

EXECUTIVE MEETING
MAYOR AND COUNCIL
October 9, 1961

Mayor Miller called the meeting to order at 8:00 p.m. Those present were: Councilmen Collison, Jones, McKenzie, Roth, Sidell and Turner. Excused: Councilman Forshee. Also present were Corporation Counsel Gingerich and the following Department Heads: Clerk-Treasurer Pridgen, Police Chief Foster, Fire Chief LaScola, Director of Public Works Rhodes, and Building Inspector Williams.

Mayor Miller led all those present in the Pledge of Allegiance to the Flag.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the Meeting of September 25th. There being no corrections or additions, the Minutes were accepted as submitted.

Councilman Jones pointed out that the effective date of the new Municipal Code is to be November 1, 1961, instead of October 1, 1961, as announced at the last Council Meeting.

CORRESPONDENCE RECEIVED:

1. Hon. Edward S. Northrop - Appreciation for Resolution recently adopted by Mayor and Council. Referred to Council Files.
2. Hon. Margaret Schweinhaut - Congratulations for national award for City Newsletter. Referred to Council Files with a copy to Mr. Coffman.
3. L. L. Moffitt, 7612 Glenside Court, City - Appreciation for prompt attention in connection with tree removal in Long Branch Creek. Referred to Public Works File.
4. M. A. Butcher, County Manager, Montgomery County - Authorizing rat extermination service to City in public areas. Referred to the Public Welfare Committee.
5. Mrs. Louis L. Cornwell, 7005 Westmoreland Avenue, City - Complaint of blue stone on sidewalk in front of parking lot on Westmoreland Avenue, south of Carroll Avenue. Referred to the Public Works Committee.
6. Ritchie Avenue Citizens Association - Request that Heffner Park be further developed to make better use of Park as a recreational ground. Referred to the Public Works Committee.
7. Cherry Avenue Citizen's Association - Complaint on Lot 5, Block 60 on Ritchie Avenue as a dumping place and harbor for rats. Referred to the Public Welfare Committee.
8. H. G. Smithy Co., 811 15th Street, N. W., Wash., D. C. - Concerning use of property at 7502 Maple Avenue owned by Mrs. Margaret Ray. Referred to the Public Welfare and Civic Improvements Committees.
9. Ewing C. Whitaker, Attorney, 7950 New Hampshire Avenue, Langley Park - Notification of filing with Montgomery County Board of Appeals on Medical Clinic Building at Carroll Avenue and Old Carroll Road. Referred to the Civic Improvements Committee.
10. Reed A. Robinson, 7533 Carroll Avenue, City - Protest against Board of Appeals Case No. 1155, Special Exception, Medical & Dental Clinic. Referred to the Civic Improvements Committee.

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- 11. George W. Dye, 334 Lincoln Avenue, City - Opposition to erection of a "Medical Clinic" on Carroll Avenue and Old Carroll Road. Referred to the Civic Improvements Committee.
- 12. Ernest J. Wolfe, 7522 Jackson Avenue, City - Protest and suggestion concerning clinic on Carroll Avenue. Referred to the Civic Improvements Committee.
- 13. E. I. Mohr, owner, Lot 13 (Block 37) Conditional approval to Special Exception Case No. 1155. Referred to the Civic Improvements Committee.

BANK STATEMENT:

Citizens Bank of Takoma Park -	
8/31/61 Balance	\$71,411.54
Receipts	<u>44,566.84</u>
	\$115,978.38
Disbursements	<u>62,754.65</u>
9/30/61 Balance	\$ 53,223.73

Suburban Trust Company:	
8/31/61 Balance	\$132,386.49
Receipts	<u>2,053.96</u>
	\$134,440.45
Disbursements	<u>100,000.00</u>
9/30/61 Balance	\$ 34,440.45

Certificate of Deposit - \$100,000.00

Special Improvement Account:	
8/31/61 Balance	\$ 7,123.22
No deposits or	-
withdrawals	-
9/30/61 Balance	<u>\$ 7,123.22</u>

Mayor Miller welcomed all those present, and read a Proclamation concerning the 1961 United Givers's Fund Drive. Mayor Miller stated that the citizens of Takoma Park have always given generously and urged that all interested citizens participate to the best of their ability.

In connection with the Special Exception Application for the proposed Medical and Dental Clinic off Carroll Avenue, Mayor Miller stated that at the September 11th Meeting when the matter was first brought to the attention of the Mayor and Council, that he had reported that a meeting would be held for the citizens to voice their opinions on the subject. Mayor Miller announced that the meeting would be held on October the 17th at 7:30 p.m. in the Council Chamber at #8 Columbia Avenue at which time all citizens concerned with the project may bring out any information or facts which have not been discussed before and to present their opinions. However, Mayor Miller stated that anyone present tonight wishing to speak on the subject may feel free to do so.

