REGULAR MEETING
MAYOR AND COUNCIL
December 13, 1954

Mayor Miller called the meeting to order at 9:00 p.m. Those present: Councilmen Collison, Forehand, Kozel, McKenzie, Sidell and Tymeson. Absent: Councilman Juhl.

Councilman Tymeson moved to dispense with the reading of the minutes of November 22, 1954 and that they be accepted as correct.

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

CORRESPONDENCE:

1. Letter from H. Earle Russell, Chairman, Joint Committee of the Prince George's Takoma Civic Associations advising of the unanimous motion together with Resolution which was passed at their meeting of December 12, 1954. Referred to Public Safety Committee.

2. Letter from Mr. & Mrs. Walter W. Weidman, thanking the Public Works Dept. for the excellent job they did on the collection of leaves. Council file.

3. Letter from Mrs. Billie S. Gillis relative to the parking condition as concerns the safety of children in the area at Takoma and New York Avenues. Referred to Public Safety Committee.

4. Letter from Mr. H.D. Darnell, Chairman Safety Committee of Takoma Park Elementary School Parent Teacher's Assn. relative to adequate crossing protection for the children at the intersection of Park and Carroll Avenues. Referred to Public Safety Committee.

5. Letter from Eugene E. Hunt, Asst. General Attorney of the B. & O. Railroad Co., relative to advising them as to when they might meet with the WSSC regarding the storm drainage problem in North Takoma. Referred to Public Works Committee.

6. Letter from Maryland National Capital Park and Planning Commission relative to light being placed at the Recreation center. Referred to Parks and Recreation Committee.

7. Letter from Mr. Thomas, Director, Federal Civil Defense Adm.--Rescue School at Olney, Md., complimenting Mr. Glenn Minton on the splendid work he accomplished at the Rescue School. Council file.

8. Letter from Washington Suburban Sanitary Commission pertaining to storm drainage problem in North Takoma. Referred to Public Works Committee.

9. Letter from Maryland National Capital Park and Planning Commission advising of a meeting with our Council on December 30, 1954, at 4:15 p.m. in the hearing room at Silver Spring. Referred to Civic Improvements Committee.

10. Letter from State Roads Commission relative to location of county line signs and direction signs at Carroll and University Lane. Referred to Public Safety Committee.

OPEN MEETING:

Mr. Michael Derato addressed the Council explaining he had been present at the meeting concerning the Special Police as an alternate and he had taken a neutral standing on the matter inasmuch as he was a member of the Special Police Assn.

Mr. Phillip Mattson, 7303 Willow Ave., addressed the Council, making a plea that a crossing guard or some other measure be taken to insure the safety of the children crossing at the intersection of Park and Carroll Avenues.

Mr. H.D. Darnell , 212 Dogwood Avenue addressed the Council thanking them fore having the Safety sign placed on Maple Avenue and stated he trusted his petition for safety protection at the intersection of Carroll and Park Avenues would receive as satisfactory results.

Mr. Stephen Curtis, 717 Erie Avenue addressed the Council stating it was the action of the Community League at their December meeting that the Health and Welfare be relocated in the City of Takoma Park. He further advised that the major expense would be the rental of space and felt that the County would assume one-half of this expense if the City would assume the remainder. He, therefore, asked the Council to consider the possibility of financing the one-half expense for rental if and when the Health and Welfare is relocated in the City. This matter was referred to Health and Welfare Committee for study and recommendation.

EXECUTIVE SESSION: PUBLIC WORKS COMMITTEE:

Relative to the drainage problem in North Takoma, Councilman Collison asked the City Clerk to prepare a letter for the approval of the Public Works Committee addressed to Governor McKeldin bringing to his attention the very unsatisfactory condition due to storm drainage in this area, giving him a complete picture of the situation.

Regarding the improvement to Glenside Court, Councilman Collison informed the Council that the type of improvement which the City would normally require was not warranted and that the Committee could not make recommendation on this improvement until they have the agreement of all three of the property owners, which they do not have at this time.

Councilman Collison advised that the City was awaiting approval of plans for the Forest Park storm drain system by the WSSC.

Relative to the Aerial photographic survey for pin-point drainage problems, Council collison advised that the specifications were almost completed and will soon be ready to invite bids for such a survey.

LAWS AND ORDINANCES COMMITTEE:

Councilman McKenzie moved the adoption of the following Ordinance:

ORDINANCE NO. 1283
(See Page 163)

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

Councilman Collison moved that before the previous motion be adopted, written comments from the department heads be handed in, stating whether or not they might be in favot of the Ordinance or against the Ordinance, before it is adopted.

The motion failed for the lack of a second.

Councilman McKenzie moved the adoption of the following Ordinance:

ORDINANCE NO. 1284

ORDINANCE NO. 1283

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

"Section 1. That Ordinance No. 997 adopted June 26, 1950 (20:14) be and the same is hereby repealed.

