

CITY OF TAKOMA PARK MARYLAND

EXECUTIVE MEETING

MAYOR AND COUNCIL

September 10, 1962

The meeting was called to order by Mayor Miller at 8:05 p.m. Those present were: Councilmen Collison, Forshee, Jones, Kennedy, McKenzie, Roth and Turner. The following Department Heads also were present: Clerk-Treasurer Pridgen; Chief Foster of the Police Department; Chief LaScola and Captain DeKalb of the Fire Department; Mr. Rhodes, Director of Public Works and Mr. Williams, Building Inspector. Corporation Counsel, Mr. Gingerich also was present.

After the Roll Call of the Councilmen, Mayor Miller led 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 held August 27th and requested that an addition be made explaining his absence at that meeting due to his attending the American Municipal Congress in Philadelphia as an official representative of the City of Takoma Park and the Maryland Municipal League. Upon motion duly made and seconded, the minutes were accepted as corrected.

At this time, Mayor Miller requested that the City Clerk-Treasurer read the correspondence received.

CORRESPONDENCE RECEIVED:

1. Mrs. Judith Paul, 7520 Piney Branch Road, City: Expression of appreciation for Mr. Williams efforts in the City's Rodent Control Program. Referred to the Public Welfare Committee.
2. Mrs. Alex Kaminski, 7514 Piney Branch Road, City: Commendation of efforts by Mr. Williams and his assistants in the Rodent Control Program sponsored by the City. Referred to the Public Welfare Committee.
3. Mr. George N. Lewis, Chief, Bureau of Traffic, State Roads Commission, Baltimore: Regarding the changing of signs on Carroll Avenue near the Hospital entrance. Referred to the Law Enforcement Committee.
4. Mr. and Mrs. Donald O. Dungan, 328 Boyd Avenue, City: Request for special exception regarding light and ventilation regulations in apartment. Referred to the Public Welfare Committee.
5. Mr. Donald L. Wood, Jr., Sincavage and Wood Contractors, 225 Vine Street, N.W.: Request for permit to cross curb for purpose of dumping clean fill dirt. Referred to the Public Works Committee.
6. Mr. Cody Pfanstiehl, Chief, Division of Community Services, National Capital Transportation Agency, Washington, D.C.: Invitation to Council and City Officials to attend a transit development program for the National Capital region. Referred to the Council Files.
7. Mr. Edward L. Williar, President, Maryland Municipal League: Invitation to Mayor, Council and Clerk to attend 15th Anniversary Convention in Hagerstown, Md. Referred to the Council Files.

At this time, the Financial Statement for the month of August was read by the Clerk-Treasurer.

CITIZENS BANK OF TAKOMA PARK

General Fund

Balance: July 31, 1962	\$289,325.66	
Less: Check receivable (T/O Det. Bur.)	7.50	
	<u>\$289,318.16</u>	
August, 1962 receipts	55,888.22	
	<u>\$345,206.38</u>	
Less: August, 1962 disbursements	<u>328,380.29</u>	
August 31, 1962 Balance		<u>\$16,826.09</u>

Certificate of Deposit: \$170,000.00

SUBURBAN TRUST COMPANY

General Fund

Balance: July 31, 1962	\$ 8,866.59	
August, 1962 receipts	936.44	
	<u>\$ 9,803.03</u>	
Less: August, 1962 disbursements	<u>9,000.00</u>	
August 31, 1962 Balance		<u>\$ 803.03</u>

CITIZENS BANK OF TAKOMA PARK

Special Improvement Fund

Balance: July 31, 1962	\$ 4,650.83	
August, 1962 receipts	1,724.95	
	<u>\$ 6,375.78</u>	
August 31, 1962 Balance		<u>\$ 6,375.78</u>

CITIZENS BANK OF TAKOMA PARK

OPEN MEETING

Mayor Miller welcomed those present to the Executive Meeting of the Mayor and Council and invited anyone wishing to speak to do so at this time.

Attorney James R. Miller, Jr., representing Mssrs. Goldkind and Weinkranz, owners of the property at Lincoln and Maple Avenues, recalled to the Mayor and Council the circumstances of his original appearance in connection with zoning petitions pending at that time. Mr. Miller stated that his present appearance was for the purpose of keeping faith with the Mayor and Council but certain changes to the zoning regulations, effective April, 1962, have brought about some modifications of the building plans as originally presented. He displayed several drawings indicating the proposed changes in the lay-out and height of the building as would be required under the new zoning regulations. The plans indicated a thirteen story building to include 1½ floors for interior parking with an increase in height of fifteen feet over the original plan. Mr. Miller stated that he had previously appeared before the Montgomery County Council and pointed out that his clients had initiated the assemblage of land as a result of the Park and Planning Commission's recommendations relating to the zoning application and also in connection with the wishes of the Mayor and City Council of Takoma Park. He had further pointed out that his clients had made financial commitments based on the old zoning regulations. As a result of this appearance before the County Council, an amendment to the zoning ordinance has been introduced providing substantially that properties re-zoned to the R-10 prior to August 1, 1962 of Takoma Park. He had further pointed out that his clients had made financial commitments based on the old zoning regulations. Mr. Miller pointed out that if the commitments based on the old zoning regulations. As a result of this appearance before the County Council, an amendment to the zoning ordinance has been introduced providing substantially that properties re-zoned to the R-10 prior to August 1, 1962

amendment is adopted, this will not affect the new requirement for one and one-half car parking areas per unit but will permit open lot parking rather than interior parking, thereby eliminating the necessity for the additional fifteen feet in height. He also pointed out that this will in no way sacrifice the green area. Mr. Miller solicited the support of the Mayor and Council for the passage of the proposed amendment to the zoning ordinance stating that the Hearing was scheduled for 2:00 p.m. Thursday, September 25th before the County Council. Mr. Miller pointed out that should the amendment not be passed, the building will cost an additional \$189,207.00 or an increase of 11.4% which is a vital factor to his clients.

