

HEARING - July 5, 1967

Mayor Pro-tem John D. Roth called the Hearing to order at 8:00 P.M. E. D. T. Councilman Forshee, Councilman Geib, Councilman Jones and Councilman Turner were present. Mayor Pro-tem Roth requested Mr. Pridgen, City Administrator, Clerk-Treasurer, to review the purpose of the Hearing for the record.

Mr. Pridgen reported that the Hearing was convened pursuant to Ordinance No. 1957 adopted by the Mayor and Council on June 12, 1967, in reference to 8108 Flower Ave. to hear the owners, E. M. and F. R. MacLeod or their duly constituted representatives concerning the condition of the subject property located on part of Lot 6, Block 54, B. F. Gilberts Subdivision, Montgomery County Land Record Liber 960, Folio 248, and to give them opportunity to show cause why the building should not be condemned and completely demolished as being in violation of Section 6, Article 13 and Section 16, Chapter 86 of the Municipal Code (1961) and the Fire Prevention Code of the City of Takoma Park, Maryland. Mr. Pridgen stated that Registered letters were mailed to three different addresses, a copy of the notification letter and ordinance attached to the building, and a notice inserted in a local newspaper for two days in an effort to notify the owners of the building.

Deputy Chief and Assistant Fire Marshal stated that the building had been severely damaged by fire on March 21, 1967. The Montgomery County Building Inspector determined that the destruction is approximately 60% and the remains to be in an unsafe condition. He therefore ordered the building to either be razed or barricaded to prevent entry of unauthorized persons. Deputy Chief Fickes reported that the building has not been satisfactorily barricaded.

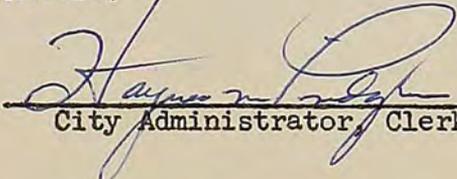
Mayor Pro-tem Roth inquired if Mr. or Mrs. MacLeod or representatives were present. There was no response.

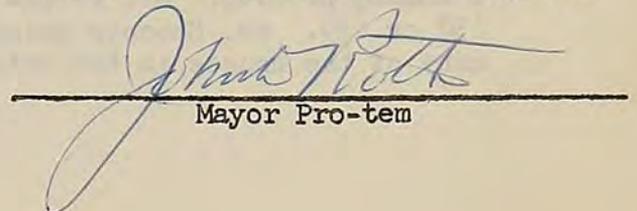
Mr. James L. Milner, 8115 Flower Avenue, Takoma Park, Md., stated that he is a near resident to the property and was speaking on behalf on several neighbors, namely Mrs. Kendricks, 8110 Flower Ave; Mrs. Lee, 8114 Flower Ave; Mrs. Woodall, 8119 Flower Ave; and Mr. and Mrs. Tyrneson, 8118 Flower Ave. He stated that the remains of the building as it now exists is a public nuisance and should be condemned and demolished. He stated that there is a terrible odor of decaying matter, even possibly of dead rodents. Mr. Milner stated that Mrs. MacLeod and some man made some attempt to put in new rafters and to board up the building, but that the boarding was not secure and the boards are noisy when they flap in the wind. He stated that a hole in the roof has been partially covered with a plastic material. He stated that aside from the building the grounds are covered with debris and junk of sorts, including two automobiles; and the location is unsafe for children of the neighborhood. He urged the Council to condemn and demolish the building.

Mr. Luis L. Granadas, Jr., 8111 Flower Avenue, Takoma Park, Md., spoke and confirmed Mr. Milner's statements. He requested that the Council take prompt action on the property, particularly as related to the odorous condition.

Several questions were directed to the two gentlemen by some members of the Council. Upon receiving satisfactory responses and there being no further comments, the Hearing adjourned at 8:21 P.M.

Attest:


 City Administrator, Clerk-Treasurer


 Mayor Pro-tem

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THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING AND ORDINANCE VIOLATION

July 17, 1967

Henry J. Shoener, Jr., 7007 Woodland Avenue
Alan N. and J. R. Nevins, 7009 Woodland Avenue

Mayor Miller called the Hearing to order at 7:40 p.m. Those present were: Councilmen Forshee, Kennedy, Turner, Jones, Roth, Geib, Building Inspector Williams, Corporation Counsels Gingerich and Schap, Mr. Henry J. Shoener and Mr. Alan Nevins.

Mayor Miller turned the meeting over to Councilman Geib, Chairman of the Civic Improvement Committee who in turn asked Mr. Williams, the Building Inspector, to review the case of 7007 Woodland Avenue (this was originally the only case scheduled for tonight).

Mr. Williams reported that Mr. Shoener purchased the property at 7007 Woodland from Victor B. and Eda Bonney for income purposes. He stated that his inspection revealed that the house has never been registered with the City and that there is an apartment on the first floor and one on the second floor. The property is zoned R-55, therefore is in violation of the Zoning Ordinance.

