Embrey -- C. M. McGraw	\$550.00
Weygandt Engineering, Inc.	\$712.00

Councilman Collison moved the adoption of an Ordinance accepting the lowest bid on the construction of sidewalk on Boston Avenue as follows:

ORDINANCE NO. 1276

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 public health, safety and comfort require the paving of sidewalk on Boston Avenue from 500 to 510, with 4" concrete 4' wide.

Section 2. THAT, after carefully considering competitive bids received on this construction work from Weygandt Engineering, Inc., in the amount of \$712.00, and Embrey & McGraw, in the amount of \$550.00, the contract be and is hereby awarded to Embrey & McGraw in the amount of \$550.00.

Section 3. AND THAT, the awarding of the contract to Embrey & McGraw, is contingent upon this concern furnishing a Performance and Material Bond to the Clerk and Treasurer to assure the work being done in a workmanship like manner in accordance with the specifications of the City of Takoma Park.

Section 4. AND FURTHER THAT, the entire cost of this construction shall be assessed against the benefiting property owners.

Councilman Sidell seconded the motion. Upon being put to question, the motion was carried and the Ordinance adopted with a roll call vote recorded as follows:
Yeas: Councilmen Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None.
Absent: Councilman Tymeson.

LAW AND ORDINANCES COMMITTEE:

In regard to the legality of who may enter a storm cellar, Councilman McKenzie moved the adoption of the following Ordinance:

ORDINANCE NO. 1277

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

Section 1. No person, except authorized persons shall enter into any manhole, enclosed sewer or enclosure used for the purpose of drainage of storm water or sewage.

Section 2. Any person who shall violate the provisions of this Ordinance or of any part thereof shall, upon conviction, be subject to a fine of five dollars (\$5.00) or be sentenced to the County jail for not more than five (5) days, or both, in the discretion of the Court.

Councilman Kozel seconded the motion. Upon being put to question, the motion was carried and the Ordinance adopted with a roll call vote recorded as follows: Yeas: Councilmen Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None. Absent: Councilman Tymeson.

Councilman McKenzie moved the adoption of the following Ordinance, amending Ordinance No. 1028 controlling peddlers and canvassers:

ORDINANCE NO. 1278

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

Section 1. THAT Section 6, Subsection (d), of Ordinance 1028 be, and it is hereby repealed and re-enacted, with amendments, to read as follows:

"Section 6.

(d) The City Clerk shall determine, subject to review by the City Council as provided in Section 7, whether or not the application shall be approved. If the application is approved, the City Clerk shall, upon payment of the prescribed license fee, deliver a license to the applicant. The license shall contain the signature of the issuing officer and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in the licensed business. Each peddler, canvasser or transient merchant must secure a personal license; but no license shall be required of a bona fide employee of a licensee; provided, however, that such employee, before assisting the licensee, shall register with the City Clerk setting forth the information required by Section 4, subparagraphs (a), (b), (d), (g), (h), and any person other than the one to whom it is addressed, except by another employee of the person, firm or corporation by whom the licensee is employed to perform the work covered by the license. The City Clerk shall keep a permanent record of all licenses issued.

Councilman Kozel seconded the motion. Upon being put to question, the motion was carried and the Ordinance adopted with a roll call vote recorded as follows: Yeas: Councilmen Collison, Forehand, Juhl, Kozel, McKenzie and Sidell. Nays: None. Absent: Councilman Tymeson.

PUBLIC SAFETY COMMITTEE:

Councilman Forehand advised the Council that the request from the citizens in the 200 block of Grant Avenue to have speed limit reduced to 20 miles per hour had been investigated and that the committee found that the speed limit within the City is set by the State, therefore, the City has no power to change such, therefore Mr. Hilliard was asked to write the citizens requesting this change advising them of the committee's finding and ask if they might have any other suggestions to offer to correct this condition.

Relative to the request to reduce the speed on Poplar Avenue between Columbia and Elm Avenues, Councilman Forehand moved that "Slow" signs be placed on Poplar

Avenue between these two intersections.

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

Councilman Forehand moved that Private Baron DeKalb of the Fire Department be appointed as a permanent fireman as of August 16, 1954, at a salary of \$3400.00 per annum.

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

Following a discussion relative to the situation at Carnig's Market, Mayor Miller requested the Chief of Police to make a survey and have recommendation ready for next Council meeting.

PARKS AND RECREATION COMMITTEE:

Councilman Kozel requested that Mr. Hilliard write a letter to Mr. Wolfe in answer to his letter of recent date, outlining the various steps the Council has taken toward cooperating and furthering the program of recreation within the City of Takoma Park.

Councilman Kozel recommended that a copy of Mr. Philip A. Scott's letter relative to the dangerous condition existing on the baseball diamond at the Takoma Recreation Center be sent to Mr. Gustafson and to the National Capital Park and Planning Commission.

Mayor Miller directed that Mr. Hilliard write to Mr. George B. Porter, State Editor of The Evening Star reprimanding The Star for not printing the press release in the suburban section of this paper relative to the City's reaction to Mr. Schwarz's protest to the Defense Department regarding service bands playing in the City's parks, stating that this was a very unfair move and gave only a one-sided picture.

Mayor Miller directed the Parks and Recreation Committee to follow up the ruling as given by the Defense Department in order to bring a procedure by which the bands would appear in the City Parks. The Mayor emphatically stated that the Council was in no way anti-union but felt that the bands conducted in the parks did not effect the union in any way.

Councilman Kozel moved the approval of the mailing out of 3000 copies of "Your Community Guide" pamphlets.

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

FINANCE COMMITTEE:

Councilman Juhl moved that the bills in the amount of \$17,973.35 be approved for payment.

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

CIVIC IMPROVEMENTS COMMITTEE:

Councilman Juhl moved that Zoning amendment Petition No. B-126, Bradshaw & Shearin, Attorneys for General Conference Corporation of Seventh-day Adventists, owner, Lot 6, Block 6, Lipscomb & Earnest, Trustees Addition to Takoma Park, requesting reclassification from R-60 to C-2 zone be approved.

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

Councilman Juhl moved that Zoning Amendment Petition No. B-88, Bradshaw & Shearin, Attorneys for Claude W. Clark, Clay M. Clark, owners, Lots 50, 51 and 52, Block 54, B. F. Gilbert's Addition to Takoma Park, requesting reclassification from R-40 zone to R-20 zone be approved.

Councilman Kozel seconded the motion. Upon being put to question, the motion was carried with Councilman McKenzie voting nay and Councilman Forehand not voting.

Councilman Juhl brought up the matter of the request made in zoning amendment Petition No. A-2367, Ida S. Asher, Beatrice Levin and Ruby V. Ety, owner, Lots 13, 14, 15, 16, 24, 25, 26, 27, 28, 29 and 30, Block 33, B. F. Gilbert's Subdivision for reclassification from R-55 to R-18. Mr. Eric Andberg of 1013 Heather Avenue addressed the Council in opposition to this request for rezoning stating if this petition was approved it would cause a very hazardous condition on Heather Avenue, due to the narrowness of the street.

Following further discussion on the matter, Councilman Juhl advised the Council the Committee would make further study of this and have recommendation prepared for next meeting.

Mayor Miller advised the Council that all bills must be approved by the Finance Committee before payment is made and any chairman of a Committee who wishes to review the bills must do so before the 10th of the month.

Mayor Miller also advised the Council that all leave records for all departments must be maintained and kept in the City office.

There being no further business to come before the Council at this time, upon motion being properly made, seconded and carried the meeting adjourned at 11:50 p.m.

George M Miller
Mayor

David D. Hilliard
Clerk and Treasurer