Mayor Miller referred the matter to Councilman Roth, Chairman of the Civic Improvements Committee, and stated that Councilman Roth will probably have some recommendations to make on the matter at the Hearing. Mayor Miller further expressed his appreciation to Mr. Miller for having kept faith with the Mayor and Council. Councilman Turner indicated his personal appreciation for this appearance stating that if all zoning applicants were as considerate, the problems of the Mayor and Council would be greatly decreased.

Mrs. Dungan of 328 Boyd Avenue spoke in regards to the letter written by her Mother-in-law in reference to the light and ventilation requirements for the apartment now being occupied by her son and his wife. Mrs. Dungan stated that they understood the need for such a regulation and that money was not the problem, but for their convenience, they are asking for an exception to be made in this case. Mayor Miller stated that the matter had been referred to the Public Welfare Committee for their recommendations.

PUBLIC WORKS COMMITTEE: Councilman Collison reporting

1. Councilman Collison stated that in regards to the request for the decrease in rent on the property owned by the City at 109 Philadelphia Avenue, Councilman Forshee would report on this for the Finance Committee. He noted that Mr. Rhodes, Director of Public Works, has checked on this property and has substantiated the occupant's claims that repair work is needed.
2. Councilman Collison commented that a Public Hearing had been held on August 15th for the purpose of hearing the property owners opinions on the proposed improvement of the Service Drive parallel to New Hampshire Avenue between Merwood Drive and Glen-side Drive. The Hearing determined that three of the four property owners involved are in favor of the improvement with the fourth owner recognizing the need for such an improvement but opposing the assessment at this time. At the time of the Hearing, a suggestion was made to write the State Roads Commission for permission to make a curb cut. Director of Public Works Rhodes received a call from the District Office of the State Roads Commission and made an appointment for Councilman Collison and himself. Councilman Collison stated that the State Roads Commission did not say that they would not grant a curb cut, but did state that if the second curb cut was made the existing one would have to be closed. Councilman Collison noted that to close the lower driveway and open the new one, would increase the total cost to each property owner. He also noted that to make part of the improvement now and the remainder at a later date would also increase the cost of the project. Councilman Collison pointed out that at the last Council meeting, the Public Works Committee was authorized to have the McNeill Survey Co. go ahead with planning for the improvement. He noted that other problems would hinder making the curb cut such as the catch basin which is located where the proposed curb cut would be made as well as a telephone pole with underground cables running to the PEPCO sub-station which would have to be relocated, again adding to the total cost of the project. Councilman Collison stated that in view of everything, the Committee has concluded in their minds that the City should proceed with this improvement. He noted that there would probably be a time element of possibly ten

Public Works Committee, continued

months before all of the improvement would be completed. He noted that after the plans are completed by McNeill Surveys, they have to be submitted to the Washington Suburban Sanitary Commission, State Roads Commission and possibly the Park and Planning Commission. The next step after the plans are approved by all of these Commissions, would be to advertise for bids, review the bids and place the contract. Councilman Collison also stated that after all of these steps are taken and the work begun, the improvement would have to be completed and the final cost submitted before the final assessment could be levied against the property owners. He noted that the levy probably would not be placed until next July or August. The Council could set the assessment immediately or wait a month or so, thereby giving the property owners plenty of time to make arrangements for payment of the first years installment. He also pointed out that arrangements for payment of this assessment could be made for over a ten year period. Councilman Collison moved that the Clerk-Treasurer be authorized to write a letter to each of the property owners involved giving them the Committee's reasons and reasoning for recommending that the project be done in full at this time. This would give the property owners about ten months to prepare for the first installment of approximately \$400.00. Councilman McKenzie seconded the motion. Councilman Roth inquired as to the width of the proposed improvement. He was advised by Councilman Collison that the Service Drive would be 22 feet from the curb on New Hampshire Avenue, including the grassed area and 17 feet of actual road way. Councilman Roth questioned the need for the 17 foot width as it is to be One-Way and most of the properties have driveways for parking. It was pointed out that the other Service Drives are all 17 feet wide and that it would not look very uniform if this one section were more narrow. Mayor Miller pointed out that fire trucks would have to be able to travel the street freely if necessary and that a narrower width would not be practical in this respect. A vote was taken and the motion was duly carried.

3. In reference to the letter received from Mr. Donald Wood requesting a permit to dump clean fill dirt, Councilman Collison noted that normally this would not come up before the Council but that the Committee felt that possibly the surrounding homes could be affected by the dumping of this dirt if it washed down to their properties. Councilman Collison inquired of Corporation Counsel Gingerich the feasibility of writing letters to the surrounding property owners advising them of their legal right against the Sincavage and Wood Co. if their properties were damaged. Corporation Counsel Gingerich indicated that the City would be put in a bad light by doing this and since we cannot deny the issuance of this permit to cross the curb, the City should just wait until something does happen and then advise the complainant to contact the Sincavage and Wood Co. as they are liable and not the City. It was agreed that the permit should be issued and that no letter is to be written to the surrounding property owners.

4. Councilman Collison stated that in regards to the letter read at the last meeting concerning the increased truck traffic along Route 410, he was in agreement that something must be done soon. He noted that an alternate route has been proposed to the State Roads Commission in the recent Highway Needs Study submitted by the City. Councilman Collison suggested that a form letter be written to each of the residents along Route 410 requesting that they put in writing their complaints about the traffic. Corporation Counsel Gingerich asked what influence the letter would have when the residents put in the letter "the City of Takoma Park asked me to write this". Several suggestions were made in regards to how the letter would be most effective. A suggestion was made that perhaps a door-to-door canvas requesting opinions would be effective and that possibly this could be handled through the North Takoma Citizens Association. Mayor Miller suggested that a letter be directed to the State Roads

Public Works Committee, continued

Commission stating that we have had complaints regarding this truck traffic and have recommended an alternate route and have the Commission state their opinion. The suggestion by Mayor Miller was accepted by the Council as stated and did not require official Council action.

