

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND COUNCIL

FEBRUARY 10, 1969

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Forshee	Deputy City Clerk Levine
Councilman Geib	Corporation Counsel Gingerich
Councilman Hutmire	Assistant Corporation Counsel Culpepper
Councilman Jones	Chief LaScola
Councilman Kennedy	Chief Foster
Councilman Roth	Director of Public Works Rhodes
Councilman Turner (Excused)	Assistant Building Inspector Wollner
	Director of Recreation Ziegler

The Mayor and Council for the City of Takoma Park convened in Executive Session in the Council Room, 8 Columbia Avenue, Takoma Park, Maryland at 8:05 p.m. on February 10, 1969.

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 of January 27, 1969. Councilman Geib 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. R.J. Helfrich, Acting Executive Director Maryland Municipal League: Re Third Annual Congress of Cities Annapolis, Md. February 15, 1969. (Council as a Whole)
2. C.L. Armentrout, Chairman, Prince Georges County Municipal Association: Re February 20th Meeting 7 p.m. University of Maryland Center of Adult Education. (Council as a Whole)
3. J.D. Ruffcorn, Administrator, Washington Sanitarium and Hospital: Request for endorsement of proposed construction of additional hospital building unit and mental health unit to Montgomery County Council. (Public Welfare)
4. John Williams, Jr. Pastor, Ebenezer Seventh Day Adventist Church, Paterson, N.J.: Request for endorsement of Seventh Day Adventist educational institutions. (Public Welfare)
5. Martin Burstein, Bloodmobile Chairman, A.F.A.M. Cornerstone Lodge No. 224: Request for permission to place signs in public buildings and give donors azalea plants (Parks and Recreation Committee)
6. R.G. Sherburne, 504 Albany Avenue, City: Copy of letter to Police Department expressing appreciation for Assistance. (Law Enforcement)

FINANCIAL STATEMENT: See last page of Minutes.

MAYOR MILLER'S COMMENTS: Mayor Miller welcomed those present to the first Council Meeting during February, 1969. Mayor Miller spoke about the Sister City Program which was started by Takoma Park approximately five years ago under the People to People Program which fosters goodwill and friends throughout the free world. He added that over the years there had been an exchange of people and students between Takoma Park

and Jequie, Brazil to the benefit of both communities. He said that here tonight was a young lady from Brazil who was teaching English at a high school in Jequie and he wished to present her with a Certificate of Appreciation as an Honorary Citizen of Takoma Park in appreciation for improved international relations. Mayor Miller introduced Joana Sales de Moura to the members of the Council. Miss de Moura thanked the Mayor and Council and said she had learned quite a lot since her arrival in America and was very happy to be in Takoma Park. She hoped that people from this City would visit Jequie and Brazil.

PUBLIC PARTICIPATION:

1. Roger Mason, 7214 Carroll Avenue: Mr. Mason extended an invitation to the citizens of Takoma Park to visit his restaurant on Carroll Avenue which he hoped to open in a few weeks. Mr. Mason said that only natural organic food would be served and it would be good food at very reasonable prices.
2. Carl Lee Frederick, Attorney for Mr. Aaron Robins: Mr. Frederick said he wished to present plans and present the position of Mr. Robins with regard to his application for the rezoning to RT of the property located on Sheridan and Hancock Avenues below Carroll Avenue. Mr. Frederick said this land is vacant and town house zoning would provide the logical transition between R-10 zoning immediately to the north and east and single family house development immediately surrounding the property. He stated that Mr. Robins was a very reputable builder in Montgomery County and presented for their perusal a letter of recommendation from the Mayor of Kensington. Mr. Frederick reported that the Montgomery County Planning Board, while recommending denial of the application stated that there are many residences in the immediate area that are used for multi-family purposes which would seem to indicate that town house zoning would not be incompatible with the single family residences in the area. He added that Mr. Robins does a nice job and that the City would be very pleased with him as a developer in the City. He felt that RT zoning on this property would be compatible with the surrounding area and would certainly be a benefit to the City. Mr. Frederick stated that the Montgomery County Planning Board's hearing on these applications was on February 20 and requested that should the Council approve of the rezoning, a recommendation be forwarded to the Planning Board prior to this date.
3. Aaron Robins: Mr. Robins showed the members of the Council a colored sketch of the proposed town houses and also photographs of town houses he had developed in Kensington. He stated that this land had 15' of fill and would be very costly to develop as single family homes at the prices a builder has to sell them for to encourage people to buy. He said you have to consider the market situation and what people will buy and the advantages and disadvantages in the area. He added that the town house concept fits in with the program that he is trying to develop there. He stated that he had spoken with Mr. Rhodes regarding the storm sewer situation and the abandonment of Sheridan Avenue from Hancock Avenue to the end of the town house property line near Carroll Avenue. Mr. Robins stated that if abandonment was approved the development would include 29 town houses, otherwise there would be approximately 23 town houses which would sell in the low to middle \$20,000. range. Referring to the Technical Staff Report of the Montgomery County Planning Board regarding possible traffic congestion, Mr. Robins did not think that 25 cars from the town house development would be an overwhelming factor. He stated that the development would be properly landscaped with screening shrubs and trees for the benefit of not only the town house residences but also the occupants of the surrounding homes. Adequate parking spaces would be provided and he noted that moving vans and fire trucks would have no difficulty negotiating the street around the development. To questions as to what guarantee the Council had that these things would be done if rezoning was recommended Mr. Robins stated that anything he did, he did with pride, that he was not a speculator and if the Council wished he would put his intentions in writing.