Mr. Nevins of 7009 Woodland whose property is also in violation of the Zoning Ordinance and who had received a notice of violation from Mr. Williams dated July 13, 1967 inquired as to the procedure for requesting rezoning. Councilman Geib replied that he must apply at Upper Marlboro for R-35 from R-55.

Mr. Shoener said he understood from the next door neighbor that there had been an upstairs apartment at 7007 Woodland from the time the house had been built. Councilman Geib inquired if the real estate agent or the owner informed him it was a two family unit? Mr. Shoener replied no, he had just heard it from the neighbors and assumed it was. No one was living in the upstairs apartment when he purchased the property. Mayor Miller inquired if relatives were living in the upstairs. Mr. Shoener replied in the negative. Mr. Williams stated that the former owners had not registered the property nor had they rented the other apartment. Mr. Williams pointed out that there is an outside entrance to the second floor apartment and that it is a complete separate unit.

Mayor Miller inquired if Mr. Williams had inspected the property at 7007 Woodland? Mr. Williams stated yes and that one room needs more ventilation but that it could be closed off. Mayor Miller stated that it was a zoning problem. Mr. Nevins stated the house at 7007 was built in about '38 or '39. Mr. Shoener pointed out that more than one family lived in many of the houses in the neighborhood.

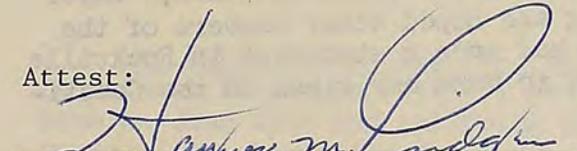
Mr. Nevins stated that he purchased his property at 7009 Woodland from Russell P. and Mildred N. Rankin in August of 1966 and that there were tenants living in it at that time. Mr. Williams stated that Mr. Rankin had been notified he would have to vacate the terrace apartment by September 30, 1965. (This was the decision of the Mayor and Council after a Hearing held on August 9, 1965). Mr. Gingerich pointed out that after the hearing Mr. Rankin changed that category by renting to two roomers. Mr. Nevins inquired if a hot plate could be used by a roomer? He stated he was told the family renting the other apartment was using a hot plate because the stove had been disconnected. Mr. Williams stated the hot plate was never in sight when he was there. Councilman Forshee inquired if the house at 7009 was built with two apartments. Mr. Nevins replied no that about 6 or 7 years ago the basement was extended and that a sun porch was put over it. Mr. Gingerich inquired if the Building permit was issued for an apartment. Mr. Williams replied in the negative. Councilman Kennedy stated it was a question of assumption. Mr. Nevins inquired as to the procedure for requesting rezoning. Councilman Geib explained the procedure and Mr. Gingerich explained the meaning of non-conforming use.

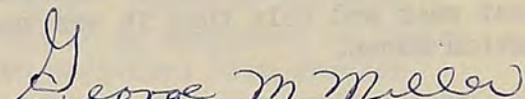
Mr. Williams was requested to find out from Upper Marlboro if the properties at 7007 and 7009 Woodland had ever been rezoned, also to get the number of non-conforming properties on Woodland Avenue, date when change was made on 7009 Woodland and the assessed valuations. Mr. Gingerich stated he did not believe any property in this area had been down graded to single family. He pointed out that previously it was thought that only property owners could down grade, not the government. Approximately 3 months ago the Court of Appeals said the government can now go either way.

Mayor Miller stated that the Council should make an early decision and notify the two gentlemen of their decisions. Mr. Nevins inquired if the Council would take his case under advisement too, and was told they would. Councilman Forshee and Geib suggested to the gentlemen that they wait until the Council acts before applying for rezoning.

The meeting adjourned at 8:15 p.m.

Attest:


 Harrison M. Lindgren
 City Administrator, Clerk-Treasurer


 George M. Miller
 Mayor

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND COUNCIL

July 24, 1967

CITY OFFICIALS PRESENT

Mayor Miller
Councilman Forshee
Councilman Geib
Councilman Jones
Councilman Kennedy
Councilman McKenzie
Councilman Roth
Councilman Turner

Corporation Counsel Gingerich
City Administrator Pridgen
Fire Chief LaScola
Director of Public Works Rhodes
Recreation Director Ziegler
Building Inspector Williams
Capt. Merson, Police Dept.

The Mayor and Council for the City of Takoma Park, Maryland convened in Regular Session in the Council Room, #8 Columbia Avenue, on July 24, 1967 at 8:05 p.m.

The Invocation was rendered by Dr. Stephen S. Hiten, Columbia Union College.