5. Councilman Collison stated that he is strongly of the opinion that apartment houses should have sidewalks along the streets bordering them. Councilman Collison pointed out that there are two new apartment houses being built in the City at the present time and that letters have been written to the developers advising them that they must provide sidewalks. Councilman Collison referred to the letters written to the developers by Mr. Rhodes, and pointed out a section which he felt may have been misleading to these parties. Mayor Miller commented that the wording of the letters indicated that apartments built hereafter must have sidewalks and that it did not seem to include apartments already erected. Mayor Miller suggested that the directive should include all apartments whether being built now, in the future or already constructed.

FINANCE COMMITTEE: Councilman Forshee reporting

1. In regards to the request for decrease in the rent on the City owned property at 109 Philadelphia Avenue, Councilman Forshee reported that Mr. Rhodes, Director of Public Works has investigated the property and found the complaints to be well founded. He stated that while the repairs needed are not major ones, it would require considerable time for one of our employees to correct them and recommended that the decrease in rent be granted. Councilman Forshee presented the motion that the rental be set at \$85.00 or a reduction of \$15.00 and that the occupants of the house be responsible for making all necessary repairs beginning October 1, 1962. The motion was seconded by Councilman Collison who pointed out that the present occupant of the house was one of the gentlemen who assisted in the construction of the Washington Park Shelter and that he certainly would be capable of making the repairs. The motion was duly passed by the usual sign of aye.

2. Councilman Turner addressed a question to Mayor Miller regarding his attendance at the American Municipal Congress in Philadelphia as to whether he had been reimbursed by the City for his expenses. Mayor Miller stated that his expenses had been paid by the Maryland Municipal League due to his being a Past President.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting

1. Councilman McKenzie stated that the complaint received regarding the property at Maple and Tulip Avenues should definitely be corrected as it is certainly in need of care particularly since it is directly across the street from a Church.

2. Councilman McKenzie noted that the complaint received regarding debris along Ethan Allen Avenue, particularly beer cans, had been investigated. He stated that upon making this investigation, it was found that several property owners are putting out trash on the weekend for pick-up on Wednesday. He commented that perhaps a note should be put in the Newsletter informing the residents of the trash pick-up day as when it is put out several days in advance, the wind naturally scatters it. He stated that we could also have the Police Department inform these people that are putting the trash out too early of the fact that the trash pick-up is on Wednesday and have them take the trash in and bring out again on the correct day.

3. Councilman McKenzie commented that Captain DeKalb has been making regular inspections of the property causing complaint at 7109 Woodland Avenue and has

reported that the property is still undergoing alterations and therefore has building materials on it, but otherwise, has been cleaned up. Councilman McKenzie stated that the property would continue to be investigated.

4. Councilman McKenzie reported that several residents around Carroll and Flower Avenues had expressed concern over doctors offices being opened in a private residence. He stated that it has been decided to only open one office on the property and that one doctor would maintain a residence there also.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting

1. Councilman Kennedy reported that the complaint regarding the placement of STOP signs at Ann Street and Lockney Avenue had come to the attention of the Committee after their last meeting and would be considered at the meeting of the Law Enforcement Committee on the 18th.

2. Councilman Kennedy commented on the proposed Ordinance regarding the overhanging bushes and stated that it would be made a first reading again at this meeting. Comments were made regarding the hazard of hedges blocking vision on streets and it was pointed out that this came under another Ordinance pertaining to traffic. Councilman McKenzie stated that there has been a good deal of planting being done by property owners between the sidewalks and streets. Councilman Kennedy noted that private property owners are not supposed to plant additional or alter existing trees along the streets. Mr. Rhodes, Director of Public Works pointed out that before the trees can be altered permission must be obtained from the State Forestry Commission. Councilman Turner made the first reading of the proposed Ordinance.

FIRST READING OF PROPOSED ORDINANCE:

SECTION 1. THAT Article 27, Section 6 of the Municipal Code (1961) be changed to read as follows:

"It shall be unlawful for any person, firm or corporation, to plant or in any way to maintain or allow a tree, hedge or any other kind of bush or shrubbery whatsoever to project or reach over or beyond the line of private property adjoining any street or sidewalk, or to overhang the public or municipal property."

Councilman Kennedy stated that this first reading would not require further Council action at this time. Clerk-Treasurer Pridgen commented that this was an amendment to Section 6, but Section 5 deals with the height of shrubbery within an intersection.

3. Councilman Kennedy stated that the complaint of hazardous traffic conditions at Sligo Creek Parkway and Jackson Avenue will require more than a superficial study and that it would be brought up at the Committee meeting of the 18th.

4. Councilman Kennedy commented that the suggestion for the random balloon tests for suspected intoxicated drivers was contained in a letter pertaining to another subject and that the Committee does not feel that action is necessary at this time. Councilman Kennedy suggested that this item be removed from the agenda until such time as the Committee feels there is need for such a test.

5. Councilman Kennedy stated that in regards to the removal or continuation of the barricades at Baltimore Avenue, the matter would be discussed at the Law Enforcement Committee meeting of the 18th. He noted that a decision should be made as we may have an early snow.

Law Enforcement Committee, continued

6. Councilman Kennedy commented on the following requests received: (a) that the traffic speed be reduced to 10 or 15 MPH on Flower Avenue between Carroll and Maplewood Avenues; (b) that overhead blinker light be installed on Flower Avenue in College area and (c) suggestion that parking be eliminated on Flower Avenue between Carroll Avenue and Division Avenue. Councilman Kennedy noted that these requests have been on the Agenda for consideration at previous meetings but have been delayed while awaiting further word from Dr. Hirsch, President of the Columbia Union College. Councilman Turner commented that during Councilman Kennedy's absence from the City, a letter had been received from Dr. Hirsch advising the Council of the date that regular classes would commence. Councilman Turner further noted that a letter had been written to the State Roads Commission by the Clerk-Treasurer advising them of the date in order that they might proceed with their survey to determine what steps need to be taken. Councilman Kennedy stated that under the circumstances, no further Council action can be taken pending the survey completion and recommendations by the State Roads Commission.

