

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND COUNCIL

August 14, 1967

CITY OFFICIALS PRESENT

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

City Administrator Pridgen  
Police Chief Foster  
Fire Chief LaScola  
Director of Public Works Rhodes  
Recreation Director Ziegler  
Assistant Corporation Counsel Schap  
Deputy Clerk-Treasurer Smith  
Building Inspector Williams

Excused: Councilman Geib

The Mayor and Council for the City of Takoma Park, Maryland convened in Executive Session in the Council Room, #8 Columbia Avenue, on August 14th, 1967 at 8:03 p.m.

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 July 24, 1967. Councilman Kennedy moved that the minutes be approved as submitted. The motion was seconded by Councilman McKenzie and duly carried.

CORRESPONDENCE RECEIVED: Deputy Clerk-Treasurer Smith reporting

1. Senator Allen J. Ellender, Chairman, Subcommittee on Public Works, United States Senate: Acknowledgement of Resolution adopted by Mayor and Council regarding Bloomington Dam project. (Public Works)
2. Senator Joseph D. Tydings, United States Senate: Acknowledgement of Bloomington Dam Resolution. (Public Works)
3. Senator Daniel B. Brewster, United States Senate: Acknowledgement of Bloomington Dam Resolution. (Public Works)
4. Honorable Charles McC. Mathias, Jr., Congress of the United States: Acknowledgement of Bloomington Dam Resolution. (Public Works)
5. Honorable Cleatus E. Barnett, Vice Chairman, Washington Suburban Transit Commission: Invitation to Mayor and Council to attend a conference in Rockville, August 18, 8:00 p.m. regarding rapid transit: (Council as a Whole)
6. Mr. Thomas G. Robinson, Legal Department, Washington Suburban Sanitary Commission: Further information regarding S/D Cont. #66DE0066 and quoting price of \$710.00 to raise manhole on City property prior to filling to 14 1/2 ft. depth. (Public Works)
7. Mr. Raymond G. Boileau, Executive Secretary, Maryland Municipal League: Congratulating Mayor Miller for his presentation before the Prince Georges County Delegation to the Constitutional Convention: (Council Files)
8. Mr. C. W. Schmitz, Jr., Potomac Electric Power Co.: Notice of Special Exception No. 2251 for use for a public utility building on property at 7501 and 7505 Maple Ave. and 138 and 140 Grant Ave., Hearing scheduled 9:30 a.m., August 31, 1967, Montgomery County Board of Appeals. (Civic Improvements)

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Correspondence cont.

9. Mrs. Paul B. Croft, 7910 Lockney Avenue, City: Complaint of low hanging trees on corner properties in the New Hampshire Gardens area of the City. (Law Enforcement)
10. Chief S. J. LaScola, Fire Department: Report of election at Annual Meeting of Takoma Park Volunteer Fire Department, Inc. held on July 12, 1967 with a schedule of new officers. (Fire Protection)

FINANCIAL STATEMENT: Deputy Clerk-Treasurer Smith reporting

See last page of these minutes.

Mayor Miller welcomed the audience and read a Proclamation proclaiming the week of September 18, 1967 as Lions Club Light Bulb Week. He urged all to support the drive and remarked that the proceeds of the drive are used for work in the field of the prevention of blindness.

Mayor Miller announced that on Saturday the new exchange student, Miss Anamaria Domfini de Magalhaes, had arrived at Friendship Airport from our sister city, Jequie, Brazil. Remarked that the student exchange program is supported by memberships in the Sister City Corporation and by sales of donated clothing and household articles by the Sister City Thrift Shop. No tax money is used. Urged all to support the Sister City student exchange program.

PUBLIC PARTICIPATION

1. Mr. Robert Singleton, 7521 Maple Avenue, Apt. 10, City: Spoke in opposition to the provisions of Article 10, Section 30 of the Municipal Code which prohibit parking of commercial vehicles in a residentially zoned area. Felt that this made it very difficult for apartment dwellers such as he to park their 1/2 ton trucks which were not used for commercial purposes. Noted the number of trucks being used as campers and suggested that 1/2 ton trucks be exempted from this prohibition if not used for commercial purposes.
2. Mrs. O'Rourke, 16 Darwin Avenue, City: Complained about the rat problem in her neighborhood and requested an acceleration of the effort to have people clean up their property. Felt the Takoma Recreation Center should use covered refuse cans.
3. Mrs. Minton, 136 Grant Avenue, City: Inquired if the City had any information on the Special Exception case at the corner of Grant and Maple Avenue, such as the amount of land to be used and the type of building to be erected. Also asked for suggestions for community service work her Girl Scout Troop could do. Mayor Miller asked Recreation Director Ziegler to contact Mrs. Minton on this latter matter.
4. Mr. Joseph Ferrier, 7413 Maple Avenue, City: Remarked on the fine effect made by the plantings around the Veterans Memorial Park and complimented the Public Works Department on this. Spoke on the requirement that taxi passengers ride in the rear seat if there is room. Noted that if a passenger entered the front seat in bad weather because the rear seat was full, he could be required to change to the rear seat when other passengers got out, getting wet in the process. Felt discretion should be used in the enforcement of the regulation. Spoke of the law requiring snow to be removed from sidewalks and felt that those in frail health should be given special consideration. Stated that there were not enough young men willing to remove the snow. Stated that he was glad the letter concerning rapid transit from Mr. Barnett had been referred to the Council as a Whole and that some members of the Council, he hoped, could find the time to attend.