Mayor Miller led 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 on June 26, 1967. Councilman Kennedy moved that the minutes be approved as submitted. The motion was seconded by Councilman McKenzie and duly carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting:

1. The Honorable Arthur Dorman, House of Delegates, Annapolis, Maryland: Notification that he has been appointed Chairman of the Sub-committee on Municipalities for the Prince George's County House Delegation: (Council Files)
2. The Honorable Carlton R. Sickles, Chairman, Prince George's County Delegation, Maryland State Constitutional Convention: Notice of Public Hearing at the County Service Building, Hyattsville, 8 p.m., July 25, 1967: (Council Files) Mayor Miller stated that he will attend the Hearing and hoped other members of the Council will attend also. Remarked that he had made a statement in Rockville last week and felt that it was very important to make our views on the Constitution known.
3. The Honorable Louis L. Goldstein, Comptroller of the Treasury, State of Maryland: Thanking Mayor Miller and the Takoma Park Independence Day Committee, Inc. for the courtesies extended to him on the 4th of July. (Council Files)
4. Mr. Jerome B. Wolff, Chairman-Director, State Roads Commission: Notification that the Commission has received a letter from Mr. Francis C. Turner, Director, Bureau of Public Roads, stating that they hope to conclude their discussions soon and will ask that Mr. Airis and Mr. Wolff meet with him for a full exploration of the proper next steps in the freeway's development. (Council as a Whole)

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5. The Honorable Gladys Noon Spellman, Chairman, Prince George's County Board of Commissioners: Concerning action taken to improve conditions at the used furniture store at 1111 Sligo Creek Parkway. (Civic Improvements)

6. Mr. James S. Baker, Director of Inspections and Permits, Prince George's County: Enclosing copy of the newly adopted Animal Control Ordinance which goes into effect on July 1, 1967. (Public Welfare)

7. Mrs. Dollie H. Kyte, Clerk to the Board, County Board of Appeals for Montgomery County: Notification of Public Hearing to be held August 3, 1967, 9.30 a.m., Case 2236, Nathan Brisker, et al, for a Special Exception to permit the construction and operation of an automobile filling station, Lots 2, 3, and part of 4, Block F, Gilbert & Woods Addition to Takoma Park, 7051 Carroll Avenue in a C-2 Zone. (Civic Improvements)

8. Mr. John D. Ruffcorn, Administrator, Washington Sanitarium and Hospital: Thanking Mayor Miller for proclaiming May 22 through June 30 as Washington Sanitarium and Hospital Days within the Takoma Park area. (Council Files)

9. Mr. John D. Ruffcorn, Administrator, Washington Sanitarium and Hospital: Thanking Mayor Miller for attending the Intern Reception on July 16th. (Council Files)

10. Pastor Fenton E. Froom, Takoma Park Seventh Day Adventist Church: Request for improvement of the sidewalk and curb on the side of the Church next to the Review and Herald Publishing Association: (Public Works)

11. Mr. H. Eugene Walker, Chairman, Board of Directors, Takoma Park Sister City Corporation: Thanking Mayor and Council for permission to use the building at the corner of Ethan Allen and Carroll Avenues for their Thrift Shop and thanking the Public Works Department for its excellent job of renovating the building and premises: (Council Files)

12. Mr. Ralph F. Sidell, General Chairman, Takoma Park Independence Day Committee, Inc.: Thanking Mayor and Council and the several City Departments for their cooperation in the Independence Day Celebration: (Council Files)

13. Mr. Ralph E. French, 7413 Birch Avenue, City: Thanking the Fire Department Ambulance Crew for services rendered in an emergency at their home on June 25th and enclosing \$25.00 for the Municipal Fire Service Fund: (Fire Protection)

14. Mr. William Pringle, 8403 Sligo Creek Parkway and Mr. Elliott McGinnies, 8321 Sligo Creek Parkway, City: Petition for improvement of the unpaved section the Wabash Avenue (Public Works)

15. Mr. John E. Hammond, 831 Hayward Avenue, City: Request for street light on Hayward Avenue: (Public Works)

16. Mr. Walter Pack, 7111 Woodland Avenue, City: Expressing appreciation of Azalea Program, street resurfacing and street lighting programs and requesting an improved street cleaning program: (Public Works)

17. Sfc. William E. Bates, 6707 Westmoreland Avenue, City: Request for speed limit signs on Westmoreland Avenue: (Law Enforcement)
18. Mr. Ernest J. Wolfe, 7522 Jackson Avenue, City: Letter and petition concerning proposed housing for the elderly and proposed Senior Citizens Center. (Civic Improvements) (Copies to Council as a Whole)

FINANCIAL STATEMENT: City Administrator Pridgen reporting

See last page of these minutes.

Mayor Miller welcomed the audience and explained that the Council Meeting scheduled for July 10th had been cancelled for lack of a quorum and that the second meeting in August, usually omitted, would be held this year.

Mayor Miller announced that Councilman Forshee and he would attend the National League of Cities Annual Congress of Cities in Boston July 29 through August 2.