7. In regards to the request for clarification of certain sections of Article 17 of the Municipal Code submitted by the Takoma-Langley Taxi Association, Inc. Councilman Kennedy commented that the request is under study as it has been for some time.

8. Councilman Kennedy stated that in regards to the request for the changing of the signs near the entrance to the Hospital that a letter has been received from Mr. George N. Lewis, Jr., Chief-Bureau of Traffic, State Roads Commission stating that the matter would be looked into and action taken in keeping with nationally used standards for such instances. Councilman Kennedy recommended that the request be kept on the Agenda until further information is received.

FIRE PROTECTION COMMITTEE: Councilman Turner reporting

1. Councilman Turner stated that there will be a meeting of the Fire Protection Committee on the 18th to discuss the Seagrave Ladder Truck repairs.

2. Councilman Turner commented that Chief LaScola has requested official leave to attend the International Association of Fire Chiefs Convention in Toronto, Canada beginning September 22nd through September 30th. He noted that four days of the leave would be deducted from Chief LaScola's Annual Leave. Councilman Turner stated that Captain DeKalb will be in charge of the Fire Department during Chief LaScola's absence. Councilman Turner moved that the leave be granted. The motion was seconded by Councilman Collison and duly passed.

3. Councilman Turner commented that an amendment to Article 10, Section 27, of the Municipal Code had been proposed at the last meeting regulating the distance required to be allowed by parked cars on either side of a fire hydrant according to paved width of the street. Councilman Forshee commented that the proposed Ordinance made provisions for streets less than sixteen feet wide and streets more than sixteen feet wide, but did not specify the distance for streets that are actually sixteen feet in paved width. There was considerable discussion concerning the advisability of having two required distances specified as opposed to one distance for all streets regardless of the paved width. Councilman Turner stated that in proposing the two distances, the Committee was trying to make it convenient for as many citizens as possible and that when it was necessary a few extra feet would be allowed. Mayor Miller commented that on the narrow streets in the City the extra feet could be allowed and there would still be enough space for the pumper to have access to the hydrant. Councilman Turner stated that twenty feet would be the ideal distance to require, however, in front of some homes the hydrant is close to the driveway and the requirement would take in a parking

Fire Protection Committee, continued

space. Councilman Collison inquired as to how the Chief of the Fire Department felt about the two distances. Councilman Turner commented that Chief LaScola would prefer the twenty foot requirement with no regard to parking situations. Councilman Collison noted that it would certainly be easier for the Public Works Department to paint the curbs all the same rather than the two different distances proposed. Councilman Kennedy stated that if a twenty-five foot piece of equipment was used, twenty feet on either side of the hydrant would be sufficient and would still allow room for maneuvering as they don't have to park directly alongside of the curb. Councilman Turner stated that by allowing the twenty feet, the pumper would not have to park in the street but could pull into a parking space and not hinder traffic. Councilman Forshee inquired of Chief LaScola regarding the narrow streets of the City. Chief LaScola stated that on the long, narrow streets, where the hydrant is located in the middle of the block, there is usually a problem. Councilman Collison presented a motion to amend the proposed Ordinance to amend Article 10 making the distance to be allowed on either side of a fire hydrant fifteen feet. Councilman McKenzie seconded the motion which was passed upon a roll call vote with Councilmen Kennedy and Turner voting Nay. The question was then called for the vote on the amended Ordinance reading as follows:

ORDINANCE NO. 1712

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

SECTION 1. THAT Article 10, Section 27 (d) of the Municipal Code (1961) be changed to read as follows:

"(d) Within fifteen feet of a fire hydrant."

Councilman McKenzie seconded the motion which was duly passed by a Roll call vote recorded as follows: Ayes: Councilmen Collison, Forshee, Kennedy, McKenzie, and Roth. Nays: Councilman Turner. Excused: Councilman Jones.

PARKS AND RECREATION COMMITTEE: Councilman Roth reporting

1. Councilman Roth stated that Councilman Jones has investigated the lot on Allegheny Avenue and that the property is not owned by the City. Councilman Roth requested that a letter be written to the party requesting the information advising her of the Committee's findings. City Clerk-Treasurer Pridgen commented that he would get further information from Mr. Rhodes, Director of Public Works and that a letter would be written.

2. Councilman Roth stated that he would like to remind the Council that they have agreed to an advance of funds to the U.S. Chess Federation Tournament. Councilman Roth presented a motion that we advance the Federation Tournament the sum of \$100.00 with the understanding that the funds we advance are to be returned to the City upon the completion of the Tournament which is supposed to be a self-supporting affair. The motion was seconded by Councilman Forshee and dully passed.

CIVIC IMPROVEMENTS COMMITTEE: Councilman Roth reporting

1. In regards to ZAP 4435, Councilman Roth stated that he had no further report to make on this, however, Blair Smith, the Attorney for the Petition would like to meet with the Council again to discuss the matter further. He stated that Mr. Smith would like for the Council to set the date for such a meeting sometime in late September or October.

Civic Improvements Committee, continued

2. Councilman Roth commented on the letter received from the Director of Civil Defense Mobilization for the City, recommending that the Manor Circle property be acquired by the City for use as an emergency helicopter landing field and stated that the Committee would like to have it removed from the Agenda as the Takoma Recreation Center would provide adequate space.

3. Councilman Roth stated that in regards to the request for consideration of special exception to permit construction and operation of a nursing home at Freemont and Lincoln Avenues, a Hearing has been held, however, the outcome is not known at this time. He stated that the Committee will make a report at the next meeting.

4. Councilman Roth noted that at the last meeting of the Council, he advised that action would have to be taken during this meeting is the Council wished to submit recommendations regarding ZAP 4486. Councilman Roth noted that the property in question is located behind the old Co-Op Shopping Center at Ethan Allen Avenue and New Hampshire Avenue. He further stated that the Committee's concern was that R-10 zoning would permit the developers to build to any height. Councilman Roth stated that the property contains 30,000 square feet and is on a very steep incline and is not the right place for such zoning. Councilman Roth presented a motion that a letter be submitted advising that the Council does not favor R-10 zoning for the property. The motion was seconded by Councilman Collison and duly carried.