COMMITTEE REPORTS

PUBIC WORKS COMMITTEE: Councilman Roth reporting

1. Public Works Congress and Equipment Show: Moved that Director of Public Works Rhodes be granted official leave to attend the Public Works Congress and Equipment Show at Boston, Massachusetts, September 30th through October 5th, expenses to be charged to a/c 12.102E. The motion was seconded by Councilman McKenzie and duly carried.

2. Wabash Avenue: Reported that this matter has been discussed in Committee, but is a difficult problem to solve as Wabash Avenue has never been accepted as a City street. A solution is being sought and requested the item be kept on the agenda.

3. Street Light: Reported that the request for a street light on Hayward Avenue has been discussed. Remarked that Hayward Avenue has not been accepted as a City street and that only the person making the request would benefit by a street light there. Recommended that Mr. Hammond be informed that the City will trim the trees so that the light on the corner will be more effective and suggested that he might install a yard light on his property. There being no objection, it was so ordered.

4. Street Cleaning Program: Noted that two men and a pick up truck were at work almost full time on street cleaning as well as the NYC summer help. This is a new program provided for this year in the adopted budget. Requested the item be removed from the agenda.

5. Improved Street Lighting: Reported that Pepco had been requested to make a survey of the area bounded by Eastern, Carroll, and Philadelphia Avenues and the City line with Silver Spring and make their recommendations. They have recommended that the street lighting be improved in this area on the same basis as the previous improvement in the area bounded by Carroll, Ethan Allen and Eastern Avenues. This will place a street light on nearly every Pepco pole, the residential streets to have 2500 lumen lights, Piney Branch Road will have 6000 lumen lights with globes and long arms (as presently installed), and 4000 lumen lights with globes on Philadelphia Avenue. Moved that Pepco be authorized to proceed with their proposed plan for this area at a net annual increase to the City of \$4,366.86. The motion was seconded by Councilman Jones and duly carried. Noted that many favorable comments have been received concerning the previous improvement.

6. Anne Street: Reported that Giant Foods have installed a sidewalk along their property on Anne Street which extends for one block.

7. Special Exception Case 2033, Petition of Gerald Williams: Reported that he understood that they will be ready to go ahead with the nursing home in September; however, the existing Special Exception is due to expire sometime in August and an extension is being requested by Mr. Williams. Moved that the Council reaffirm its recommendation of approval of the subject special exception. The motion was seconded by Councilman Forshee and duly carried.

8. Street Resurfacing: Reported that approximately 45% of the resurfacing project has been completed and the following streets resurfaced: Spring Avenue from Poplar to Cockerille Avenue; Cockerille Avenue from 1st to Highland Avenue; 2nd Avenue from Cockerille to Eastern Avenue; Allegheny Avenue from Elm to Highland Avenue; Westmoreland Avenue from Carroll Avenue to Highland Avenue; Eastern Avenue from Walnut to 2nd Avenue; Walnut Avenue from Eastern to Westmoreland Avenue; Elm Avenue from Westmoreland to Pine Avenue; Pine Avenue from Elm to Columbia Avenue; Spruce Avenue from Tulip to Park Avenue. Noted that most of these streets were in the area previously planned to contain the proposed North Central Freeway.

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FIRE PROTECTION COMMITTEE: Councilman Turner reporting

1. Personnel: Moved that Pvt. Howard L. Stephens be given a permanent appointment effective retroactive to August 1, 1967. The motion was seconded by Councilman Jones and duly carried.
2. Official Leave: Reported that the Sixth Annual Fire Administration Seminar will be held September 8 through September 10, 1967 and the 94th Annual Conference of the International Association of Fire Chiefs will be held September 11 through September 15, 1967 in San Francisco, California. Moved that Fire Chief LaScola be granted official leave to attend these events, expenses to be charged to a/c 11.2.2 N-2. The motion was seconded by Councilman Kennedy and duly carried.
3. Training: Reported that two houses, 7715 Flower Avenue and 7730 Greenwood Avenue had been burned at their owners request under the direction of the Takoma Park Fire Department for training purposes. Remarked that the Silver Spring, and Chillum Fire Departments were present as was the Wheaton Rescue Squad and the Organized Reserve Training Unit, Port Security, U. S. Coast Guard and Mr. Joseph Bachelor, Director, Fire Service Extension, University of Maryland.