4. Thomas Oyster, Land-planner, 2419 Reddie Drive Wheaton: Mr. Oyster said he was the engineer who drew up the plans for this development and displayed the plan of the proposed town house development which envisioned the ultimate abandonment of Sheridan to Hancock Avenue. He stated that this land was an expensive piece of property to develop and that Mr. Robins would make a really first class urban development out of this bypassed land. He added that the City would get more benefit as a town house development than as vacant land and it would give more places for people to live. Questioned as to whether there will be an access into Hancock Avenue should the abandonment be approved, Mr. Oyster said the plan was to block the access to Hancock Avenue, the only entrance to the development being through Carroll Avenue. He stated that when properly landscaped and other amenities provided this development would enhance, to a high degree, the existing finer residences on Hancock Avenue and RT zoning would make a highly desirable development.

5. Mrs. B. Scott, 211 Lincoln Avenue, Takoma Park: Mrs. Scott said that her property adjoins the property that Mr. Robins wished to develop for town houses. She made reference to the lovely town house development on Arlis Street and hoped that the Mayor and Council would favor Mr. Robins in his plan.

6. John Collier, 1016 Merimac Drive, Silver Spring: Owner of the property on 203 Lincoln Avenue adjoining the property Mr. Robins is seeking to develop. Mr. Collier said he had been a property owner in Takoma Park for twenty years, that vacant land is no asset, and that this town house development would provide housing that is badly needed. Mr. Collier said that he had known Mr. Robins for twenty years and knows that what Mr. Robins said tonight is what he will do.

7. David Strahle, 906 Conley Road, Takoma Park: Mr. Strahle presented plans for RT zoning of an area less than an acre of land situated on Colby Avenue. He stated that the reason for this request is that this area is in a stage where at the present time development of this sort would greatly enhance the area and eliminate some of the problems that have occurred. He believed that this development would greatly improve the area and would be a step in the right direction. He stated that he planned to build eight town houses which were FHA approved and would sell in the low \$20,000 range. Mr. Strahle stated that he had many signatures of property owners in the area and that the majority had approved of this town house development.

COMMITTEE REPORTS:

FINANCE COMMITTEE - Councilman Forshee reporting

1. \$50,000 REVOLVING FUND: Councilman Forshee requested that this item be removed from the Agenda as, at the present time, the City is not in a position to set up a revolving fund for private property improvements.

LAW ENFORCEMENT COMMITTEE - Vice-Chairman Geib reporting

1. PERSONNEL: Councilman Geib proposed a motion accepting the resignation of Russell S. Merson, Jr. as a police officer of the Takoma Park Police Department, effective Tuesday, February 18, 1969. The motion was seconded by Councilman Roth and duly carried.

2. PERSONNEL: Councilman Geib proposed a motion accepting the resignation of Clifford R. Stitely as a police officer of the Takoma Park Police Department, effective February 18, 1969. The motion was seconded by Councilman Jones and duly carried.

PUBLIC WELFARE COMMITTEE - Councilman Hutmire reporting:

1. OFFER OF ASSISTANCE OF FEDERAL AID - PRINCE GEORGES COUNTY COORDINATOR: As this offer has been acknowledged by the City Administrator, Councilman Hutmire requested that this item be removed from the Agenda.

2. CABLE TELEVISION: As no further action is required at this time, Councilman Hutmire requested that this item be removed from the Agenda.

3. 122 PARK AVENUE: Councilman Hutmire reported considerable discussion with the Corporation Counsel and all members of the Council in recent weeks in regard to this property without any improvement to the general problem. He suggested, that since the owner has not complied with all the original requirements and has not met the stipulations made in the Public Hearing last year even during the extended time, that Corporation Counsel ~~Wingard~~ be instructed to write the owner a strongly worded letter advising him that he has compelled the City to take legal action due to his failure to complete the required improvements to his property.

