

EXECUTIVE MEETING  
Mayor and Council  
August 10, 1959

(See pages 279 etc. for  
report on Public Hearings -  
housing Ordinance)

Mayor Miller called the meeting to order at 8:05 p.m. Those present: Councilmen Collison, Forshee, McKenzie, Roth, Sidell, Turner and Councilwoman Monitor.

Councilman McKenzie moved that the minutes of July 27, 1959 be accepted as correct. Upon being seconded, and put to question, the motion was carried.

CORRESPONDENCE RECEIVED FROM:

1. Z. A. P. C-808, N. Nathan Shapiro, request for special exception to permit the use of apartment area at 7406 Hancock Avenue for a doctor's office. Referred to Civic Improvements Committee.
2. Mr. Arthur C. Stebbins, 34 Freemont Avenue, request for cut off of about 102 feet of sharp curb at corner of Jefferson and Carroll Avenues. Referred to Public Safety Committee.
3. Mrs. Kenneth Donaldson, Recruitment Chairman, Blood Program, American National Red Cross, concerning Bloodmobile to be scheduled on Thursday, October 8th, in City of Takoma Park. Referred to Public Welfare Committee.

FINANCIAL STATEMENT:

Citizens Bank of Takoma Park:

Suburban Trust Company:

6-30-59	99,034.01
Deposits-July	<u>223,441.12</u>
	322,475.13
*Withdrawals - July	<u>95,321.28</u>
7-31-59	227,153.85

6-30-59	164.57
Deposits - July	<u>9,153.08</u>
7-31-59	9,317.65

Special Improvement Account:

6-30-59	7,737.10
Deposits	<u>5,801.20</u>
7-31-59	13,538.30

\* Includes \$40,000.00 Certificate of Indebtedness. (For complete statement see Pages 21 & 22 of Volume 26)

OPEN MEETING:

Mayor Miller presented certificates to the following gentlemen making them Honorary Citizens of the City of Takoma Park: Judge Joseph M. Mathias, recently appointed to the Maryland Tax Court; Mr. Vernon E. Beall, Crossing Guard for the past 60 years; and Mr. Robert Tice, of Radio Station WGTS-FM, Washington Missionary College. He also presented them with copies of the City's Historical Brochure.

Mrs. Edith Schaffer, owner of Lot 24, Block 50, B. F. G., Subdivision, addressed the Mayor and Council referring to the Council's recent action on her request for rezoning of the property, which is located on Maple and Lincoln Avenues. She spoke concerning the Council's disapproval of the R-10 zone, also their refusal to accept her offer of 30 cents per square foot for the City property offered for sale, stating that she had brought her appraiser along and requested the Council's permission to allow him to present appraisal of the property.

Mr. Harold B. Katznel, Associate Broker of Korzendorfer Realty, Inc., stated that he had inspected the property at Maple and Lincoln and that he deemed the property absolutely worthless, due to the terrain and stream, and that he appraised it at 25 cents per square foot. Councilman Roth asked if he were a member of the Board of Appraisers and he said yes, also that he dealt only in the appraisal of land. Mrs. Schaffer stated she thought she had the right to have the property appraised, inasmuch as the City had used an appraisal figure. She also stated that her purpose in attempting to obtain the



property from the City, was to gain access to the property from Maple Avenue. She further stated that most of Maple Avenue is zoned apartments, therefore, she could see no reason for the Council's objection at this time.

Councilman McKenzie asked if her lot was on Maple Avenue, and she stated that according to Park and Planning it is on Maple, however, as it stands now, access would have to be made from Lincoln Avenue. Mr. Schaffer asked to see the record of the City, whereupon Councilman Roth presented him with the architect's drawing of the property. There was considerable discussion as to where access would be on the property.

Mr. Herbert Suskind, Attorney representing Mrs. Schaffer, stated that he thought that in the discussion on hand perspective was being lost, stating they were present to object to the appraisal value that Woodside Realty had placed on the property, which was offered to Mrs. Schaffer, in view of zoning application. He said that easements would have to be granted, also that 60 cents per square foot is high for ground that is practically all swamp land, and they were objecting to the Council's unwillingness to accept their appraisal offer of 30 cents per square foot. Councilman Collison asked why two appraisers would have such a wide difference in their value of the land. Therefore, the culmination of this discussion was that they desired to have a third appraisal made. This seemed in agreement of all concerned.

Mr. Suskind stated that the zoning on this case was due to come up before the County Council on August 11th, and that they would like to get a deferrment on this. The reason for this deferrment is to allow the land to be resurveyed and to again present it to the Council in an attempt to have them reconsider their former decision. Mayor Miller stated that the objection of the Council was raised against the entrance of the project being on Lincoln Avenue. He turned the matter over to Councilman Roth.

Mr. Thomas O'Day of Potomac Electric Power Company addressed the Council concerning the new electric sub-station proposed for Takoma Park. He introduced Mr. Dorsey Hughes, V. P., of PEPCO who presented the plans for the new station. He stated PEPCO has contracted to purchase the interior of Lot, East of Lincoln Avenue and South of Carroll to Install a sub-station. He stated that the station will help to carry the overload of the area and should be completed by the summer of 1960. Mr. Hughes presented pictures and drawings of the proposed sub-station, also stating that PEPCO plans to file this week for rezoning of the area, which will require a special exception.

The purpose of the gentlemen in presenting their case at this time was to acquaint the Council with PEPCO's proposal, so that when their request for special exception came before them, they would have the details. Councilman Roth was presented with drawings and pictures of the proposed project, which would be similar to the sub-station now erected on New Hampshire Avenue.

Mr. Dixon, 206 Lincoln Avenue, presented a petition signed by owners in vicinity of Lots 13, 36 and 45, Block 50, B. F. G., owned by Frank and Mary E. Robbins, in opposition to their request for rezoning of property from R-60 to R-10 zone. Mr. Dixon spoke in very strong opposition to the rezoning of so much of the property in the area to R-10. He stated that members of his family had lived in the City for many years and liked it because of the area being private residential, and they were very unhappy to see the change taking place. He further stated that he would like to see nice single family dwellings erected on the Lincoln Avenue properties; also attached to his petition were recent newspaper clippings regarding statements of Park and Planning concerning the rise of R-10 zoning in Montgomery County.

Mrs. Georgina M. Dunn, 8220 Flower Avenue, addressed the Council at length, opposing the Z. A. P. by Bess Ninaj, owner of Lot 27, Block 54, B.F.G., which is located on Kennebec Avenue 270' West of Roanoke Avenue. Mrs. Dunn expressed herself strongly in opposition of so much of her area going to R-10 Zoning. Mrs. Dunn stated that it is very disturbing to see many years of work being jeopardized by the erection of apartment



buildings of the high-density nature. She further stated that the request for rezoning to R-10 was very avaricious.

M's Bess Ninaj addressed the Council in rebuttal of Mrs. Dunn's statements, stating that should her property be rezoned R-10, that the buyer in erecting his building would provide ample parking space, also that she was sure the building would be a credit to the area. She further stated that she did not mean to be avaricious. M's Ninaj was asked if she had seen the builder's plans for the proposed project and she stated she had not.