CIVIC IMPROVEMENTS COMMITTEE: Councilman Forshee, Vice Chairman, reporting

No report at this time.

PARKS AND RECREATION COMMITTEE: Councilman Jones reporting

1. Recreation Office Furnishings and Equipment: Reported that the funds previously provided for this purpose insufficient and moved the adoption of the following Ordinance

ORDINANCE NO. 1968

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

SECTION 1. THAT WHEREAS Ordinance No. 1966, Section 2 authorized an expenditure not to exceed a net sum of \$1,000.00 to purchase office equipment for the new Recreation Department Office at #8 Sherman Avenue, AND

SECTION 2. THAT an additional sum of THREE HUNDRED DOLLARS (\$300.00) be transferred from the RESERVE FUND to a/c 19.203 to provide a total sum not to exceed ONE THOUSAND THREE HUNDRED DOLLARS (\$1,300.00).

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

FINANCE COMMITTEE: Councilman Forshee reporting

1. Membership Fee: Reported that the annual fee for the City's membership in the National League of Cities had been provided for in the Budget and requested the item be removed from the agenda. Remarked that while he and Mayor Miller had been in Boston attending the 44th Annual Congress of Cities he had been very favorably impressed with the progress of Urban Renewal there. Felt the City of Takoma Park could use some of the same type of renewal as soon as possible.

LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting

1. Westmoreland Avenue: Requested that the person making the request for speed limit signs on Westmoreland Avenue be asked where on the length of the street he felt they were needed.

Law Enforcement Committee, cont.

2. Equipment: Reported that a mobile walkie talkie set was needed for use on store checks and stake outs and moved the adoption of the following Ordinance:

ORDINANCE NO. 1969

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

SECTION 1. THAT it has been determined that the Police Department is in need of a mobile communications system, AND

SECTION 2. THAT the Police Chief be authorized to purchase 2 model H21 DCN 1130 W Handie Talkie units with all standard accessories from Motorola Communications and Electronics, Inc. in the net amount of ONE THOUSAND THREE HUNDRED EIGHTY THREE DOLLARS (\$1,383.00), AND

SECTION 3. FURTHER THAT the sum stated in Section 2 of this Ordinance be transferred from the RESERVE FUND to Account No. 11.113 Capital Outlay.

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

3. Personnel: Moved that Officer Ronald K. Specht be granted a permanent appointment to the Police Force effective retroactive to July 16, 1967. The motion was seconded by Councilman Jones and duly carried.

4. Personnel: Moved that Mr. David Lee Clair of Adelphi, Maryland be granted a probationary appointment to the Police Force under the Merit Plan effective September 1, 1967. The motion was seconded by Councilman Jones and duly carried.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie reporting

1. 307 Elm Avenue: Reported that the property has been pretty well cleaned up and is for sale. Requested the item be removed from the agenda.

2. Montgomery County Taxicab Ordinance: After some discussion, the City Administrator was requested to determine how the recently adopted Ordinance (adopted by the Montgomery County Council) would affect the City's taxicab licensing procedures.

3. Special Exception Case No. 2251: Requested Director of Public Works Rhodes to contact Pepco and determine whether the public utilities building they wish to erect at Grant and Maple under the subject Special Exception would be constructed to look like a house. Reported that no plans have been received by the City.

4. Montgomery County Tax Reassessments: Reported that the assessor going around as a result of the City's protest against the recent reassessments to determine if there were errors in those assessments has given some citizens the impression that the City was requesting properties be reassessed. Felt that it should be made clear, preferably in the Newsletter, that the City had requested the reassessments be checked to ensure that they had not been unfair and inequitable.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:35 to reconvene in Regular Session on August 28, 1967 at 8:00 p.m.