"Section 2. Definition. 'Head of a department' or 'head of the department' means any one of the following:

(a) the City Clerk and Treasurer;
(b) the Chief of Police;
(c) the Chief of the Fire Department;
(d) the Superintendent of Public Works.

Each head of a department shall certify to the Mayor the name of a person in his department who will act for him in case of his absence or disability; during such absence or disability the person so designated shall have the same powers and duties, and be subject to the same restrictions and limiations, as are prescribed for the head of the department by this or any other ordinance.

"Section 3. (a) No head of a department shall make any purchase of materials, equipment or supplies, or any other expenditure chargeable to the City of Takoma Park, other than on **Purchase Order** as authorized in the following sections of this ordinance, except that expenditures in advance of a purchase order may be made by the head of a department in emergencies, or in the daily purchase of expendable supplies and incidental recurrent materials so designated in the budget; Provided, however, that in each such case a purchase order must be obtained from the City Treasurer within seventy-two (72) hours.

(b) The purchase order shall be the official purchasing system of the City of Takoma Park. Purchase orders shall be in triplicate, and shall run consecutively numbered from the start of each fiscal year, and shall be signed by the City Treasurer or his duly appointed representative.

"Section 4. The head of a department shall have the powers to request purchase orders from the City Treasurer for specific expenditures under appropriations made for his department by the City Council. Each such request shall state that the expenditure is immediately necessary and is appropriate to the purpose of the appropriation item therein designated. In case an item of appropriation has been exhausted, the department head may certify that funds can be transferred to that item from another item bearing the same code number, without jeopardizing the purpose for which the second item was appropriated; if such certification is approved in writing by the chairman of the appropriate committee of the Council, a purchase order can be drawn against such funds to the same extend as if they had been appropriated for the item that has been exhausted; Provided, however, that no such transfer shall, without the approval of the Council, exceed 10% of the amount of either of the two items as provided in the budget.

"Section 5. It shall be the duty of the City Treasurer to issue all purchase orders requested under Section 3 if he is satisfied:

(a) that the appropriation item to be charged comes within the jurisdiction of the head of the department making the request;
(b) that the expenditure is appropriate to the purpose of the appropriation item to be charged;
(c) that there is in such appropriation item a balance at least equal to the amount of the requested purchase order;
(d) that in case the purchase order is requested by an acting head of a department, the expenditure cannot without undue damage to the public interest be deferred until the return of the head of the department; and

163(a)

(e) that, if the item is a matter of capital expenditure, it has been specifically provided for in the budget, or has been approved by councilmatic action.

"Section 6. In case the City Treasurer shall not be satisfied as to any of the matters set forth in Section 5, he shall withhold his approval of the purchase order, until he is able to present the matter to the Finance Committee for instructions. He shall so notify the head of the department involved of his action in withholding his approval. Instructions obtained from the Finance Committee shall be in writing and, upon the receipt of same, the City Treasurer shall take such action as necessary in keeping with the said instructions.

"Section 7. In case the Finance Committee is satisfied that the expenditure should be made, but not that there is an unexpended balance against which it can properly be charged, the action of the Council shall be obtained. The action of the Council shall be final.

"Section 8. Expenditures for activities not coming under the jurisdiction of the head of a department shall not be affected by this ordinance, but shall be made only by authorization of the Mayor and Council.

"Section 9. No person employed by the City of Takoma Park and recorded on the official payroll shall purchase, or cause to be purchased, any item for his personal use, through, or from, the City of Takoma Park. Violation of this section shall be sufficient cause for dismissal or suspension as the Council may determine.

"Section 10. No property owned, turned in, or held in the custody of the City of Takoma Park may be disposed of or sold privately or publicly, except by authorization of the Mayor and City Council. Any private or public sale of such property shall be supervised by a representative of the City designated by the Mayor.

"Section 11. All ordinances and parts of ordinances in conflict with any provision of this ordinance are hereby repealed."

ORDINANCE NO. 1283

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

Section 1. THAT Section 70, of Ordinance No. 998, Fire Prevention Code is hereby revised as follows:

"Section 70. Burning of Outdoor Fires in Closely-Built Residential or Commercial Areas.

In any closely-built residential or commercial area no paper rubbish, trash, or other refuse or waste material shall be burned within twenty (20) feet of any combustible building or other construction or storage. A clear space of not less than 10 feet shall be maintained around any fire, and the fire must be attended until completely extinguished. The Fire Chief may exempt fires in incinerators, fireplaces, or Bar-B-Que pits or other similar devices from any of the provisions of the restrictions prescribed by this section when in his opinion they do not constitute a fire hazard to adjacent property. No outdoor fire of any description shall be left unattended.

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, Kozel, McKenzie, Sidell and Tymeson. Nays: none. Absent: Councilman Juhl.