Mrs. Dunn stated she could not blame M's Ninaj for wanting to get the most out of her property, however, she implored the Council to consider the residents who have lived in the area for many years. She also stated that it was true that her property would not face the proposed building, however, that the apartment building would face the side of her property and she was sure that no members of the Council would appreciate having a 27 unit apartment building alongside their bedroom windows. Mrs. Dunn thanked the Council for allowing her time.

Mrs. Ninaj pointed out that a good deal of the area is already zoned for apartment use.

Mayor Miller directed that the Clerk-Treasurer contact the Park and Planning Commission and inquire as to the status of the zoning plan map for the City. The Clerk-Treasurer stated he would, and informed the Mayor and Council that the survey teams from the Commission were at work in the City.

#### PUBLIC SAFETY COMMITTEE:

1. Councilman Sidell stated that Chief of Police Foster had presented him with several recommendations on his agenda items, also that a Public Safety Meeting has been called for the next Monday night, therefore, he hoped that he would be able to clear several items on his agenda at the next meeting. There was no other report at this time.

#### PARKS AND RECREATION COMMITTEE:

1. Councilwoman Monitor reported that the recreation shelter for Washington Park and other Parks in the City, as well as the possible use of City Triangle along B. & O. RR at Takoma Avenue for College Parking are still under consideration; She stated that the summer recreation program is going along well; the next square dance will be held on August 23rd, at Washington Park, at 7:30 p.m. Councilwoman Monitor reported that last Friday evening a meeting was held with Members of the Park and Planning Commission at the Hampshire Greens Recreation area in an attempt to clear up problems and view the needs for the area. It is hoped that a decision will be reached in about 30 days. She reported that on Wednesday evening, a family night will be held at Sligo Terrace Park; also that Forest Park will have a circus and teenage dance on Wednesday evening. Councilwoman Monitor congratulated Mr. Tice on the honor bestowed on him and wished him every success.

#### FINANCE COMMITTEE:

1. Councilman Forshee reported that additional funds are needed for crossing guards inasmuch as four have resigned, and there is a need for additional clothing for the new ones in the amount of \$300.00. Councilman Forshee moved that \$175.00 be taken from Crossing Guard Salaries Account and \$125.00 from Reserve Fund Account. Upon being seconded by Councilman Sidell, and put to question, the motion was carried. The question was asked if this was the usual turnover; it was stated that this was a bit high, however, the guards had left for higher paid positions.



2. Councilman Forshee reported that there is a need to cover construction costs on the Public Works Building, stating that as of June 30th there had been expended over \$110,000 and that there was a need to appropriate about \$64,947.67, \$69,114.00 needed to complete the new P/W building, \$455.76 to complete the new community building, therefore, he proposed the adoption of the following Ordinance. Councilman Collison pointed out that the above figures were a part of money that had already been paid, however, needed to be accounted for. Therefore, he moved the adoption of the following Ordinance:

ORDINANCE NO. 1547

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

Section 1. THAT, WHEREAS certain expenditures having been made during the previous fiscal year 1958/59 by authority of the Mayor and Council as a result of contracts awarded without specific Fund appropriations, therefor,

Section 2. AND THAT, inasmuch as estimated Revenues exceeded estimated Disbursements during said fiscal year by a substantial amount;

Section 3. NOW, THEREFORE, the following appropriations are hereby made from unappropriated Surplus as follows:

To construction of Public Works Buildings	\$64,025.94
To construction of Community Building, Heffner Park	691.14
To acquisition of Bennett Property	455.76

Upon being seconded, and put to question, the above Ordinance was adopted by a roll call vote as follows: Yeas: Councilmen Collison, Forshee, McKenzie, Roth, Sidell, Turner and Councilwoman Monitor. Nays: None.

3. Councilman Collison reported on the special assessment of Lot 11, Block 81, T.P.L. & T.Co. (Boston & Dundalk Job), in the name of James & H. Valanos, 7500 Piney Branch Road, in the amount of \$990.34. He stated that Mr. Valanos' son had requested that his father be allowed to extend his payments over a ten year period instead of a five year one, inasmuch as his father was retired and it would be hard for him to make these high payments, therefore, moved the adoption of the following Ordinance, thereby amending the original Ordinance setting up the payments of the Boston Dundalk Project. Councilman Collison seconded the Ordinance.

Councilman Turner questioned why the Law and Ordinances Committee, had not been contacted on the above action; Councilman Forshee informed him, that he was sorry if he misunderstood his proposed Ordinance, however, this did not entail the changing of the City Charter, only an amendment to the original Ordinance.

ORDINANCE NO. 1548

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

Section 1. THAT Section 3 of Ordinance No. 1534 adopted by the Mayor and Council on May 11th, 1959, be amended as follows:

That the words "in ten equal annual installments" be substituted in lieu of "In five equal annual installments".



Upon roll call vote taken the preceding Ordinance was adopted as follows: Yeas: Councilmen Collison, Forshee, McKenzie, Roth, Sidell, Turner and Councilwoman Monitor. Nays: None. The property owners assessed will be notified of the change in time payment.

4. Councilman Forshee announced that the City Office has collected about \$232,000 during the month of July, which was mostly from the collection of taxes. At this time he stated that letters had been received from the Citizens Bank as well as the Suburban Trust Company stating that they were ready to accept Certificates of Deposit, and it was the opinion of the Finance Committee to take advantage of this offer in order to collect interest on some of the monies received. Therefore, there will be a meeting of the Mayor, Clerk-Treasurer and members of the Committee to discuss this matter.

Mayor Miller announced at this time that a date is being contemplated for the dedication of the new P/W building and the new community building, the date to be announced later.

#### CIVIC IMPROVEMENTS COMMITTEE:

1. Councilman Roth reported on Zoning Amendment Petition No. C-306, Frank and Mary E. Robbins, Owners, Lots 13, 36 & 45, Block 50, B. F. Gilbert's Subdivision, stating that after discussion by the Committee, it was recommended that this request be denied. The reason for this is that this would be a case of "Spot Zoning" thus creating a highly undesirable situation, also they could see no reason for changing the current zoning of the area. Upon being seconded by Councilman Forshee, and put to question, the motion was carried.

2. Councilman Roth reported on the requests by I. Bimblich and Harry Lopatin, with reference to Z. A. P. Nos. C-237 and C-238, stating in view of the square footage of the properties involved and in connection with the recent sale of land fronting on Maple Avenue, thus making it possible to gain access from Maple, it was the Committee's opinion that these zoning applications be approved, and so moved. Upon being seconded by Councilman Forshee, and put to question, the motion was carried.