Attest: Lodney L. Smith  
Deputy Clerk Treasurer

Approved: George M. Miller

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FINANCIAL STATEMENT: City Administrator Pridgen reporting:BANK BALANCE AS OF JULY 31, 1967SUBURBAN TRUST COMPANY - GENERAL FUND

Balance as of June 30, 1967	\$ 119,260.34	
*July Receipts	<u>44,415.94</u>	\$ 163,676.28
July Disbursements		<u>81,193.33</u>
Balance as of July 31, 1967		<u>\$ 82,482.95</u>

CITIZENS BANK OF MARYLAND - GENERAL FUND

Balance as of June 30, 1967	\$ 2,641.85	
July Receipts	<u>362.12</u>	\$ 3,003.97
July Disbursements		<u>22.92</u>
Balance as of July 31, 1967		<u>\$ 2,981.05</u>

CITIZENS BANK OF MARYLAND - SPECIAL IMPROVEMENTS FUND

Balance as of June 30, 1967	\$ 9,767.43	
No July Receipts or Disbursements	<u>-----</u>	\$ 9,767.43
Balance as of July 31, 1967		<u>\$ 9,767.43</u>

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

Balance as of June 30, 1967	\$ 1,148.66	
July Receipts	<u>22.00</u>	\$ 1,170.66
No July Disbursements		<u>-----</u>
Balance as of July 31, 1967		<u>\$ 1,170.66</u>

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of June 30, 1967	\$ 9,739.47	
July transfers from General Fund	57,568.01	
Special Deposit - (Spicer)	<u>15.70</u>	\$ 67,323.18
July Cash Disbursements		<u>57,089.39</u>
Balance as of July 31, 1967		<u>\$ 10,233.79</u>

AMERICAN NATIONAL BANK OF MARYLAND - GENERAL FUND

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

PETTY CASH

Balance as of July 31, 1967		<u>\$ 200.00</u>
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THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING AND ORDINANCE VIOLATION

AUGUST 21, 1967

A. Jackson and G.W. Cory, 7307 Piney Branch Road

Mayor George M. Miller called the Hearing to order at 7.30 p.m. Councilmen Forshee, Geib, Jones, McKenzie and Turner were present. Also present were Mr. Pridgen, City Administrator, Clerk-treasurer and Fire Chief La Scola.

The hearing was convened pursuant to Ordinance No. 1962 adopted by the Mayor and Council on July 24, 1967, in reference to 7307 Piney Branch Road and to hear the owners A. Jackson and G.W. Cory or their duly constituted representatives concerning the condition of the subject property located 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 and G.W. Cory, to give them opportunity to show cause why the building should not be condemned and ordered demolished as being 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. Official notice of the Hearing was sent to the owners on August 9, 1967.

Mr. A. J. Cory stated that inspectors had entered the property without his permission. He said that he had repaired the building to some extent and that he wants to await the results of his pending rezoning petition before he does any more work, as he wants to sell this house and the house next door for the construction of a high rise building. Mr. Cory blamed children for the broken windows and broken plastering on the walls. Chief La Scola stated that he believed that there had been a fire in the building and that a cot and fairly clean bed clothing in the second floor room evidenced the fact that someone had been sleeping in the building. He exhibited pictures taken earlier in the year showing fire hazards and open windows among other violations.

In response to Councilman Jones' questions, Mr. Cory stated that it would taken him 30 days to fix the house to conform to Fire Department requirements, and that he hadn't done this in the past 6 or 7 years due to problems concerned with money and raising children. He stated that he bought a "pig in a poke," and that he didn't want to tear the house down.

In response to Councilman Turner's question, Mr. Cory stated that if he was granted time to make the necessary repairs, he would do so. He asked the City to give him "a break" on the zoning petition, and suggested that the City Council contact the zoning authority to rezone the entire property.

The Hearing adjourned at 8.20 p.m.

Attest:

*Haynes M. Pridgen*  
\_\_\_\_\_  
City Administrator, Clerk-Treasurer

\_\_\_\_\_  
Mayor

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THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND COUNCIL

August 28, 1967

CITY OFFICIALS PRESENT

Mayor Miller	Corporation Counsel Gingerich
Councilman Forshee	City Administrator Pridgen
Councilman Geib	Fire Chief LaScola
Councilman Jones	Police Chief Foster
Councilman Kennedy	Director of Public Works Rhodes
Councilman McKenzie	Assistant Corporation Counsel Schap
Councilman Turner	Deputy Clerk-Treasurer Smith
	Building Inspector Williams
	Deputy Chief Fickes, Fire Dept.

Excused: Councilman Roth

The Mayor and Council for the City of Takoma Park, Maryland convened in Regular Session in the Council Room, #8 Columbia Avenue, on August 28, 1967 at 8:07 p.m.

The Invocation was rendered by Councilman Forshee.

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 August 14, 1967. Councilman Kennedy moved that the minutes be approved as submitted. The motion was seconded by Councilman McKenzie and duly carried.

