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THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND COUNCIL

May 8, 1967

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Forshee	Police Chief Foster
Councilman Geib	Director of Public Works Rhodes
Councilman Jones	Deputy Fire Chief Fickes
Councilman Kennedy	Building Inspector Williams
Councilman McKenzie	
Councilman Roth	
Councilman Turner	

The Mayor and Council for the City of Takoma Park, Maryland convened in Executive Session in the Council Room, #8 Columbia Avenue on May 8, 1967 at 8:05 p.m.

The Pledge of Allegiance to the Flag was led by Leslie Jones, 1967 Buddy Poppy Queen.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the meeting held on April 24, 1967. Councilman McKenzie moved that the minutes be approved as submitted. The motion was seconded by Councilman Kennedy and duly carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting:

1. Mrs. R. B. Stoltz and Petitioners, 7119 Garland Avenue, City: Complaint concerning used furniture store on Sligo Creek Parkway: (Civic Improvement)
2. Mrs. Olive M. Kreinbihl and Petitioners, 1011 Elm Avenue, City: Relating concern about unusual building activity at 1007 Elm Avenue: (Public Welfare) (Civic Improvement)
3. Park Ritchie Joint Venture, 7600 Maple Avenue, City: Request for approval of a drugstore and/or bank within building under construction: (Civic Improvements)

FINANCIAL STATEMENT: City Administrator Pridgen reporting:

See last page of these minutes.

Mayor Miller presented a plaque to Mr. Freeman Slye in recognition of his 16 years of service as a Special Police Officer from February 19, 1951 to May 1, 1967. Remarked that the Special Police served without compensation at such events as Sunday church services, and City events such as the Halloween Party. Spoke of the gratitude of all the citizens as well as the Mayor and Council for Mr. Slye's fine spirit and years of dedicated service and wished him and Mrs. Slye all the best in years to come.

Mayor Miller read a Proclamation urging all citizens to purchase Buddy Poppies and wear them during the week of May 22 through May 30. Remarked that the Buddy Poppies are assembled by disabled veterans and the proceeds of this fund-raising campaign are used for the benefit of disabled veterans and the widows and orphans of veterans. Takoma Post #350 will sponsor the annual Buddy Poppy sale here, along with its auxiliary. Remarked on all the fine community-wide work the VFW does in Takoma Park. Mr. Jack Jones introduced last year's Buddy Poppy Queen, Kathy Kvedar, who crowned this year's Queen, Miss Leslie Jones. Mr. Jones, the Junior Vice Commander of Post #350 spoke of the V.F.W.'s hopes and plans to increase their community-wide work and

thanked the Mayor and Council for their support.

Mayor Miller read a Proclamation proclaiming the week of May 14 through May 20 as Police Week and the Day of Monday, May 15, 1967 as Peace Officers Memorial Day in honor of those Peace Officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of their duty. He urged all citizens to observe this special week and day and presented Police Chief Foster with the Proclamation, saying a few words of appreciation for our own Police Officers in Takoma Park.

PUBLIC PARTICIPATION

1. Mr. Elmer Moore, 1007 Elm Avenue, City: Stated that he was the owner of the property referred to earlier in the meeting when a letter was read questioning the construction on his property and stated that he was available to answer questions concerning this construction.

COMMITTEE REPORTS

CIVIC IMPROVEMENT COMMITTEE: Councilman Geib reporting:

1. Z.A.P. A-7273, approximately 9,000 sq. ft., southwesterly corner of New Hampshire and Ethan Allen Ave., C-1 to C-2 Zone, Fidelity Properties, Inc., Owner, Blair H. Smith, Attorney: Quoted as follows from the Minutes of December 13, 1965 concerning Z.A.P. A-6430, New Hampshire Avenue at East-West Highway: "Reported that the Master Plan proposes this area of 20,400 sq. ft. to remain in the C-1 Zone but in the discussion of the Park and Planning's Technical Staff Report they noted that certain gas stations in the area have gone out of business plus there is a vacant space in the shopping center which tends to confirm a suspicion that endless spread of C-1 commercial usage does not necessarily result in optimum land usage. They also stated that commercial zoning is the only conceivable class for this property. In view of the apparent decline for local commercial land use needs moved that the Park and Planning Commission be notified that the Mayor and Council do not oppose C-2 (General Commercial) Zoning on any of the existing C-1 zoned property in the area of the intersection of New Hampshire Avenue and East-West Highway for the same reasons given by the Planning Board which are as follows: (1) The additional uses permitted under the C-2 Zone will not disrupt the existing character of this area, which is at present predominantly commercial. (2) The continuance of C-1 zoning for the subject parcel would simply prolong the inactivity of the property. The vacant businesses located near here attest to the probable excess of C-1 Zone availability. The motion was duly seconded and carried." Felt that the situation in the area has not changed. Stated that he understood that the property in question would be used as a used car lot with only minor repairs being done on the premises. Moved that the C-2 Zone be recommended for approval. The motion was seconded by Councilman Kennedy and duly carried.

2. Z.A.P. A-7317, 10,200 sq. ft., Lot 7, Block 27, B.F.G. Subdivision, 6917 New Hampshire Ave., R-55 to C-2 Zone, Woodrow and Vada Millard, Owners, Frank Mudd, Correspondent: Reported that the proposal was for a truck park, and it was not too clear what type of trucks they would be. Reported that the property in question is situated in the middle of the block and surrounded by R-55 zoning and that the Master Plan recommends R-55 zoning for this property. Also stated that it would be spot zoning and moved that the Council recommend disapproval of the C-2 Zone for this property. The motion was seconded by Councilman Roth and duly carried. Requested the City Administrator to check reports of zoning violations on the property, stating that it is now being used as a truck park.

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Civic Improvement Committee, cont.