OPEN MEETING:

- 1. Mr. Wolfe, 7522 Jackson Avenue, pointed out an item on the agenda relating to uniformity of zoning laws stating that in his opinion the Mayor and Council should have the zoning authority in the City. He referred specifically to Case #1155 and the need for local review and opinion. He stated that this case will probably wind up into a legal battle as to an interpretation as to what constitutes a clinic.
- 2. Mr. William E. Hayman, Spokesman for the Committee in Opposition (composed of certain area citizens) to the Board of Appeals Case 1155, 7518 Jackson Avenue, City, made a prepared statement in opposition to the proposed Medical and Dental Clinic bringing out several important points. Mr. Hayman presented copies of drawings made by the architect for the clinic and a pictorial review of the surrounding neighborhood of the proposed clinic to be located on Lots 8, 9 and part of 12, Block 37, B. F. Gilbert's Subdivision with a large 100 car parking lot. Mr. Hayman further requested that the Mayor and Council support a recommendation in opposition to Board of Appeals Case 1155; that they notify the Montgomery County Board of Appeals of their recommendation by letter; that the Maryland National Capital Park and Planning Commission be so notified; and that the Corporation

Counsel speak in support of the Council's opposition at the Board of Appeals Hearing of Case No. 1155 on October 26, 1961.

3. Mr. Walter Prichard, North Takoma Citizens Association. Mr. Prichard reported that at the last meeting of the Association a discussion was held on trash and debris in the North Takoma area and especially around the Montgomery Jr. College area. Mr. Prichard reported that the Association had prepared a Resolution to be sent to the Council with the idea of having signs placed in certain locations prohibiting the dumping of trash or debris with \$50.00 to \$100.00 fines for violation. Mayor Miller referred the matter to the Public Welfare Committee.

4. Mrs. Vera Hash, 424 Lincoln Avenue, City, Commended the Mayor and Council for paving Ethan Allen and Philadelphia Avenues, Rt. 410. Mrs. Hash stated that for the two days Rt. 410 was closed, Lincoln Avenue received most of the traffic, a large portion of which was trucks. Mrs. Hash requested that if any re-routing is planned for trucks, to keep them off of Ethan Allen Avenue and Philadelphia Avenue, that they not be re-routed down Lincoln Avenue. As a member of the 4th of July Committee, Mrs. Hash commended the Department Heads and thanked the Mayor and Council for the assistance they rendered.

There being no one else desiring to address the Mayor and Council, Mayor Miller excused himself from the meeting, stating that he had an important meeting he must attend. Mayor Miller turned the conduct of the meeting over to Mayor Pro-tem Sidell.

LAW ENFORCEMENT COMMITTEE:

Councilman Turner stated that this is his first report as Chairman of the new Law Enforcement Committee and further reported that he would have to call upon Chief Foster for assistance.

1. In connection with the dangerous condition created by motor vehicles parked too close to the intersection of Spring and Poplar Avenues, Councilman Turner reported that the Public Works Department has painted a yellow curb forty feet from the intersection to restrict parking, and further reported that the item could be deleted from the agenda.

2. Councilman Turner reported that signs have been placed on Takoma Avenue to call attention of motor vehicle operators to the fact that children are crossing in the area, as requested by the Silver Spring Intermediate School. Councilman Turner also reported that the item could be deleted from the agenda.

3. In connection with certain recommendations of the Hillwood Manor Citizen's Association, Councilman Turner reported that a white center stripe has been painted on Erskine Street from New Hampshire Avenue to 13th Avenue; that a white center stripe on Erskine Street to guide right and left lanes to New Hampshire Avenue has also been painted; and that a yellow curb has been painted 40 feet from the intersection of 13th Avenue and Erskine Street across from the mail box on the corner of these two streets. Councilman Turner further reported that Police Chief Foster has made a recommendation on the request for elimination of parking restriction in front of 1300-1302 Erskine Street to New Hampshire Avenue but that it has not been discussed in Committee as yet.

4. Councilman Turner reported that Pvt. John W. Saunders of the Police Department is assisting the present crossing guard at the intersection of Larch and New Hampshire Avenue for the time being until such time as other arrangements can be made.

5. Councilman Turner moved that Pvt. James E. Fitzpatrick, after having satisfactorily served his six month probationary period, be given a permanent appointment to the Police

Department to be effective September 1, 1961. Councilman Collison seconded the motion which was duly carried.

6. Councilman Turner, upon the recommendation of Police Chief Foster, moved that John R. McGathey be given a six month probationary appointment to the Police Department at \$4,400.00 per annum as under the Merit Plan to be effective November 1, 1961. Councilman Jones seconded the motion which was duly carried.

7. Upon the recommendation of Police Chief Foster, Councilman Turner moved that Pfc. Donald L. Olson be promoted to the rank of Corporal to be retroactive to October 1, 1961. Councilman McKenzie seconded the motion which was duly carried.

8. Councilman Turner moved that Pvt. John A. Jarboe of the Police Department be raised to the rank of Private First Class retroactive to October 1, 1961. Councilman McKenzie seconded the motion which was duly carried.

9. Councilman Turner moved the adoption of an Ordinance to hold a Public Auction of impounded cars and other items:

ORDINANCE NO. 1667

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

SECTION 1. THAT automobiles, bicycles and other articles of value, impounded by the Takoma Park Police Department, which have been in custody for the time required by Law and not redeemed be sold at Public Auction on Friday, November 3rd, 1961, between the hours of 10:00 a.m. and 6:00 p.m., in accordance with the laws of the City of Takoma Park and the State of Maryland.

SECTION 2. AND THAT the City Clerk-Treasurer be hereby authorized to act as Auctioneer at said Public Auction and to handle the necessary details in preparation thereof.

