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EXECUTIVE MEETING
Mayor and Council
February 13, 1961

Mayor Miller called the meeting to order at 8:00 P.M. Those present were: Councilmen Collison, Forshee, Jones, McKenzie, Roth, Sidell, and Turner.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the meeting of January 23rd if there were no corrections or additions. Councilman McKenzie so moved and Councilman Forshee seconded the motion which was duly carried.

CORRESPONDENCE RECEIVED:

1. Mrs. Robert J. Johnson, 316 Tulip Avenue, City, Suggestions concerning sledding on Willow Avenue. Referred to the Parks and Recreation Committee.
2. Mrs. Henry E. Ewing, 7308 Willow Avenue, City:
 - (a) Request for improvement of street lighting on Willow Avenue
 - (b) Request for information concerning tax reduction for widows
 - (c) Complaint of icy condition of sidewalks, Willow Avenue
3. Mrs. Harry Silverman, 7428 Carroll Avenue, City, Objection to proposed penalty on property owners for uncleared snow on sidewalks. Referred to the Public Welfare Committee.
4. Mrs. Julia V. McPherson, 211 Manor Circle, City, Suggestions concerning snow removal from sidewalks. Referred to the Public Welfare Committee.
5. Mr. and Mrs. A. E. McDonnell, 240 Manor Circle, City, Suggestion for a "Do not block intersection" sign on Ethan Allen Avenue before entrance to South Manor Circle. Referred to the Public Safety Committee.
6. Mr. and Mrs. A. E. McDonnell, 240 Manor Circle, City, Complaint of rats and filthy premises at 236 Manor Circle and non snow removal. Referred to the Public Welfare Committee.
7. Mrs. Douglas M. Dunn, 7411 Buffalo Avenue, City, Commendation of employees of the Public Works Department for snow plowing and sanding streets. Referred to the Public Works Committee.
8. Mrs. Jane McBride, Secretary, Ladies' Auxiliary, Takoma Park Volunteer Fire Department, Inc., Offering services of Auxiliary to City. Referred to Council Files.
9. Mr. John L. Bryan, Professor and Head, Fire Prevention Curriculum, University of Maryland, Commending Mayor and Council for their interest and progressive thinking in making it possible for professional firemen to attend the University for specialized fire training. Report of good marks of Pfc. Karl Kearns and Volunteer Mr. Robert Darwin. Referred to the Public Safety Committee with a copy to Mr. Kearns personnel file.
10. Rear Admiral F. P. Kreuz, Medical Corps, U. S. Navy (Bethesda Naval Hospital) Expression of appreciation to Municipal Fire Chief S. J. La Scola for cooperation in connection with Fire Prevention Week. Referred to the Public Safety Committee with a copy of the letter to Mr. La Scola's personnel file.

BANK STATEMENT:

Citizens Bank of Takoma Park-Gen. Fund:

12/31/60 Balance	\$ 53006.18
January Receipts	116269.84
(Includes Certificate of Deposit for \$100,000.00)	<u>\$169276.02</u>
January Disbursements	66851.49
1/31/61 Balance	<u>\$102424.53</u>

Suburban Trust Company:

12/31/60 Balance	\$ 1455.51
January Receipts	249.38
1/31/61 Balance	<u>\$ 1704.89</u>

Citizens Bank - Special Improvement Acct.

12/31/60 Balance	\$6134.20
January Receipts	1519.53
1/31/61 Balance	<u>\$7653.73</u>

Mayor Miller stated that it was the honor of himself and the Council to have among them a distinguished person who on December 31st became 80 years of age, a person who for years served the City and his fellowman and is still do doing, a native of Maryland, served as Mayor of Takoma Park for four terms, served as Montgomery County Commissioner for one term, and was recently presented with a very fine wrist watch by the Montgomery County Banking Association in recognition of his service in banking circles. At this time, Mayor Miller introduced former Takoma Park Mayor Oliver W. Youngblood and presented him with a plaque for his devoted and faithful service as Mayor of Takoma Park from June 3, 1940 to June 7, 1948. Pictures were taken of Mayor Miller presenting the plaque to Mr. Youngblood and of the entire Council with Mr. Youngblood and Mayor Miller. Mr. Youngblood remarked that this was one of the biggest surprises in his life, thanked the Mayor and Council, and stated that he had always enjoyed working for the City of Takoma Park and often missed it.

Mayor Miller mentioned that Mr. Vincent L. Gingerich, Corporation Counsel, and three other gentlemen were very well spoken of in Mr. Bill Gold's Column published in the Washington Post. It so happens that Mr. Gingerich is a member of the D. C. Keys, a barber shop quartet which appeared on Bill Gold's program Dug Out Chatter before the baseball games and on his regular radio program. Mr. Gold praised the quartet quite highly. Mayor Miller read the article and then presented the clipping to Mr. Gingerich.

At this time, Mayor Miller welcomed all those present and asked if there was anyone desiring to be heard. There being no one desiring to address the Mayor and Council, the Council went ahead with the business of the meeting.

PUBLIC WELFARE COMMITTEE:

1. Councilman McKenzie reported that he had nothing to report at this time, except that he realized that there were many complaints concerning the ice and snow on the City sidewalks. He further stated he realized that many were physically unable to shovel snow but that it is impossible for the Public Works Department to clear the sidewalks as well as keep the snow from the City streets, reporting that it is difficult to enforce the Snow Ordinance due to the language of the Ordinance itself. Councilman McKenzie stated that it should be better next winter under the new Codification of the City Laws and Ordinances which calls for a penalty for not removing the snow. Councilman McKenzie stated that there will be ample publicity of this fact before next winter.