CORRESPONDENCE RECEIVED: Deputy Clerk-Treasurer Smith reporting

1. Mr. M. A. Butcher, County Manager, Montgomery County: Enclosure of Resolution No. 6-704, effective Tuesday, August 22, 1967, to read as follows:

"Resolution No. 6-704	Re: Proclamation of Dog Quarantine in Lower Montgomery County
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WHEREAS, a focus of rabies in the wild animal population of Northwest Washington has been confirmed by laboratory examination, and

WHEREAS, the County Health Officer believes that the possibility of spread of such rabies to wild and domestic animals in Montgomery County is a clear and present danger, and

WHEREAS, the Montgomery County Council, sitting as the County Board of Health, believes it necessary to prevent the spread of any such rabies in the county by proclaiming a quarantine on dogs in the lower portion of Montgomery County in order to protect human life and property,

NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County, Maryland, sitting as the County Board of Health, that pursuant to the authority granted it by Section 76-47 of the Montgomery County Code 1965, as amended by Ordinance 6-20, dated February 28, 1967, it hereby proclaims a quarantine on dogs which shall forthwith become effective in all of that portion of



Correspondence Cont.

Montgomery County lying to the south of Interstate Route 495 and continue until the first day of October 1967, during which time it shall be the duty of all persons owning or harboring dogs, or having dogs in their custody either permanently or temporarily, within the above designated area of the County to keep such dogs tied, securely confined, or on leash at all times during such quarantine period. Any dog found running loose within the quarantined area and during the quarantine period shall be subject to impounding, destruction or other disposition, all as provided by said law. During the existence of such quarantine, no animal shall be taken or shipped from its residence without the consent of the health officer

The County Board of Health also requests the cooperation of all County employees, the Humane Society, the State Game Wardens, and all citizens of the County in assisting the County Health Officer in carrying out the provisions of this Resolution." (Council as a whole)

2. Mr. H. Eugene Walker, Chairman, Board of Directors, Takoma Park Sister City Corporation: Invitation to Mayor and Council to attend a reception at 8 p.m. on September 7, 1967, in the Council Room, at #8 Columbia Avenue, for Miss Anamaria Bomfim Magalhaes, an exchange student from our Sister City, Jequeie, Brazil. (Council as a whole)
3. Mr. James M. Windsor, Exective Vice President, Oil Heat Institute of Greater Washington: Statement concerning Air Pollution Control Ordinance. (Public Welfare)
4. Mr. J. Robert Sherwood, President, Suburban Trust Company, Hyattsville, Maryland: Commendation to Takoma Park Detective Bureau. (Law Enforcement)

PUBLIC PARTICIPATION:

1. Mr. Thomas O'Day, 929 "E" Street, N. W., Attorney for PEPCO: Stated he was there to answer any questions concerning Special Exception Case No. 2251.
2. Mr. Joseph Ferrier, 7413 Maple Avenue, City: Inquired if the building that PEPCO proposes to erect on Maple Avenue, would resemble a residential building. Stated that he and Mrs. Ferrier had drawn up a letter in support of municipal government and will send it to the Constitutional Convention Delegation. Asked if there was any thing further citizens could do to preserve local government. Mayor Miller stated that a Chairman has been appointed for the Committee of the Convention on Local Government, which Committee has charge of this. Stated he hoped to have more information before September 12, and citizens may be called upon to testify before the Council and Committee.
3. Dr. Stephen S. Hiten, President, B. F. Gilberts Citizens Association: Spoke in support of the foregoing statement by Mr. Ferrier. Also inquired if there were any developments on the proposed Housing for the Elderly on Westmoreland Avenue, Councilman Geib answered that there was as yet no report on this.
4. Mr. Argicola, 8733 Carroll Avenue, Silver Spring, Maryland: Stated he was the owner of 105 1st Avenue and has been told that 1st Avenue is a secondary Street. It is unpaved and because of improvement to Westmoreland Avenue dirt and gravel are running down and making it difficult to use 1st Avenue.
5. Mrs. Cornwell, 7005 Westmoreland Avenue, City: Thanked the City for the promptness with the Insurance Company check for the damages done to auto by City truck.

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6. Mrs. Frances MacLeod, 8108 Flower Avenue, City: Gave letter to Mr. Smith to read before Council, asking for a 30 day extension to either clear away debris or re-build property damaged by fire and condemned by City. Has been relying on neighbor to keep her informed on any action taken concerning 8108 Flower Avenue.

FIRE PROTECTION COMMITTEE: Councilman Turner reporting:

- 1. Personnel: Moved that the resignation of Pvt. R. Thompson effective September 8, 1967 be accepted with regrets. The motion was seconded by Councilman Jones and duly carried.
- 2. Payment of Volunteer Firemen: Moved the adoption of the following Ordinance.