Councilman Collison seconded the motion and the Ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Collison, Jones, McKenzie, Roth, and Turner. Nays: None. Absent: Councilman Forshee.

10. Councilman Turner as Co-Chairman of the Halloween Party announced that the City is again planning to hold the annual Halloween Party on Laurel Avenue between Eastern and Carroll Avenues. Councilman Turner further reported that a joint Committee meeting is to be held at 8:00 p.m., Thursday, October 12th at #8 Sherman Avenue in order to plan the event and that any interested persons wishing to be of assistance may attend and that any donations or personal services would be sincerely appreciated.

At this time, Mrs. Elaine Rockman, 7105 Carroll Avenue, City, questioned Councilman Turner as to why Item No. 1 under the Law Enforcement Agenda had not been reported on. It was pointed out that with the change in Committees under the Codification and Committee Chairman that the Law Enforcement Committee has not met to discuss this as yet due to the lack of the full Committee complement. The other Committee members have not been appointed as yet and other items on the Agenda had also been left without action.

PARKS AND RECREATION COMMITTEE:

1. Councilman Jones stated that he had nothing to report and requested that the item regarding the City Charter be deleted from his agenda and turned over to the legal department.

CIVIC IMPROVEMENTS COMMITTEE:

1. In connection with the request for Council recommendation on the proposed location of two standard poster panels as requested by the General Outdoor Advertising Company, Councilman Roth reported that in speaking with other members of the Council there seems to be some concern. Therefore, Councilman Roth suggested that the Council take advantage of General Outdoor's offer to meet with the Council and discuss the matter further. Councilman Roth set the date of October 19th, Thursday evening at 7:30 p.m. at the Public Works Office for the meeting.
2. In connection with Special Exception Zoning Case #1155, Councilman Roth reported that a Special Meeting will be held on Tuesday, October 17th, as previously stated by Mayor Miller.
3. Concerning the results of proposals to sell City owned land, Councilman Roth reported that a deposit had been made on Lot 24, Block 50, B. F. Gilbert's Subdivision and that a contract had been received from the Wuerstlin Brothers with a proposal to purchase Lot 25, Block 50, B. F. Gilbert's Subdivision at a lower price than the City offered and involving a real estate agent which would cost the City 10% of the selling price. Councilman Roth reported that the City originally offered the property at a bargain price and sees no reason why the 10% real estate agent's fee should be paid by the City as there is no need for the agent to begin with. Therefore, Councilman Roth directed that Wuerstlin Brothers be advised that the City price for the property still stands and that the contract as submitted by them is being turned down.
4. Councilman Roth moved that the Martin property, Lots 1, 2, and 3, Block 102, Hodges Tract be rezoned from R-10 back to R-60 which is residential. Councilman McKenzie seconded the motion which was duly carried. This property is presently owned by the City.
5. Councilman Roth requested that the item 4 on the Agenda "Request for information regarding closing of Flower Avenue and pedestrian controlled lights-April 1961" be transferred to the Law Enforcement Committee.

PUBLIC WORKS COMMITTEE:

1. Councilman Collison reported that the Health Center at #8 Sherman Avenue is in need of exterior painting and further reported that 3 bids had been solicited. Mr. Tracy W. Porter, Jr. submitted the low bid which includes two coats of paint and reconditioning the stucco and giving it one coat of the best grade masonry paint for the total sum of \$1020.00. Councilman Collison moved the adoption of an Ordinance to accept the bid of Tracy W. Porter, Jr.:

ORDINANCE NO. 1668

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

SECTION 1. THAT bids have been received in accordance with law for painting building at #8 Sherman Avenue, AND

SECTION 2. THAT the contract be hereby awarded to the low bidder, Tracy W. Porter, Jr. in the amount of ONE THOUSAND, TWENTY DOLLARS (\$1,020.00) AND

SECTION 3. THAT the sum stated in Section 2 be transferred from the Reserve Fund to Account 10.812 B.

Councilman McKenzie seconded the motion and the Ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Collison, Jones, McKenzie, Roth, and Turner. Nays: None. Absent: Councilman Forshee.

2. Inasmuch as the Public Works Department is in need of a welder and does not have a Battery charger, Councilman Collison moved that a combination welder and battery charger be purchased in the amount of \$240.00 to come from the Reserve Fund. Councilman Turner seconded the motion which was duly carried.
3. Councilman Collison moved that the sum of \$210.00 be authorized to re-tile the floor of the Police Department, this figure to include the squad room, entry way, desk room, Chief's Office and Administrative Office. Councilman Collison reported that this sum is to come from the Budget under Building Maintenance. Councilman Turner seconded the motion which was duly carried.
4. Councilman Collison stated that he had received a phone call from Mrs. Watts at 903 Jackson Avenue regarding the poor condition of the curb in front of her home. Councilman Collison directed that the matter be placed on the Public Works Committee Agenda.
5. Councilman Collison reported that in connection with the letter read this evening concerning the gravel on the sidewalk coming from the Takoma Motor Company lot on Westmoreland Avenue, south of Carroll Avenue appears to be a police matter and not one for Public Works.
6. Councilman Collison moved that the previous action taken regarding the additional \$10,000.00 sidewalk repairs be rescinded and moved the adoption of an Ordinance to cover the new sidewalk repairs:

ORDINANCE NO. 1669

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

SECTION 1. THAT Section 3 of Ordinance No. 1657, adopted August 14, 1961, be amended to read as follows: "Section 3. THEREFORE, THAT the contract be hereby awarded to E. B. Donaldson Company to repair and reconstruct sidewalks and other incidental work in accordance with plans, specifications and upon direction of the Director of Public Works for a sum not to exceed TWENTY THOUSAND DOLLARS (\$20,000.00) AND,"

SECTION 2. AND THAT the additional sum of \$10,000.00 as authorized by Section 1 above be transferred from the Reserve Fund into Account 22.1B titled "Sidewalk Repairs."