Mayor Miller spoke of the great importance of the forthcoming Constitutional Convention convening in September and the revised Constitution that will be proposed for the State of Maryland. Noted that citizens of Maryland may be governed by its provisions for the next hundred years, and that Section 7.14 of the proposed new Constitution would eliminate home rule for municipalities. Mayor Miller emphasized that "grass root" government is being endangered by this section and stated that the City will keep citizens informed.

Mayor Miller solicited the support of all citizens to assist Takoma Park and other municipalities in defeating this threat to Home Rule Government by offering to testify before the Constitutional Convention Committees.

Mayor Miller commented that Mrs. Bessie Youngblood, wife of former Mayor Youngblood, passed away July 21 and that services will be held tomorrow. Mayor Miller spoke highly of Mrs. Youngblood, commenting on her excellent role as a mother and wife. Stated that she will be missed not only by her family but by the entire City. A motion was presented by Mayor Miller and duly carried to adopt the following Resolution:

R E S O L U T I O N

of Condolence

WHEREAS, We have been saddened by the untimely passing of Mrs. Bessie Youngblood, beloved wife of former Mayor Oliver W. Youngblood, on Friday, July 21, 1967, AND

WHEREAS, in the death of Mrs. Bessie Youngblood, the City of Takoma Park has lost a conscientious and loyal public citizen.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, in behalf of the officials and employees of the City of Takoma Park, Maryland as well as the citizens of this community, that we do hereby express sorrow at the passing of Mrs. Bessie Youngblood, and extend to her

R E S O L U T I O N

of Condolence

husband and to her son and daughters, our most sincere condolences, AND

BE IT FURTHER RESOLVED, That a copy of this Resolution be prepared and presented to Mr. Oliver W. Youngblood and Mrs. Irene Forehand, in testimonial of our love and respect.

PUBLIC PARTICIPATION

1. Mrs. Cornwell, 7005 Westmoreland Avenue, City: Inquired if the Special Exception Case No. 2236 would be brought up tonight. Was informed it would.
2. Dr. Stephen S. Hiten, President, B. F. Gilberts Citizens Association: Spoke in opposition to Special Exception Case No. 2236, stating that several filling stations have gone out of business in the City and that there was an adequate number of filling stations on Carroll Avenue at the present time. Felt the North Central Freeway and Rapid Transit would make changes in the area and that the site could be used for a very fine building. Also stated that the Citizens Association supported the Mayor and Council 100% concerning the proposed Constitution and were ready to help in any way they can.
3. Mrs. Joseph Simpson, 7300 Cedar Avenue, City: Stated that the property in Z. A. P. F-75 and Z. A. P. F-76 would be affected by the proposed North Central Freeway and that it seemed unwise to consider rezoning at this time.
4. Mrs. McBride, 7006 Westmoreland Avenue, City: Spoke of conditions on Westmoreland Avenue and requested a cleaner street. Complained of unauthorized autos using the Takoma Ford drive and of bluestone being scattered across the sidewalk and into the street. Stated that cars in the Takoma Motor lot hang over the wall and children climb over the cars. Mayor Miller requested Mr. Rhodes and Capt. Merson to check into these complaints.
5. Mrs. Evelyn Ferry, 24 Hickory Avenue, City: Stated that there was a new house going up on Montgomery Avenue and that because of the very narrow nature of the street, off-street parking was a necessity. Mayor Miller requested Mr. Williams to check into this situation.

Mayor Miller announced that there had been a change in the Agenda and that he would ask the Civic Improvements Committee to report first.

COMMITTEE REPORTSCIVIC IMPROVEMENTS COMMITTEE: Councilman Geib reporting

1. Impact Study - Takoma Park Rapid Transit Station: Reported that a meeting had been held to discuss this on July 14 in the offices of the National Capital Transportation Agency and it was decided that Gladstone-Voorhees are the best qualified to be the consultants. The Metropolitan Washington Council of Governments will be the contracting agency and will coordinate the activities of the consultant with the technical staffs of various agencies engaged in the project, and arrange conferences when policy decisions must be made. Reported that other agencies are providing funds, and the City's share will be \$5,000.00.

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Moved the adoption of the following Ordinance:

ORDINANCE NO. 1961

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

SECTION 1. THAT a sum not to exceed FIVE THOUSAND DOLLARS (\$5,000.00) be transferred from the RESERVE FUND to account No. 22.4 for the specific purpose of sharing in the cost of consultant fees for certain studies relating to the proposed transportation facilities impact upon the Takoma area, such funds to be transferred to the Metropolitan Washington Council of Governments when formal requisition from them has been received.

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

2. Special Exception Case No. 2236, Nathan Brisker, et al, construction and operation of an automobile filling station, 7051 Carroll Avenue in a C-2 Zone: Reported that this property is in the area to be included in the Impact Study and felt that the study should be awaited for its suggestions. Moved that the Mayor and Council recommend denial for the above reason, ~~Therefore~~, because there is no public need for a filling station at this location and the Council's position will remain as it has in the past. The motion was seconded by Councilman Turner and duly carried.