3. Councilman Roth reported on Case No. 808, N. Nathan Shapiro, petition for special exception to permit the use as a medical practitioner's office of a dwelling unit in an apartment building to be erected on part of Lots 13 and 21, Block 4, S. S. Carroll's Subdivision of Section 4 of Takoma Park, Takoma Park, Maryland, to be known as 7406 Hancock Avenue, in an R-10 Zone. It was the opinion of the Committee that this type of exception would be beneficial to all the surrounding area, therefore, moved approval of this request, to which there has been no stated objections. Upon being seconded by Councilwoman Monitor, and put to question, the motion was carried.

4. Corporation Counsel Gingerich stated that the Schaffer's were within their rights to request a continuance by the County Council of their application for rezoning of their property, even though the Mayor and Council has given a recommendation on this already. Therefore, Councilman Roth moved that the Council go on record as having no objection to a continuance of the case, should the Schaffer's request such continuance through the County Council. Upon being seconded by Councilman Collison, and put to question, the motion was carried.

#### PUBLIC WORKS COMMITTEE:

1. Councilman Collison reported that in the completion of the improvement of Oswego Avenue, that difficulties have arisen with the Sanitary Commission, which might tend to delay the completion date. This might necessitate postponing the dedication date to the Sunday after Labor Day.

2. Councilman Collison stated that he and Mr. Rhodes had met with Mr. Hobart with regard to his protest of the special assessment for improvement of Boston Avenue, pertaining



to assessment on Lot 34, Blk 72A, T.P.L. & T.Co. The assessment was explained to Mr. Hobart, showing him figures, and provisions in the City Charter. It seems Mr. Hobart is not quite sure what he will do with the property, however, the assessment will stand as is.

3. Councilman Collison reported on the result of the bid opening for the air conditioning of the Library. He said that Weible Associates had furnished Mr. Rhodes with a list of six firms as possible bidders, the result being that one bid was submitted. He stated that the one bid received, was incomplete and the Committee is of the opinion the City would not be justified in accepting this bid. Therefore, the Committee recommends that the bid be rejected and that at a later date the City will readvertise. Upon being seconded by Councilman Forshee, and put to question, the motion was carried.
4. Councilman Collison requested the appropriation of \$300.00 to cover the expenses for the open house for the new P/W building and Community Center, to be taken from the Reserve Fund. Upon being seconded by Councilwoman Monitor, and put to question, the motion was carried.
5. Councilman Collison stated that in the plans for the new P/W buildings it was proposed that a greenhouse would be erected, which would be an addition to the parks building. Therefore, it is recommended that this project be undertaken, as there is a definite need for it, and would cost about \$3,500.00 and allow about 200 square feet of planting area, which is approximately 100 feet short of the first estimate, however, overhead planters can be installed to increase the usable square foot area. The Committee recommends and so moves that the Clerk-Treasurer be authorized to advertise for bids in accordance with plans and specifications as presented by the Director of Public Works. Upon being seconded, and put to question, the motion was carried.
6. Councilman Collison stated that there is a definite need to replace the present heating system in the City Office Building, a project which had been planned for this past Spring, therefore, the Committee will make a recommendation at the next meeting of the Mayor and Council.

#### LAW AND ORDINANCES COMMITTEE:

1. Councilman Turner concurred with Councilwoman Monitor's congratulations to Mr. Tice, wishing him every success upon his graduation; He also stated that the codification of the City Laws and Ordinances will be ready to present early in September.

#### PUBLIC WELFARE COMMITTEE:

1. Councilman McKenzie reported that on the complaint against Cross Manufacturing Company and Savage's Food Market, that areas had been inspected by the Health Department, and that he has checked several times, and there is no longer display of food on the sidewalk. Item can be removed from agenda.
2. Councilman McKenzie reported that a public hearing was held at 7:30 p.m., Tuesday, July 28th, 1959 on the request of the owner of property at 7348 Carroll Avenue for the right to rent a basement apartment which does not conform with the requirements of the City Housing Ordinance. Evidence showed that the basement ceiling is less than 7 feet from the floor. No evidence was presented to show that the 7 foot requirement is unreasonable, nor was any evidence presented to question that a 7 foot ceiling height is not required for the health of person residing in a Multiple-family dwelling unit. Therefore, the Committee recommends that no variance be granted to the owners of 7348 Carroll Avenue from the requirement of the housing ordinance. The motion was seconded by Councilwoman Monitor. Councilman Forshee stated that he still feels that it doesn't seem right to condemn a building because of a variance, when an owner could occupy the premises himself, and it would be all right. However, upon final vote taken, all



voted yea, except Councilman Forshee, who voted nay.

The second hearing called on the same date concerned the renting of property at 309 Ethan Allen Avenue. This complaint concerned a deficiency in window space and also the ceiling height was two inches under the minimum requirements of 7 feet. The apartment now being occupied, the Committee moves that the window be corrected immediately, also that the Housing Inspector thinks the ceiling height can be corrected by changing the type of flooring, both projects not requiring major changes in structure. The Committee further moves that the owner be given six months to comply with requirements. Upon being seconded by Councilwoman Monitor, and put to question, the motion was carried.

Fire Chief Carter reported that one of his employees Richard Rhan is a patient in Washington Hospital Center, undergoing a series of tests.

Buildings Inspector Mr. Williams said that he has inspected the property under question on Roanoke Avenue.

Corporation Counsel Gingerich addressed the Council concerning the Historical Brochures still on hand with the City and suggested the following solution to help distribute them. One possibility would be in presenting them to citizens in settlement of properties, also that they be sold in lots of one dozen at a rate more than the purchase price, however, less than they are being sold for at this time. He suggested that should the latter be done that it be made known to the Civic Associations of the City. Mayor Miller turned this matter over to Councilman Turner and Councilwoman Monitor to be reported on at the next Council Meeting.

There being no further business to come before the Mayor and City Council, upon motion duly made, seconded and carried, the meeting adjourned at 10:05 p.m.

*George M. Miller*

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Mayor

*Hayes M. Lindgren*

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Clerk/Treasurer



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REGULAR MEETING  
Mayor and Council  
August 24, 1959

Mayor Miller called the meeting to order at 8:10 p.m. Those present: Councilmen Collison, Roth, Sidell, Turner and Councilwoman Monitor. Excused: Councilmen Forshee and McKenzie.

The Invocation was given by Councilman Edwin S. Turner, Chairman of the Public Welfare Committee.

Councilman Collison requested that the minutes of August 10th be corrected as follows: Under Finance Committee, Item 3, that his name be removed and the name of Councilman Forshee substituted; Mayor Miller requested that under open meeting, that the 60 years that Mr. Beall served as a crossing guard, be changed to six years. Councilman Collison then moved that the minutes of August 10th, 1959 be accepted as corrected. Upon being seconded, and put to question, the motion was carried.