Councilman McKenzie seconded the motion and the Ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Collison, Jones, McKenzie, Roth and Turner. Nays: None. Absent: Councilman Forshee.

At this time Mayor Pro-tem Sidell turned the conduct of the meeting over to Councilman Jones in order that he might give the Fire Protection Committee report.

FIRE PROTECTION COMMITTEE:

1. Councilman Sidell reported that the City Fire Board is studying the recommendation that the city support the Municipal Fire Defense Institute.
2. Councilman Sidell moved that Pvt. Charles F. Hartung, Jr. be granted Military Leave

as he has been drafted and the leave is to be effective as of October 13th, 1961. Councilman Turner seconded the motion which was duly carried. Councilman Sidell further reported that Fire Chief LaScola had called the Veterans Administration about military leave and was told as stated in the "Universal Military Training and Service Act" that it provides for re-employment rights for persons who leave positions to enter military service.

Councilman McKenzie questioned the mutual aid program stating that it appears as though the City runs more calls for Chillum than they seem to do for us. Councilman Sidell stated that he had no actual figures on the matter but that Chillum-Adelphi helps us when we need it.

Councilman Jones turned the conduct of the meeting back to Mayor Pro-tem Sidell.

PUBLIC WELFARE COMMITTEE:

1. Councilman McKenzie reported that a public hearing was held at the request of Mr. Elswerth Leiske who requested that the Council grant him a variance from the ceiling height requirement of the Housing Ordinance. Councilman McKenzie stated that after considering the evidence, the Committee is of the opinion that no variance should be granted. Therefore, Councilman McKenzie moved that the request of Mr. Elswerth Leiske for a variance from the ceiling height requirements of the Housing Ordinance as it effects his property at 62 Walnut Avenue be denied. Councilman Collison seconded the motion which upon being put to question was duly carried.

2. Councilman McKenzie directed that item no. 2 under his agenda concerning the request for uniformity of zoning laws be transferred to the Civic Improvements Committee agenda.

Mr. Leiske, owner of the property at 62 Walnut Avenue, pointed out that if the ceiling height requirements of the Housing Ordinance are for health and safety as stated that it seems strange that it is all right for the owner to occupy a sub-standard apartment which the Ordinance allows.

Municipal Fire Chief LaScola reported that a demonstration of some of the Fire Department equipment will be held October 12th, Thursday evening on Laurel Avenue between Carroll and Eastern Avenues. Chief LaScola requested that a letter be written to Chief Dorsey of the Chillum-Adelphi Fire Department thanking him for the loan of one of their new pumbers for five days while one of the City's was being repaired at the factory in Ohio.

Municipal Police Chief Foster reported that Fire Chief LaScola and the Mayor and himself attended an all day session on Civil Defense in Annapolis which was called by Governor Tawes.

Mr. Rhodes, Director of Public Works, reported that he had enjoyed his trip to Minneapolis to attend the Public Works Congress and Equipment Show and further reported that the display was profitable as he had picked up some excellent ideas.

There being no further business to come before the Mayor and Council, the Meeting adjourned at 10:20 p.m.

George M Miller
MAYOR

Haynes M. Lundy
CLERK - TREASURER

GENERAL FUND
STATEMENT OF FINANCIAL TRANSACTIONS
September, 1961

	Cash Balance Beginning of Period	Cash Balance End of Period
Citizens Bank of Takoma Park-G/F	71411.54	53223.73
Citizens Bank of Takoma Park-P/R	4222.59	27.91
Suburban Trust Company	132386.49	34440.45
Petty Cash	150.00	150.00
	<u>208170.62</u>	<u>87342.09</u>

		Total Bud- geted Rev. 9/30/61	Budget Bal. as of 9/30/61	Adopted Budget 61-62	Percentage to Budget
REVENUES:					
1.0 Taxes - Local	35237.37	315255.40	109446.10	424701.50	74.2
1.5 Taxes - State Shared	9695.50	19010.68	130789.32	149800.00	12.6
2.0 Licenses & Permits	110.48	372.71	5102.29	5475.00	6.8
3.0 Fines & Forfeitures	18.00	202.00	1598.00	1800.00	11.2
4.0 Use of Money & Property	180.84	315.84	7924.16	8240.00	3.8
5.0 Revenue from other Agencies	-	-	44257.54	44257.54	
6.0 Service Charges	386.51	1351.54	15915.46	17267.00	7.8
	<u>45628.70</u>	<u>336508.17</u>	<u>315032.87</u>	<u>651541.04</u>	<u>51.6</u>
Non-Budgeted Receipts	1170.15				
	<u>46798.85</u>				
Adjustments	178.05	46620.80			
	<u>178.05</u>	<u>46620.80</u>			
		<u>254791.42</u>			
			This month's percentage figure - 25%		