3. Z. A. P. F-75, 25,000 sq. ft. at 7309 and 7311 Piney Branch Road, R-60 to R-10 Zone, C. Woodrow Miller, applicant and Z. A. P. F-76, 30,000 sq. ft. at 7303 and 7307 Piney Branch Road, R-60 to R-10 Zone, A. Jackson and G. W. Cory, applicants: After some discussion moved that the Mayor and Council recommend denial for the R-10 Zone, because it is contrary to the Master Plan and the Impact Study may change the whole area. The motion was seconded by Councilman Turner and duly carried.

4. Z. A. P. F-25, 13,426 sq. ft. at 207 Hudson Avenue, R-60 and R-40 to R-20 Zone, Irving Biow, applicant: Reported that the surrounding properties are zoned R-20 and moved that the Mayor and Council recommend approval of the application. The motion was seconded by Councilman Forshee and duly carried.

5. Z. A. P. A-7317, 6917 New Hampshire Avenue: Reported that after the Mayor and Council had recommended denial for this application, the applicants had retained an attorney and the attorney had requested a meeting with the Mayor and Council. Several unsuccessful attempts have been made by the City Office to arrange such a meeting. Moved that the Prince George's County Commissioners be notified that the Council's previously expressed views remain unchanged. The motion was seconded by Councilman Kennedy and duly carried.

6. Appeal - Z. A. P. E-511, 9532 sq. ft. 7418 Hancock Avenue: Reported that Judge Mooreman, Judge of the Circuit Court, issued his opinion and order in the above case, and affirmed the zoning from R-60 to R-10. Felt that the Council should take no further action, but should keep the case on record.

7. 250 Manor Circle: Reported that a meeting had been held with the owners of the subject property, Mr. E. L. Daugharthy and Mr. Harry Hayman, as they had requested. Moved that the gentlemen be advised that the Mayor and Council have considered their proposal and cannot accept it. Reported that conditions at the property have grown worse and it is rat infested. Moved that the matter be given to the Corporation Counsel for further study and possible legal action. The motions were duly seconded and carried.

8. 7007 and 7009 Woodland Avenue: Reported that a Public Hearing had been held on July 17, 1967 concerning zoning violations and violations of the Housing Ordinance at these addresses. The properties are zoned R-55, single family, but are being used as two-family residences. Neither is registered as a non-conforming use. Felt that although the owners bought the properties in ignorance of the fact that two-family use was not legal, an exception could not be made for them without opening the door to many other cases. Moved that the owners be ordered to convert to one family use. The motion was seconded by Councilman Turner and duly carried. Councilman Roth noted that the same real estate company had been involved in both sales and had not warned the owners that the properties were zoned for single family use. He moved that a letter be sent to the real estate company with a copy of the minutes of the Public Hearing and express disappointment that they had withheld the information, and that a copy of the letter be sent to the Prince George's County Real Estate Board. The motion was duly seconded and carried.

9. Area Improvement Chairmen: Reported that the Resolution adopted in connection with Ordinance No. 1946 provided that Area Improvement Chairmen select two or more assistants to help them with their work subject to approval of the Mayor and Council. Moved that the following Area Improvement Chairmen and assistants be approved:

Area #1: Mr. Ralph F. Sidell, Chairman, and Mr. Samuel Cohen; Area #2-A: Mrs. Raymond M. McGuire, Chairman, and Mr. Thomas C. Blow and Mrs. Allen Marsh; Area #2-B: Mr. Lee Jordan, Co-chairman, Mr. Clarence Boatman, and Mr. Howard L. Roy; Area #3: Dr. Stephen S. Hiten, Chairman, and Mrs. Peggy Holmes; Area #4: Mr. Carl A. Neilson, Chairman, and Mr. and Mrs. Frederick G. Wilhoit; Area #5: Mr. Harry A. Dickson, Chairman; Area #6: Mr. John D. Emler, Chairman, and Mr. Russell Dyke and Mrs. Anna Thornton; Area #7-A: Mr. Joseph J. Diamond, Chairman, and Mr. Bernard A. Brady; Area #7-B: Mr. Clifford J. Waldron, Chairman, and Mr. Carson Davis. The motion was duly seconded and carried.

10. 7307 Piney Branch Road: At a special joint meeting of the Public Welfare and Civic Improvement Committees of the City Council the problem of subject property was thoroughly discussed and it is the recommendation of the committees to concur with the Building Inspector's and Fire Marshal's recommendation that the building should be condemned; therefore, proposed the following ordinance:

ORDINANCE NO. 1962

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

SECTION 1. THAT WHEREAS it has been reported to the Mayor and Council by the Building Inspector and the Division of Fire Protection that conditions are prevalent so as to make human habitation both unhealthy from a sanitation standpoint and unsafe from a fire hazard standpoint in the building identified as 7307 Piney Branch Road, situated

Section 1 cont.