4. WINCHESTER-TAKOMA: Councilman Hutmire reported that through the cooperation of the Manager acting under the direction of the Building Inspector the overcrowding which was reported in one of the apartments is being acted upon.

5. BARKING DOGS: Councilman Hutmire reported that an article written by the Director of Public Works Rhodes regarding the stray dog situation has been submitted for publication in the City Services. This article gives telephone numbers to call should any citizen desire to report stray or dead animals in the street. Councilman Hutmire also reported a memorandum from Chief Foster giving a summary of dog complaints for 1968. Councilman Hutmire requested that this item be removed from the Agenda as the Public Works Department and Police Department have the problem under control.

6. PROPOSED ORDINANCE CREATING INSPECTION AND LICENSES DEPARTMENT.

Deferred to Civic Improvements Committee.

7. COMMUNITY HEALTH CENTER PROJECT - WASHINGTON SANITARIUM AND HOSPITAL. It was requested that City Administrator Pridgen advise the Assistant to the Administrator of the Washington Sanitarium and Hospital that plans for this project have been approved by the Washington Metropolitan Council of Governments.

8. BURLAP: Councilman Hutmire proposed a motion for adoption of the following Ordinance:

ORDINANCE NO. 2046

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

SECTION 1. THAT it has been determined that the Sanitation Department is in need of burlap squares for trash removal, bids having been received from three firms specializing in this type of material, with the low bid of approximately \$1,260.60 for the 1500 sheets of burlap being submitted by Bemis Company, Inc., Virginia, AND,

SECTION 2. THEREFORE THAT, the purchase of ONE THOUSAND FIVE HUNDRED (1500) burlap squares 80" X 80", 10 oz. burlap, unhemmed, is hereby authorized for the approximate total sum of ONE THOUSAND TWO HUNDRED SIXTY DOLLARS AND SIXTY CENTS (\$1,260.60) order to be placed with the Bemis Company of Norfolk, Virginia, in accordance with their low bid, sum to be charged to Account No. 13.402B.

The motion was seconded by Councilman Jones and the Ordinance adopted by a roll call vote recorded as follows: Ayes: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy and Roth. Nays: None. Excused: Councilman Turner.

9. BASIC HOUSING CODE: Councilman Hutmire proposed a motion to commence the process whereby the City can in the near future adopt this Code, with or without amendment. He requested that the motion should also include a schedule for Public Hearing to be set up by the City Administrator and Corporation Counsel and announced by the next Regular Council Meeting. The motion was seconded by Councilman Jones and duly carried.

PUBLIC WORKS DEPARTMENT - Councilman Roth reporting:

1. HEFFNER PARK RECREATION CENTER: Councilman Roth reported that work on the improvements to this Center is continuing.
2. HEATHER AVENUE: Councilman Roth reported another acceptance of the proposed lighting plan by one of the residents of this area.
3. CARROLL AND PHILADELPHIA AVENUES LIGHTING: Councilman Roth reported that Director of Public Works Rhodes has been in touch with representatives of PEPCO and is awaiting their recommendations.

Councilman Roth reported that personnel from the Public Works Department have been engaged in moving shelving and books in the Library.

FIRE PROTECTION COMMITTEE - Councilman Kennedy reporting:

1. SIREN: Councilman Kennedy reported that figures are still not available upon which to base the cost of the alternative to the siren.
2. SHOWER ROOM: Councilman Kennedy reported that additional partitions needed for completion have been ordered but have not yet been received.
3. PARKING RESTRICTIONS: Councilman Kennedy reported that signs restricting parking alongside the Fire House have been posted and the situation has improved.
4. COFFEE MACHINE: Councilman Kennedy reported that the coffee machine has been purchased.
5. AMENDMENT TO ARTICLE 4: Councilman Kennedy stated that the situation in respect to increased hazards through the general spread of arson can be very serious. He added that Chief LaScola has advised that additional supervision is necessary and would be very helpful in alleviating this condition. Therefore Councilman Kennedy proposed a motion for the adoption of the following Ordinance:

ORDINANCE NO. 2047

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

SECTION 1. WHEREAS after due consideration by the Mayor, members of the Fire Protection Committee and the Fire Chief, Section 3 of Article 4, titled "THE FIRE DEPARTMENT" of the Municipal Code (1961) as amended by Ordinance No. 1943 adopted March 27, 1967 be hereby repealed and a new Section 3 be hereby adopted to read as follows:

SECTION 3. There is hereby created the City of Takoma Park Fire Department which shall consist of the Fire Chief, Deputy Fire Chief, paid and volunteer Fire Officers, paid and volunteer members of the active Fire Crew. The Fire Chief shall be the Fire Marshal and there shall be an Assistant Fire Marshal and Fire Inspectors appointed for the enforcement of the City Fire Prevention Code. The above personnel with the exception of volunteer members of the active Fire Crew shall be recommended by the Fire Chief, designated by the City Council and sworn in by the Mayor of the City of Takoma Park or other authorized personnel as delegated by the Mayor. Members of the Volunteer Fire Department, Inc. desiring status on the Active Fire Crew, shall be recommended by the Fire Committee, and approved by the Fire Chief.