PUBLIC SAFETY COMMITTEE:

1. Councilman Sidell stated that Maryland Fire Underwriters Rating Bureau Recommendations

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for improvement of Fire Defense in the City and Fire Tax Area of Takoma Park are still under consideration but that something should be decided by the next meeting.

2. Councilman Sidell stated that the Potomac Electric Power Company had been requested to make a survey of the lighting along Poplar, Hickory, Montgomery Avenues and intersection of Pine and Elm Avenues, but that no report had been received from them as yet.

3. Councilman Sidell reported that the condition of the City Impounding Lot is still under consideration by the Committee and will be taken up again at the next meeting of the Committee.

4. Councilman Sidell stated that a meeting had been held with the Council, regarding the parking facilities at Montgomery Junior College, but that there seemed to be an emergency at that time, and since then the emergency has ceased to exist. He further stated that the Council has not reached a final decision as yet.

5. At this time, Councilman Sidell moved the adoption of an ordinance to authorize the purchase of an Official Fire Department car as bid by Takoma Motor Company at the price of \$1,899 plus \$58.00 for the Deluxe Trim Package making a total of \$1,957. Councilman Turner seconded the motion to adopt an ordinance as follows:

ORDINANCE NO. 1636

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

Section 1. THAT after having been duly advertised in accordance with law and publicly opened on January 20, 1961, bids were received for one new Station Wagon for use of the Fire Department, AND,

Section 2. THAT the contract for the purchase is hereby awarded to Takoma Motor Company in the sum of ONE THOUSAND, NINE HUNDRED, FIFTY-SEVEN DOLLARS (\$1,957.00) for one 1961, Ford Falcon Wagon in accordance with specifications, AND,

Section 3. THAT the sum as specified in Section 2 be transferred from the Reserve Fund.

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

6. Councilman Sidell thanked Mayor Miller for the letter of congratulations sent to Pfc. Karl Kearns of the Fire Department for his high grade in the special course he took at Maryland University.

7. Councilman Sidell stated that Mayor Miller would speak at the meeting of the B. F. Gilbert Citizen's Association meeting to be held Wednesday evening.

PARKS AND RECREATION COMMITTEE:

1. Councilman Turner stated that he had nothing to report at this time.

2. Councilman Roth mentioned that he had read an article in the Prince Georges Post stating that Prince Georges County is going along with the idea of a multi-purpose court in Long Branch Park, and that it is intended to include this in the County Budget; and Councilman

Roth recommended that the County Recreation Department be written to urgin them to proceed with the project.

At this time, Mayor Miller stated that former Councilman Jimmy Forehand is in the hospital at N.I.H. and stated that he was certain that Mr. Forehand would appreciate any letters, cards, and/or telephone calls.

CIVIC IMPROVEMENTS COMMITTEE:

1. Councilman Roth reported that the D. C. Roads Commission and the County Roads Commission, in connection with a northern corridor route for connection with Route 240, are considering a route that would run close to Georgia Avenue which would provide three routes through Silver Spring. Councilman Roth stated that the Committee is keeping close watch on the project.

2. Councilman Roth recommended that Zoning Amendment Petition No. A-3894, Colonial Investment Company, west part of lot 5, Block 35, B. F. Gilbert's Addition to Takoma Park, R-55 to R-18 Zone be denied as this was the action taken on Cherry Avenue which is very close to this particular piece of property. Councilman Collison seconded the motion which was duly carried.

PUBLIC WORKS COMMITTEE:

1. Councilman Collison stated that the Maple Avenue Improvement Project is well under way but that due to the bad weather conditions, the area is rather messy. He also reported that the twin 78's are beginning to cross Maple Avenue.

2. Councilman Collison stated that bids for the Erskine Street Drainage Project were received on February 7th and there were 4 bids received with approximately a \$500.00 spread between the high and the low bid. Councilman Collison moved the adoption of an Ordinance to accept the bid of the Lisbon Construction Company in the amount of \$7,440.60 the project to be completed within 45 days, weather permitting:

ORDINANCE NO. 1637

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

Section 1. THAT after having been duly advertised in accordance with law, and having been opened on February 7, 1961, bids were received for the Hillwood Manor Storm Drainage Project P/W 61-1, AND,

Section 2. THAT the contract for said project is hereby awarded to Lisbon Construction Company of Rockville, Maryland in the sum of SEVEN THOUSAND, FOUR HUNDRED FORTY DOLLARS AND SIXTY CENTS (\$7,440.60) in accordance with plans and specifications, AND,

Section 3. THAT the sum as specified in Section 2 be transferred from the Reserve Fund.

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

FINANCE COMMITTEE:

1. Councilman Forshee stated that it is anticipated that the City will run into some deficit financing before the year is out and that bids have been received from Suburban Trust Company and the Citizens Bank of Takoma Park. Councilman Forshee recommended that the bid of Suburban Trust Company be accepted and an Ordinance authorizing the issuance of Certificates of Indebtedness be adopted as follows:

ORDINANCE NO. 1638

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

Section 1. THAT after having been duly advertised in accordance with Ordinance No. 1635, bids for the issuance of \$100,000.00 in TWO Certificates of Indebtedness of \$50,000.00 each had been opened on February 13, 1961, AND,

Section 2. THAT the bid submitted by the Suburban Trust Company be accepted at the rate of 1.45% per annum on the Certificate maturing August 1, 1961 and at the rate of 1.55% on the Certificate maturing March 1, 1962

Section 3. AND FURTHER THAT Certificate No. 1 of 1961 in the amount of FIFTY THOUSAND DOLLARS (\$50,000.00) be issued and dated March 1, 1961 and to mature and become payable August 1, 1961, at the Interest Rate of 1.45% per annum, AND

Section 4. THAT Certificate No. 2 of 1961, in the amount of FIFTY THOUSAND DOLLARS (\$50,000.00) be issued and dated March 1, 1961, to mature and become payable March 1, 1962, at the Interest Rate of 1.55% per annum.