3. #8 Columbia Avenue: Reported that the new Civic Center as planned would contain ample meeting rooms and that the present Municipal Building was at an age where high maintenance costs were necessary. Felt that the building should be sold and the proceeds used for the new Civic Center. Requested the item be removed from the agenda.

4. Park Ritchie Joint Venture: Councilman Geib brought up the subject of the request from Park Ritchie Joint Venture to have the Council's approval for a drugstore and/or bank within the apartment building now under construction. After some discussion, the Corporation Counsel was requested to check into the question of whether the whole building would have to be rezoned for commercial use or whether such construction could be done under a Special Exception.

PARKS AND RECREATION COMMITTEE: Councilman Jones reporting

1. Senior Citizens Program: Announced that a senior citizens recreation program was being started on Wednesday, May 24, at the Takoma Park Presbyterian Church Fellowship Hall and invited all interested to attend.

2. Summer Program: Announced the summer programs in the parks in both Counties were scheduled to start on June 26th.

FINANCE COMMITTEE: Councilman Forshee reporting:

1. Tax Rebate: Reported that the former restaurant property at the corner of Mer-rimac Drive and University Boulevard was demolished in January of 1966, and that the owners of the property have requested a tax refund on the property based on  $\frac{1}{2}$  year credit on improvements. Pointed out that the owner had requested and received from Montgomery County an abatement of the assessments on the improvements on the property for the  $\frac{1}{2}$  year 1966 levy. Moved that the Mayor and Council follow Montgomery County's example and authorize the City Administrator to refund the proportionate amount of taxes, \$113.30, on Parcel A, Block 19, New Hampshire Gardens Subdivision, tax account No. 65956. The motion was seconded by Councilman Geib and duly carried.

2. Fire Tax Rate: Councilman Forshee moved that an Ordinance be adopted setting a tax rate of 20¢ per one hundred assessable base within the Special Fire Tax Area within the 13th Election District of Montgomery County for the Fiscal Year 1967. The motion was seconded by Councilman Jones. After considerable discussion, Councilman Forshee withdrew his motion pending further study, and Councilman Jones withdrew his second.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting:

1. Aspen Avenue: Moved the adoption of the following Ordinance:

SECTION 1. THAT Section 3 of Ordinance No. 1935 adopted January 23, 1967 be amended by the addition of the following sub-section:

(c) Aspen Avenue - 7400 block, on both sides, from Sligo Creek Parkway to dead end at top of hill.

The motion was seconded by Councilman Geib. After considerable discussion of the wisdom of making a short, dead end street a snow route, the Ordinance was defeated by a Roll Call Vote recorded as follows: Aye: Councilmen Geib, Jones, and Kennedy. Nay: Councilmen Forshee, McKenzie, Roth and Turner. Excused: None.

Law Enforcement Committee: Cont.

3. Personnel: Moved that Mr. Kenneth K. Steir, 2208 Phelps Road, Adelphi, Maryland be given a probationary appointment to the Police Force effective June 1, 1967. The motion was seconded by Councilman Geib and duly carried.
4. Promotions: Moved that Officer Clifford R. Stitely and Officer Paul A. Strizak be promoted to the rank of Officer First Class (PFC) effective May 15, 1967. The motion was seconded by Councilman Jones and duly carried.
5. Commendation: Read a letter of commendation from Mr. A. J. Klavon of 701 Erie Avenue concerning the courteous treatment received on a rescue call by Officers Strizak and Winkler, on April 27, 1967.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting:

1. 1007 Elm Avenue: Stated that as Mr. Elmer Moore, owner of the subject property, was in the audience and had stated he was available to give information on this subject, felt it might be well to clear up the matter. Asked Mr. Moore to explain the construction on his property. Mr. Moore stated that an addition of 24 x 32 feet was being constructed to the rear of his property and would contain 2 bedrooms and a recreation-living room. Stated that he has two children and his parents may be living with them as they have in the past. Stated that he was employed by Micro-Biological Associates and was also associated with Timberwall but not in Prince George's County.
2. 307 Elm Avenue: Reported that 2/3 of the lumber has been removed as well as the abandoned automobile and requested the premises be checked to make sure the remainder of the lumber was removed.
3. Pick-up Truck: Reported that a pick-up truck is needed for the street cleaning program to carry the men and their tools and to transport the trash to the yard for deposit in a larger truck. Moved that the City Administrator be authorized to advertise for bids for a 3/4 ton pick-up truck to be used primarily for street sanitation. The motion was seconded by Councilman Roth and duly carried.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting:

1. Wabash Avenue: Reported that there was a very steep grade here and the street has never been improved. The gravel which is presently the street's surface washes out in rains. Felt that the first step is to improve the storm drainage and that the Committee will pursue this with the Washington Suburban Sanitary Commission.
2. Shepherd, Worthington, and Associates: Reported that the subject firm has stated that a recent audit indicates that they actually lose money at their present rate, Payroll cost plus 100%, and that effective immediately their new rate will be payroll plus 120%. Moved that the new rate (Payroll plus 120%) be approved for certain work performed for the City by the above firm. The motion was seconded by Councilman McKenzie and duly carried.

FIRE PROTECTION COMMITTEE: Councilman Turner reporting:

1. Commendation: Read a letter of commendation from Mr. A. J. Klavon of 701 Erie Avenue concerning the courteous treatment received on a rescue call by Officers Pirrone and Stephens on April 27, 1967.
2. Letter of Thanks: Read letter of thanks from Hyattsville Volunteer Fire Department for the loan of a pumper.

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Fire Protection Committee: cont.

3. Training Report: Reported that many more hours of training were done during March and April of 1967 than in the previous year and that a Probationary Manual is being prepared, with the orientation section of the Manual now complete.

4. Defensive Driving Course: Reported that the members of the Department were taking a course under the Maryland State Police and that members of the Police Department were also invited to take the course.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:00 p.m. to reconvene in Regular Session on May 22, 1967 at 8:00 p.m.