CORRESPONDENCE RECEIVED FROM:

1. Mary Jane Zimmerman Reid, expression of appreciation for flowers sent upon death of her father, Russel Zimmerman. Referred to Council Files.
2. Mrs. Edith Lampe, Chairman, Forest Park Recreation Council, expression of appreciation for cooperation during 1959 Recreation Program. Referred to Council Files.
3. John P. Mannion, Director, Employees Retirement System, Stating requirement that all new members of System must submit a birth certificate or other substantial document. Referred to Finance Committee with copies to all Department Heads.
4. Edwerta B. Barber, Clerk to County Board of Appeals, Montgomery County, informing of the granting of a Special Exception in Case No. 808, N. Nathan Shapiro for a medical practitioners office at 7406 Hancock Avenue. Referred to Civic Improvement Committees.
5. Mr. R. R. Figuhr, President, General Conference of Seventh Day Adventists, Assurance of cooperation concerning Bloodmobile visit on October 8. Referred to Council Files.
6. Wallace N. Mook, MD, 7701 Carroll Avenue, request for permission to construct a drive-in parking area on Flower Avenue side of his property. Referred to Public Works and Public Safety Committees.
7. F. W. Sears, Fire Marshal, State of Maryland. Appointment of Deputy Chief S. J. La Scola as a Special Deputy Fire Marshal for the City of Takoma Park, Maryland. Referred to Public Safety Committee.

OPEN MEETING:

M's Bess Ninaj, 7200 Flower Avenue, City, addressed the Council concerning her request for rezoning of Lot 27, Block 54, B.F.G., (Kennebec Avenue 270' West of Roanoke Avenue) from R-20 to R-10 Zone. M's Ninaj stated that she has been a citizen of Takoma Park for 18 years, also that several members of her family had attended a local college; and that she has owned subject lot for the past seven years, paying 350 dollars yearly in taxes, also that property has been assessed \$2,250 for repaving of the street. She further stated that according to the Park and Planning Commission's 1952 zoning map the area is zoned for apartment use, and on that basis she had requested the rezoning, which is in no way spot zoning, and would conform with the neighborhood. She further stated that she did not intend to be avaricious as was stated in a previous meeting and in order to prove that there would be no objection to an apartment building, she had petitioned the neighborhood, and presented the Council with the results, which proved no noticeable objection. She therefore, requested that the Council give impartial consideration to her request.



Councilman Roth asked her what the zoning of the property was seven years ago when she purchased the lot and she stated she believed it was R-60. She also stated that she had with her a report from Park and Planning concerning the change in zoning.

Mr. Ray Messick, President of the Takoma Park Lions Club, informed the Council that the Lions Club voted to present the City of Takoma Park with five trash cans, at a cost of \$31.50 each, to be lettered as a donation from the Lions Club, and to be placed in various locations in the City. He then presented a check for \$157.50 to Mayor Miller, who extended his appreciation and turned the matter over to Councilman Collison for proper distribution.

Mr. Messick then requested permission of the Council to place a sign, "Takoma Park Lions Club" at the intersection of Piney Branch Road and Philadelphia Avenue, to be placed in Lower Portal Park. Mayor Miller turned the matter over to Councilwoman Monitor, Chairman of the Parks and Recreation Committee.

Mr. Walter McClenon, 7211 Cedar Avenue, stated that he noticed under Law and Ordinances Committee that the reducing of the Reserve Figure in the City Charter is under consideration. He stated that he realized that 10 per cent was necessary during years past, however, he believes that a five per cent figure would be adequate at this time. Mayor Miller informed him that this matter will be considered at the same time the final action is taken on the codification of the City Laws and Ordinances.

Mr. Ray Messick asked if anything has been done with regard to a traffic light at the intersection of Carroll and Flower Avenues.

Councilman Sidell stated that the situation had been surveyed by the State Roads Commission and that they had presented the City with a recommendation, however, the City has not done anything up to this present time. It seems that the cost involved is in the neighborhood of about five thousand dollars, and even though it had been turned over to the Finance Committee, it fell through for lack of funds.

Mr. Charles D. Lampe, 517 Elm Avenue, requested that an investigation be made of the traffic light at the intersection of Carroll and Ethan Allen Avenues. He stated that the stop light at this location, speaking with regard to the straight through green arrow, is very difficult to see when the sun is shining on it during the afternoon. He suggested that perhaps a shade could be placed on the light in order to make it more visible. The suggestion will be investigated by the Public Safety Committee.

Mayor Miller announced that the open house for the new public works buildings and community center will be held on September 13th, from 2 to 8 p.m. He also stated that circulars will be sent out announcing this event, and it is hoped that a considerable number will be in attendance.

#### PUBLIC WELFARE COMMITTEE:

Due to the absence of Councilman McKenzie, there was no report at this time.

#### PUBLIC SAFETY COMMITTEE:

1. Councilman Sidell, upon recommendation by the Committee, moved that PFC C. J. West be promoted to the rank of Sergeant, Takoma Park Fire Department, as recommended previously by the City Fire Board, at a salary of \$4,872 per annum, in accordance with the City's Merit Plan, effective September 1st, 1959. Upon being seconded by Councilman Collison, and put to question, the motion was carried.

2. Councilman Sidell reported on the Takoma Taxi Service request for additional parking space for their cabs. This situation was created by the stop signs being placed at the intersection of Eastern and Laurel Avenues by the District of Columbia. On the Laurel



Avenue side a sign has been erected "No Parking within 25 feet of Intersection" thus cutting down the taxi association's parking limitations to two cabs, which forces them to use one of the City parking meters. They felt that inasmuch as they pay \$25.00 stand rental yearly to the City of Takoma Park, they did not feel it fair to have to pay a parking fee too. After consideration by the Committee, Councilman Sidell reported their decision was to remove one of the parking meters on the Laurel Avenue side, therefore, he proposed the following Ordinance:

ORDINANCE NO. 1549

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

Section 1. THAT Parking Meter #77 located at the southernmost end of the West side of Laurel Avenue be hereby discontinued.

Section 2. AND THAT this parking area be hereby designated as a part of the Taxi Stand on Laurel Avenue.

Section 3. AND FURTHER THAT the Director of Public Works in cooperation with the Police Department, be hereby directed to proceed with the removal of the meter as designated in Section 1 of this Ordinance and to mark the space properly for Taxi parking.

Councilman Collison questioned the possibility of erecting a sign "No parking from here to corner", however, this will be discussed later if necessary. Councilman Sidell instructed that the Taxi Association be requested to honor the 25 foot parking restriction near the stop sign.

Upon being seconded, and put to question, the above Ordinance was adopted by a roll call vote as follows: Yeas: Councilmen Collison, Roth, Sidell, Turner and Councilwoman Monitor. Nays: None. Absent: Councilmen Forshee and McKenzie.

3. Councilman Sidell requested that the Public Works Department place a dividing line on Mississippi Avenue in accordance with a recent request and upon recommendation of the Committee.

4. Councilman Sidell requested that the City Clerk-Treasurer write the State Roads Commission requesting a survey for a traffic light at Sycamore and Ethan Allen Avenues to be properly synchronized with the existing traffic signal at Carroll and Ethan Allen Avenues.

5. Councilman Sidell moved that McNeill Surveys Inc., be requested to survey the Bennett property and the Fire House property, in order to determine the land available and topography for use as a parking lot. Upon being seconded by Councilwoman Monitor, and put to question, the motion was carried.