Councilman McKenzie moved the adoption of the following Ordinance:

ORDINANCE NO. 1285

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

Section 1. THAT Subsection (a) and Subsection (b) of Section (3) of Ordinance No. 1216 (22:193) are hereby repealed and reenacted with amendments to read as follows:

"Section 3 (a) In the case of a rooming house---

"(1) if rooms are rented for more than 30 days consecutively to not more than four persons at any time during the calender year, $4.50.

"(2) if rooms are rented for more than 30 days consecutively to more than four but not more than twelve persons at any time during the calendar year, $9.50.

"(3) if rooms are rented for more than 30 days consecutively to more than twelve persons at any time during the calendar year, $14.50."

"Section 3(b) In the case of a multiple family dwelling $4.50 for each family unit rented at any time during the calendar year not in excess of five, plus $2.50 for each family unit so rented in excess of five and not in excess of ten, plus 50 cents for each family unit so rented in excess of ten. A family unit occupied by the owner shall not be included in the number of family units rented."

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, Kozel, McKenzie, Sidell and Tymeson. Nays: none. Absent: Councilman Juhl.

PUBLIC WELFARE COMMITTEE:

Councilman Sidell advised that the Committee is going over the Housing Ordinance and have the drafts ready but more study is needed before presentation.

Relative to the sidewalk program, Councilman Sidell advised that a study of the City's responsibility for sidewalk repair is progressing, but that those sidewalks needing repair which are the responsibility of the property owner will be studied later.

PUBLIC SAFETY COMMITTEE:

Relative to the matter of parking on Hickory Avenue as requested in letter from Mrs. Gallagher, 38 Hickory Avenue, Councilman Forehand asked that the City Clerk advise Mrs. Gallagher in writing that the Council is unable to do anything at this time about this situation but advises her to contact the Public Utilities asking that they move the pole beside her driveway in order that the driveway apron might be widened which would give ample room for ingress and egress to her drive.

Councilman Forehand moved the adoption of the following Ordinance:

ORDINANCE NO. 1286

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

Section 1. THAT a "No Parking" sign be erected 40 ft. from the intersection of New York and Takoma Avenues on the Northwest side of Takoma Avenue.

Section 2. AND THAT the Public Works Department is hereby authorized to proceed with the erection of necessary signs.

Section 3. AND FURTHER THAT the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman 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: Councilman Forehand, Kozel, Collison, McKenzie, Sidell and Tymeson. Nays: none. Absent: Councilman Juhl.

Councilman Forehand moved that the Supt. of Public Works be authorized to paint the cross walks within the City as designated by the Chief of Police.

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

In regard to the matter of relocation of the WALK sign from the stop light at Laurel and Carroll Avenues to the light poles at this intersection, Councilman Forehand advised the Council that the estimate cost would be $150.00 and asked that the Council study this matter further.

Relative to the suspension by the Chief of Police of the four Special Police who attended the meeting of the Joint Committee on December 1st, whereby action was taken to try and secede that portion of Prince Georges County which lies within the Corporate limits of Takoma Park from the City Councilman Forehand stated the Committee had given these gentlemen the privilege of speaking and heard their side of the picture; therefore, moved that Theodore Gooch and Maurice Taylor be reinstated immediately as members of the Special Police of the City of Takoma Park.

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

Councilman Forehand moved that the suspension of Robert Mohr and C.E. Werback from the Special Police remain in effect until January 1, 1955 after which time they be reinstated as members of the Special Police.

Councilman Tymeson seconded the motion.

Upon being put to question. Councilman Collison moved that the above motion be amended as follows:

> That the suspension of Messrs, Robert Mohr and C.E. Werback remain in effect until January 1st, 1955 without prejudice until the Council is able to ascertain whether or not these men are guilty or not guilty.

Councilman McKenzie seconded the motion.
Upon being put to question the motion was carried with Councilman Tymeson voting nay.

Councilman Forehand further stated that an informal investigation by the Committee shows that Mr. Mohr and Mr. Werback, as delegates or voting members of the Joint Committee of the Prince Georges-Takoma Civic Association voted in favor of a proposal which could possibly lead to a divorcement of that area of Takoma Park lying within the confines of Prince George's County which was not in keeping with the Charter of Takoma Park. We believe that no member of the Special Police or of any organization of the City government who has sworn to uphold the Charter of the City should, while a member of such City government, take any action as a member of a group or as a private citizen which would possibly lead to repeal or change of the City Charter except with the expressed permission of the Mayor and City Council.

PARKS AND RECREATION COMMITTEE:

Relative to the Park and Planning Commission's suggestion that upon approval of the Council they will be glad to request the installation of a permanent light at the top of the steps at the Takoma Park Recreation Center, Councilman Kozel moved that the Park and Planning Commission be notified to take the necessary steps to have a permanent light installed at the top of the Takoma Park Recreation Center as suggested in their letter of November 26, 1954.