SECTION 2. WHEREAS, Section 18 of Article 4, titled "THE FIRE DEPARTMENT" of the Municipal Code (1961) of the City of Takoma Park, amended by Ordinance No. 2030 adopted September 23, 1968, be hereby repealed and new Section 18 be hereby adopted as follows:

SECTION 18. If the circumstances of any fire indicate the possibility of an incendiary origin, the Fire Chief, the Deputy Fire Chief, Assistant Fire Marshal and duly appointed Fire Inspectors shall report this fact to the State Fire Marshal. In any case, the Fire Chief, Deputy Fire Chief, Assistant Fire Marshal and duly appointed Inspectors shall have the powers of a regular member of the Takoma Park Police Department in making arrests or in enforcing the laws of the City, County and the State of Maryland.

SECTION 3. THAT it is desirable to separate the duties of the Assistant Fire Marshal from the rank of Deputy Chief, therefore a new rank is hereby created in the Merit Plan Pay Scale to be designated as Assistant Fire Marshal with a salary scale as follows:

<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
8,410	8,620	8,830	9,145

SECTION 4. THAT this Ordinance shall become effective upon adoption.

The motion was seconded by Councilman Jones. Mayor Miller called for questions and after discussion Councilman Forshee proposed a motion that line five, paragraph two should read:and there may be an Assistant Fire Marshal and Fire Inspectors.... instead ofand there shall be an Assistant Fire Marshal and Fire Inspectors.... The motion failed for lack of a second. The Ordinance was adopted by a roll call vote recorded as follows: Ayes: Councilman Forshee, Geib, Hutmire, Jones, Kennedy and Roth. Nays: None. Excused: Councilman Turner.

CIVIC IMPROVEMENTS COMMITTEE - Councilman Geib reporting:

1. 7401 NEW HAMPSHIRE AVENUE - SPECIAL EXCEPTION No. 1919: Councilman Geib advised that the Prince Georges County Commissioners had approved this Special Exception for the operation of a beauty salon at The New Hampshire Towers Apartments.
2. ZAP F-313 and ZAP F-314: Councilman Geib recommended that further consideration be given to this rezoning and a complete report and recommendation made to the Planning Commission on February 20th or to the Hearing Examiner on March 3rd.
3. 7051 CARROLL AVENUE: (SENIOR CITIZENS APARTMENT): Councilman Geib reported that the Montgomery County Board of Appeals granted Special Exception No. 2513 in accordance with the testimony and exhibits of record and subject to the landscape plan for the site being submitted to the Park and Planning Commission for final approval.
4. 7600 MAPLE AVENUE: Councilman Geib reported that the Montgomery County Board of Appeals has granted Special Exception No. 2516 for a beauty shop to be located at 7600 Maple Avenue, subject to the following conditions: (1) Petitioner shall limit customers visiting the subject site to the area of the multi-family apartments complex between Grant Avenue and Sligo Creek Parkway: (2) Six (6) parking spaces shall be assigned to the petitioner for customers' use: (3) There shall be no Sunday hours of operation: (4) The evening hours of operation on Wednesday and Thursday shall not extend beyond 8:00 p.m.
5. 1111 SLIGO CREEK PARKWAY: Corporation Counsel Gingerich reported that since the last Council Meeting he had appeared before Judge Bowen to advise the Judge whether or not Mr. Roberts has complied with the Court Order. At that time Judge Bowen gave Mr. Roberts three additional days to comply because of inclement weather. Mr. Gingerich added that to this date Mr. Roberts has not been brought in but that he will make sure that he does comply with the Court Order. Councilman Geib asked if the Order was continuing to which Mr. Gingerich replied that any time Mr. Roberts' property was in violation he could be brought in.
6. FEDERAL GRANT FOR BEAUTIFICATION PROGRAM: Councilman Geib reported that a letter has been received from Senator Tydings stating that the City's request for beautification funds is on file and further that Senator Mathias has advised that \$385,000 is available for beautification programs and that Takoma Park is No. 6 on the list. Councilman Geib added that it would seem that sooner or later Takoma Park will be receiving beautification funds but until such time he requested that this item be removed from the Agenda.
7. HOUSING AUTHORITY FOR THE CITY: Councilman Geib requested that, as the Council is seriously considering the BOCA Housing Program to take the place of a Housing Authority for the City that this item be removed from the Civic Improvements Committee and placed under Council Committee as a whole.
8. 114 GRANT AVENUE: Corporation Counsel Gingerich advised that the owners of this property have been out of town but will be contacted tomorrow in order that an appointment may be set up to discuss the entire problem.