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

2. Councilman Forshee recommended that the City purchase 6,000 sq. ft. of property now in the name of Ackerman, located next to the Baker property which the City just purchased and that the property be purchased for \$2,600.00. Councilman Forshee moved the adoption of the following Ordinance:

ORDINANCE NO. 1639

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 unimproved property known as 107 Philadelphia Avenue, Takoma Park, Maryland, containing 6,000 square feet in Block 102, Hodges Tract, Takoma Park, Montgomery County, Maryland, contiguous to other City owned property in Block 102, previously acquired by the City for use as a Public Park, AND,

Section 2. THAT the sum of TWO THOUSAND, SIX HUNDRED DOLLARS (\$2,600.00) be hereby authorized as the purchase price of said property, AND,

SECTION 3. THAT the City Clerk-Treasurer is hereby authorized to pay to the Artery Construction Company through proper legal channels, the sum as stated in Section 2 of this Ordinance.

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

LAW AND ORDINANCES COMMITTEE:

1. Councilman Jones moved the endorsement of Judge Harlen Frey for reappointment as Justice of the Peace for Prince Georges County for the term beginning May 1, 1961. Councilman McKenzie seconded the motion which was duly carried.

2. Councilman Jones requested that Mayor Miller's request regarding the preparing of two Ordinances be tabled to the next meeting.

3. Councilman Jones reported that another bid had been received for the printing of the Codification of the City Laws and Ordinances but that he had not received a sample of their work and requested the City Clerk & Treasurer to furnish such samples.

4. Councilman Jones stated that he had a proposed Ordinance regarding a Trial Board for City Firemen, but that he was hesitant to read it as it was his understanding that the Ordinance was not ready for adoption. Mayor Miller stated that he and Mr. Hamilton, Chairman of the City Fire Board had met and that it was considered agreeable to the Trial Board. Therefore, Councilman Jones gave the first reading of the Ordinance. Councilman Forshee questioned the fact whether or not the employee is allowed to have witnesses as he understood it, the Ordinance did not specifically state this. An amendment was made to the original Ordinance to include this. Councilman Jones moved the adoption of the following:

ORDINANCE NO. 1640

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

Section 1. THAT in accordance with Article 4, Ordinance No. 915 the rules and regulations governing the Trial Board of the Takoma Park Fire Department shall be as follows:

- (a) The Municipal Chief of the Fire Service or any subordinate Fire Officer through the Chief, may prefer charges against any subordinate employee;
- (b) The Chief shall forward such charges to the Mayor, and the Public Safety ~~Chairman~~ ;
- (c) The Mayor shall activate the Trial Board within a reasonable time after notification of charges having been placed;
- (d) The Mayor shall notify the employee, special witnesses, complaining Officer and/or Chief of the time and place of a Hearing and Advise the employee in writing of the nature of the charges;
- (e) The Mayor may require the presence of the Corporation Counsel and/or the City Clerk if deemed necessary;
- (f) The Chairman of the Public Safety Committee shall be permitted to sit in on the Hearing, however, he shall not be permitted to participate in proceedings;

- (g) All witnesses shall be sworn by the Mayor before testimony;
- (h) The specific charges named in the statement by superior Officer shall be read to the employee and he and his attorney if any shall remain in Hearing Room to hear all evidence presented;
- (i) Superior Officer may elaborate verbally on specific charges and related information and call witnesses in support thereof;
- (j) No debate shall be permitted between employee and superior Officer or other witnesses, however, direct interrogation of witnessess shall be permitted as aforesaid;
- (k) Employee shall be permitted to fully state the facts to justify his position, call witnesses, holding them to relavent facts pertaining to the specific charges.
- (l) Witnesses shall be called individually and dismissed from room for possible recall;
- (m) Both superior Officer and employee shall be permitted to sum up their case and defense prior to decision;
- (n) The Trial Board shall sit in private discussion to arrive at their decision and recommendation, preferably at the end of session, or at least within one week after completion of Hearing;
- (o) All parties involved, other than witnesses, including City Council shall be notified in writing of the decision and ruling of the Trial Board.

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

Mayor Miller stated that he had issued a Proclamation proclaiming the month of February American History Month, which he read in its entirety at this time.

Mayor Miller further stated that he would speak at the B. F. Gilbert Citizen's Association meeting to be held Wednesday evening, February 15th, and requested that as many of the Councilmen attend as possible stating that the Association is working for the betterment of the community which should be of vital concern to us all.

At this time, Mayor Miller requested Mr. Pridgen, Clerk & Treasurer to prepare a Resolution to be presented to Mrs. Bliss whose husband recently passed away stating that for many years Mr. Louis D. Bliss and the Bliss family operated the Bliss Electrical School, the school having been located where Montgomery Junior College presently stands. Mayor Miller stated that Mr. Bliss was 89 years of age when he passed on and that he had contributed much to his community especially North Takoma. Councilman Jones stated that during World War II, the school did a wonderful job for the Navy in advanced electronic training.

The City Clerk & Treasurer, Mr. Haynes M. Pridgen stated that on Wednesday, February 15th, the City of Takoma Park would be host to the City and Town Administrator's of the Maryland Municipal League extending an invitation to the Mayor and Council to attend .

Mayor Miller remarked that Mr. Pridgen is to be commended for his fine work and that he was practically one of the originators of this organization which has been of great value, and further stated that he was proud that Takoma Park would be the host on this occasion.

There being no further business to come before the Mayor and Council, the meeting adjourned at 9:40 P.M.

Harold M. Pridgen
Clerk & Treasurer

George M. Miller
Mayor

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REGULAR MEETING
Mayor and Council
February 27, 1961

Mayor Miller called the meeting to order at 8:00 P.M. Those present were: Councilmen Collison, Forshee, Jones, McKenzie, Roth, Sidell and Turner.