ORDINANCE NO. 1970

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

WHEREAS, it is the desire of the Mayor and City Council to provide adequate man power for fire protection service and it is the further desire of the Mayor and Council that the continued participation of the Volunteer Firemen be encouraged;

SECTION 1. THEREFORE THAT the City Treasurer be hereby authorized to pay Volunteer Firemen in December each year at the basic rate of ONE DOLLAR TWENTY FIVE CENTS (\$1.25) per call for siren alarm response in accordance with certification by the Fire Chief as of November 30th each year listing the name of the Fireman and the number of calls for which he is entitled to be paid for the prior year's service, all in accordance with Article XVI of the Fire Service Rules and Regulations, "Rules and Regulations Governing All Volunteer Members Applying For Or Wanting to Remain on the Active Fire Crew", AND

SECTION 2. FURTHER THAT, the computation of certified siren alarm responses shall be retroactive to December 1, 1966, funds having been provided in the current Budget, Account No. 11.211, to provide for anticipated costs.

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

CIVIC IMPROVEMENT COMMITTEE: Councilman Geib reporting:

1. Special Exception Case No. 2251 - 7501 and 7505 Maple Avenue and 138 and 140 Grant Avenue for construction of a Public Utility building by PEPCO: Mr. Schmitz, of PEPCO put before the Mayor and Council an Architectural drawing of a proposed Sub-station building and felt that construction would be ready to start around the first of the coming year. Mr. Condon, Architect, gave a brief description of what the completed sub-station should be like: 30 foot in height, red brick, with trim of pre-cast concrete to give appearance of lime stone to be compatible with the proposed Civic Center. There should be no noise and/or radio or television interference. All cables to be underground and existing trees to be preserved. Councilman Geib moved that the Council recommend approval of Special Exception Case No. 2251. Councilman Jones seconded the motion and it was duly carried.

2. Special Exception Case No. 2236, 7051 Carroll Avenue: Assistant Corporation Counsel Schap reported that a hearing has been held on this and a memo of facts submitted by the City, but no decision has been handed down by the Board.

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3. 7307 Piney Branch Road: Reported that a Public Hearing on the condemnation of subject property was held on August 21, 1967. Mr. Cory had requested an extension of time and a conference with Fire Chief LaScola and Building Inspector Williams to see what must be done to secure the building as he felt the property would be more valuable with the building. However, Mr. Cory has been unavailable for the conference he requested. After considerable discussion, Councilman Geib moved that Mr. Cory be granted a 30 day extension, by which time substantial improvements must be made. The motion was seconded by Councilman Forshee and duly carried.

4. Z. A. P. A-7255, Lots 1 through 12 and lots 20 through 24, Block 4, N. H. Gardens, northwest corner of New Hampshire Avenue and Kirklynn Avenue, 2.2229 acres, R-18 and R-55 to C-0 Zone, Harold Sterling, et al, owners, De Blasis & Cahler, Attorneys: Moved that the Council recommend approval of the C-0 Zone on lots 1 through 7 and 21 through 24 which are presently zoned R-18, and disapproval of lots 8 through 12 and lot 20 which are presently zoned R-55. The motion was seconded by Councilman Turner and duly carried.

PARKS AND RECREATION COMMITTEE: Councilman Jones reporting:

- 1. B & O Station House Study: Reported that the building had been destroyed by fire and requested the item be removed from the Agenda.
- 2. Summer Recreation Program: Reported that this has been very successful.

SPECIAL LIBRARY COMMITTEE: Councilman Jones reporting:

- 1. Library Expansion: The Architect is going ahead with studies for the proposed extension of Library.

FINANCE COMMITTEE: Councilman Forshee Reporting:

- 1. June Disbursements: Moved approval of June disbursements in the amount of \$77,926.33. The motion was seconded by Councilman McKenzie and duly carried.
- 2. July Disbursements: Moved approval of July disbursements in the amount of \$81,193.33. The motion was seconded by Councilman McKenzie and duly carried.
- 3. Proposed Charter Amendment: Reported that changes are taking place in Takoma Park, and age has taken toll on certain sections. Remarked on deficiencies of the present City Municipal building. Stated this process of deterioration can be permitted to continue or action can be taken to change the cause. Without doubt there will be rapid transit in or near Takoma Park there is the possibility of a freeway and these will make for changes. There is need to be prepared to make the best possible adjustments.

The Charter under which Takoma Park operates was adopted many years ago. It has stood in good stead, but it also needs updating from time to time. The Charter prohibits the borrowing of funds except in limited amounts and then only for a very short period. Stated that it is doubtful if programs which may be necessary in the future can be carried forward under the present limitation. In order that this Council, or as is more likely a future Council, may have latitude in which to operate, suggested an amendment which will make it possible for a Council to borrow such funds as may be determined to be necessary under the conditions existing and the needs of the City at a particular time.