5. Councilman Roth referred to the decision made by the Montgomery County Council in the granting of Zoning Amendment Petitions C-711 and C-741 which was discussed at the last meeting of the Council. Councilman Roth moved that the Council amend the action taken at the last meeting and ask the Montgomery County Council for a meeting with the entire City Council, wherever most convenient, so that the City Council can propose that the County Council rescind this proposal and that this meeting be held as soon as possible. The motion was seconded by Councilman Kennedy. Mayor Miller instructed Clerk-Treasurer Pridgen to write a letter to the County Council requesting an immediate hearing, in the evening if possible. The motion was duly passed by a voice vote.

6. Councilman Roth stated that in connection with the presentation made by Mr. James R. Miller, Attorney for Mssrs. Goldkind and Weinkranz, that the Hearing for his proposed amendment to the new zoning regulations adopted by the County Council is scheduled for the day after the next Council meeting. In view of this, Councilman Roth moved that the County Council be advised that the City Council supports the proposed amendment enabling the developers to build in accordance with their original plans. The motion was seconded by Councilman Forshee and duly passed.

7. Councilman McKenzie made a suggestion that a letter be written to Mr. Woodall, owner of the Manor Circle property, advising him that the property should be cleaned up.

COUNCIL COMMITTEE:

Mayor Miller expressed his appreciation to the press for their coverage given to the American Municipal Congress held in Philadelphia. Mayor Miller noted that Takoma Park is represented on the Executive Committee along with such cities as San Francisco, Houston, etc. He further noted that Takoma Park's problems are the same as New York City's problems with the only difference being that New York has many more of them.

Councilman Kennedy stated that Mayor Miller deserves a great deal of the honor and that he felt certain he was expressing the opinion of the entire Council with respect to where the recognition really should go.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:31 p.m.

Mayor

George M. Miller

Attest:

Hayes M. Pridgen
Clerk-Treasurer

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND COUNCIL

September 24, 1962

The Mayor and Council for the City of Takoma Park convened in Regular Session in the Council Room, #8 Columbia Avenue, Takoma Park, Maryland, on Monday, September 24, 1962 at 8:07 p.m.

CITY OFFICIALS PRESENT

Mayor Miller	Clerk-Treasurer Pridgen
Councilman Forhsee	Chief Foster, Police Dept.
Councilman Jones	Acting Chief DeKalb, Fire Dept.
Councilman Kennedy	Director of Public Works Rhodes
Councilman McKenzie	Building Inspector Williams
Councilman Roth	Corporation Counsel Gingerich
Councilman Turner	

EXCUSED

Councilman Collison

Reverend Paul Williams, Grace Methodist Church, rendered the invocation, followed by the Pledge of Allegiance to the Flag led by Mayor Miller.

Mayor Miller called for a motion to dispense with the reading of the minutes of the meeting held September 10, 1962. Councilman Turner requested that a correction be made concerning the leave granted Chief LaScola to attend a convention in Toronto, which as stated in the minutes indicated that four days annual leave was granted in addition to official leave. He pointed out that the additional time being used are regular days off and not annual leave. Upon motion made and seconded, the minutes were accepted as corrected.

CORRESPONDENCE RECEIVED: Clerk-Treasurer Pridgen reporting

1. Rev. W. J. Keith, Takoma Park Seventh Day Adventist Church: Letter of congratulations upon Mayor Miller's election to Executive Committee of the American Municipal Association. Referred to the Council files.
2. Rev. Raymond Hunter Brown, Grace Methodist Church: Letter of appreciation for installation of light on Kentland Avenue. Referred to the Council files with a copy to the Public Works Committee.
3. Montgomery County Board of Appeals: Petition of Stebbins Memorial Foundation, Inc. for Special Exception to permit use of a Boarding House for five persons. Hearing at 11:00 a.m., October 4, 1962, County Court House, Rockville, Maryland. Case No. 1311, Lots 37 and 38, Block 50, B.F.G., #12 Jefferson Avenue. Referred to the Civic Improvements and Public Welfare Committees.
4. John W. Neuman, Esq.: Enclosing proposed subdivision plat of property in Silver Spring which if approved by the Park and Planning Commission will close off the connection of Cedar Street with Takoma Avenue. Referred to the Civic Improvements and Public Works Committees.
5. Mrs. Walter A. Lipton, 717 Eric Avenue, City: Suggestion that street center lines be painted with white retro-reflective paint. Referred to the Public Safety Committee.

Correspondence Received, continued

6. Dr. Charles B. Hirsch, President Columbia Union College: Report of Fall enrollment increase and problems resulting, with request for further consideration of Flower Avenue situation. Referred to the Civic Improvements and Law Enforcement Committees.
7. Mr. Harlan Frey, Justice of the Peace, 214 Spring Avenue, City: Request for an increase in salary with statistics indicating work-load. Referred to the Finance Committee.
8. Mrs. Anne Wilkins, Chairman, Public Safety Committee, Metropolitan Washington Council of Governments: Request for an opinion concerning proposal for a standard procedure in the Metropolitan Area covering the issuance of traffic violation summonses for out of state drivers. Referred to the Law Enforcement Committee.
9. Mayor Edward L. Williar, President, Maryland Municipal League: Further announcement of the 15th Anniversary Convention on October 25-27, 1962, Hagerstown, Maryland. Referred to the Council as a whole.
10. Mr. and Mrs. Frank W. Wilson, 8210 Roanoke Avenue, City: Letter of gratitude and appreciation to the Fire Department in connection with a recent fire in their home. Referred to the Fire Protection Committee with a copy to Fire Dept. file.
11. Mr. Sherman Pickard, Director, Fire and Rescue Division, State of North Carolina, Insurance Department: Congratulations to Fire Department in connection with Baby Sitters Training Class Manual. Referred to the Fire Protection Committee with a copy to the Fire Dept. file.
12. Mr. Robert W. Hamilton, Recording Secretary, City Fire Board: Request for the promotion of Captain DeKalb to Deputy Chief of the Fire Department. Referred to the Fire Protection Committee.