The Invocation was given by Reverend Russell Quackenbush of the Washington Sanitarium and Hospital Chapel.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the meeting of February 13th. Councilman Jones stated that one correction should be made regarding Ordinance No. 1640. The Minutes state that "Councilman Jones gave the first reading of the Ordinance." Councilman Jones stated that this should be deleted as it was not actually a first reading as the Ordinance was duly adopted. Councilman Collison seconded Councilman Jones's motion to strike the sentence regarding the first reading, and the motion was duly carried. It was then regularly moved and seconded that the Minutes be accepted as corrected. Upon the question, the motion was duly carried.

CORRESPONDENCE RECEIVED:

1. Senator H. Winship Wheatley, Jr., Informing that Governor Tawes has renominated Judge Harlen Frey to serve another two years. Referred to Council Files.
2. Joseph W. Vernon, Executive Director, Prince Georges County Boys' Club, Requesting information concerning representative of the Takoma Park Boys' Club and stating that the Club will be dropped from County Club on March 9th unless someone shows cause why it should not be dropped. Referred to Parks and Recreation Committee.
3. Mrs. Jeanette Wermich, 251 Manor Circle, City, Complaint of condition of boulevard on south side of Winchester Avenue. Referred to Public Safety and Parks and Recreation Committee.
4. Darl R. McBride, Recording Secretary City Fire Board, Endorsing the proposed Fire Department Budget 1961-62. Referred to the Finance Committee.
5. Mrs. Joseph B. Simpson, 7218 Cedar Avenue, City, Requesting the Mayor to intercede regarding the teaching of foreign languages at the Elementary School level. Mayor Miller instructed that a proper letter be prepared to be sent to the Montgomery County Board of Education with a copy to the County Council.

Mayor Miller stated that for the next four Sundays at 8:00 P.M. lectures and demonstrations will be given in the basement of the Sligo Seventh Day Adventist Church at Flower and Carroll Avenues in Civil Defense and how it applies and works in a community. Mayor Miller stated that Civil Defense is of or should be of concern to all citizens, as Civil Defense is not only important in the event of an attack on the country but also plays an important part in the event of a natural catastrophe, such as a tornado or hurricane. Mayor Miller urged that as many people as possible attend these important meetings.

Mayor Miller read a Resolution which is to be sent to Mrs. Louis D. Bliss, wife, of the late Dr. Louis D. Bliss, Founder of the Bliss Electrical School, as an expression of sympathy from the Mayor and Council.

There being no one wishing to address the Mayor and Council, Mayor Miller directed the regular business of the meeting to proceed.

PUBLIC SAFETY COMMITTEE:

- 1. Councilman Sidell reported that the survey concerning the lighting conditions on Poplar, Hickory, Montgomery Avenues and intersection of Pine and Elm Avenues had been received from the Potomac Electric Power Company, but that the Committee has not acted on the matter as yet.
- 2. Councilman Sidell brought up the matter of the Takoma Langley Taxi Association's request that the Dispatcher's Booth located at Laurel and Eastern Avenues be shut down and the dispatcher moved to an office in the District of Columbia. Much discussion ensued concerning the request from the Association's President. It was decided not to take any action at this time until the Association as a whole votes on the subject.
- 3. Upon the recommendation of Fire Chief La Scola and the City Fire Board, Councilman Sidell moved that Sgt. Baron DeKalb be promoted to the rank of Captain with the duties of Fire Marshal at the annual salary of \$5250.00 plus the 2 1/2% temporary cost of living increase, effective March 1, 1961. Councilman Sidell stated that tests were given and that Sgt. De Kalb received the highest mark. Councilman Turner seconded the motion which was duly carried. Mayor Miller congratulated Sgt. De Kalb who was present at the meeting.
- 4. Councilman Sidell moved, as approved by the Fire Chief and the City Fire Board, that M. E. McBride be appointed as temporary Deputy Fire Chief to be effective as of March 1, 1961, until such time as a paid firemen is put in the position. Councilman Turner seconded the motion which was duly carried with Councilman Collison voting nay.
- 5. Councilman Sidell stated the Committee had again taken up the matter of the Fire Underwriters Rating Bureau recommendations for improvement of fire defense in the City and fire tax area of Takoma Park. After considerable discussion, it was decided to wait until the next meeting before taking any definite action.
- 6. Councilman Sidell moved the adoption of an ordinance to rescind Section 5 of Ordinance No. 1400 and to adopt Section 5 of Ordinance No. 1400 as under the new Codification of City laws and ordinances. He stated that it was felt that the disciplinary section should be adopted now rather than wait for the printing of the Codification as there are no disciplinary measures provided for paid firemen at this time.

ORDINANCE NO. 1641

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

SECTION 1. THAT Section 5 titled "Discipline" of Ordinance No. 1400 known as the "Merit Plan" be repealed in its entirety and a new Section 5 titled "Discipline" be hereby Ordained as follows:

"Section 5. Discipline.

(a) No person holding a permanent appointment shall be demoted, fined, suspended without pay, or dismissed from employment with the City of Takoma Park, Maryland, except in the manner and under the procedures hereinafter outlined:

(b) Definitions of titles, words, and phrases as used in this Section:

- (1) The Mayor - The Mayor or member of the Council acting in such capacity.
- (2) Department Head - A Department Head or person acting in such capacity.