9. PROPOSED ORDINANCE - INSPECTION AND LICENSES DEPARTMENT: (Written statement submitted by Councilman Geib): When this council created the Department of Recreation and Library I felt that now would be the opportune time to also create the Department of Inspections and Licenses. The Recreation and Library Departments have demonstrated their need in Takoma Park. They further indicate a healthy expansion to accomplish the problems inherent in a growing community. Certainly housing and zoning do not fall under the guise of Public Works who deals with streets, sidewalks, parks and such. Housing is an entirely different matter and of great concern to me at this time. We have now before us the opportunity to create this department with minimum expense to the tax payer. I had hoped that this department would be considered on the merits of the department alone. At least two councilmen have, however, saw fit to insert personalities into this ordinance. Personalities do not, and should not, have a bearing on the discussion of this ordinance before it is adopted.

We are not unique Mr. Mayor in having housing problems. These problems exist from one end of this country to the other. It is a problem that should be approached with imagination and vigor. It is a problem that is on the minds of every responsible resident of Takoma Park and one that should be given serious consideration by the councilmen who are sitting at this table tonight. We are now in the process of studying BOCA, a housing code which will throw more responsibilities on that of the Building Inspector who is charged with the problem of protecting the public health, safety and welfare of the citizens of Takoma Park. This department cannot be rated as a secondary department and carry the same responsibilities which we have given our police and fire departments.

I have heard such statements as a man's castle is his home. This is an old fashioned concept and has been pitched out the window years ago. A man has a castle so long as he does not affect the health, safety and welfare of his surrounding area. I have heard statements that it will cost the City too much money. That it will develop into a bureaucracy. It certainly should be expected that as a city grows our departments should grow with the city. If they do not, Mr. Mayor, they are worthless because they do not have the imagination to grow with the problems that go along with increased population. The time to act on our housing problems is now, not 10-15 years from now when the problem becomes so large and complex that we will be forced to throw up our hands and say, "let the county take over".

Are the problems in our school today caused by substandard apartments and homes that exist here today. I think they are.

We have seen newspaper stories citing the deteriorating situation in Takoma Park. We at this table know that the situation is not as bad as these articles try to picture. But I wonder if we have convinced the residents of Takoma Park of this fact. I think that we have not.

Mr. Mayor, I initiated this ordinance some six weeks ago. Since that time we have accomplished nothing except a lot of talk. At this point I am weary of the entire problem and wish at this time to withdraw my motion creating this department. I would only wish that the Council either vote on retaining, or removing this ordinance from the agenda. If the Council elects to retain this motion, perhaps we can continue with the process of making the Department of Licenses and Inspection meaningful.

Councilman Geib moved that the establishment of a separate Department of Inspection and Licenses be withdrawn from consideration. The motion was seconded by Councilman Kennedy. Upon the question, considerable discussion ensued which resulted in the withdrawal of the second by Councilman Kennedy upon the request of Councilman Geib.

February 10, 1969

Councilman Geib proposed a motion for the adoption of an Ordinance establishing a separate Department of Inspection and Licenses. The motion was seconded by Councilman Kennedy. Upon the question, discussion resulted whereupon Councilman Roth moved that the motion be tabled pending receipt of a report from the Public Welfare Committee. The motion to table was seconded by Councilman Forshee and was passed by a roll call vote recorded as follows: Ayes: Councilman Forshee, Hutmire, Jones and Roth. Nays: Councilmen Geib and Kennedy. Excused: Councilman Turner.

SPECIAL LIBRARY COMMITTEE - Councilman Jones reporting;

1. CARPETING FOR LIBRARY: Councilman Jones proposed a motion for the adoption of the following Ordinance:

ORDINANCE NO. 2048

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

SECTION 1. WHEREAS it has been determined that the present linoleum floor of the Municipal Library is badly worn, AND

SECTION 2. WHEREAS, installing carpeting on the open-floor space of the Library would provide the benefits of superior acoustical properties, lower maintenance costs, improved appearance, and reduction of fatigue, AND

SECTION 3. WHEREAS, bids for this carpeting were received from three firms and the lowest bid was submitted by The Sears, Roebuck and Co., AND

SECTION 4. FURTHER THAT, the bid of The Sears, Roebuck and Co., of THREE THOUSAND THREE HUNDRED SIXTY DOLLARS AND FIFTY CENTS (\$3,360.50) to include carpet, padding and tackless installation, be accepted AND

SECTION 5. THAT the amount of \$3,360.50 be transferred from Unappropriated Surplus to Account 10.813 B.