ORDINANCE NO. 1962

- on Lot 20, Block 12, B. F. Gilbert Subdivision within the City of Takoma Park, Maryland, recorded in the Land Records of Montgomery County, Liber 2876, Folio 65, and in Tax Record a/c #30002, A. Jackson & G. W. Cory, AND
- SECTION 2. THAT the building referred to in Section One of this Ordinance is presently in violation of Section 6, Article 13, Municipal Code (1961) and Section 16, Chapter 86, Fire Prevention Code, of the City of Takoma Park, Maryland, AND
- SECTION 3. THAT certain Members of the City Council have personally inspected the building referred to in Section One of this Ordinance and verified the conditions to be as reported.
- SECTION 4. THEREFORE THAT the Mayor and Council hereby designate the building located at 7307 Piney Branch Road as unfit for human habitation and hereby authorize the legal procedure for Condemnation under authority of Article 13, Municipal Code (1961) and Section 16, Chapter 86, Fire Prevention Code, of the City of Takoma Park, Maryland, AND
- SECTION 5. THAT the date of August 21, 1967 at 7:30 p.m. and #8 Columbia Avenue, Takoma Park, Maryland is hereby set for the time and place for a Hearing as to the condition of the aforementioned building and the City Clerk is hereby instructed to give notice to all persons known to be involved in these proceedings, all in accordance with Articles and Sections of the City Codes aforementioned in Section Four of this Ordinance.

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

PUBLIC WORKS COMMITTEE: Councilman Roth reporting:

1. Street Resurfacing: Reported that the low bidder for street resurfacing was the A. H. Smith Company who bid 24¢ per gallon for tack coat and \$7.68 per ton for asphalt material. Moved that the low bid of the A. H. Smith Company be accepted and that the ordinance be adopted through the Finance Committee. The motion was duly seconded and carried.
2. Street Resurfacing - Adjustment of WSSC Structures: Moved the adoption of the following Ordinance:

ORDINANCE NO. 1963

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

- SECTION 1. THAT in accordance with Ordinance No. 1963 the City of Takoma Park plans to resurface additional streets throughout the City, AND
- SECTION 2. THAT the City Administrator is hereby authorized to file application with the Washington Suburban Sanitary Commission for adjustment of facilities for certain streets which are to be resurfaced with $1\frac{1}{2}$ " (one and one-half inch) of asphalt material, AND

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ORDINANCE NO. 1963

SECTION 3. THAT the use of 1½" rings insofar as practicable, will be satisfactory.

SECTION 4. FURTHER THAT the City Clerk-Treasurer be authorized to pay the Washington Suburban Sanitary Commission for adjusting the necessary facilities ONE HALF OF ALL COSTS INCIDENT THERETO, FUNDS to be transferred from the RESERVE FUND to a/c #12.203 A.

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

3. Personnel: Moved that Miss Valerie Gum be given a probationary appointment retroactive to July 1, 1967, as clerk-typist in the Public Works Office under the Merit Plan at a salary of \$4,500.00 per annum. Noted that Miss Gum has been working part time in the office. The Motion was seconded by Councilman Geib and duly carried.

4. Right of Way: Reported that a letter has been received from the Washington Suburban Sanitary Commission giving the City authority to place fill to a maximum of 14½ feet above the invert of the existing sanitary sewer line on the unidentified City property at the rear of Lot 3, Block 62, located between the Takoma Park Junior High School property to the northwest and the Takoma Park Recreation Center property to the southeast. Moved that the City Administrator be authorized to sign the right of way agreement. The motion was seconded by Councilman McKenzie and duly carried.

5. Sidewalk and Curb - Takoma Park Seventh Day Adventist Church: Reported that the sidewalk and curb that Pastor Froom had requested be repaired are in the jurisdiction of the District of Columbia and requested that the D. C. authorities be informed of the request and Pastor Froom be notified of this action.

6. Street Lighting: Reported that the Pepco survey of the area bounded by Eastern Avenue, Carroll Avenue, Philadelphia Avenue and the City Line with Silver Spring has been received. They have recommended that the street lighting be improved in this area on the same basis as the previous improvement. The annual increase in cost would be \$4,366.86. Requested the Council members to look at the previously improved area so that the matter may be acted upon at the next meeting.

7. Pick-up Truck: Reported that the new pick-up truck has been received.

8. Sidewalk: Reported that information had been received that Giant Foods intends to put a sidewalk on its property along Anne Street.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting

1. 8108 Flower Avenue: Reported that a Public Hearing on this property had been held and moved the adoption of the following Ordinance:

ORDINANCE NO. 1964

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

SECTION 1. WHEREAS Ordinance No. 1957 was adopted June 12, 1967 setting forth

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SECTION 1. (contd.)