6. Councilman Sidell moved that the resignation of Private Kermit A. Nelson, Jr., from the Takoma Park Police Department, be accepted, effective August 28th, 1959. The reason for his resignation is the result of his requesting a 30 day emergency leave of absence to re-establish his business. This request had been asked for during the absence of Chief of Police Foster, therefore, the Committee had directed Captain Cissel, Acting Chief, to refuse his request. The motion was seconded by Councilwoman Monitor. Upon being put to question, the motion was carried.

PARKS AND RECREATION COMMITTEE:

1. Councilwoman Monitor reported that the Committee had discussed the request for use of City Triangle along B. & O. RR at Takoma Avenue for College Parking, the result being



that in order to relieve the traffic problem for the residents in the area of Montgomery Junior College, the Committee recommended that the Montgomery County School Board be given a 25 year lease with the understanding that the lot be improved for public parking, and that as many trees as possible be preserved, and she so moved. The details are to be worked out at a later date, upon their acceptance of the proposal. Upon being seconded, all voted in favor except Councilman Collison, who voted in opposition. Councilwoman Monitor further requested that the Clerk-Treasurer write the North Takoma Citizens Association, informing them of the Committee's action and await further developments before notifying the School Board.

2. Councilwoman Monitor reported on the new rules and regulations for City Buildings and Parks recently prepared by the City Clerk-Treasurer and patterned after the form used by the Park and Planning Commission. She stated that the time limit should be placed at 12:00 p.m., also that the \$5.00 key deposit will not apply to all groups using the facilities. She so moved that these rules and regulations be accepted, and that a specific list will be furnished of those being exempt from the five dollar deposit required. Therefore, the following Ordinance was adopted.

ORDINANCE NO. 1550

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

Section 1. THAT Section 1 of Article 22, Ordinance No. 531B, adopted April 6th, 1933 be amended as follows: Delete "restore the sidewalk or parking to its original condition, as nearly as possible, where the same has been disturbed", and insert in its place "restore the sidewalk, parking, street, park or public building to its original condition, as nearly as possible, where the same has been disturbed".

Section 2. That the following section be added to Article 22 of Ordinance 531B:

(a) All persons using any public space shall abide by the following regulations:

1. To accept no admission fees, or to sell, or offer for sale, any merchandise, article or thing, whatsoever, without the specific consent of the Mayor and City Council.
2. Not to practice, carry on, conduct or solicit for any trade, occupation, business or profession, without the written permission of the Mayor and City Council.
3. To permit no beer, wine or other alcoholic beverages on public property or buildings.
4. To preserve public parks, buildings and recreation facilities.
5. Not to distribute any handbills or circulars, or to post, place, erect any bills, notices, paper or advertising device or matter of any kind.
6. Not to throw or leave paper, fruit skins, or other rubbish anywhere except in the receptacles provided for the purpose.
7. Not to indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, obscene or indecent language.
8. Not to make or kindle fires except in places provided therefor, and to extinguish all fires, matches, cigarettes, cigars or other burning matter.
9. To leave buildings or parks clean and orderly, to turn off lights, lock buildings and turn thermostat to sixty (60) degrees when leaving.
10. That premises are to be vacated by 12:00 midnight.



Section 3. THAT any person violating any of the preceding provisions of Section 2, shall upon conviction thereof, be punished by a fine of not less than \$10.00 nor more than \$50.00 for each and every offense, and each day such violation continues shall constitute a separate offense.

Upon being seconded and put to question, the preceding Ordinance was adopted by a roll call vote as follows: Yeas: Councilmen Collison, Roth, Sidell, Turner and Councilwoman Monitor. Nays: None. Absent: Councilmen Forshee and McKenzie.

3. Councilwoman Monitor recommended that the City Ball Field be named Hodges Field, in consideration of the many land dedications made by the Hodges family. This property extends from Holly to Maple Avenue, and is a part of the Hodges Tract, therefore, she believed it proper that it receive this name. Upon being seconded by Councilman Turner, and put to question, the motion was carried. Councilwoman Monitor requested that a letter be sent to Mrs. Hodges, Mrs. Roberts and Mrs. Ray informing them of the action.

4. Councilwoman Monitor reported that the Committee has decided to accept Corporation Counsel Gingerich's proposal to help the sale of the Historical Brochures. She moved that they be sold at \$9.00 per dozen, in dozen or more lots. Upon being seconded by Councilman Turner, and put to question, the motion was carried.

5. Councilwoman Monitor reported that the last square dance of the season was held this past Sunday evening. The dance was well attended, she also reported that attendance at the various parks during the summer recreation program has been very good.

6. Councilwoman Monitor moved that the Takoma Park Lions Club be granted permission to erect their sign in Lower Portal Park, as requested previously in the meeting. Upon being seconded by Councilman Turner, and put to question, the motion was carried. Councilwoman Monitor also extended sincere thanks to the Lions Club for their help in past projects.

7. Councilwoman Monitor moved that permission be granted to the Supervisors of Elections of Montgomery County to use the Fire House for registration from 2 to 5 and 7:30 to 9:30 p.m., on September 21st. Upon being seconded by Councilman Collison, and put to question, the motion was carried.

Councilwoman Monitor extended sincere appreciation to Miss Marriett Hall, who helped with the summer recreation program at the City Parks. She stated that she did an excellent job and requested that an appropriate letter be written to her.

#### CIVIC IMPROVEMENTS COMMITTEE:

1. Councilman Roth stated that it had been reported that Mr. & Mrs. Schaffer had been given an extension until November 10th, 1959 in their request for rezoning of their property; He reported concerning M's Bess Ninaj's request for rezoning, that in view of evidence presented this evening that he would like to discuss the matter further with the Committee before giving a recommendation; He also reported that the Clerk-Treasurer has been in touch with the Park and Planning Commission, with reference to the new zoning map proposed for Takoma Park and they have a man working full time on the project now.

2. Councilman Roth reported a Petition that has been presented to the Council, stating that this was something unique in the history of Takoma Park as in his opinion it is the first time that the City has been requested to annex territory. He quoted portions of the Petition which reads in full as follows:



## PETITION:

"In accordance with the provisions of Chapter 423 of the Acts of the General Assembly of Maryland, 1955, being Section 19 of Article 23A of the Annotated Code of Maryland, 1957 Edition, entitled Corporations - Municipal, sub-heading "Annexation", the undersigned hereby propose to enlarge the corporate boundaries of the City of Takoma Park by including therein all that parcel of land containing 3.433 acres bounded by Alfred Drive, Ray Drive, Piney Branch Road and the present corporate limits of the City of Takoma Park, as said parcel is more particularly described by metes and bounds, courses and distances, as follows:

Beginning at a point which is South 48° 20' 10" East 50.19 feet from a stone found at the southerly corner of Lot 8, Block E, as shown on a plat of Saratoga Village recorded in Plat Book 18 at Plat 1128; thence

- (1) North 38° 58' 10" East 299.64; thence with the arc of a curve to the right, said curve having a radius of 20.00 feet, a long chord bearing and distance of North 83° 32' 50" West 28.08 feet and
- (2) an arc distance of 31.12 feet; thence
- (3) South 51° 52' 30" East 449.08 feet; thence with the arc of a curve to the right, said curve having a radius of 20.00 feet, a long chord bearing and distance of South 11° 08' 42" East 26.10 feet and
- (4) an arc distance of 31.12 feet; thence
- (5) South 29° 35' 05" West 237.53 feet; thence
- (6) North 61° 10' 06" West 449.75 feet; thence
- (7) North 48° 20' 10" West 84.86 feet to the place of beginning containing 3.433 acres of land.