Upon the question a roll call vote was recorded as follows: Ayes: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy and Roth. Excused: Councilman Turner.

PARKS AND RECREATION DEPARTMENT - Councilman Jones reporting

1. TELEPHONE - GYMNASIUM: No action taken at this time.

2. COKE MACHINE - GYMNASIUM: No action taken at this time.

3. PERSONNEL: Councilman Jones proposed a motion authorizing the appointment of Mr. Jack Ellis as overall gym supervisor to supervise the activity being held at the gymnasium on an hourly basis at the rate of \$2.50 per hour. Funds to meet this expenditure are available in the Recreation Counsellors' Account. The motion was seconded by Councilman Kennedy and duly carried.

4. SERVICE ENTRANCE - HODGES FIELD: A recommendation will be made at a later date.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:45 p.m. to reconvene in Regular Session on February 24th, 1969 at 8:00 p.m.

FINANCIAL STATEMENT
OF BANK BALANCES
AS OF JANUARY 31, 1969

SUBURBAN TRUST COMPANY - GENERAL FUND

Balance as of December 31, 1969	24,365.86	
* January Cash Receipts	<u>130,906.45</u>	155,272.31
January Disbursements		<u>131,685.51</u>
Balance as of January 31, 1969		<u>23,586.80</u>

*Includes \$50,000 Treasury Bill matured

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of December 31, 1969	15,601.25	
Transfer from General Funds	<u>65,057.31</u>	80,658.56
January Cash Disbursements		<u>68,374.93</u>
Balance as of January 31, 1969		<u>12,283.63</u>

CITIZENS BANK OF MARYLAND - GENERAL FUNDS

Balance as of December 31, 1968	5,139.12	
No deposits in January	<u>-</u>	5,139.12
January Disbursements		<u>5,000.00</u>
Balance as of January 31, 1969		<u>139.12</u>

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENT FUND

Balance as of December 31, 1968	1,616.15	
January Cash Receipts	<u>150.00</u>	1,766.15
No January Disbursements		<u>-</u>
Balance as of January 31, 1969		<u>1,766.15</u>

AMERICAN NATIONAL BANK - GENERAL FUND

Balance as of December 31, 1968	4,442.21	
No January Receipts	<u>-</u>	4,442.21
January Disbursements		<u>4,000.00</u>
Balance as of January 31, 1969		<u>442.21</u>

CITIZENS BANK OF MARYLAND - RECREATION SAVINGS A/C TP63

Balance as of December 31, 1968	1,407.62	
No transactions during January	<u>-</u>	1,407.62
Balance as of January 31, 1969		<u>\$1,407.62</u>

PETTY CASH

Balance as of January 31, 1969		<u>\$ 200.00</u>
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U.S. TREASURY BILLS

Purchased	9/10/68	Due to Mature	4/22/69	48,363.56	50,000.00
"	9/11/68	" " "	5/31/69	28,856.57	30,000.00
"	9/25/68	" " "	3/24/69	48,697.50	50,000.00
"	9/26/68	" " "	5/21/69	19,284.58	20,000.00
"	10/2/68	" " "	2/27/69	48,920.83	50,000.00
"	10/18/68	" " "	6/30/69	<u>48,072.89</u>	<u>50,000.00</u>
				\$242,195.93	\$250,000.00

ATTEST: Bang Home
City Administrator
Dep. City Clerk
Clerk Treasurer

APPROVED: George M Miller
Mayor

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND COUNCIL

FEBRUARY 24, 1969

CITY OFFICIALS PRESENT

Mayor Miller	Deputy City Clerk Levine
Councilman Forshee	Corporation Counsel Gingerich
Councilman Geib	Assistant Corporation Counsel Culpepper
Councilman Hutmire	Chief LaScola
Councilman Jones	Chief Foster
Councilman Kennedy	Director of Public Works Rhodes
Councilman Roth	Building Inspector Wollner
Councilman Turner	Director of Recreation Ziegler

The Mayor and Council for the City of Takoma Park convened in Regular Session in the Council Room, 8 Columbia Avenue, Takoma Park, Maryland at 8:10 p.m. on February 24, 1969

Mayor Miller led in the Pledge of Allegiance to the Flag.

The Rev. F. Bailey Phelps of the Grace Methodist Church led the Invocation.