Attest: Belle Ziegler  
Deputy City Clerk

Approved: George M Miller  
Mayor

FINANCIAL STATEMENT: City Administrator Pridgen reporting:

BANK BALANCE AS OF APRIL 30, 1967

SUBURBAN TRUST COMPANY - GENERAL FUND

Balance as of March 31, 1967	\$ 96,575.72	
April Receipts	<u>19,638.80</u>	\$ 116,214.52
April Disbursements		<u>88,805.22</u>
Balance as of April 30, 1967		<u>\$ 27,409.30</u>

CITIZENS BANK OF MARYLAND - GENERAL FUND

Balance as of March 31, 1967	\$ 2,426.76	
April Receipts	<u>204.00</u>	\$ 2,730.76
No disbursements during April		---
Balance as of April 30, 1967		<u>\$ 2,730.76</u>

CITIZENS BANK OF MARYLAND - SPECIAL IMPROVEMENT FUND

Balance as of March 31, 1967	\$ 9,672.46	
No transactions during April	<u>---</u>	\$ 9,672.46
Balance as of April 30, 1967		<u>\$ 9,672.46</u>

CITIZENS BANK OF MARYLAND - RECREATION SAVINGS a/c T-63

Balance as of March 31, 1967	\$ 1,148.66	
No transactions during April	<u>---</u>	\$ 1,148.66
Balance as of April 30, 1967		<u>\$ 1,148.66</u>

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of March 31, 1967	\$ 17,473.04	
April transfers from General Funds	<u>48,572.65</u>	\$ 66,045.69
April Disbursements		<u>49,140.61</u>
Balance as of April 30, 1967		<u>\$ 16,905.08</u>

AMERICAN NATIONAL BANK OF MARYLAND - GENERAL FUND

Balance as of March 31, 1967	\$ 125.85	
No transactions during April	<u>---</u>	\$ 125.85
Balance as of April 30, 1967		<u>\$ 125.85</u>

PETTY CASH FUND

Balance as of April 30, 1967		<u>\$ 200.00</u>
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U. S. TREASURY SECURITIES

	<u>COST</u>	<u>MATURITY VALUE</u>
Due for Maturity 4/30/67	\$ 48,305.83	\$ 50,000.00
Due for Maturity 5/31/67	48,133.33	50,000.00
Due for Maturity 6/30/67	47,901.08	50,000.00
	<u>\$ 144,340.24</u>	<u>\$ 150,000.00</u>

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THE CITY OF TAKOMA PARK, MARYLANDREGULAR MEETING OF THE MAYOR AND COUNCIL

May 22, 1967

CITY OFFICIALS PRESENT

Mayor Miller	Corporation Counsel
Councilman Forshee	City Administrator
Councilman Geib	Fire Chief LaScola
Councilman Kennedy	Police Chief Foster
Councilman McKenzie	Director of Public Works Rhodes
Councilman Roth	Building Inspector Williams
	Deputy City Clerk Ziegler

Excused: Councilman Jones  
Councilman Turner

The Mayor and Council for the City of Takoma Park, Maryland convened in Regular Session in the Council Room, #8 Columbia Avenue, on May 22, 1967 at 8:10 p.m.

The Invocation was rendered by Youth Pastor Clay R. Farwell of Takoma Park Seventh Day Adventist Church.

The Pledge of Allegiance to the Flag was led by Mayor Miller.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the meeting held on May 8, 1967. Councilman Kennedy moved that the minutes be approved as submitted. The motion was seconded by Councilman McKenzie and duly carried.

CORRESPONDENCE RECEIVED: Deputy City Clerk Ziegler reporting

1. Mr. Vernon E. Koch, Chief, Division of Budget, Montgomery County, Maryland: Requesting information concerning City's Fire Tax rate for Fiscal Year 1967-68. (Finance)
2. County Board of Appeals for Montgomery County: Copy of order to show cause why petition of Marriott-Hot Shoppes, Inc. for a special exception (Case No. 1984) for a restaurant at corner of Seeks Lane and University Boulevard East should not be dismissed. (Civic Improvement)
3. Mr. Donald W. Regusters, Coordinator of Out-of-School Program, Neighborhood Youth Corps: Concerning City's request for NYC enrollees for the summer and assurance that funds will be set aside for this purpose. (City Office)
4. Mr. Patrick Healy, Executive Director, National League of Cities: Request for annual fee for City's membership in the National League of Cities: (Finance)
5. Mrs. Rosalie K. Nuebling, Vice-President-Presentations, Freedoms Foundation at Valley Forge: Notification that the regional presentation of awards is scheduled for May 26th in Washington and request that the Chairman of the Independence Day Committee or a representative attend to accept the award. Also, request that Mayor Miller represent the Foundation in re-presenting the award on July 4th and invitation to attend regional presentation. (Independence Day Committee)

Correspondence, cont.

- 6. Mayor Terrell M. Wertz, Town of Cheverly, Maryland: Invitation to Mayor and Council to attend meeting of municipal officials from the 2nd Election District of Prince George's County to discuss Constitutional Convention: (Council Files)
- 7. Mrs. Marlyn Geasa, Chairman, Carole Highlands-Hillwood Manor Recreation Council: Request for annual financial support of summer playground program. (Parks and Recreation)
- 8. Park Ritchie Joint Venture: Request to enter City's Public Works property for a distance of 15' to obtain safe stable slope and assurance that upon completion things will be left as at present and in addition they will install a hard surfaced flume or gutter directing the flow of water from City's property into the stream bed below. (Public Works)
- 9. Mr. John Brawner, 7118 Willow Avenue, City: Request that Council attempt to remedy situation in regard to bus schedules on J-6 line. (Public Welfare)
- 10. Mr. A. R. Laurence, 7711 Greenwood Avenue, City: Request that something be done about dogs and their constant barking at 7708 Garland Avenue: (Public Welfare)
- 11. Mrs. Olive M. Kreinbihl, 1011 Elm Avenue, City: Thanking Mayor Miller for remarks made at May 8th Council Meeting in support of our fighting men in Vietnam. (Council Files)
- 12. Mrs. Anne M. Quisenberry, Director, Blood Program, Montgomery County Chapter, American Red Cross: Thanks for making an azalea plant available to each person presenting himself at the Bloodmobile Operation. (Council Files)
- 13. Mr. Harry C. Wayland, President, Takoma Park Lions Club: Commending the Mayor and Council for the enactment of the Community Improvement Ordinance and thanking them for all they have done for the City: (Civic Improvements) (Public Welfare)
- 14. Mr. C. James Dowden, Associate Executive Secretary, Maryland Municipal League: Advising that the League has completed publication of the results of its water and sewer rates survey and has forwarded a copy to the City Clerk. (Council Files)