PROPOSED  
RESOLUTION

First Reading

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

That the following Resolution adding a new section to the Montgomery County Code (1965 Edition as Amended) and the Prince George's County Code (1963 Edition as Amended), said new section to be known as Section 49-7 (l) in the Montgomery County Code (1965 Edition as Amended) and to follow immediately after Section 49-7 (k) of said Code and Section 74-9 (1) of the Prince George's County Code (1963 Edition as Amended) to follow immediately after Section 74-9 (k) of said Code, to provide for the issuance and sale of bonds or notes by the City of Takoma Park, be and the same is hereby adopted to become effective on the \_\_\_\_\_ day of \_\_\_\_\_ 1967;

SECTION 1. The mayor and council of the City of Takoma Park shall have the power to borrow money for any proper public purpose and to evidence such borrowing by the issue and sale of its bonds or notes, including tax anticipation notes, in the manner and on the conditions hereinafter prescribed. The word "bonds" as used herein shall be interpreted to include notes.

SECTION 2. All such bonds shall be authorized by ordinance of the mayor and council, which ordinance shall contain the following:

(1) A statement of the public purpose for which the proceeds of such bonds are to be expended.

(2) The complete form of said bonds, which shall include the place or places and time or times of payment thereof, the rate or rates of interest payable thereon, or space for the insertion of such rate or rates of interest upon the determination thereof, the titles of the officials whose signatures shall be affixed to or imprinted thereon, the authority for the issuance thereof, and the taxes and any special revenues from which the principal of and interest on said bonds will be payable.

(3) The form of the notice soliciting bids for the purchase of said bonds which shall set forth the date, place and time for receiving and opening bids and a brief description of the purpose or purposes for which said bonds are to be issued, a brief description of the denominations, maturities, terms and conditions of said bonds, a statement of the rate or rates of interest to be borne by said bonds or the manner of determining the same, a precise statement of the manner in which the best offer for said bonds will be determined and a reference to the resolution authorizing the same. Said notice of sale may also require prospective purchasers to submit bids on specified forms, may require such prospective purchasers to accompany their bids with good faith deposits in specified amounts, may make appropriate provisions for approval of the legality of such bonds, and may contain a financial statement of the mayor and council. The foregoing provisions which may be included in such notice of sale may also be separately set forth in a circular or official statement.

(4) Specific provision for the appropriations and disposal of the proceeds of sale of said bonds and a specific provision for the payment of the principal thereof and the interest thereon, which such provision shall also specify the source or sources of such payment. Such ordinance may contain such other provisions, not inconsistent with this section as the mayor and council may deem appropriate or desirable, including authority to make such modifications in the forms adopted by such ordinance as will not alter the substance of such forms.

SECTION 3. An Ordinance so authorizing any such bonds may also provide:

(1) That the principal of and interest on said bonds shall be payable at one or more banks or trust companies, which may <sup>be</sup> neither within or without the state. <sub>RS.</sub>

(2) That the official signatures and seals to be affixed to any such bonds or the coupons, if any, attached thereto, except on such official signature, which shall be manually affixed, shall be imprinted on said bonds or coupons in facsimile.

(3) That any such bonds shall be redeemable in whole or in part at the option of the mayor and council at any time prior to the respective maturities thereof at such price or prices, either at or above the par value of such bonds as the mayor and council may prescribe in the enabling ordinance, provided that any such bonds shall contain a statement of such redemption provisions and provided further that such enabling ordinance shall make provision for due and proper prior published notice of any such redemption.

(4) That any such issue of bonds shall be in varying denominations and shall be in coupon form, registerable as to principal only, or in fully registered form, or both, provided that, if both forms are authorized, the same shall be interchangeable.

(5) That, in the event any official whose signature shall appear on any such bonds shall cease to be such official prior to the delivery of such bonds or, in the event any such official whose signature shall appear on any such bonds shall have become such after the date of issue thereof, said bonds shall nevertheless be valid and binding obligations in accordance with their terms.

(6) That the taxes or other revenues, or both, from which the principal of or interest on any such bonds are expressly made payable, may be paid in whole or in part to a bank or trust company designated by the mayor and council, for administering and disbursement pursuant to a trust instrument between the mayor and council and such bank or trust company.

SECTION 4. The mayor and council shall not authorize the issuance of any tax anticipation notes maturing later than 18 months from their respective dates of issue, nor the issuance of any general obligation or revenue bonds maturing later than 40 years from their respective dates of issue.