- (3) Subordinate Supervisor - Any employee holding a permanent appointment who is in direct supervision of an employee at the time the employee is involved in an alleged violation.
- (4) Investigative Committee - The Council Committee having responsibility over the Department whose employee is involved in an alleged violation.
- (5) Statement of Charges or, Charges - A written statement made by a Subordinate Supervisor, Department Head, or other employee or City Official which sets forth an alleged violation (or group of alleged violations) by any City employee of any rule, regulation, City Ordinance, or Oath of Allegiance.
- (6) Temporarily relieved from duty - That period of time from the moment action is taken by a Subordinate Supervisor or Department Head until the employee is either restored to a duty status by the Department Head or Mayor, or, temporarily suspended without pay by the Mayor pending Council action. If restored to a duty status by either the Department Head or the Mayor, this period of time shall not affect pay status. If temporarily suspended without pay by the Mayor, this period of time shall count as temporary suspension without pay pending Council action. This action can only be taken where an employee is unfit to assume duty at a regularly scheduled time or becomes unfit for duty while on duty, either from the effects of alcohol or narcotics, mental illness or commission of an illegal act. Restoration to a duty status from this action can only be performed by a higher authority than the one taking the initial action.
- (7) Temporary suspension without pay - That period of time from the date action is taken by the Mayor until final action by the Council and shall include that time covered by temporary relief from duty if such action is initiated first. Under no conditions shall this period exceed twenty-one days.
- (8) Suspension without pay - That period of time decided by the Council as a fine. Suspension without pay can be any period of time from one day through but not exceeding fifteen days. Such period of suspension, for the records shall start on the day following the violation, if the employee was temporarily suspended without pay by the Mayor.
- (9) Regulation or, Regulations - Any legitimate departmental rule, regulation, or order (either verbal or written) which affects an individual in that Department; any City Ordinance, any County, State, or Federal Law, violation and conviction of which would jeopardize employment with the City; or Oath of Allegiance.

(c) Authority.

- (1) The Mayor shall have the authority to temporarily suspend without pay any employee covered by this Section upon written request from a Department Head for such action. Such request must be accompanied by a statement of charges. The Mayor shall also have the authority to reject such charges and/or request.
- (2) A Department Head shall have the authority to request the Mayor to temporarily suspend without pay any employee under the Department Head's supervision who, in his judgement, has been guilty of an alleged violation of any regulation. He shall also have the authority to restore to a duty status any employee who has been temporarily relieved from duty, by a Subordinate Supervisor.
- (3) A Subordinate Supervisor shall have the authority to temporarily relieve from duty any employee under his direct supervision, who, in his judgment is unfit to assume duty at a regularly scheduled time, or becomes unfit for duty while on duty. A Department Head shall also have this authority.

- (4) The Investigative Committee shall have the authority to call witnesses, examine official City records, request the City Clerk for secretarial assistance, and require the Corporation Counsel to be present at any hearings for guidance purposes in arriving at just decisions.
 - (5) Any accused employee under investigation by the Investigative Committee shall have the right of representation by legal counsel at any hearing held.
 - (6) The City Council shall be the final authority in any case presented to it for action.
- (d) Procedures.
- (1) Any Subordinate Supervisor or Department Head who temporarily relieves an employee from duty and/or prefer charges shall:
 - (a) Notify the employee verbally, immediately;
 - (b) Notify the Department Head verbally as soon as possible;
 - (c) Prepare a statement of charges setting forth the alleged violation in detail together with his reasons for his action;
 - (d) Present such statement of charges to his Department Head within twenty-four hours of his initial action; and,
 - (e) Present a copy of the statement of charges to the employee involved as soon as possible;
 - (f) In event the Department Head temporarily relieves an employee from duty, he shall present a statement of charges to the Mayor with or without a request to temporarily suspend without pay, and present a copy of the statement to the employee.
 - (2) The Department Head, if he concurs in his Subordinate Supervisor's action (or if he initiates the action himself) shall:
 - (a) Present the Mayor with a written request to temporarily suspend the employee without pay and accompany such request with a statement of charges;
 - (b) Present the Mayor with such request within twenty-four hours of the initiation of such request; and,
 - (c) Present the employee concerned, a copy of his request and statement of charges.
 - (3) The Department Head, if he does not concur in his Subordinate Supervisor's action shall:
 - (a) Restore the employee involved to duty status immediately;
 - (b) Prepare and forward to the City Clerk for distribution to the Mayor and entire City Council, if the employee has been relieved from duty, a complete copy of the initial action taken and his decision and action thereon; and,
 - (c) Present a copy of his report to the Council, to the employee involved.
 - (4) The Mayor, if he concurs in the Department Head's request, shall
 - (a) Immediately take action on such request;
 - (b) Notify the Department Head of his action within twenty-four hours;
 - (c) Notify the City Clerk to have the proper investigative Committee activated;
 - (d) Forward to the Investigative Committee, through the City Clerk, all correspondence relative to the case; and,
 - (e) Forward to the employee concerned, through the Department Head, a copy of his action.

- (5) The Mayor, if he does not concur in the Department Head's request, shall
 - (a) Notify the Department Head to restore the employee to duty status immediately if he has been temporarily relieved from duty, or, that he does not concur in the request;
 - (b) Forward a copy of his action to the employee concerned through the Department Head; and,
 - (c) Forward a complete report to the Council through the City Clerk.
- (6) The Investigative Committee shall hold a hearing on any case presented to it for investigation, and shall present its findings and recommendations to the full Council within twenty-one days of the initiation of charges.
- (7) Any employee under investigation on a statement of charges shall have the right to be present at any hearing held by the Investigative Committee during the hearing of all evidence, but not during the deliberation portion of the hearing unless the Committee so desires.
- (8) Preferring and presentation of charges involving infractions of regulations may be made without involving temporary relief from duty or temporary suspension without pay provided all other requirements, channels, and procedures of this Section are followed.

(e) Council Decisions.