		Expended	Balance	Budget	Percentage
10.1 Government Administration	3263.95	9935.23	34926.77A	44862.00	22.1
10.8 Government	1602.25	4950.25	19669.75B	24620.00	20.1
11.1 Police Department	10430.60	32396.31	100480.69C	131404.00	24.3
11.19 P/D Repair Shop	918.63	2742.52	3857.48D	6600.00	41.5
11.2 Fire Department	7832.50	26558.03	75146.37E	100875.00	26.1
11.3 Protective Inspection	652.79	1942.89	7772.11F	9715.00	19.9
11.9 Other Protection	-	-	100.00G	100.00	
12.1 P/W Office	1186.98	3412.78	10932.22H	14345.00	23.7
12.2 P/W Highways	18471.30	29656.47	56777.03I	73047.50	34.3
12.9 P/W Repair Shop	3444.97	9384.08	16935.92J	26320.00	35.6
13.0 P/W Sanitation	21281.46	32404.55	49001.20K	65900.00	39.8
19.0 Recreation Division	1083.00	18791.53	33841.72L	47633.25	35.7
Miscellaneous	1376.53	8903.36	28311.64M	37215.00	23.9
Council Appropriations	254.30	254.30	3495.89N	3750.19	6.7
Capital Budget	9862.61	9862.61	18636.79O	-	34.6
Legal Reserve	-	-	460.55	65154.10	99.2
	<u>81661.87</u>	<u>191194.91</u>	<u>460346.13</u>	<u>651541.04</u>	<u>29.3</u>
Non-Budgeted	100965.04				
	<u>182626.91</u>				
	<u>15680.42</u>	<u>197949.33</u>			
		<u>87842.09</u>			
			C	1473.00	
			E	829.40	
			I	13386.00	
			K	15505.75	
			L	5000.00	
			O	28499.40	
				<u>64693.55</u>	

GENERAL FUND
 Balance Sheet Comparisons
 August-September, 1961

<u>ASSETS</u>	Balance 8/31/61	Balance 9/30/61	Changes During Period
Citizens Bank of Takoma Park-G/F	71411.54	53223.73	-18187.81
Citizens Bank of Takoma Park-P/R	4222.59	27.91	-4194.68
Suburban Trust Company	132386.49	34440.45	-97946.04
Petty Cash	150.00	150.00	-
Delinquent Taxes	1117.24	1115.52	-1.72
Taxes Receivable - 1961 Levy	93642.32	59817.95	-33824.37
Towing Account	265.00	275.00	10.00
Uniform Account	2766.76	2435.38	-331.38
Protective Apparel	121.24	125.36	4.12
Hayward, Cherry & Colby Avenues	271.48	271.48	-
Cumberland Avenue	107.40	357.40	250.00
Ritchie Avenue P/W Egress	125.00	125.00	-
Commercial Trash Accounts Receivable	258.00	222.00	-36.00
Prepaid Insurance	7139.91	5791.20	-1348.71
Claims	2763.96	2875.02	111.06
Uniform Stock	308.50	222.50	-86.00
Capital Assets Control	1023900.72	1023900.72	-
Contracts Receivable Pending	7300.00	7300.00	-
Kirklynn Avenue	61.42	61.42	-
Exchange Account	256.00	356.00	100.00
repaid 4th of July	1953.31	1962.31	9.00
Municipal Center	159.40	159.40	-
Cooperative Purchasing		244.80	244.80
Certificate of Deposit		100000.00	100000.00
Due from Special Assessments		281.50	281.50
Accrued Interest Receivable		180.84	180.84
	<u>1350688.28</u>	<u>1295922.89</u>	<u>-54765.39</u>

LIABILITIES

Escrow Account	3051.67	3101.67	50.00
Withholding Taxes	4145.08	-	-4145.08
Group Hospitalization	20.19	27.91	7.72
Certificate of Indebtedness	60500.00	60500.00	-
Accrued Interest Payable	242.11	513.04	270.93
Accrued Payroll	3792.11	2425.24	-1366.87
Overpayment of Taxes	232.76	297.36	64.60
Interest on Delinquent Taxes	12.28	12.28	-
Commercial Trash Billing	54.00	18.00	-36.00
Sale of City Property Pending	7300.00	7300.00	-
Accounts Payable	17424.75	37690.04	20265.29
Tax Levy	54.53	-	-54.53
	<u>96829.48</u>	<u>111885.54</u>	<u>15056.06</u>
Unappropriated Surplus	(37471.62)	(37453.62)	18.00
Appropriated Net Asset Value	217839.00	197004.60	-20834.40
Reserve Fund Balance	49465.70	460.65	-49005.05
General Fixed Assets	1024025.72	1024025.72	-
Special Improvement Account:	<u>1350688.28</u>	<u>1295922.89</u>	<u>-54765.39</u>
8/31/61 Balance	\$7,123.22		
No deposits or	-		
Withdrawals	-		
9/30/61 Balance	<u>\$7,123.22</u>		

REGULAR MEETING
MAYOR & COUNCIL
October 23, 1961

Mayor Pro-tem Sidell called the meeting to order at 8:00 p.m. Those present were: Councilmen Forshee, Jones, McKenzie, Roth, and Turner. Absent: Mayor Miller and Councilman Collison. Also present was Corporation Counsel Gingerich and the following Department Heads: Clerk-Treasurer Pridgen, Police Chief Foster, Fire Chief LaScola and Director of Public Works Rhodes.