The said description having been prepared by Shepherd & Worthington, Inc., Engineers and Surveyors.

The undersigned represent not less than 25% of the "persons" as defined in Section 19, Paragraph (c) who reside in the area to be annexed and who are registered as voters in County elections in the precinct in which the area to be annexed is located and the owners of not less than 25% of the assessed valuation of the real property located in the area to be annexed.

Your petitioners respectfully pray that, upon verification that the requirements of law have been complied with, the Mayor cause to be introduced a Resolution proposing the change of boundaries as requested herein, and in accordance with the provisions of the Annotated Code of Maryland aforesaid."

Respectfully submitted: Residents in Area- Lorraine Jarboe, 616 Ray drive, Silver Spring,  
Maryland & Stephen A. Jarboe, Same address.  
Owners - Saratoga Estates, Inc., David S. Damazo, Pres.  
Lillian J. Demazo, Sec.

Councilman Roth then introduced the following Resolution:

## RESOLUTION:

"WHEREAS, a petition has been presented proposing to enlarge the corporate boundaries of the City of Takoma Park so as to include an area encompassing part of tract of land called "Saratoga Village", bounded by Alfred Drive, Ray Drive, Piney Branch Road and the present corporate boundaries, and containing 3.433 acres, more or less; and

WHEREAS, the signatures on said petition have been verified and it has been ascertained that the persons signing said petition represent at least twenty-five (25) percentum of the persons who reside in the area to be annexed and who are registered voters in County elections in the precinct in which the area to be annexed is located and the owners of twenty-five percentum (25%) of the assessed valuation of the real property located in the area to be annexed; and



WHEREAS, from the provisions of Section 19(c) of Article 23A of the Annotated Code of Maryland, 1957 Edition, as amended, it is mandatory that the following Resolution be introduced proposing the change of boundaries as requested by the petition.

NOW, THEREFORE, Upon motion of Councilman Roth, duly seconded, the following Resolution be and it is hereby introduced and the Clerk is instructed to cause a public notice of said Resolution to be published, not fewer than four times, at not less than weekly intervals, in a newspaper of general circulation in the City of Takoma Park, and the area to be annexed, said notice to specify that a public hearing will be held on the Resolution in the Office of the Mayor and Council at 7:30 p.m., or as soon thereafter as may be heard, on the 12th day of October, 1959.

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

That it is proposed to add a new section to the Montgomery County Code (1955 Edition) and the Prince George's County Code (1953 Edition), said new section to be known as Section 48-3(f) in the Montgomery County Code (1955 Edition) and to follow immediately after Section 48-3(e) of said Code and Section 1421(f) of the Prince George's County Code (1953 Edition) to follow immediately after Section 1421(e) of said Code, to provide for the enlarging of the Corporate boundaries of the City of Takoma Park.

SECTION 1. Be it enacted by the Mayor and Council of the City of Takoma Park, Maryland, that the boundaries of the City of Takoma Park are hereby extended to include the following area, which is added to said City:

Beginning at a point which is South 48° 20' 10" East 50.19 feet from a stone found at the southerly corner of Lot 8, Block E, as shown on a plat of Saratoga Village recorded in Plat Book 18 at Plat 1128; thence

- (1) North 38° 58' 10" East 299.64 feet; thence with the arc of a curve to the right, said curve having a radius of 20.00 feet, a long chord bearing and distance of North 83° 32' 50" West 28.08 feet and
- (2) an arc distance of 31.12 feet; thence
- (3) South 51° 52' 30" East 449.08 feet; thence with the arc of a curve to the right, said curve having a radius of 20.00 feet, a long chord bearing and distance of South 11° 08' 42" East 26.10 feet and
- (4) an arc distance of 31.12 feet; thence
- (5) South 29° 35' 05" West 237.53 feet; thence
- (6) North 61° 10' 06" West 449.75 feet; thence
- (7) North 48° 20' 10" West 84.86 feet to the place of beginning containing 3.433 acres of land.

SECTION 2. That all of the territory hereby annexed to the City of Takoma Park, and the persons residing therein, shall, after the effective date of this resolution, be subject to all the laws, ordinances and regulations of said City".

The introduction of the Resolution was accepted by a Roll Call vote recorded as follows: Yeas: Councilmen Collison, Councilman Roth, Councilman Sidell, Councilman Turner, Councilwoman Monitor. Nays: None. Excused: Councilmen Forshee and McKenzie.

PUBLIC WORKS COMMITTEE:

Councilman Collison reported that the bid opening for the Public Works Greenhouse would be held on the 3rd of September; He reported that the heating system for the City Office Building has been inspected, and it has been found that the boiler does not need replacing, however, that the burner is in need of replacing at a cost of not over \$500.00. He stated that he would proceed through the Director of Public Works for the necessary bids; He further reminded the Members of the Council of the Public Hearing to be held on August 31st



on the Improvement of Colby and Hayward Avenues; Councilman Collison gave a progress report on the improvement of Oswego Avenue, stating that the four inch bituminous base course has been done, however, the two inch topping remains to be laid. He further said that the road at present can be used, therefore, the Public Works Department has begun moving its records and equipment to the new quarters; Councilman Collison reported that in connection with the request for public hearing on Cumberland Avenue, that Mr. Moose has returned to the City and would be contacted to see if he still desired this hearing.

2. Councilman Collison reported that the Washington Suburban Sanitary Commission has authorized a payment to the City of \$1,400.00 as their contribution toward the Forest Park Storm Drainage project, however, they wish title to the portion beginning at the inlet on the South side of Elm Avenue and running to their existing line in Prince George's County. He moved that proper deed be executed, in order for the City to collect the \$1,400 agreed upon. Upon being seconded, and put to question, the motion was carried.