Mayor Miller stated that the U. S. Chess Federation Tournament had been held over the week-end and commented that Takoma Park had retained the Championship for the second consecutive year. He further noted that this type of activity helps to promote community spirit and commended the various City employees for their help in making the Tournament a success. Mayor Miller commented that all players have been invited to return to Takoma Park again next year for the annual Tournament.

Mayor Miller commented that he had attended the Annual Banquet of the Fire Extension School held at the University of Maryland and noted that the Takoma Park Fire Department was one of the leaders in establishing the school. He enumerated the various activities, both academic and physical, that the school undertakes in an effort to further education in the fire fighting field. He noted that the City Fire Department has numerous diplomas and awards to indicate the excellent training the firemen have received and to illustrate why the Department does such an excellent job.

PUBLIC PARTICIPATION

1. Mr. Walter McClennon, 1 Montgomery Avenue, City: Requested that the City look into the matter of overhanging bushes and shrubs which block the sidewalks. He noted that the matter was corrected at one time, but is getting into the same condition again. Referred to the Law Enforcement and Public Works Committees.

Public Participation, Continued

2. Mr. Sam Chantker, 8513 Tahona Drive, Silver Spring: Request that extension be granted to comply with Housing Regulations in connection with 7303 Holly Avenue. He stated that he has been unable to vacate the property in order to make the necessary repairs. It was noted by Corporation Counsel Gingerich that the tenants could be forced to vacate by means of an Eviction Notice. Mayor Miller stated that Mr. Chantker should go to court immediately after requesting the tenants to move if they don't comply, and get the Eviction Notice. He further noted that Mr. Chantker's promptness in doing this would determine the length of time an extension would be granted.

3. Mr. Robert Hamilton, Recording Secretary, City Fire Board: Extended invitation to the Mayor and Council to attend the Takoma Park Fire Department Banquet being held on November 3rd at the Westwood Inn to commemorate the Fire Department's 40th year of operation. He noted that the banquet is also being held to honor Mr. Irving Johnson who has been a member of the Fire Department for 35 years. Mr. Hamilton further stated that the City Fire Board wishes to endorse the promotion of Captain DeKalb to Deputy Chief and requested that the Council take action at this meeting so that the promotion would become effective October 1, 1962.

COMMITTEE REPORTSPUBLIC WORKS COMMITTEE: Councilman McKenzie reporting

1. Consideration of request from 7000 Poplar Avenue to make parking area: The specifications have been forwarded to Mr. Miller in order for him to obtain necessary permit from the City Office.
2. Consideration of request for drain under street at 1001 Sligo Creek Parkway: Councilman Collison and Director of Public Works Rhodes are to meet with Mr. Preston to discuss the feasibility of constructing a drain at this location.
3. Request for improvement of Service Drive parallel to New Hampshire Avenue between Merwood Drive and Glenside Drive: McNeil Surveys are completing plans for this improvement, but City will have to obtain approval from the Washington Suburban Sanitary Commission and the State Roads Commission before construction can begin.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting

1. (a) Complaint of conditions at Tulip and Maple Avenues: Condition of yard at this address has been corrected. (b) Complaint of stray dogs in yard with suggestion that Dog Ordinance be placed in Newsletter: Condition may correct itself due to the yard being cleaned up.
2. Request for sidewalk on Boston Avenue between Takoma Avenue and Margaret Drive: The Committee will consider the request made by the P.T.A. as recommended by Mayor Miller.

FINANCE COMMITTEE: Councilman Forhsee reporting

1. Cash Disbursements - Month of June: Motion presented for approval of Cash Disbursements in the amount of \$53,031.27. Motion seconded by Councilman Roth and duly passed.
2. Cash Disbursements - Month of July: Motion presented for approval of Cash Disbursements in the amount of \$80,373.92. This figure includes \$40,118.64 paid to the Vinton Construction Company on the Maple Avenue Storm Drainage Project. Motion seconded by Councilman Roth and duly passed.

Finance Committee, Continued

3. Cash Disbursements - Month of August: Motion presented for approval of Cash Disbursements in the amount of \$328,442.71. This figure includes \$6,666.00 paid to the Hartford Insurance Company, \$170,000.00 to the Citizens Bank of Takoma Park (Certificates of Deposit), \$4,719.84 to the Vinton Construction Company, \$14,125.07 to the Takoma Park Library Association and \$85,807.50 to the Suburban Trust Company (Certificate of Indebtedness). The motion was seconded by Councilman Roth and duly passed.
4. Results of Auction held September 14, 1962: The total amount collected through the sale of impounded automobiles, bicycles and miscellaneous articles amounted to \$625.25.
5. Suggestion for wider circulation of Newsletter: Recommendation made that this item be removed from the Agenda. Suggestion made by Councilman Kennedy that the Publisher be contacted and requested to send additional copies for distribution to various public places to determine the public interest. Clerk-Treasurer Pridgen was instructed to request the additional copies and remove suggestion from the Agenda.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting

1. Complaint of placement of STOP signs on Ann Street at Lockney Avenue: Recommendation by Committee that STOP signs be retained at the present location. After considerable discussion by the Council, the motion was duly carried with Councilman Forshee voting nay.
2. Consideration of proposed Ordinance regarding overhanging bushes, etc.: Second Reading and motion for adoption:

ORDINANCE NO. 1713

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

SECTION 1. THAT Section 6 of Article 27 of the Municipal Code be amended to read as follows:

"It shall be unlawful for any person, firm or corporation, to plant or in any way to maintain or allow a tree, hedge or any other kind of bush or shrubbery whatsoever to project or reach over or beyond the line of private property adjoining any street or sidewalk, or to overhang the public or municipal property in such a manner that same will interfere with or impede pedestrian or vehicular traffic."