Mayor Miller announced that the annual Memorial Day Services will be held at Veterans Memorial Park on May 30th at 2:00 p.m. and urged all to attend.

Mayor Miller read a Proclamation proclaiming May 22 through June 30, 1967 as Washington Sanitarium and Hospital Days and urged all citizens to show their enthusiasm, interest and support to the expansion program of the Washington Sanitarium and Hospital that is vitally necessary and worthwhile to all for our future health.

PUBLIC PARTICIPATION

- 1. Chief Robert B. Lawson, Jr. of Wheaton Rescue Squad: Stated that at the annual banquet of the Squad, Mayor Miller, Mrs. Miller and Chief LaScola had been present and Mayor Miller had presented a \$500.00 donation to the Squad in appreciation for all the services the Squad has rendered to the City. Chief Lawson presented Mayor Miller with a Certificate of Appreciation from the Squad.
- 2. Mr. Jack Cory, 7303 Piney Branch Road, City: Stated that he had received a letter from the City about the condition of his property at 7307 Piney Branch Road. Stated that he had tried to remodel the property in 1961. Stated that this house was one of four in a run-down strip on Piney Branch Road. Felt that with the coming of the North

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Public Participation, cont.

Central Freeway, Piney Branch Road would be widened and his house was only 20 feet from the street. Stated that he planned to apply for the R-10 Zone and felt that the owners of the other properties in the immediate area would do the same. Commented that all but 200 feet is proposed in the Master Plan for R-10. Requested that the Mayor and Council recommend approval of the proposed zoning change. Acknowledged that the building was an eyesore, but stated that he has been in the construction business for many years and that he felt the house was not unsafe. Offered to do all required by the Fire Chief except rewiring and replacement of timbers. Mayor Miller referred the matter to Councilmen McKenzie, Geib and Turner. Councilman McKenzie inquired if Mr. Cory had considered having the building destroyed. Mr. Cory stated that he felt it would leave a void in the area, but that his uncle, Dr. Cory, associated with him in the property, would like to see the building destroyed. Mr. Cory stated that he felt that the house needed supervision and stated that when he had been away, vandals had gotten into the house. Fire Chief LaScola stated that there is evidence of two fires in the building and because of the heavy slate roof, he has issued orders to the men not to enter the building in case of a fire. Stated that the house next door is occupied and endangered by this one in case of fire.

COMMITTEE REPORTSPARKS AND RECREATION COMMITTEE: Councilman Geib, Vice Chairman, reporting

1. Parks Maintenance: Councilman Kennedy inquired if there were funds for cutting the grass in the parks, and spoke of the high grass in Spring Park. Mr. Rhodes stated that there were funds and that the grass in that park had been cut less than two weeks previously and the cool weather and abundant rain account for the quick growth of the grass.
2. Municipal Gymnasium Renovation: Councilman Geib inquired about the status of this project. Councilman Forshee stated that there were funds for this, but no bid on the job had been received. Captain Rhodes stated that the water system needs renovation as a first step as floors and walls must be broken through for access to the pipes. Stated that two plumbers have looked over the job but would not submit bids because of the uncertainty of what lies behind the walls and floors. City Administrator Pridgen commented that it is apparently a time plus materials job. Captain Rhodes felt that in order to get tight specifications for the plumbers to bid on, an architect should be asked to draw them up. Councilman Geib moved that the City Administrator and Director of Public Works be authorized to discuss the drawing up of specifications for renovating the plumbing and heating systems of the Municipal Gymnasium with a mechanical engineer or other qualified person. The motion was seconded by Councilman McKenzie and duly carried.

FINANCE COMMITTEE: Councilman Forshee reporting

1. March Disbursements: Moved approval of March disbursements in the amount of \$96,397.77, which includes purchase of trash truck. The motion was seconded by Councilman McKenzie and duly carried.
2. April Disbursements: Moved approval of April disbursements in the amount of \$88,825.22. The motion was seconded by Councilman McKenzie and duly carried.
3. Fire Tax Rate: Moved the adoption of the following Ordinance:

ORDINANCE NO. 1951

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

SECTION 1. THAT a tax rate of EIGHTEEN AND ONE HALF CENTS (18½¢) per one hundred assessable base within the Special Fire Tax Area within the 22nd Precinct of the 13th Election District of Montgomery County be set for the Fiscal Year beginning July 1, 1967 for the continuation of Fire Protection to this area outside the Corporate Limits of the City by the Takoma Park Fire Department, AND

SECTION 2. THAT the Montgomery County Council be requested to levy, collect, and remit to the City of Takoma Park the special tax as provided in Section 1 of this Ordinance in accordance with Section 42-1 Montgomery County Code (1965) as amended.

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

4. Budget Hearing: Reminded all that the Budget Hearing would be held at the Fire-house Gymnasium on Thursday at 8:00 p.m. and urged all to attend.