- (1) In the event an employee has been found guilty by the Council, any one of the following may be the punishment:
 - (a) Dismissal as of the date the employee was first temporarily relieved from duty or suspended without pay;
 - (b) Dismissal as of the date the Council takes action with restoration of all back pay to that date whether the employee was suspended without pay, or not;
 - (c) Dismissal with two weeks notice, without prejudice, as of the date the Council takes action with restoration of all back pay to that date, if under suspension;
 - (d) If already under suspension, a fine in increments of a per diem salary of not less than one day, nor more than fifteen days pay, less deductions for retirement for the period, and restored to duty status;
 - (e) If not under suspension, a fine of not less than one days pay, nor more than fifteen days pay, less deductions for retirement for the period, the fine to start as suspension without pay from the date following the Council action;
 - (f) Demotion in grade not to exceed one full pay grade;
 - (g) Demotion within grade not to exceed the lowest salary paid in that grade.
- (2) In the event an employee has been found not guilty by the Council:
 - (a) The employee shall be restored to full duty status, if under suspension, with restoration of all back pay due, and for all purposes shall be deemed to have rendered service during such period, and his leave shall be calculated as though he had never been suspended.

(f) Correspondence.

- (1) A copy of all correspondence (except that of the Investigative Committee) shall be placed in the personnel folder of the employee involved in a statement of charges and the personnel folder of the person initiating the charges.

(g) Non-payment of just debts.

(1) Any employee of the City who shall wilfully fail to pay his or her just debts shall be guilty of conduct prejudicial to the best interests of the City. Upon a finding of such guilt the employee may be subject to appropriate disciplinary action, including dismissal.

(h) Probationary Employees.

(1) Any probationary employee may be dismissed from his position at any time during his probationary period upon written justification by his Department Head that he is incapable of properly performing the duties for which he was hired.

SECTION 2. AND FURTHER THAT this new Section 5 of Ordinance No. 1400 as contained in Section 1 above is to become effective as of the date of adoption, February 27, 1961.

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

6. Councilman Sidell moved, upon the recommendation of Police Chief Foster, that James E. Fitzpatrick be appointed to the Police Department on a six month probationary period effective March 1, 1961 at the annual salary of \$4,000 per annum plus the 2 $\frac{1}{2}$ % temporary cost of living increase under the Merit Plan. Councilman Turner seconded the motion which was duly carried.

7. Councilman Sidell moved, upon the recommendation of Police Chief Foster, that Robert E. Harrah be appointed to the Police Department on a six month probationary period effective March 1, 1961, at the annual salary of \$4,000 per annum plus the 2 $\frac{1}{2}$ % temporary cost of living increase under the Merit Plan. Councilman Turner seconded the motion which was duly carried.

8. Upon the recommendation of Chief Foster, Councilman Sidell moved that Pvt. Rodney T. Ingels and Pvt. John D. Ward be permanently appointed to the Police Department as they will complete their six month probationary period on March 1, 1961. Councilman Turner seconded the motion which was duly carried.

9. Councilman Sidell moved the adoption of an ordinance to erect a "Do Not Block Intersection" sign at the intersection of Ethan Allen Avenue and South Manor Circle:

ORDINANCE NO. 1642

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

SECTION 1. THAT a "Do Not Block Intersection" sign be placed on the North side of Ethan Allen Avenue, East of South Manor Circle, AND,

SECTION 2. THEREFORE THAT the Director of Public Works is hereby authorized to proceed with the erection of the necessary sign at the appropriate location, AND,

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

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

10. Councilman Sidell moved that the Municipal Fire Chief's car allowance be increased from \$25.00 to \$35.00 per month retroactive to July 1st, 1960, and until such time that the new Fire Department car arrives and is placed in service, such increase of \$10.00 per month with retroactive payment to be charged to Account No. 11.212 L2 as there is sufficient funds in th s account to accommodate such charge. Councilman Forshee seconded the motion which was duly carried, Councilman McKenzie voting Nay.

11. Councilman Sidell stated that he had attended two of the meetings concerning Civil Defense that Mayor Miller had mentioned stating they are of definite value to our community and as many people should attend as possible.

PARKS AND RECREATION COMMITTEE:

1. Councilman Turner stated that he had no Committee report at this time.

CIVIC IMPROVEMENTS COMMITTEE:

1. Councilman Roth reported that the strip of property between Maple Avenue and Cumberland Avenue, North of Lincoln Avenue is owned by the City and that several developers have previously indicated an interest to purchase and rezone the land to R-10 along with the land west of Jefferson Avenue. Discussions of selling the land have all included the proposed enclosure of Brashears Run, now an open drainage through the property. The Committee, cognizant that the other land across Maple Avenue is already zoned R-10, is of the opinion that this will be good land use providing there is proper access to Maple Avenue. Councilman Roth further reported that the A & M Development Company holds contracts to purchase the land 150 feet to the rear of Jefferson Avenue down to Cumberland Avenue and are willing to purchase the City property for \$5,000.00 and to accept an assessment for the enclosure of Brashears Run at an estimated cost of \$50,000.00 providing Cumberland Avenue may be abandoned and the R-10 Zone obtained for all of the land;also are agreeable to the dedication of a 15 ft. strip along Lincoln Avenue for future street widening. Councilman Roth moved that the Clerk-Treasurer and the Corporation Counsel be authorized to proceed with the necessary arrangements to initiate the proper legal action to accomplish the sale, abandonment, etc. Councilman Forshee seconded the motion, which upon the question was duly carried with Councilman Turner voting Nay.

PUBLIC WORKS COMMITTEE:

1. Councilman Collison stated that the Washington Suburban Sanitary Commission had written a letter to the City asking for recommendations concerning any work that the City wished to be done by the Commission in order that the Commission might include the items in their budget. At that time it was requested that the Commission include the cost of enclosing Brashears Run in their budget. Councilman Collison requested Mr. Pridgen, Clerk & Treasurer to prepare an official letter inquiring whether or not the Washington Suburban Sanitary Commission had included this item in their budget, and the present status of such project if such funds were appropriated.