3. Councilman Collison moved that an Ordinance be adopted levying the assessment to the property owners on the construction of a sidewalk on Lee Avenue in front of Lots 15 and 16 and alongside Lot 12, Block 3, Votaws Subdivision as specified in Ordinance No. 1536; the Ordinance adopted is as follows:

ORDINANCE NO. 1551

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

Section 1. THAT WHEREAS a Public Hearing concerning the improvement of a portion of the sidewalk on Lee Avenue was held on November 5th, 1958;

Section 2. AND THAT subsequent contract was awarded and project completed, including certain driveway aprons by authority of Ordinance No. 1536, at a total cost to the City of \$1,569.28;

Section 3. NOW, THEREFORE, real property specially benefited by this improvement is hereby assessed as of September 1st, 1959, such assessment to become a lien against said property due and payable October 1st, 1959 in full or in five equal annual installments plus accrued interest on the unpaid principal at the rate of six per cent per annum from October 1st, 1959, as follows:

Lot 12, Block 3, Votaws Subdivision	\$ 579.24
Lot 15, " " "	400.34
Lot 16, " " "	513.62
City's absorption of cost	76.08
	<u>\$1,569.28</u>

Upon being seconded by Councilwoman Monitor, and put to question, the above Ordinance was adopted by a roll call vote as follows: Yeas: Councilmen Collison, Roth, Sidell, Turner and Councilwoman Monitor. Nays: None. Excused: Councilmen Forshee and McKenzie.

4. Councilman Collison moved a vote of thanks to the Takoma Park Lions Club for the donation to the City of Takoma Park of the five trash cans to be located in various spots. Upon being seconded by Councilwoman Monitor, and put to question, the motion was carried. He further directed that the Clerk-Treasurer send a letter of appreciation to the President of the Lions Club.



Mr. Ray Messick, President of the Lions Club brought to the attention of the Mayor and Council the unnecessary speed used on Garland Avenue, when traveling up from Sligo Creek Parkway, a situation creating a hazardous condition inasmuch as there are no sidewalks in the vicinity.

LAW AND ORDINANCES COMMITTEE:

1. Councilman Turner reported that a meeting will be held in Chief Carter's office on Tuesday evening, August 25th, at 7:30 p.m., of the Committee, also Deputy Chief La Scola to go over various items in the codification of the City Laws and Ordinances.

2. Councilman Turner moved that resolutions be adopted in Memoriam of the recent passing of Mr. Russell Zimmerman; also in Memoriam of the passing of Arthur Phipps' mother, both resolutions to be presented to the members of the families, and are as follows:

(1) WHEREAS, the passing of Russel C. Zimmerman, has removed from this life a beloved and respected friend, and

WHEREAS, as a former resident of the City of Takoma Park, gave unstintingly of his time and energy to the improvements and betterment of the City of Takoma Park and the neighborhood in which he resided. He was respected and honored by people in all walks of life, irrespective of race, creed or color; Now, therefore, be it

RESOLVED, that the heartfelt sympathy of the Mayor, City Council and Citizens of the City of Takoma Park, Maryland, is hereby extended to Mrs. Russel C. Zimmerman and family in their bereavement; and be it further

RESOLVED, that this Resolution be presented to Mrs. Russel C. Zimmerman, as a small token of esteem and appreciation for the unselfish service rendered by Mr. Russel C. Zimmerman to the City of Takoma Park, Maryland.

Signed and Sealed this 24th day of August, in the Year of our Lord, Nineteen Hundred and Fifty-nine.

(2) WHEREAS, the passing of Mrs. Gladys V. Phipps has removed from this life the beloved Mother of Mr. Arthur H. Phipps, and

WHEREAS, Mr. Arthur H. Phipps being a Special Police Officer for the City of Takoma Park, and being such service has been performed in a most Loyal and Conscientious manner; Now, therefore, be it

RESOLVED, that the heartfelt sympathy of the Mayor, City Council and Citizens of the City of Takoma Park, Maryland, is hereby extended Mr. Arthur H. Phipps and family in their bereavement; and be it further

RESOLVED, that this Resolution be given to Mr. Arthur H. Phipps at 209 Spring Avenue, City of Takoma Park, Maryland, as a token of sympathy in the loss of his Mother.

Signed and Sealed this 24th day of August, in the Year of Our Lord, Nineteen Hundred and Fifty-nine.

Upon being seconded, and put to question, the above Resolutions were accepted unanimously.

Mayor Miller granted the City Clerk-Treasurer his request for the second week of his vacation, therefore, he will be out of the City from August 31st until September 8th.

There being no further business to come before the Mayor and City Council, upon motion duly made, seconded and carried, the meeting adjourned at 10:00 p.m.

George M. Miller  
Mayor

Hayes M. Phipps  
Clerk-Treasurer



PUBLIC HEARING  
 Mayor and Council  
 August 31, 1959

COLBY AND HAYWARD AVENUES:

Mayor Pro Tem Councilman Sidell, Chairman of the Public Safety Committee, called the hearing to order at 8:10 p.m. Those present were: Councilmen Forshee, Collison, Roth, Sidell, Turner, and Director of Public Works Rhodes. There were 30 citizens present, representing Colby and Hayward Avenues.

Councilman Sidell turned the hearing over to Councilman Collison, Chairman of the Public Works Committee, who said the purpose of the hearing was to allow the property owners opportunity to express their opinions to the proposed improvement of Colby and Hayward Avenues. Councilman Collison stated that Cherry, Colby and Hayward Avenues were involved, however, that Cherry Avenue was not being considered at this time, thus limiting the discussion to Colby and Hayward Avenues. He said that the proposed improvement involves part of Colby Avenue, also Hayward Avenue, <sup>from</sup> Larch Avenue to Sligo Creek Parkway. Also that maps and profiles of the proposed improvements had been prepared by McNeill Surveys, Inc., and further that to improve Hayward there would be need for dedication of a parcel of land, jutting out from Colby. Councilman Collison then read a copy of a letter received from John P. Hewitt, Director of Parks of the Park and Planning Commission, with reference to the City's request for permission to cut through Hayward Avenue into Sligo Creek Parkway. The consensus of the letter is that the Park Department Staff would recommend denial to the Commission, for to open this street into Sligo Creek Parkway would create a hazardous condition, at the intersection

Councilman Collison then briefed on the improvement of Colby Avenue, stating that the proposed improvement, as determined by McNeill Surveys would cost approximately \$100,067.00, being fully assessable to property owners, also that the least cost to an individual property owner would be \$5,028.00 and highest cost about \$18,000.00. He further stated that the reason for this high cost involves the cutting down of the hill to a suitable terrain, in order to eliminate about 16 feet. He said that this is just an estimate and once digging has begun, it is not known what would be encountered.

Mr. Calvin McClimon, President of the Colby Avenue Citizens Association addressed the Council stating that the residents definitely want Colby Avenue improved, as access to it is very bad, especially in case of a fire or need for an ambulance, however, the cost as stated was beyond the property owners limitations. He further stated that it would be cheaper to sell property and buy elsewhere. He also mentioned that he had heard there is to be a parking lot constructed on Cherry Avenue, which would increase the volume of traffic in the vicinity considerably. Councilman Collison said that discussion should be limited to Colby Avenue.

Mrs. Mary Lewis, 801 Colby Avenue, owner of Lots 1 and 15 on Colby Avenue, stated that she had started a house on Lot 1, however, access to it was not too good, also that it was almost impossible to build on Lot 15 as there was no access at all.