5. Personnel: Reported that a memo had been received from Mrs. Margaret McCann of the City Office stating that she must give up the responsibilities of Deputy City Treasurer effective June 1, 1967. Reported that she is willing to work part time at least until a Deputy Clerk-Treasurer is appointed and her salary will be adjusted accordingly.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting

1. Traffic Survey: Requested that the City Administrator check with the State Roads Commission on the traffic survey for New Hampshire Avenue and Merwood Drive.

2. Maplewood Avenue: Reported that he had personally inspected the situation and found room for cars to pass each other and felt that parking should not be restricted to one side of the street, but stated that he wished to wait for the other members of the Committee to be present before making a formal motion.

3. Equipment: Moved that the Police Department be authorized to purchase an Underwood Manual Typewriter, to replace one beyond repair, from Suburban Office Machines, Inc., 6205 Baltimore Blvd., Riverdale for a purchase price of \$170.00 after trade in allowance, funds to be transferred from the Reserve Fund to a/c 11.113.

4. Anne Street Sidewalk: Reported that he had received a memo from Chief Foster supporting a proposal to install a sidewalk along Anne Street from the safety standpoint. Remarked that several years ago, this had been proposed but not carried out, and felt the need at present to be very great. Remarked that people were often forced to walk in the street here and that there is a lot of traffic in the evening coming from both directions, and the situation is very dangerous.

5. Lawsuit: Reported that the lawsuit against officer Thorowgood has been dismissed with prejudice and the case can never be opened again.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting

1. 307 Elm Avenue: Reported that the cleanup of the lumber from this address was not

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Public Welfare Committee, cont.

yet complete. Chief Foster remarked that he had seen a truck taking more away today.

2. Pick-up Truck: Reported that four bids for a pick-up truck for the sanitation division's use had been received and moved the adoption of the following Ordinance:

ORDINANCE NO. 1952

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, bids have been received and publicly opened on May 18, 1967 for a 3/4 ton pick-up truck to be used by the Public Works Department, AND

SECTION 2. THAT the low bid submitted by Monroe Ford Company, 1237 East West Highway, Silver Spring, for one 1967 Ford F 250 Styleside pick-up truck meets all specifications for Public Works Project No. 67-1, AND

SECTION 3. THAT the contract be awarded to Monroe Ford Company, Inc. in the sum of TWO THOUSAND NINETY EIGHT DOLLARS (\$2,098.00), AND

SECTION 4. FURTHER THAT the sum stated in Section Three of this Ordinance be transferred from the RESERVE FUND to Account No. 12.203C.

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

3. Anne Street Sidewalk: Reported that it was felt that this situation was even more dangerous now than when it was brought up for a Public Hearing several years ago. Noted that the residents who attended the Hearing had been opposed at that time, but not all the residents in the area had attended. Requested the City Administrator and Director of Public Works to prepare for a Public Hearing.

4. 8207 Roanoke Avenue: Reported that this building was in deplorable condition with no sanitary facilities. Remarked that the former owner had passed away some time ago and it had been felt that it would have inflicted a hardship on him to condemn the building while he was still living. Requested that negotiations be made with the attorney for the estate to get the building destroyed as soon as possible.

5. J-6 Bus Route: Remarked that he personally knew the truth of the remarks made in the letter from Mr. Brawner about the buses on this route not running on schedule as he rides the route. Requested that a copy of Mr. Brawner's letter and a letter from the City be sent to D. C. Transit pointing out the situation and requesting corrective action.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Park-Ritchie Joint Venture: Reported that the request for permission to enter onto City property for a distance of approximately 15 feet from the temporary fence between the properties has been studied and moved that the above request be granted, provided the agreement states that the City property be restored to present grade, the hard surfaced flume, mentioned in the letter, will be constructed, a permanent fence installed to replace the temporary fence, (when the work is completed) and that all work will be performed outside the present fence surrounding the Public Works Yard. The motion was seconded by Councilman McKenzie and duly carried.

Public Works Committee, cont.

2. Streets and Sidewalks: Reported that the Committee is looking into the streets and sidewalks needing repairs for the summer construction period.

FIRE PROTECTION COMMITTEE: Councilman Kennedy, Vice Chairman, reporting

1. 8108 Flower Avenue: Chief LaScola reported that the owner of the property has failed to comply with the Fire Code and court action will be necessary. If this takes too long, it will be necessary to start condemnation proceedings.

CIVIC IMPROVEMENTS COMMITTEE: Councilman Geib reporting

1. 1111 Sligo Creek Parkway: Reported that Mr. Roberts, proprietor of the used furniture store at this address has received a permit from Prince George's County to build a 10 foot fence around the front and side of the property to screen it from view. Remarked that there was nothing we could do now except to ask Chief Foster to keep checking the property to see if there are any violations of law. Noted that if violations of the Fire Code occur, a warrant will be served. Councilman Kennedy suggested sending a letter to the County asking them to reconsider the fence permit in view of the lovely surroundings of this area. Also suggested taking pictures of the store and the surrounding area and sending them along with the letter.

2. Park Ritchie Joint Venture: Reported that the drug store and/or bank proposed for inclusion in the apartment building under construction on Maple Avenue could be built under a Special Exception and would not require the entire building to be rezoned. Stated that there would be no objection to this if carried out according to the specifications set forth in the letter from Park Ritchie Joint Venture.

3. Fortune Tellers: Reported that it was felt that a need exists for an Ordinance to regulate such businesses and moved the adoption of the following Ordinance:

ORDINANCE NO. 1953

See pages 7, 8, 9, and 10 of these Minutes.

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

4. Hudson Avenue Abandonment: Reported that on April 6, 1967, Judge Shearin signed an amended decree for the Hudson Avenue abandonment which now reserves a 40 foot wide easement and right of way unto the WSSC and the City of Takoma Park for the water main and sanitary sewer in old Hudson Avenue.

5. Legal Counsel: Moved that a sum not to exceed \$500.00 be transferred from the Reserve Fund to a/c 10.511 to cover additional legal counsel for the remainder of the Fiscal Year. The motion was seconded by Councilman McKenzie and duly carried. Authorization was also given to Mr. Gingerich to proceed with seeking additional legal counsel.