Mayor Miller called for a motion to dispense with the reading of the Minutes of the Meeting of February 10, 1969. Councilman Hutmire moved that page four Item 6 be amended to read: "Deferred for continued study and final action at a later date." The motion was seconded by Councilman Geib and duly carried.

CORRESPONDENCE RECEIVED: Deputy City Clerk Levine reporting;

1. State Senator Meyer M. Emanuel, Jr. Annapolis, Md.: Letter apologizing for his non-attendance at Third Annual Congress of Maryland Cities on February 15. (Council Files)
2. Delegate Eric I. Weile, Annapolis, Md.: Letter of appreciation, thanking the Mayor for recent honors bestowed upon Delegate Weile. (Council Files)
3. Mrs. Kathryn T. Simpson, Chairman Citizens Advisory and Review Board: Letter regarding permanent surfacing of right of way crossing Westmoreland Avenue. (Public Welfare Committee and Public Works Committee)
4. Leonard S. Goodman, 7119 Sixteenth Street, N.W. Washington: Letter regarding proposal to use property at 6611 Cockerille Avenue, Takoma Park for public Housing. (Civic Improvements Committee and Public Welfare Committee)
5. John W. Rhoads, Prince Georges County Police Department: Letter advising meeting on Wednesday, March 5, 1969 at 7:00 p.m. at the Prince Georges County Police Academy to discuss the mandatory requirements of the Police Training Act and review the newly proposed Minimum Standards Course. (Circulate to Council Members)
6. Peter A. Menedis, President, Takoma Park Volunteer Fire Department, Inc.: Letter referring to Ordinance No. 2047 and advising of the official and legal designation of Department. (Fire Protection Committee)

7. William F. Sayles, The F.A. Bartlett Tree Expert Company, Stamford, Conn.: Letter regarding inspection and report without cost or obligation, of shade trees. (Parks and Recreation Committee)

MAYOR MILLER'S COMMENTS: Mayor Miller welcomed those present to the second meeting for the month of February and stated that Council Meetings are greatly enhanced by public participation and that the Council welcomes any comments the public has either verbally or by letter and of any project that may be of interest for the benefit and good of the City.

PUBLIC PARTICIPATION:

1. Mrs. M. Sweeney, 11 Sherman Avenue: Mrs. Sweeney presented a petition from twenty-eight residents of Takoma Park who are opposed to the rezoning application of the property located on the unimproved section of Sheridan Avenue (between Carroll and Hancock) which would permit the construction of town-houses thereon.

2. Mrs. Opal A. Daniels, 19 Sherman Avenue, Takoma Park: Mrs. Daniels opposed the rezoning as the schools in Takoma Park are already overtaxed and town houses in that section would cause over-populating and too much additional traffic.

3. Mrs. E.C. Dant, 7406 Carroll Avenue, Takoma Park: Mrs. Dant opposed the rezoning as she thought the drainage on that lot was very bad and not suitable for building.

4. Mrs. A. Parshall, 17 Sherman Avenue, Takoma Park: Mrs. Parshall's objection to the rezoning concerned the overcrowding which presently exists in the Takoma Park Schools.

5. Mrs. Sweeney: Mrs. Sweeney said that Takoma Park does have a Master Plan, which in addition to the previous comments makes it desirable to wait and to not approve this present application for rezoning and to hope for a better plan with the revision of the Master Plan.

6. Mr. G.E. McKenzie, 7401 Carroll Avenue, Takoma Park: Mr. McKenzie said there were plenty of apartments in that area and that he could not see much difference between town houses and apartments and thus would oppose the rezoning.

COMMITTEE REPORTS:

SPECIAL LIBRARY COMMITTEE - Councilman Jones reporting:

1. PROGRESS OF LIBRARY: Councilman Jones reported that progress on the Library addition has been delayed and it probably will not be until some time after March 3rd that the Library will be opened. He added that books can be left in the green box on the parking lot side of the Library and there will be no charge for over-due books.

2. DESK: Councilman Jones reported the necessity to increase the size of the desk in the Library making it a U-shaped instead of an L-shaped one. Therefore he proposed a motion authorizing Wuerstlin Brothers of Takoma Park to manufacture and install this section of the desk at a cost of \$395.00 and that this amount be appropriated out of Reserve Funds. The motion was seconded by Councilman Geib and duly carried.

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PARKS AND RECREATION COMMITTEE - Councilman Jones reporting

As the Parks and Recreation Committee has not met since the last Council Meeting Councilman Jones requested the items on the Parks and Recreation Committee Agenda be held over until the next Council Meeting.

CIVIC IMPROVEMENTS COMMITTEE - Councilman Geib reporting: Councilman Geib advised that Vice-Chairman Jones would be reporting on rezoning application F-313 and F-314.