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

Councilman Kozel gave a resume of the supervised help, both paid and volunteer, at the Recreation Center in the Gym.

Concerning the erection of a Christmas Tree in the triangle at the intersection of Carroll and Eastern Avenues, Councilman Kozel moved that the Supt. of public Works be authorized to expend from $50.00 to $75.00 for the decoration of a Community Christmas Tree.

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

FINANCE COMMITTEE:

Relative to a protest of Martin's assessment on Maple Avenue, Councilman Tymeson advised the Council that Mr. Martin's Attorney will present to the City a financial offer in lieu of the total assessment bill.

Councilman Tymeson gave a brief resume of the percentage of expenditures thus far. He further requested that after the first of the year he would suggest no inner charges within the departments in order that the Council might have a true picture of all expenditures of each department.

CIVIC IMPROVEMENTS COMMITTEE:

It was suggested that the Park and planning Commission be written accepting the appointment with our Council at 4:15 p.m; on December 30, 1954 regarding zoning matters.

Mayor Miller advised the Council that the Supt. of Public Works had been instrumental in having a snow plow and cinders donated to the City by the State Roads Commission which is a saving to the City of from $1500.00 to $2000.00 per year.

Relative to the City forces closing on Christmas Eve, Councilman Sidell moved that the City employees be given a full day off on Christmas Eve and one-half day off on New Year's Eve.

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

Councilman Sidell moved that registration for the Housing Ordinance be extended from December 31, 1954 to January 31, 1955.

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

The Council was advised that the Takoma Park Volunteer firemen, both paid and volunteers collected $1845.00 during the Muscular Distrophy drive. Councilman Forehand moved that letters be sent complimenting these firemen on the splendid work done in the collection of these funds.

The Council was advised that Mrs. Wilson, living at the corner of Carroll and Columbia Avenues offered her garage for the purpose of housing the Police Department motorcycle, for which it was requested that the City Clerk write a letter of thanks and appreciation.

Councilman Forehand moved that the Public Work Superintendent be given authorization to fix the door and windows securely and to put a lock on the door of the garage which Mrs. Wilson has permitted the Police Department to use for the housing of the motorcycle.

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

There being no further business to come before the Council, upon motion being properly made, seconded and carried the meeting adjourned at 10:45 p.m.

George M Miller
Mayor

Harold D Gilford Jr
Clerk and Treasurer

SPECIAL MEETING
Mayor and Council
December 17, 1954

Mayor Miller called the meeting to order at 7:50 p.m. Those present: Councilmen Forehand, Kozel, McKenzie and Sidell. Absent: Councilmen Collison, Juhl, and Tymeson.

Mayor Miller stated that this special Council meeting had been called for the purpose of considering Bids for the construction of the new library building. The Mayor then turned the meeting over to Councilman Kozel, Chairman of the Parks and Recreation Committee, who outlined the recommendations of his Committee concerning the awarding of the contract for the consturction of the library building. A short discussion followed after which Councilman Kozel moved the adoption of the following Ordinance:

ORDINANCE NO. 1287

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

Section 1. WHEREAS in accordance with authority granted by Chapter 341 of the Acts of the Maryland General Assembly 1952, the City of Takoma Park is empowered to issue Certificates of Indebtedness in the amount of $35,000.00 for the consturction of a Library Building.

Section 2. WHEREAS pursuant to Ordinance No. 1258, Certificates of Indebtedness for the construction of the Library were issued on July 14, 1954, and the Council authorized the advertising for bids in accordance with the provisions of the City Charter.

Section 3. WHEREAS after having duly considered all the bids received, the Council accepts the proposal of the Capital City Consturction Company of 5136 MacArthur Boulevard, N.W., Washington, D.C., who submitted the lowest bid in the amount of $46,759.00 which included Alternate #1 of $574 as per specifications and plans, and does hereby award the contract to the Capital City Consturction Company for the amount so stipulated.

Section 4. WHEREAS the Capital City Construction Company shall be required to complete the construction of this Library within 250 days from the date of this contract, and that the City of Takoma Park may retain the sum of $50.00 for each calendar day in excess of the time as described in paragraph 7 of Information to Bidders.

Section 5. AND WHEREAS the Capital City Construction Company shall also be required to furnish such Performance and Relase of Liens Bonds as may be appropriate to protect the interests of the City of Takoma Park.

Section 6. AND NOW WHEREAS the Mayor and City Clerk are authorized to execute a contract as provided in the foregoing, as of December 17, 1954.

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

There being no further business to come before the Council at this time, upon motion made, seconded and carried, the meeting adjourned at 9:15 p.m.

George M Miller
Mayor

Howard J Hillard Jr
Clerk and Treasurer