COUNCIL COMMITTEE AS A WHOLE

1. Tydings-Bingham Bill: Councilman Geib reported that Senator Tydings' office had been called about this and that they stated they had not heard of such a bill. Requested the item be removed from the agenda.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:45 p.m. to reconvene in Executive Session on June 12, 1967 at 8:00 p.m.

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ORDINANCE NO. 1953

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

SECTION 1. THAT Ordinance No. 1666 and the Municipal Code (1961) adopted September 25, 1961 be amended by the addition of a new Article to be identified as Article 37 under General Police Powers to read as follows:

## ARTICLE 37

## REGULATION OF FORTUNE-TELLING, PALMISTRY, CLAIRVOYANCE, ETC.

## PERMIT REQUIREMENTS

Section 1. It shall not be lawful for any person to engage in the business or performance of fortune-telling, palmistry, clairvoyance, sooth-saying, spiritualism, numerology, astrology, or purport to fore-tell the future by cards or whatsoever terminology and to accept any money, remuneration or gratuity therefor within the City, without first obtaining a permit therefor in compliance with the provisions of this Article.

## PERMIT FEE

Section 2. Any person issued a permit pursuant to this Article shall pay an annual fee of two hundred fifty dollars (\$250.00) to the City Treasurer for such privilege upon approval of an application by the Chief Police Officer. The annual fee shall be assessed on a calendar year basis, January 1st to December 31st each year and shall not be pro-ratable nor transferrable. An application for renewal shall be filed annually prior to December 1st for the ensuing year.

## APPLICATION

Section 3. Every applicant for a permit pursuant to this Article shall pay a filing and investigation fee of twenty-five dollars (\$25.00) to the City Treasurer, such fee being non-refundable. Such applicant shall provide on a form to be furnished by the City the following information:

- (a) Name, date and place of birth and physical description of applicant.
- (b) Local address of applicant and length of residence.
- (c) Address of residence for prior twenty (20) years.
- (d) Description of nature of business to be conducted.
- (e) Address of such business activity.
- (f) Two recent photographs (2" x 2") of applicant showing (1) head and shoulders only and (2) side view.
- (g) A complete set of fingerprints to be printed in the presence of a City Police Officer.
- (h) The names and addresses of at least two (2) property owners of Montgomery and/or Prince George's County, who will certify as to the applicant's good character and business responsibility, or in lieu thereof such other available information as will enable an investigator to properly evaluate such character and responsibility.
- (i) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, violation of law or Ordinance other than traffic violations, the nature of the offense, the date and place, penalty or punishment imposed therefor.

- (j) Such application shall be signed by the applicant and duly sworn before a Notary or other appropriate Officer.

INVESTIGATION AND ISSUANCE

Section 4. The procedure for the investigation and issuance of a permit, under this Article, shall be governed as follows:

- (a) Upon receipt of each application for a permit, it shall be referred to the Chief Police Officer, who shall immediately institute such investigation of the applicant's business and moral character as he deems necessary for the protection of the public good, and shall endorse the application in the manner prescribed in this Section, within a reasonable period of time after it has been filed by the applicant with the City Treasurer.
- (b) If as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief Police Officer shall endorse on the application his disapproval and the reasons therefor, and return the application to the City Administrator.
- (c) If as a result of such investigation, the applicant's character and business responsibility are found to be satisfactory, the Chief Police Officer shall endorse on the application his approval, and return the application to the City Administrator.
- (d) The City Administrator shall determine, subject to review by the City Council as provided in Section 5, whether the application shall be approved. The City Administrator shall determine that the proposed business location conforms to the Zoning Code of the County in which it is to be established. The City Administrator, in consultation with the Fire Chief shall also determine that the proposed business fixtures and accessories shall not constitute a fire hazard.
- (e) If the application is approved by the City Administrator, a permit shall be issued by the City Treasurer upon payment of the fee as designated in Section 2 of this Article.
- (f) If an application is disapproved under this Section the applicant shall be notified in writing by the City Administrator.

APPEAL

Section 5. The procedure for the handling of appeals, under this Article, shall be governed as follows:

- (a) Any person aggrieved by the action of the City Administrator in the denial of a permit as provided in Section 4 of this Article shall have the right to appeal to the City Council. Such appeal shall be taken by filing with the City Clerk, within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The Mayor shall set a time and a place for a hearing on such appeal, and notice of such hearing shall be given to the applicant in writing by the City Clerk.
- (b) The Mayor or any Councilman who is of the opinion that a permit has been improperly issued may within ten (10) days after its issuance so notify the City Clerk. In such case the Mayor shall set a time and place for a hearing, and the City Clerk shall in writing notify the permittee of such time and place.

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- (c) After the hearing the City Council shall determine whether the permit shall be issued, refused, ratified, or revoked.

#### ZONING

Section 6. No permit shall be issued by the City Treasurer under this Article until he shall have received satisfactory evidence in writing that a "Use and Occupancy Permit" and/or a "Traders License" has been issued by the County Official authorized to issue such Permit and/or License for the specific location as shown on the application.

#### FIRE PREVENTION

Section 7. The Fire Chief or his duly authorized representative is hereby authorized to conduct periodic inspections of premises as designated in such Permit to determine that there are no existing fire hazards.

#### DUTY OF POLICE TO ENFORCE

Section 8. It shall be the duty of the police of the City to determine that any person or persons conducting a business as designated in Section 1 of this Article have applied for and been issued a permit for the current year.

#### REVOCATION OF PERMIT

Section 9. Permits issued under the provisions of this Article may be revoked by the City Council for any of the following causes:

- (a) Fraud, misrepresentation, or incorrect statement contained in the application for permit;
- (b) Fraud, misrepresentation, or incorrect statement made in the course of carrying on the business as stated in Section 1 of this Article;
- (c) Any violation of this Article;
- (d) Conviction of any crime or misdemeanor.