2. Councilman Collison stated that if Brashears Run is to be enclosed on an assessable basis, plans will be needed. He therefore requested that the Public Works Department be authorized to request McNeill Surveys Inc. to prepare such plans for such enclōsure north of the existing terminus to the boundary line of the City property as intended in Councilman Roth's motion. Councilman Forshee seconded the motion which was duly carried.

FINANCE COMMITTEE:

- 1. Councilman Forshee moved the approval of the expenditures for the month of January in the amount of \$66,851.49. Councilman Forshee stated that this figure included the cost of the front end loader, prepaid insurance, and that \$7,000.00 was paid to the Takoma Park Library Association. Councilman Collison seconded the motion which was duly carried.
- 2. Councilman Forshee ^{reminded} all Department Heads that the Proposed Budget is due on the 1st of March, 1961.
- 3. Councilman Forshee moved that the date of April 17th, 1961 (May 1st has subsequently been determined to be a more proper date and will be proposed at next meeting) be set for the Public Hearing on the proposed Budget. Councilman Collison seconded the motion, which upon being put to question was duly carried.

LAW AND ORDINANCES COMMITTEE:

- 1. Councilman Jones moved the adoption of the following Ordinance:

ORDINANCE NO. 1643

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

SECTION 1. THAT Sub-sections (d) and (e) of Section 4 of Ordinance No. 1400 known as the "Merit Plan" be, and they are hereby repealed and re-enacted to read as follows:

Section 4

(d) Sick leave shall be allowed only on presentation of evidence acceptable to the head of the Department. The head of each Department, with the consent of the Committee Chairman, may request the Examining Physician of the City of Takoma Park to determine whether or not any employee in his Department is entitled to sick leave. Sick leave shall not be granted for a period of more than three consecutive days except upon the presentation of a physician's statement. In the event of dispute the certificate of the Examining Physician of the City of Takoma Park shall be conclusive.

(e) Employees incapacitated due to injury in line of duty shall not be charged sick leave except for the first three days and shall be paid by the City only the difference between his regular pay and that amount he will receive through Workmen's Compensation Insurance.

SECTION 2. THAT a new Sub-section be added to Ordinance No. 1400 to follow immediately after Section 1(d) thereof, and to read as follows:

Section 1

(e) All employees, except temporary employees, shall be examined by a physician designated by the Mayor and City Council as the Examining Physician of the City of Takoma Park prior to appointment or hiring.

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

2. Councilman Jones moved that the City Clerk-Treasurer be authorized to turn the Codification of City Laws and Ordinances over to a typist to obtain camera perfect copy at a cost of approximately \$100.00 and that new Ordinances not presently included in Codification copy be worked into new copy, which may then be submitted to printers for corrected estimates. Councilman McKenzie seconded the motion which was duly carried.

PUBLIC WELFARE COMMITTEE:

1. Councilman McKenzie reported that in connection with the complaint of rats and filthy conditions at 236 Manor Circle, the property owner in question was taken to Court where the Judge ordered him to go home and clean up the premises. He further stated that many letters had been sent to this property owner but that no action had been taken to correct the conditions before he went to Court.

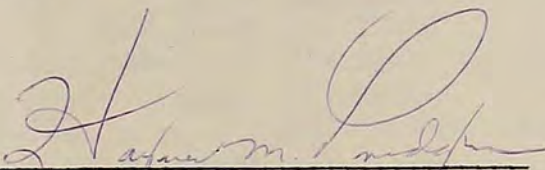
2. Councilman McKenzie stated that all the ice and snow had been taken care of by the recent thawing.

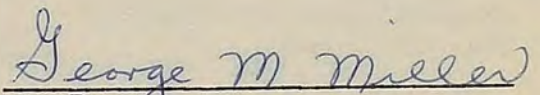
3. Councilman McKenzie reported that the Committee would consider the objection to the proposed penalty on property owners for uncleared snow on sidewalks and suggestions for methods of removing snow from the City sidewalks. He reported further that the Committee has been looking into the feasibility of purchasing a small snow plow designed to remove snow from sidewalks.

Sgt. DeKalb of the Takoma Park Fire Department reported that Fire Chief Stephen J. La Scola, Capt. Baker and Pfc. Karl Kearns were in Memphis attending a fire prevention training course being given at the University of Tennessee. Sgt. DeKalb thanked the Mayor and Council for his promotion to Captain.

Captain Earl K. Rhodes, Director of Public Works, stated that the Public Works Department had started to repair the pot holes in many of the streets, but that it will take some time because many streets have to be swept to clear the large amount of sand that was put on the ice. He further stated that the Department had used 23 tons of asphalt in one day and up to 50 tons on Ethan Allen Avnnue, and reported that Ethan Allen Avenue would have to be resurfaced.

There being no further business to come before the Mayor and Council, the meeting adjourned at 9:55 P.M.