Councilman Collison stated there is an alternative, that Colby be cut into Hayward, thus gaining access down through Sligo Creek Parkway, however, Park & Planning would not agree to cut through, thus limiting that possibility. He said even though this were done it would not change the assessment figures on Colby Avenue. therefore, thence up Hayward to Larch.

The question was then asked if the estimate by McNeill Surveys was considered a fair one, it being so high, also it was the lady's opinion that another one might be cheaper. It was then asked how these payments for the property assessments would be set up; Councilman Collison stated that the assessment would probably be set up on a ten year plan, and that the payments would run at least \$500 a year, to which it was replied that this amount was out of the question.

Mrs. Lewis stated at this time, that it is possible to get to and from her property on Lot 1, however, Lot 15 is just a wooded area, however she would not be in agreement to improvement of the area at price proposed.



Mrs. Margaret Brody asked that when improvements are made are the property owners facing the improvement the only ones responsible for the cost; to which Councilman Collison answered that all property owners, whether facing or abutting the properties are assessed accordingly.

It was stated that in buying a lot, it was discouraging when there was no access to it. It was also asked if it is permissible for a property owner to put in a driveway to his property in order to gain some access. Councilman Collison stated that this is permissible, however, it is not the City's responsibility.

Mr. Joseph O'Malley, 811 Hayward Avenue, stated that with the combination of City and County taxes, then a possible street assessment, one could own a home in the Rollingwood Section. Also that taxes at present were as high as he would like to see them go.

Mrs. Vera Hash addressed the people present, stating that McNeill Surveys were a reputable firm, and quite fair in their estimates, however, that they dealt in survey only not in contracts or construction. She said that one can be assured that their figures are very conservative, and that jobs involved would be let out on a contract basis, before actual cost of project would be known. She also said that property owners had no complaints, stating that when one bought properties they should investigate the possibility of access.

The culmination of the opinion of the property owners on Colby Avenue is that they are not in agreement with the figures for improvement, as presented.

The discussion then involved Hayward Avenue.

Mr. William Espey asked that in the paving of Hayward Avenue just how far would it extend. Councilman Collison said that in view of Park and Planning's letter, it would have to deadend.

Mrs. Elsie Clark, 802 Colby Avenue, owner of Lot 9 on Colby, asked just what the purpose was in improving Hayward; she was informed, improvement was to enable property owners to improve their properties.

Mr. Melvin Miller, 2311 Dennis Avenue, Silver Spring, Md., owner of Lots 14 & 15 on Hayward Avenue, stated that his property is located just above Sligo Creek Parkway and that he has neither ingress or egress. He further stated that he had planned to build a nice home on lots, however, that it was impossible to obtain backing until the street is improved. He said that he had been paying taxes on his property since 1952, also that he is agreeable to paying the assessment to get the street improved.

Mr. Stephen Nevin, 814 Larch Avenue, owner of Lots 8 & 9 on Hayward, stated that he is agreeable to paying assessment, in the event that the ravine, which he brought to the Council's attention at an earlier date, is improved; also that in agreeing there would be certain limitations, and he hoped improvement would not be made before the next year. He spoke on the accumulation of debris in the ravine, also the hazard to children. Mrs. Belt concurred with his statements.

Mr. Bert W. Belt, 812 Larch Avenue, owner of Lot 3, stated that at this point access couldn't be made with a tank, and that he is in favor of improvement.

Mr. Earl Weygandt, 835 Sligo Creek Parkway, owner of Lots 16 & 17 stated that Mr. Miller and he have taken care of rough grading the street on more than one occasion, and that he had also taken care of some of the drainage problem in the area. He said he personally believes that the City erred when they did not carry out improvement when a Mr. Lincolns was working on improvement of properties on upper level.



Councilman Collison said that before Hayward could be improved another point to be cleared, would be the necessity for the owner of Lot 15 on Colby to dedicate a small strip of land jutting out into Hayward. He asked Mrs. Lewis if she would be agreeable to this and she stated she thought she would be. She was told that should she do this her taxes would be reduced accordingly.

Councilman Collison asked Mr. Weygandt if Mr. Thorn, owner of  $177\frac{1}{2}$  feet of Lot 16 would be agreeable to improvement; he said no.

Mrs. Vera Hash, representing the Lincoln Valley Citizens Association presented a petition, signed by 42 residents of the association, in objection to the cutting through of Sligo Creek Parkway. Mrs. Hash gave a brief history of the development of the area, beginning back when Mr. Lincoln purchased property and began development. She said they had talked with him at length in an attempt to obtain property for development into a recreation center, however, he would not agree. She also said that as for people complaining of the dumping of trash, there is a City Ordinance governing this problem which states that it is the property owners responsibility to eliminate this problem, to which there was a strong rebuttal. Councilman Collison asked that discussion be limited to the improvement of Hayward Avenue.

Mr. James O'Brien stated that even though Park and Planning had stated their denial of cutting through of Hayward to Sligo Creek Parkway, that in his opinion, this could be changed in the future. There were statements that this would not be likely, however, there was strong opinion that it could be possible.

Mrs. Hash said there is a petition in the offing concerning the building of an apartment project in the area by David & Lillian Demazo; to which Councilman Collison stated that the Council had recommended disapproval, however, Mrs. Hash stated that the association is aware of this and were watching developments closely.

Councilman Sidell asked Mr. Miller if he intended building on Lots 14 & 15, to which he replied he did not wish to commit himself at this time, although were the property improved by road construction, he could answer.

Mr. Weygandt asked if he would be assessed for storm drainage, inasmuch as he had provided some means for himself. It was stated that all property owners would be assessed for complete improvement/in accordance with individual property assessment.

abutting their properties

Mr. Nevin stated that he would be in favor of extending the roadway down to Mr. Miller's property, in order to help him out, providing the work is not started until next Spring. Councilman Collison stated that in past experience with starting road construction in the fall months, it wouldn't be started at this time.

Mr. Miller said that he was aware that the petition presented by the Lincoln Valley Citizens Association, was filed in the event that Park & Planning might reconsider, to which he would be very much in favor of cutting through Hayward to Sligo Creek Parkway.

Mrs. Mary Lewis stated that she is not for the improvement of Hayward, inasmuch as her Lot 15 borders it, therefore, her assessment would still be in the amount of almost \$3,000. There was some discussion of her dedicating some of her property fronting on Colby Avenue to its improvement, to which she said she would have to consider this.

A gentleman asked that in the event Hayward Avenue were to be cut through to Sligo Creek Parkway, would there be another Public Hearing and he was informed that there would be, however, that it was not known if it would be legally necessary, a matter which would be determined at the time by the City's Corporation Counsel.



A gentleman living at 816 Colby Avenue said that he had been coming and going out of Colby Avenue for the past 40 years, therefore, could see no necessity for the high cost of improvement.

Councilman Sidell stated that if there were no more questions or statements concerning the improvement of Colby and Hayward Avenues, that the matter would be turned over to the Committees for study and recommendation. The hearing adjourned at 10:00 p.m.

George M. Miller  
Mayor

Hayward M. Sidell  
Clerk-Treasurer