SECTION 5. The mayor and council in its discretion may sell any bonds whose issuance is authorized by this section, by private negotiation, provided the terms of such sale by private negotiation are more favorable to the city than any of the competitive bids received. Whether such bonds are sold upon competitive bids or by such private sale, the sale may be for less than the par or face value of such bonds. No bonds issued hereunder shall bear interest at a rate in excess of 5% per annum on the par or face value thereof.

SECTION 6. Nothing contained in this section shall be deemed or construed to impair the terms and conditions of any bonds or other obligations of the City of Takoma Park issued prior to the effective date of this section.

SECTION 7. The authority conferred by this section shall be in addition to other applicable authority, including the provisions of Public General Laws of the State of Maryland, and the Mayor and Council of the City of Takoma Park shall be entitled to exercise all of the powers therein contained, notwithstanding the provisions of this section.

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LAW ENFORCEMENT COMMITTEE: Councilman Kennedy reporting:

- 1. Low Hanging Trees: Reported that the problem of low hanging trees on corner properties in the New Hampshire Garden section of the City has been taken care of, and requested that the item be removed from the Agenda.
- 2. Personnel: Moved that Mr. Gary L. Sherman be appointed a Special Police Officer effective September 1, 1967. The motion was seconded by Councilman Geib and duly carried.
- 3. Disorderly Conduct: Reported that a case had been dismissed because of a technicality in the phrasing of Article 36, Section 11. Moved the adoption of the following Ordinance:

ORDINANCE NO. 1971

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

SECTION 1. THAT Article 36, Section 11 of the Municipal Code (1961) be amended to read as follows:

All persons who shall be found drunk or acting in a disorderly manner, to the disturbance of the people, upon any public street or highway within the corporate limits of the City, or at any place of public worship, or any establishment open to the public, or place of amusement within the City, shall, upon conviction thereof, be subject to a fine not exceeding fifty dollars (\$50.00) and costs, and shall be imprisoned until such fine and costs shall be paid, or until such offender shall be discharged by due course of law, but shall not be imprisoned under this section for more than thirty (30) days.

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

- 4. Front Seat Passengers in Taxicabs: Reported that the laws governing this are County Laws and that the City Police Department has been instructed to enforce them with discretion. Requested the item be removed from the Agenda.

PUBLIC WELFARE COMMITTEE: Councilman McKenzie, reporting:

- 1. 8108 Flower Avenue: Fire Chief LaScola explained that according to the Montgomery County Code, a building which is damaged over 50%, (Subject building was damaged 65%), must be re-built according to all County building Codes, or torn down. Bids were opened for the demolition of the building and were as follows: Reilly the Wrecker: \$700.00; A-1 Wrecking Corporation: \$1,440.00; Franklin A. Hume: \$874.00; Ace Wrecking: \$945.00. Mrs. MacLeod, owner of the building, stated that she felt she could have the building torn down for less than the amount of the lowest bid. Also felt the garage did not need to be torn down. Councilman McKenzie moved that Mrs. MacLeod be given 30 days in which to have the house demolished and the garage put into good repair and its contents to meet the fire regulations. The motion was seconded by Councilman Turner and duly carried.

PUBLIC WORKS COMMITTEE: Councilman McKenzie, Vice Chairman, reporting:

- 1. Street Resurfacing: Reported that by the next day the following streets would

be resurfaced and this year's program completed: Willow Ave: Carroll Ave. to Park Ave; Valley View Ave: Willow Ave. to Maple Ave; Tulip Ave: Maple Ave: to Holly Ave; Cedar Ave: Eastern Ave; to Philadelphia Ave; Birch Ave: to end; Dogwood Ave: Holly Ave; to Cedar Ave; Holly Ave: Eastern Ave; to Dogwood Ave; Chestnut Ave: Piney Branch road to Grant Ave; Hodges Lane: Holly Ave; to end; Holly Ave: Hodges Lane to Grant Ave; Hancock Ave: Sheridan Ave; to end; Sheridan Ave: Hancock Ave; to end; Aspen Ave: Sligo Creek Parkway to end; Greenwood Ave: Carroll Ave; to City Line; Garland Ave: Jackson Ave; to City Line; Davis Ave: Flower Ave; to Garland Ave; Jackson Ave: Flower Ave; to Garland Ave; Central Ave: Carroll Ave; to Jackson Ave; Cherry Ave: all; Colby Ave: all.

2. Storm Drainage, Block 73, New York and Takoma Avenues:

Reported that Rights-of-Way for this project, W.S.S.C Contract No. 66 D E 0 0 47 - A, were being obtained and a meeting with property owners was scheduled for tomorrow evening.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:55 P.M. to reconvene in Executive Session on September 11, 1967 at 8 p.m.

Attest: Lodney L. Smith  
Deputy Clerk-Treasurer

Approved: George M. Miller  
Mayor

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