Section 10. Whenever the City Administrator has reason to believe that any permit should be revoked, he may, with the approval of the Mayor, so notify the permittee by registered letter addressed to his last-known address. Either the Mayor or City Council may direct the City Clerk to take such action. If within ten (10) days the City Clerk does not receive from the permittee a written request for a hearing as to the revocation of his permit, he shall declare the permit revoked. If a hearing is requested, the Mayor shall set the date for the hearing, and the City Clerk shall notify the permittee in writing. After the hearing the City Council shall determine whether the permit shall be revoked or continued in force.

Section 11. The City Treasurer shall accept no application for a permit from a permittee whose permit has been revoked under the provisions of Sections 9 and 10 within six (6) months thereafter.

#### PENALTY

Section 12. Any person who shall violate any provision of this Article shall forfeit not more than fifty dollars (\$50.00) and the costs of prosecution, and in default of payment of the fine and costs of prosecution shall

shall be imprisoned in the County Jail until said fine and costs of prosecution shall be paid, but not longer than thirty (30) days. Each day's violation of any provision of this Article shall constitute a separate offense.

Attest: Belle Ziegler  
Deputy City Clerk

Approved: George M Miller  
Mayor

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THE CITY OF TAKOMA PARK, MARYLAND

BUDGET HEARING

May 25, 1967

The meeting was called to order by Mayor Miller at 8:05 p.m. and congratulations were extended to those present. Commented that it is discouraging for the Finance Committee and the Department Heads to prepare a budget and then have so few turn out for the hearing. Thanked the Bluebirds for handing out the notices announcing that June 13 is the date for electing delegates to the Maryland Constitutional Convention and that Candidate Meetings will be held in Prince George's County June 6, 8 p.m. at the new Park and Planning Commission Building and in Montgomery County June 8, 8:15 p.m. in Community Room, Washington Gas Company, Wheaton Plaza. Stated it was non-partisan and urged all to attend. Commended Department Heads and the Council, especially the Finance Committee, for the excellent job they did in preparing the budget. The meeting was then turned over to Finance Chairman, Councilman Forshee.

Councilman Forshee welcomed the audience and briefly explained the purpose of the meeting. Commented that the assessable base in the Montgomery County section of the City has increased to nearly 6 Million Dollars, an increase of approximately 20% and in the Prince George's section of the City the increase amounts to nearly 2 Million Dollars, an increase of approximately 10%. A share of the increase comes from new property but believes the reassessment accounts for the larger share of the increase. Pointed out that this is the first time the City has proposed a Million Dollar budget, and that it has better than doubled over the past 12 years. In 1957 there were 12 paid firemen, now 20; the Police Department had 17 men, now 23. Until 1963 the Library was a separate unit, now an integral part of the City operation. The tax rate in 1957 was \$1.00 per hundred, and it is proposed in the new budget to maintain the \$1.10 rate that has existed the past 3 years. Remarked that under what might be called capital expenditures, the estimated needs for 1967-68 amounts to \$978,000.00, the anticipated income is \$1,062,280.00. As required by charter a reserve fund must be set up to equal 10% of our estimated income each year, this amounts to \$106,227.00 making a total requirement of \$1,062,270.00.

The proposed budget includes provisions for salary increases for employees, for Deputy Clerk-Treasurer, additional retainer fee for legal counsel, parking meter control contract, assistant Building Inspector, additional volunteer firemen, additional half time clerk-typist in office of Building Inspector, increase in clerk hours at Library, full time Recreation Director. Stated that the City has improved the street lighting in some areas and plans to bring the whole City up to minimum standard and are proposing \$6,000.00 be budgeted for this purpose. Thanked all those who helped prepare the proposed budget, especially Mr. Pridgen.

Councilman Forshee invited any of the citizens present to speak at this time concerning the budget.

Mr. McCormick: Stated he built his home 40 years ago. Complained about increase in his assessment and increase in Maryland income tax. Inquired what consideration the Mayor and Council had given to retired people due to all the increases in taxes. Stated that every year the budget goes up and didn't feel they were getting better services. Pointed out that if there isn't a stop to it soon, some of the retired folks will have to move out.

Mrs. Ferry: Stated she has been asking for 3½ years for exemption for people over 65 and that it is in the proposed budget. Inquired if the Council planned to keep it in the budget. Stated Takoma Park has a fine training department for Montgomery and Prince George's Counties. Supported increases for Police and Fire Departments.

Councilman Turner: Pointed out to Mr. McCormick that to his knowledge, this is the first time a municipality had entered a protest against City assessments. Inquired if Mr. McCormick had heard from his assessment hearing? Mr. McCormick commented that he went to Rockville, but might as well have stayed home.

Mr. Terry: Spoke on assessments for Senior Citizens in Prince George's County. Stated Prince George's County has deductions for over 65 but they have a gimmick - they include Social Security as income. Inquired if the Mayor and Council were going to include Social Security with theirs.

Mayor Miller: Stated the Council should give serious consideration to this, pointing out that Social Security is not taxable under income tax.

Mr. Phil Huck: Stated it was just a legal question. Stated that Civil Service income is just the same as Social Security on income tax. Commented that if the County includes Social Security, he didn't see how the City could do otherwise. Stated he was in favor of those over 65 having a \$5000 exemption. Commended the Police and Fire Departments. Spoke in favor of increases in salary for all employees.

Councilman Forshee: Pointed out that when you consider the Police and Firemen are on duty 24 hours a day, 7 days a week and that when you figure a 5 day week, vacations and illnesses, the men are spread pretty thin.

Mr. Ferrier: Stated that most men live a life of quiet desperation and that he was frequently pinched. Agreed with Mr. McCormick in many ways. Stated he had spoken previously in favor of increases for Police and Firemen, was in favor of increased lighting in the City and would like to see a swimming pool in the City.