ORDINANCE NO. 1964

the chronological record of the findings and directives of the Assistant Fire Marshal of the City and the Chief, Division of Building Electrical and Plumbing Inspections, Montgomery County, relating to the building identified as 8108 Flower Avenue, located on Part of Lot 6, Block 5⁴, B. F. Gilberts Subdivision, within the City of Takoma Park, Maryland, owned by E. M. and F. L. MacLeod, Tax Account No. 89650, recorded in Liber 960, Folio 248 among the Land Records of Montgomery County, said building having been severely damaged by fire on March 20, 1967, AND

SECTION 2. WHEREAS, according to the provisions of Section 5 of Ordinance No. 1957, the Mayor and Council convened at #8 Columbia Avenue, Takoma Park, Maryland, on July 5, 1967, 8:00 p.m. E.D.T. to hear all persons known to be involved in condemnation proceedings as set forth in Section 4 of Ordinance No. 1957, AND

SECTION 3. WHEREAS, it has come to the attention of the Mayor and Council that a garage building at the rear of the house building was previously damaged by fire and should be condemned and demolished.

SECTION 4. NOW, THEREFORE, THAT under authority of Section 16(d) Chapter 86, Fire Prevention Code, City of Takoma Park, Maryland, the time for demolition of the remnants of the house building and the garage building at 8108 Flower Avenue is hereby extended for a period of thirty (30) days from the enactment of this Ordinance, AND

SECTION 5, THAT the Director of Public Works be hereby authorized to solicit and receive at least three sealed bids from reliable persons or firms to demolish the house, garage and appurtenances thereto and remove all debris, weeds and underbrush from same location, AND,

SECTION 6. THAT the Director of Public Works report the results of such bids with his recommendation to the City Council for further consideration.

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

2. 6907 Westmoreland Avenue: Reported that owners of the subject property have been given every opportunity to comply with prior ordinances adopted by the Mayor and Council; that the building was recently heavily damaged by fire as a result of the building being unoccupied although the City had previously boarded up the same and that sealed bids have been opened this evening at the Council Table for the complete demolition of the remainder of the building, therefore, proposed the following ordinance:

ORDINANCE NO. 1965

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

SECTION 1. THAT WHEREAS on October 10, 1966, Ordinance No. 1917 was adopted authorizing legal proceedings for condemnation of the building located at 6907 Westmoreland Avenue, situated on parts of Lots 10 and 11, Block "F", Gilbert and Woods subdivision within the

SECTION 1. (contd.) ORDINANCE NO. 1965

City of Takoma Park, AND

SECTION 2. WHEREAS Ordinance No. 1920 adopted November 14, 1966 ordered that the owners of the building identified as 6907 Westmoreland Avenue accomplish the removal of hazardous materials and the boarding of the building within THIRTY (30) days from the date of November 14, 1966 and to either restore the building to a habitable condition or demolish the building and remove all debris within six months from the date of November 14, 1966, AND

SECTION 3. WHEREAS Ordinance No. 1956 adopted June 12, 1967 authorized the Director of Public Works to solicit bids to demolish the buildings and appurtenances thereto and remove all debris, weeds and underbrush on the property located at 6907 Westmoreland Avenue, AND

SECTION 4. THAT after having properly obtained bids for the razing and removing of all debris of the building located at 6907 Westmoreland Avenue, AND

SECTION 5. THAT the low bid contract be awarded to Ace Wrecking and Building Material Company, Inc., Washington, D. C. in the sum of NINE HUNDRED FORTY FIVE DOLLARS (\$945.00), AND

SECTION 6. FURTHER THAT the City Clerk-Treasurer be hereby directed to assess the cost of the demolition as authorized by this Ordinance No. 1965, and all other costs incident thereto against parts of Lots 10 and 11, Block "F", Gilbert & Woods Subdivision within the City of Takoma Park, presently identified as Tax Record a/c 146685, Paul W. Taltamus, et al, and to collect such assessment in the same manner as City Taxes are collected by authority of the City Charter.

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

FIRE PROTECTION COMMITTEE: Councilman Turner reporting

1. Arson Seminar: Reported that from July 31 to August 4, 1967, the Virginia State Fire Marshal's Office is conducting its annual Arson Seminar at the College of William and Mary in Williamsburg, Va. Moved that Deputy Chief Fickes be granted Official Leave to attend the Arson Seminar from July 30 to August 4 and a sum of \$100.00 be allowed for expenses, the amount to be charged to a/c 11.212A-2. The motion was seconded by Councilman Kennedy and duly carried.

2. Equipment: Reported that the electronic flash unit used for official photographs is now 12 years old and the maker is out of business, making parts very difficult to obtain. Moved that the purchase of a Ultrablitz, Matador 400, Electronic Flash Unit be authorized from Penn Camera Exchange for the sum of \$200.00, funds to be transferred from the Reserve Fund to a/c 11213. The motion was seconded by Councilman Kennedy and duly carried.