Councilman Turner seconded the motion and the Ordinance was adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Jones, Kennedy, McKenzie, Roth and Turner. Nay: None. Excused: Councilman Collison.

3. Petition concerning hazardous traffic conditions along Sligo Creek Parkway, particularly at Jackson Avenue intersection: Intent of Committee to study the situation and make recommendations to the Park and Planning Commission.
4. Consideration of continuation or removal of barricades on Baltimore Avenue: Matter under consideration and impossible to reach a decision at this meeting.

Law Enforcement Committee, Continued

5. Consideration of the Requests: (a) that traffic speed be reduced to 10 or 15 MPH on Flower Avenue between Carroll and Maplewood Avenues (b) that overhead blinker light be installed on Flower Avenue in College area: Action pending report from the State Roads Commission. Suggestion that requests be left on the Agenda in order to keep up with developments.
6. Suggestion that parking be eliminated on Flower Avenue between Carroll and Division Avenues: Awaiting recommendations from the State Roads Commission. Request that item be retained on Agenda until further notice.
7. Request for clarification of Article 17 of the Municipal Code: Committee has request under consideration but cannot make report at this meeting.
8. Request to State Roads Commission to change signs on Carroll Avenue denoting Hospital Entrance: Clerk-Treasurer has received acknowledgement of the request but no action has been taken as of this date.
9. Personnel Resignation: Motion presented that resignation of Pvt. John A. Jarboe be accepted with regret, effective September 30, 1962 as submitted in letter to Major Foster. Motion seconded by Councilman Turner and duly carried.
10. Personnel Appointment: Motion presented that the appointment of Mr. Edgar E. Gibson as a Private in the Police Department effective October 1, 1962 at the starting salary of \$4,400.00 per annum under the Merit Plan as recommended by Major Foster be approved. Motion seconded by Councilman Turner and duly passed.
11. Personnel Resignation: Motion presented that the resignation of Pvt. James E. Fitzpatrick be accepted with regret, effective September 16, 1962 as submitted in letter to Major Foster. Motion seconded by Councilman Turner and duly carried.
12. Personnel Appointment: Motion presented that the appointment of Mr. Howard C. LeCompte as a Private in the Police Department effective October 1, 1962 at the starting salary of \$4,400.00 per annum under the Merit Plan as recommended by Major Foster be approved. Motion seconded by Councilman Turner and duly passed.
13. Proposed Ordinance: Motion presented for adoption of Ordinance as recommended by Mr. Rhodes, Director of Public Works as follows:

ORDINANCE NO. 1714

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

SECTION 1. THAT a stop sign be placed on Niagara Avenue at its intersection on the east side of Ritchie Avenue, AND,

SECTION 2. THAT, the Director of Public Works is hereby authorized to erect such sign in 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 violations in the City of Takoma Park.

Motion seconded by Councilman Turner and the Ordinance was adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Jones, Kennedy, McKenzie, Roth and Turner. Nay: None. Excused: Councilman Collison.

Law Enforcement Committee, continued

14. Request for removal of parking meters: Request received from Mr. Heinly, Takoma Motors, 7011-31 Carroll Avenue that parking meters be removed from the entrance of the used car facility. It was pointed out at the Committee meeting that with the meters at their present location, a dangerous traffic condition exists with cars turning from Westmoreland into Carroll Avenue. Councilman Kennedy moved that an Ordinance be prepared and passed at this meeting for the removal of the three meters and the erection of a "No Parking to Corner" sign. Motion was seconded by Councilman Turner. Councilman McKenzie expressed his disagreement with the proposal and stated that it would be better to remove only one meter. Councilman Turner pointed out that a definite hazard does exist, and the Committee does not like to take away parking spaces to satisfy one commercial establishment at the expense of others, however, due to the hazard, the action would be in the interest of public safety. Councilman Forshee stated that he would like to recommend tabling the motion in order that the Council might look further into the matter. The Ordinance was tabled at this time to be considered again at the next meeting.

FIRE PROTECTION COMMITTEE: Councilman Turner reporting

1. Consideration of Seagrave Ladder Truck Repair job at factory: Chief LaScola has been in contact with the Seagrave Company, both by letter and telephone and upon his return to the City, will come up with some factual prices for the repairs needed.
2. Personnel Resignation: Letter submitted by Private Richard T. Hirsch resigning from temporary position as Private with the Fire Department, effective September 21, 1962. Motion presented to accept with regret the resignation of Private Hirsch. Motion was seconded and duly carried.
3. Personnel Appointment: Appointment of temporary fireman, Jon W. Savary to replace Private Foote while on Military Leave. Appointment has been made in accordance with the City Code and with no objections voiced, the action stands.
4. Employee Relations Recommendation: Councilman Turner commented that with the resignations submitted at this meeting, the need for re-consideration of salary increases has been pointed out. He noted that he has been informed that several other police and fire department employees are considering obtaining other employment due to the insufficient salary now received.
5. Promotion of Captain DeKalb to Deputy Chief: Recommendation was read from Chief LaScola regarding the promotion of Captain DeKalb to Deputy Chief of the Fire Department, Chief LaScola noting that Captain DeKalb has done much in the way of furthering his education and that it is felt that he is well qualified for the position of Deputy Chief. Motion was presented by Councilman Turner that Captain DeKalb be promoted to the position of Deputy Chief and his salary start at the third step of the Merit Plan in the amount of \$5,994.00 per annum, effective October 1, 1962. The motion was seconded by Councilman McKenzie and duly passed.

PARKS AND RECREATION COMMITTEE: Councilman Jones reporting

1. Report on U. S. Chess Federation Tournament: Committee unable to make complete report at this time as financial statement has not yet been submitted. Councilman Jones noted that 14 teams participated in the Tournament, and that Mayor Miller has invited the Teams back to Takoma Park for the Tournament next year. Councilman Jones suggested that in the interest of drawing more players the publicity next year include the idea that Takoma Park is a suburb of Washington, D.C. and that participants in the Tournament could sight-see as well. Councilman Kennedy mentioned that the D. C. Convention Bureau may prove to be of great assistance in the promotion of next year's Tournament.