The invocation was rendered by Rev. W. J. Keith of the Takoma Park Seventh-day Adventist Church after which, Mayor Pro-tem Sidell led all those present in the Pledge of Allegiance to the Flag.

Mayor Pro-tem Sidell called for any additions or corrections to the Minutes of the meeting of October 9th. Councilman Turner pointed out that at the last meeting Mrs. Vera Hash spoke representing the Lincoln Valley Citizen's Association but the civic organization's name had not been put in the Minutes and requested that it be done. Councilman Roth stated that when he had referred the matter of the closing of Flower Avenue and the pedestrian controlled traffic lights to the Law Enforcement Committee, he had only meant the part regarding the pedestrian controlled traffic lights; and further that the proposed closing of Flower Avenue would remain on his agenda. Councilman Sidell stated that on page 7 in the first paragraph it reads that "Fire Chief LaScola had called the Veterans Administration about Military Leave..." Councilman Sidell stated that it should have been the Department of Labor and that Chief LaScola spoke with a Mr. Joseph W. Hall which should have been included in the Minutes. There being no further corrections or additions, Councilman Turner moved that the Minutes be accepted as corrected. Councilman Forshee seconded the motion which was duly carried.

CORRESPONDENCE RECEIVED:

1. Hon. Edward S. Northrop - Invitation to attend swearing-in ceremony as U. S. District Judge - Baltimore, October 24th. Referred to Council Files.
2. Mrs. Cody Pfanstiehl, President, Silver Spring Intermediate School, P.T.A., Expression of appreciation for installation of "slow" sign on Takoma Avenue. Referred to Council Files.
3. Elder William Loveless, Pastor, Sligo Seventh-day Adventist Church, Commendation of City administration. Referred to Council Files.
4. Esther D. Geib, 7509 Hancock Avenue, City, Expression of appreciation to Public Works Department for repair of street. Referred to Public Works Department files.
5. Robert W. Hamilton, Chairman, City Fire Board, Recommendation for appointment of Malcolm Eugene Ridgely. Referred to Fire Protection Committee.
6. Loren H. Gair, Director of Civil Defense, Takoma Park, Recommendations concerning civil defense activities and installation of fall-out shelters. Referred to Law Enforcement Committee.
7. Mrs. Anthony F. Monitor, Corresponding Secretary Takoma Park Women's Club, Inc., Request for space for storage of "hospital equipment loan closet." Referred to the Public Welfare Committee.
8. Mrs. Miriam Tymeson, Principal, John Nevins Andrews School, Request for sidewalk in front of school. Referred to Public Works Committee.

9. James A. Hash, Lincoln Valley Citizen's Association, Concerning Special Exception Case No. 1155-Takoma Medical and Dental Clinic. Referred to Civic Improvements Committee.

Mayor Pro-tem Sidell welcomed all those present and stated that Mayor Miller sent his regrets as he had another important meeting to attend which is the last one for sometime.

At this time, Mayor Pro-tem Sidell read a Resolution to be sent to Mrs. J. Bond Smith as a token of esteem for Mr. J. Bond Smith, former Corporation Counsel for the City, who has passed away. Mayor Pro-tem Sidell moved that the Resolution be adopted. Councilman Forshee seconded the motion which was duly carried.

OPEN MEETING:

Mayor Pro-tem Sidell recognized those persons desirous of expressing their views:

1. Mr. Walter McClenon, #1 Montgomery Avenue, past Councilman, asked if the leaf collector is in operation as yet. Mr. Rhodes, Director of Public Works, stated that it is not presently in operation but should be by the end of this week or the first of next week.

2. Mr. Clarence N. Smith of Silver Spring spoke concerning the proposed Master Plan for Takoma Park and its relation to the Inner Loop as proposed in the Silver Spring Plan. He indicated his hope that the Mayor and Council will continue their opposition to the widening of Takoma Avenue and its connection with Cedar Avenue as a part of the Loop. He suggested if the Piney Branch connection with Cedar Avenue is completed as planned, possibly the County will discard the Loop idea.

3. Mr. Gardner, Prince George's Towing Company, 7221 Carroll Avenue, City. Mr. Gardner stated that he would like to know what he would have to do in order to get more of the City's Police Department crane work. Mr. Gardner stated that in speaking with several City authorities he was told that no contract had been let and no bids had been requested yet approximately 98% of the crane work goes to one company. Mayor Pro-tem Sidell referred the matter to the Law Enforcement Committee.

4. Mrs. Vera Hash, 424 Lincoln Avenue, City, Lincoln Valley Citizen's Association. Mrs. Hash stated that the Lincoln Valley Citizen's Association wished to go on record as being in opposition to any proposal to close Flower Avenue to the general public. Further Mrs. Hash stated that the Citizen's Association wished to contribute \$5.00 to the Halloween Party and asked to whom the check should be made payable. Councilman Turner, Co-Chairman of the Halloween Party, stated that the check should be made payable to the City of Takoma Park. Mrs. Hash also asked what personal assistance might be rendered regarding the party. Councilman Turner stated that no personal assistance is needed at this time as plans have already been made and thanked Mrs. Hash for the contribution which is needed and appreciated.