PARKS AND RECREATION COMMITTEE: Councilman Jones reporting

1. Carole Highlands-Hillwood Manor Recreation Council: Reported that a survey of the Carole Highlands summer playground registrations showed approximately 20% of the children come from Takoma Park. Moved that the sum of

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PARKS AND RECREATION COMMITTEE: (contd.)

\$100.00 be donated to the Recreation Council for the summer playground program. The motion was seconded by Councilman Geib and duly carried.

2. Recreation Office: Reported that the office at #8 Sherman Avenue has been redecorated and that furnishings are needed. Moved the adoption of the following ordinance:

ORDINANCE NO. 1966

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

SECTION 1. THAT it has been determined that the new Recreation Department Office at #8 Sherman will need office equipment in order to perform their normal office duties, AND

SECTION 2. THAT the City Administrator and the Director of Recreation be authorized to purchase the following equipment, either used or new, not to exceed a net sum of ONE THOUSAND DOLLARS (\$1,000.00): 2 desks, 2 office chairs, 1 IBM Electric Typewriter, 2 File cabinets, 1 Coat Rack, 2 Chair Mats, 5 Venetian Blinds, AND

SECTION 3. FURTHER THAT the sum stated in Section Three of this Ordinance be transferred from the RESERVE FUND to Account No. 19.203.

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

3. Band Concert: Reminded all present of the concert to be given July 26th at Jeque Park by the Army Field Band.

SPECIAL LIBRARY COMMITTEE: Councilman Jones reporting

1. Library Expansion Study: Moved that \$600.00 be appropriated for a preliminary study on the Library expansion, funds to be transferred from the Reserve Fund to a/c No. 10.813.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Street Resurfacing: Moved the adoption of the following Ordinance:

ORDINANCE NO. 1967

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 the law, bids were publicly opened on July 20, 1967 for resurfacing certain selected asphalt streets, AND

SECTION 2. THAT the low bid contract be awarded to A. H. Smith of Branchville, Maryland in an amount not to exceed FORTY THOUSAND DOLLARS (\$40,000.00), AND

SECTION 3. FURTHER THAT funds for this project be transferred from the RESERVE FUND to a/c 12.203A.

Finance Committee (contd.)

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

2. Personnel: Moved that Mr. Rodney Smith be appointed to the position of Deputy Clerk-Treasurer effective July 25, 1967 at the annual salary of \$8,500.00. The motion was seconded by Councilman Geib and duly carried.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting

1. Personnel: Moved that acting Detective Cpl. William Dalrymple be appointed Detective Cpl. retroactive to July 1, 1967. The motion was seconded by Councilman Jones and duly carried.

2. Personnel: Moved that the resignation of Officer James E. Fender effective July 27, 1967 be accepted with regrets. The motion was seconded by Councilman Roth and duly carried.

3. Personnel: Moved that Mr. Kenneth Edward Jones be appointed a Special Police Officer effective July 15, 1967. Noted that Mr. Jones is the Public Works Sanitation Supervisor. The motion was seconded by Councilman Turner and duly carried.

Mayor Miller administered the Oath of Office to Deputy Clerk-Treasurer Smith and Assistant Building Inspector Wollner.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 11:10 p.m. to reconvene in Executive Session August 14, 1967.

Attest: Rodney L. Smith
Deputy City Clerk

Approved George M. Miller
Mayor

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FINANCIAL STATEMENT: City Administrator Pridgen reporting:BANK BALANCE AS OF JUNE 30, 1967SUBURBAN TRUST COMPANY - GENERAL FUND

Balance as of May 31, 1967	\$ 82,672.15	
*June Receipts	<u>114,447.86</u>	\$ 197,120.01
June Disbursements		<u>77,859.67</u>
Balance as of June 30, 1967		<u>\$ 119,260.34</u>
*Includes \$50,000.00 treasury bill		

CITIZENS BANK OF MARYLAND - GENERAL FUND

Balance as of May 31, 1967	\$ 3,075.28	
No receipts during June	<u>----</u>	\$ 3,075.28
June disbursements		<u>433.43</u>
Balance as of June 30, 1967		<u>\$ 2,641.85</u>

CITIZENS BANK OF MARYLAND - SPECIAL IMPROVEMENTS FUND

Balance as of May 31, 1967	\$ 9,672.46	
June receipts	<u>94.97</u>	\$ 9,767.43
No June disbursements		<u>----</u>
Balance as of June 30, 1967		<u>\$ 9,767.43</u>

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

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

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of May 31, 1967	\$ 8,257.34	
June transfers from General Funds	<u>49,977.50</u>	\$ 58,234.84
June disbursements		<u>48,495.37</u>
Balance as of June 30, 1967		<u>\$ 9,739.47</u>

AMERICAN NATIONAL BANK OF MARYLAND - GENERAL FUND

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

PETTY CASH FUND

Balance as of June 30, 1967		<u>\$ 200.00</u>
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