Parks and Recreation Committee, continued

2. Halloween Party: Request that Clerk-Treasurer Pridgen direct letters to the merchants and civic associations of the City soliciting their cooperation in the annual Halloween Party and their attendance at a Committee meeting to be held at an early convenient date.

CIVIC IMPROVEMENTS COMMITTEE: Councilman Roth reporting

1. Z.A.P. 4435, Blair H. Smith, Attorney for Opha and Bell F. Mays, Lots 4 and part of 5, Block 35, B.F.G. Addition (Colby and Cherry Avenues) RR to R-18 (apartment) zone: Request was received from Blair H. Smith for a meeting to be held with the Council on this matter. As of this date, the meeting has not been scheduled and action is pending awaiting such a meeting.
2. Consideration of request to close and plow up alley at 7720 Carroll Avenue: The matter has been looked into by Mr. Pridgen and Mr. Rhodes and in view of their recommendations the Committee wishes to instruct Mr. Pridgen to inform Mrs. Taylor that the City cannot permit the alley to be closed.
3. Improvement of alley at 8216 Roanoke Avenue: Councilman Turner commented that he had been asked by the resident of 8216 Roanoke Avenue to inquire if the land behind his home, shown on the map as an alley, is ever going to be improved into same. Councilman Roth stated that the Committee would look into the matter.
4. Complaint of under-assessment of property along New Hampshire Avenue: The property located behind the car wash on New Hampshire Avenue has been re-zoned Commercial. Motion that the City Council write to the Tax Assessor requesting that property be assessed in accordance with current zoning. Motion seconded and duly carried.
5. Notice of Public Hearing for Stebbins Memorial Foundation, Inc.: Notice has been received from the Montgomery County Board of Appeals of a Public Hearing to be held on October 4th. Councilman Roth moved that the Council go on record as not being in favor of the Special Exception under Case 1311 for use of the property at 12 Jefferson Avenue as a boarding house. Motion seconded by Councilman Forshee. Councilman McKenzie recommended that Building Inspector Williams and Captain DeKalb attend the Public Hearing and voice the City's disapproval of the petition and enumerate the City's various objections. Motion duly carried.
6. Proposed re-subdivision as submitted by Attorney John W. Neuman: City ordinarily would not have interest in Silver Spring re-subdivisions, however, if proposal is accepted, may forever close the possibility of by-pass for Silver Spring commercial district into the City. The question of whether it would serve any purpose for the City to make recommendations in this matter was raised by Councilman Roth to Corporation Counsel Gingerich. Mr. Gingerich stated that it would not do any harm for the City to go on record as not being opposed to the re-subdivision and the loss of the heavy traffic through the City. It was noted by Clerk-Treasurer Pridgen that the matter would come before the Park and Planning Commission and is not under the jurisdiction of the County Council. Councilman Kennedy stated that the City would have the undying thanks of the residents of North Takoma for the action taken and commented that the North Takoma Citizens Association had requested that he bring their expression of appreciation to the Council for their interest in that section of the City. A motion was presented by Councilman Roth that a letter be written to Mr. Neuman stating that we do not object to the re-subdivision. Motion seconded by Councilman Kennedy and duly carried. It was noted by Clerk-Treasurer Pridgen that we are on record on several occasions as being opposed to the proposed by-pass.

Civic Improvements Committee, continued

7. Assignment of Crossing-Guards by the County: At the last meeting of the Prince George's Municipal Association, candidates for public office were invited to speak. Among the candidates was Commissioner Jesse Baggett, who noted that Prince George's County would be very happy to supply crossing guards to any municipality within the County desiring same. Councilman Roth recommended that this be kept in mind should the need arise.

COUNCIL COMMITTEE:

1. Consideration of Ordinance against racial discrimination: Motion presented by Councilman McKenzie that item be removed from Agenda as such an Ordinance is not needed and would only stir up trouble. Motion seconded by Councilman Jones and duly passed.
2. Report on problems in parking on Houston Avenue: Motion presented by Councilman McKenzie that request be removed from Agenda as there is nothing the City can do about the problem as it is partially private property. Motion seconded by Councilman Jones and duly carried.
3. Request for positive steps to install pedestrian light at Morrison Hall: Motion presented by Councilman McKenzie that item be removed from the Agenda as it appears on the Law Enforcement Committee Agenda. Motion seconded by Councilman Forshee and duly passed.
4. Recommendation concerning Civil Defense Activities and fall out shelters: Councilman Turner noted that a letter had been received sometime ago which was broad and made recommendations to be considered by the Council. Motion presented that item be removed from the Agenda, seconded by Councilman McKenzie and duly passed.
5. Request for consideration of off-street parking to relieve Carroll Avenue traffic problem: Motion presented by Councilman McKenzie that the request be removed from Agenda. Motion seconded and duly carried.
6. Request to re-study taxi stand situation adjacent to the Church: Motion presented by Councilman McKenzie that request be removed from the Agenda as the situation has resolved itself. Motion seconded by Councilman Forshee and duly carried.

REMARKS:

Mayor Miller commented that the Mayor and Council hope that Mr. Rhode's trip to New Orleans to attend the American Public Works Show will be very successful.

Captain DeKalb expressed his appreciation to the Mayor and Council for his promotion and to the Fire Board for their support, stating that he would to the best of his ability, assist in the improvement of the Fire Service for the City.

Chief Foster noted that Councilman McKenzie had received an anonymous telephone call Sunday night advising that his son had been injured in an automobile accident. Chief Foster noted that this was a vicious prank and advised that anyone receiving such a call should not become alarmed due to the fact that if something of that nature had occurred, either the hospital or the local police department would do the telephoning and not a person failing to identify himself.

Mr. Rhodes, Director of Public Works commented that he appreciated the support of the Mayor and Council in allowing him to attend the convention in New Orleans and stated that he hoped it would be advantageous.

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

Attest: *Haynes M. Pugh*
Clerk-Treasurer

George M. Miller
Mayor