Mr. Robert Mandel: Stated he felt the budget was incomplete without capital outlay projected and was interested in knowing what it would consist of.

Councilman Forshee: Stated it would be difficult to do it now as the Council hadn't worked on it. Pointed out that in the past it had been used for trash trucks, police cars, great deal on streets and sidewalks and \$60,000.00 had been set aside for the municipal building.

Mr. Robert Mandel: Recently shown plans for Municipal Building, asked that the City not go too deeply into debt. Pointed out that during a depression people can't pay taxes and it is good when your borrowing power hasn't been exhausted. Inquired about the retainer for legal counsel - what extra did the City expect? Was the City Attorney on salary?

Councilman Forshee: Stated the additional retainer for legal counsel would be used mainly for the Housing Department. The Mayor and Council do not feel that the Corporation Counsel has sufficient time and someone is needed to give more time to Court cases, etc. The City Attorney is on retainer, but not full time.

City Administrator Pridgen: Capital Outlay: We have not yet finished our resume of Capital outlay needs but have some requests in. Police Department - need 2 new cruisers, men critical. Fire Department - about \$3500 - furniture, typewriter, replace station wagon, K-12 saw, electric flash gun. Public Works - water piping in Fire Department and new heating in repair shop, repair and overhaul all of drinking fountains, metal shelter in Spring Park, chain saw, lawn mower, P. A. system. These items account for fair portion of Reserve Fund. Will make it available as soon as Council can review.

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Mr. Robert Mandel: Stated he felt the budget was incomplete without capital outlay projected and was interested in knowing what it would consist of. Commented that he was in favor of those over 65 having a \$5000 exemption. Commended the Police and Fire Departments. Spoke in favor of increases in salary for all employees.

Dr. Laurence: Stated he was amazed at the great love everyone has for City employees. Inquired if there had been any conscientious effort to raise salaries and equalize with surrounding areas. If something erupts down town, our men will be down there fighting for less money.

Councilman Forshee: Stated the Council has been working on salary increases but they have not finalized it. Didn't feel it would equal the Counties or D. C. but would come closer this time. Pointed out that a year ago the Council authorized a hospitalization plan whereby the City pays for the employee's hospitalization and Social Security coverage was also added except for the Police Department who voted against it.

Dr. Laurence: Inquired if there was any difference between what is being proposed for the Police and Firemen and the other employees? Councilman Forshee replied that some departments were closer to the going rates and that they will probably do more for those that are lagging behind. Dr. Laurence: Stated when he retired he hoped there would be some consideration for him as far as taxes were concerned. Commented he was willing to pay just a little bit more for these services - "Don't receive any more than what you are willing to pay for."

Mr. Charles Fiske: Commented that 1/6 of the \$60,000.00 set aside for the Municipal Building would make a nice raise for employees or a 5¢ raise in taxes so that Takoma Park would not be used as a training ground.

Mrs. Jennifer Magnus: Spoke in behalf of the Recreation Council urging the construction of the Municipal Building, felt there was a great need for a central headquarters. Inquired if the City was in debt? Councilman Forshee replied no. Mrs. Magnus asked how many people are in a position to purchase their homes without going into debt, therefore, did not feel it was unreasonable for the City to go in debt for their house. Also requested that \$2,000 be set aside in the 1967/68 Reserve Fund for recreation equipment. Councilman Jones commented that the Recreation Office would be located at #8 Sherman Avenue shortly after the beginning of the Fiscal Year.

Mr. Sidney Tymeson: Stated he was pleased with the budget. If any criticism, felt the Council is too slow on the Municipal Building and that housing for employees is important. Feels that salaries are important, but a new modern building would give the employees a psychological income. Recommended lighting a rocket under the proposed Municipal Building. Councilman Forshee commented that something needs to be done.

Mrs. Hash: Commended Councilman Forshee on the presentation of the Budget. Inquired why the salaries were listed in one lump sum instead of individually and why the citizens were not allowed to see the proposed salaries. Felt something should be done to benefit the older people, the Police Department, Fire Department and Public Works Department employees. Asked how many police and firemen start off with \$6300 plus \$300 car allowance. Didn't feel the City was ready for a full time Recreation Director at \$6300. Inquired about the \$10,000 retainer fee.

Councilman Forshee: Stated that the Council hoped to be able to give details on the above inquiries at the next Council Meeting.

Mr. Ferrier: Inquired if the audience could have a brief summary.

Councilman Forshee: Commented that the Council was considering \$6,100 per annum, (an increase of \$500), for Police and Firemen at the private rank.

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Mayor Miller thanked the audience for coming. Stated the budget was not yet adopted and would like any suggestions the citizens felt should be considered. Commented that any additional information concerning the budget can be obtained from the City Office. Stated that Mr. Ralph Sidell, who was unable to attend tonight, asked him to speak in his behalf stating that he was in favor of moving ahead on the Municipal Building and raising salaries of City employees. Commented that the Council hoped to retain the present tax rate. Pointed out that the Mayor and Council had gone over a number of the reassessments that they felt were unreasonable with the State Assessors. Also stated that the City had a man with considerable experience in real estate checking these reassessments and putting a value on the properties consistent with his experience. If the City's findings prove to have more foundation than the State assessors, then there would be a complete new assessment. Referred to the proposed retainer fee for legal counsel pointing out that this person would be used in connection with cases that arise through the Community Improvement Council, for Police Department cases, zoning cases, enforcement of housing ordinances, etc. Commended the Police and Fire Departments. Pointed out that Recreation is demanding more and more time and that at least 70% of Mrs. Ziegler's time is devoted to recreation. Mentioned the newly formed Senior Citizens Association for an example. Felt the citizens could be proud of their municipal government.

Attest:

Belle Ziegler  
Deputy City Clerk

Approved:

George M Miller  
Mayor