CLERK-TREASURER


MAYOR

GENERAL FUND
Statement of Financial Transactions
January, 1961

	Cash Balance Beginning of Period	Cash Balance End of Period
Citizens Bank of Takoma Park-G/F	\$53004.18	\$102424.53
Citizens Bank of Takoma Park-P/R	4585.93	3637.26
Suburban Trust Company	1455.51	1704.89
Petty Cash	150.00	150.00
	\$59195.62	\$107916.68

<u>REVENUES</u>	Total Bud- geted Rev. to 1/31/61	Budget Bal as of 1/31/61	Adopted Budget Totals	Percentage to Bud- get
1.0 Taxes - Local	2740.63	385082.39	27527.25	412609.64 93.3
1.5 Taxes - State Shared	3476.17	21687.08	88662.92	110350.00 19.6
2.0 Licenses - Permits	997.87	17322.08	7352.92	24675.00 70.2
3.0 Fines & Forfeitures	35.00	417.20	1382.80	1800.00 23.1
4.0 Use of Money & Prop.	26.67	2377.54	1062.46	3440.00 69.0
5.0 Rev. frm Other Agencies	-	-	36938.98	36938.98 -
6.0 Service Charges	7433.00	8914.55	2809.45	11724.00 76.0
	14709.34	435800.84	165736.78	601537.62 72.4
Non-Budgeted Receipts	101786.61			
	116495.95			
Adjustments	23.27	116519.22		
	175714.84			

<u>DISBURSED & ACCRUED</u>	Expended	Balance	Budget	Percent
10.1 Government Administration	4349.95	23409.72	20658.28A	36568.00 53.1
10.8 Government Buildings	2916.06	14238.13	8621.87B	22270.00 62.2
11.1 Police Department	11445.12	70521.08	52169.72C	120269.60 57.5
11.2 Fire Department	6468.37	104445.20	34595.80D	85245.50 75.1
11.3 Protective Inspection	646.76	4296.87	4644.13E	8941.00 48.0
11.9 Other Protection	-	-	100.00F	100.00
12.1 P/W Office	1192.66	7720.59	6240.41G	13961.00 55.3
12.2 P/W Highways	8035.36	46810.15	23704.55H	70364.70 66.3
12.9 P/W Repair Shop	2326.29	25660.59	3459.41I	29120.00 88.1
13.0 P/W Sanitation	5436.11	47171.97	24230.53J	62530.50 66.0
19.0 Recreation Division	7719.20	34793.61	14127.80K	46686.41 71.1
22.0 Miscellaneous	5136.86	20936.53	15458.47L	36395.00 57.5
Council Appropriations	-	-	8932.15M	8932.15
22.1 Capital Budget	5102.81	74087.48	(65979.20N)	- 913.6
Legal Reserve	-	-	16216.78O	60153.76 73.0
	60775.55	474091.92	167180.70	601537.62 -
Non-Budgeted Accounts	1816.00			
	62591.55		39735.00	
Adjustments	5206.61	67798.16	641272.62	69.1
	107916.68			

	Reserve Surplus	Reserve Fund
A	-	7500.00
B	-	590.00
C	-	2421.20
D	37500.00	16295.50
H	-	150.00
J	-	8872.00
K	2235.00	-
N	-	8108.28
	39735.00	43936.98

GENERAL FUND
Balance Sheet Accounts Comparison
December 1960 - January 1961

<u>ASSETS</u>	<u>Balance 12/31/60</u>	<u>Balance 1/31/61</u>	<u>Changes During Month</u>
Citizens Bank of Takoma Park-G/F	53004.18	102424.53	49420.35
Citizens Bank of Takoma Park-P/R	4585.93	3637.26	-948.67
Suburban Trust Company	1455.51	1704.89	249.38
Petty Cash	150.00	150.00	-
Taxes Receivable-Delinquent	863.13	838.43	-24.70
Taxes Receivable 1960 Levy	26036.21	23397.70	-2638.51
Interest on Delinquent Taxes	8.19	3.25	-4.94
Towing Account	206.00	201.00	-5.00
Uniform Account	1581.82	1360.82	-221.00
Protective Apparel	209.53	120.52	-89.01
Maple Avenue Improvement	84237.40	77855.76	-6381.64
Hillwood Manor Storm Drainage		23.15	23.15
Hayward, Cherry & Colby Avenues	271.48	271.48	-
Cumberland Avenue	24.40	24.40	-
Municipal Center	600.00	950.00	350.00
Fire House Parking Lot		840.89	840.89
Commercial Trash Accounts Receivable	230.00	419.00	189.00
Prepaid Insurance	4638.56	4962.72	324.16
Claims	2638.02	2638.02	-
Uniform Stock	324.25	303.50	-20.75
Capital Assets Control	177403.04	177403.04	-
Due from S/A Fund	7637.41	7637.41	-
Certificate of Deposit	100000.00	-	-100000.00
Exchange Account	131.00	6.00	-125.00
Accrued Interest Receivable	1252.27	-	-1252.27
Contracts Receivable - Pending	2300.00	2300.00	-
	<u>469788.33</u>	<u>409473.77</u>	<u>-60314.56</u>

LIABILITIES

Escrow	916.67	901.67	-15.00
Federal, Maryland, & D.C. Withholding Taxes	4571.41	3524.94	-1046.47
Group Hospitalization	5.35	5.35	-
Certificate of Indebtedness	14000.00	14,000.00	-
Accrued Interest Payable	146.86	146.90	.04
Accrued Payroll	2405.04	3647.56	1242.52
Overpayment of Taxes	296.38	296.38	-
Commercial Trash Billing	26.00	215.00	189.00
Sale of City Property Pending	2300.00	2300.00	-
Accounts Payable	97691.26	80057.36	-17633.90
Tax Levy		97.80	97.80
	<u>122358.97</u>	<u>105192.96</u>	<u>-17166.01</u>
Unappropriated Surplus	18335.70	18390.70	55.00
Appropriated Net Asset Value	40678.24	3950.81	-36727.43
Reserve Fund Balance	24509.98	16216.78	-8293.20
General Fixed Assets Fund	261640.44	263457.52	1817.08
Reserve Surplus	2265.00	2265.00	-
	<u>469788.33</u>	<u>409473.77</u>	<u>-60,314.56</u>
Special Improvement Fund:			
12/31/60 Balance	6134.20		
January Receipts	1519.53		
	<u>7653.73</u>		