PARKS AND RECREATION COMMITTEE:

1. Councilman Jones stated that he had no Committee report at this time. However, Councilman Jones stated that he would be interested in any suggestions from the Civic Organizations regarding the City's parks and playgrounds.

At this time, Mrs. Ferry, 24 Hickory Avenue, City, B. F. Gilbert's Citizen's Association stated that many of the children are still playing ball in the street in her neighborhood and that they are also using her yard for their games. Mrs. Ferry stated that the children tell her that they are not permitted to play in Spring Park. Mrs. Emily Monitor, past Councilwoman, stated that the children are not using the ball diamond but have moved to the grassy section of the park and are destroying the grass. Mrs. Vera Hash, Lincoln

Valley Citizen's Association, stated that she believes the sign prohibiting hard ball playing in the park is confusing and a contributing factor in the situation. Mayor Protem Sidell referred the matter to the Law Enforcement Committee and the Parks and Recreation Committee.

CIVIC IMPROVEMENTS COMMITTEE:

1. Councilman Roth moved that the Mayor and Council inform the Montgomery County Board of Appeals that the Council is in favor of a Medical Clinic as defined in the Zoning Law within the City limits; but finds it necessary to recommend that it be constructed in another location. The proposed location would be undesirable from the standpoint of increasing the traffic problem at a point that is already the source of problems. We would strongly favor the location of a medical clinic of the proposed size in the Laurel-Carroll Avenue area where it can be served by two bus lines and where it will be in the center of other activities which are currently used by the citizens of Takoma Park. This would be within a mile of the Sanitarium, a short distance for the doctors in this day of automobile transportation. Councilman Jones seconded the motion. Much discussion ensued, the Councilmen expressing their opinions on the subject. Councilman Jones explained the vote stating that if you vote for the motion, you will in reality be voting against the clinic in the proposed location. Councilman Forshee stated that since many of the doctors involved are friends of his that he must disqualify himself from voting. Upon being put to question, the motion was duly carried with Councilman Forshee abstaining and Councilman McKenzie voting Nay. Councilman Roth requested that the Corporation Counsel be present at the Hearing on Special Case No. 1155 concerning the proposed clinic and that the Police Chief accompany him if necessary to explain the traffic problem.
2. In connection with General Outdoor Advertising Company's request for Council opinion on 4 poster panels in the Laurel Avenue business district, Councilman Roth stated that legally the City has no jurisdiction. Much discussion ensued. It was pointed out that the Takoma Park Seventh-day Adventist Church was not in favor of two of the signs. Some concern was expressed about letting a commercial enterprize of this nature getting a foot hold in the community. Councilman Turner moved that the Mayor and Council recommend against erection of the poster panels. Councilman Forshee seconded the motion, which was duly carried.
3. Councilman Roth directed that a letter be written to the Park and Planning Commission similar to the one written to Werner Kloetzli concerning the 70 foot right of way on Lincoln Avenue and that it be pointed out that the only high density area that might use Lincoln Avenue is the Weltman property, if it is rezoned.
4. In connection with item 5 (a) under the Civic Improvements agenda concerning the recovery of zoning and building permit authority for the City, Councilman Roth recommended that the Public Works Committee and the Council favorably consider the idea of asking Montgomery County first and then Prince George's County for an agreement that they will not issue a building permit in the City limits without first contacting the City. Councilman Roth directed that this item be deleted from his agenda.

PUBLIC WORKS COMMITTEE:

1. In Councilman Collison's absence, Councilman McKenzie reported that the condition of the curb at 903 Jackson Avenue, an item on the agenda, is not the only curbing in poor condition throughout the City. Councilman McKenzie recommended that E. B. Donaldson, contractor now working on the City's sidewalks take care of the curb at 903 Jackson Avenue and several other poor curbs. Councilman Forshee seconded the motion which was duly carried.
2. Councilman McKenzie reported that the Public Works Department feels that the Fire House

parking lot is presently in good condition but that the winter months should do great damage to the present good condition. Councilman McKenzie reported that E. B. Donaldson & Company would grade the lot and pour asphalt for the sum of \$870.00 which Mr. Rhodes considers to be very reasonable. However, the City would have to pay for the asphalt which would be in the neighborhood of \$1,000.00. Therefore, Councilman McKenzie moved the adoption of an Ordinance to grade and apply asphalt to the surface of the Fire House parking lot in the amount of \$1,870.00 to come from the Reserve Fund:

ORDINANCE NO. 1670

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

SECTION 1. THAT E. B. Donaldson & Company be hereby authorized to furnish labor and equipment to grade and pave the Fire House parking lot for the sum of EIGHT HUNDRED, SEVENTY DOLLARS (\$870.00), AND;

SECTION 2. THAT the Director of Public Works be hereby authorized to purchase asphalt sufficient in quantity for such paving in a sum of approximately ONE THOUSAND DOLLARS (\$1,000.00) , AND;

SECTION 3. THAT the sums hereby authorized are to be transferred from the Reserve Fund into Account 22.1D, (Fire House Parking Lot).

Councilman Forshee seconded the motion and the Ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Forshee, Jones, McKenzie, Roth, and Turner. Nays: None. Absent: Councilman Collison.

3. Councilman McKenzie reported that the paving of Kirklynn Avenue has been completed and all that remains to be done is some cleaning up and restoration.

4. In connection with closing the gap of Brashear's Run, Councilman McKenzie moved that the City grant the right of way easement on City property to the Washington Suburban Sanitary Commission. Councilman Forshee seconded the motion which was duly carried.

5. Councilman McKenzie reported that the Potomac Electric Power Company has been requested to trim the trees on Pine, Montgomery, Hickory, and Elm Avenues as power lines run through the trees in that area.

6. Councilman McKenzie moved the adoption of the following ordinance:

ORDINANCE NO. 1671

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

SECTION 1. THAT in compliance with written request by the John Nevins Andrews School on Elm Avenue, sidewalk as designated will be paved, AND;

SECTION 2. THAT the contract be awarded to Duvall Engineering Company in the sum of NINE HUNDRED, SEVENTY-ONE DOLLARS (\$971.00) AND;

SECTION 3. THAT the sum as stated in Section 2 of this Ordinance is hereby assessed against the real property specially benefited by this improvement, such assessment to become a lien against said property due and payable December 1, 1961 in full or in ten equal installments plus accrued interest on the unpaid balance at the rate of six per cent per annum from December 1st, 1961.

Councilman Forshee seconded the motion and the ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Forshee, Jones, McKenzie, Roth, and Turner.

Nays: None. Absent: Councilman Collison.

7. Councilman McKenzie moved that the Clerk & Treasurer be authorized to advertise for bids on a four-wheel drive dump truck to be equipped with a snow plough and in accordance with specifications as drawn by Mr. Rhodes, such bids to be opened on November 7, 1961. Councilman Forshee seconded the motion which was duly carried.

PUBLIC WELFARE COMMITTEE:

- 1. In connection with complaint of rats and debris at lot 5, Block 60, Ritchie Avenue, Councilman McKenzie reported that the weeds are extremely high and that the back has been used for a dump. Councilman McKenzie requested the Clerk and Treasurer to write the proper letter to the owner instructing that the premises are to be cleaned up within 15 days.
- 2. Councilman McKenzie reported that the county has not sent the rat exterminator to the City but that he is expected.

FINANCE COMMITTEE:

- 1. Councilman Forshee moved the adoption of the following Ordinance;

ORDINANCE NO. 1672

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

SECTION 1. THAT the Mayor and City Council have determined that it is in the public interest to acquire the improved property on Grant Avenue in Block 102 known as the Margaret Hodges Ray property consisting of two parcels containing 48,885 square feet more or less of land in Takoma Park, Montgomery County, Maryland, contiguous to other City owned land in Block 102, previously acquired by the City, AND;

SECTION 2. THAT the sum of TWENTY-NINE THOUSAND, FIVE HUNDRED DOLLARS (\$29,500.00) be hereby authorized as the purchase price of said property, AND;

SECTION 3. THAT the City Clerk-Treasurer is hereby authorized to pay to Margaret H. Ray the sum as stated in Section 2 upon satisfactory title transfer as approved by the Corporation Counsel, AND;

SECTION 4. THAT the sum hereby appropriated be transferred from the Reserve Fund.

Councilman Roth seconded the motion and the ordinance was adopted with a roll call vote recorded as follows: Ayes: Councilmen Forshee, Jones, McKenzie, Roth, and Turner. Nays: None. Absent: Councilman Collison.

- 2. Councilman Forshee reported that if it is agreeable, the price for the complete set of the Codification will be \$1.50 per copy and a minimum of twenty-five cents for each separate section. Each Councilman stated that it is agreeable.

In order that he might give his Committee report, Mayor Pro-tem Sidell turned the conduct of the meeting over to Councilman Forshee.

FIRE PROTECTION COMMITTEE:

- 1. In accordance with the recommendation of the City Fire Board and Fire Chief LaScola, Councilman Sidell moved the twelve month probationary appointment of Malcolm Eugene Ridgely formerly with the Chillum-Adelphi Fire Department at \$4,400.00 per annum as under the Merit Plan to be effective November 1, 1961. Councilman Jones seconded the motion

which was duly carried.

At this time, Councilman Forshee turned the conduct of the meeting back to Mayor Pro-tem Sidell.

LAW ENFORCEMENT COMMITTEE:

1. In connection with the complaint of blue stone from the Takoma Motor Company parking lot on Westmoreland Avenue, Councilman Turner reported that the Takoma Motor Company has been contacted and that they have agreed to have a man sweep the sidewalk in the morning and in the evening. Councilman Turner directed that the item be deleted from his agenda.
2. Upon the recommendation of Police Chief Foster, Councilman Turner moved the permanent appointment of Police Officer Robert Harrah to be retroactive to September 1, 1961. Councilman Jones seconded the motion which was duly carried.
3. Councilman Turner directed that the item on the agenda regarding certain official remarks and Council policies be deleted from the agenda as the last request for action had been answered in a letter complying with the request by answering certain questions.

There being no further business to come before the Mayor and Council, the Meeting adjourned at 9:45 p.m.

George M. Mullen
MAYOR

Harold M. Sidell
CLERK-TREASURER