1. ZAP F-313 and ZAP F-314: Councilman Geib advised that Vice-Chairman Jones reported that the Civic Improvements Committee met on the afternoon of 23 February 1969 to consider rezoning applications F-313 and F-314. After considerable discussion the Committee decided to deny the rezoning for the following reasons:

- (1) The applications are contrary to the master plan. The Technical Staff found no reason to have a transition in this area and to break the plan should have an overbearing public need.
- (2) Park and Planning is conducting a survey of Takoma Park and it is felt that until the survey is completed that it would be best to defer Town House zoning at this time.
- (3) All traffic would be channelled onto Carroll Avenue which is not wide enough to handle the present traffic load. Carroll Avenue is not on the planning board for widening now or in the near future.
- (4) As pointed out by Park and Planning, the schools in Takoma Park are seriously overcrowded. It does not make sense to stretch the burden any further.
- (5) Mr. Robins' plans call for abandonment of Sheridan Avenue. He has not taken steps to do so and therefore the City can have no assurance that it will be abandoned. If not abandoned traffic will, in addition to Carroll Avenue be channelled onto Hancock and Sherman Avenues which, as we all know, are extremely narrow and hilly. This would create an intolerable situation.
- (6) Development would not have frontage on an improved street.
- (7) The Technical Staff found that the lots are buildable for single family use. The Technical Staff states, "granted two or three of the lots are comprised of a deep ravine which would be expensive to develop; obviously greater density permitted by the RT Zone would help to defray the expense involved, but the staff points again to the fact that few tracts of land allow maximum yield and there is no standard or rule which says that if the maximum is unobtainable, then the zoning is wrong."
- (8) This zoning has been turned down by both the Technical Staff and Park and Planning of Montgomery County indicating that in the minds of these professionals that Town House zoning at this time is not advisable.

Therefore Councilman Jones proposed a motion that the rezoning applications F-313 and F-314 be denied. The motion was seconded by Councilman Turner and carried on a majority vote with Councilman Geib abstaining. Councilman Jones requested that Corporation Counsel Gingerich represent the City at the Hearing on March 3rd.

2. 1111 SLIGO CREEK PARKWAY: Councilman Geib reported that the owner of this property had been incarcerated for contempt of Court and it appeared that there was a definite improvement in the appearance of the property. However inspections will be made to see that the owner continues to comply with the Court Order.
3. 114 GRANT AVENUE: Corporation Counsel Gingerich advised that a letter had been written to the owners of this property.
4. 12 JEFFERSON AVENUE: Councilman Geib reported that as a result of court action the owner of this property has been directed to return the residence to R-60 zoning use by June 15, 1969. He added that the Judge decided to let the children going to school from these apartments finish their schooling in Takoma Park.

FINANCE COMMITTEE - Councilman Forshee reporting:

1. December Disbursements: Councilman Forshee moved for the approval of December disbursements in the amount of \$136,052.91. The motion was seconded by Councilman Jones and duly carried.
2. January Disbursements: Councilman Forshee moved for the approval of January disbursements in the amount of \$131,685.51. The motion was seconded by Councilman Jones and duly carried.
3. FIRE TAX RATE: Councilman Forshee proposed a motion for the adoption of the following Ordinance:

ORDINANCE NO. 2049

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

SECTION 1. THAT a tax rate of TWENTY CENTS (\$.20) 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, 1969 for the continuation of Fire Protection of this area outside the Corporate Limits of the City of 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 Jones and the Ordinance adopted by a roll call vote recorded as follows: Ayes: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy, Roth and Turner. Nays: None. Excused: None.

LAW ENFORCEMENT COMMITTEE - Councilman Turner reporting

1. PERSONNEL: Councilman Turner proposed a motion authorizing the appointment of Harry E. Ohe as a police officer for the City of Takoma Park, effective March 1, 1969. The motion was seconded by Councilman Geib and duly carried.

Law Enforcement Committee continued

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2. PERSONNEL: Councilman Turner proposed a motion authorizing the appointment of John C. Goetz as a police officer for the City of Takoma Park, effective March 1, 1969. The motion was seconded by Councilman Geib and duly carried.

3. PURCHASE OF FILM STRIPS: Councilman Turner stated that as the first volume of film strips used in the Police Department's "Sight/Sound Program" proved to be of invaluable assistance in the training program he would propose a motion authorizing the purchase of the second volume of film strips (12 films) at a cost of \$360.00 to be allocated from budget account #11.1120, Training. The motion was seconded by Councilman Kennedy and duly carried.

PUBLIC WELFARE COMMITTEE - Councilman Hutmire Chairman

1. ENDORSEMENT OF S.D.A. EDUCATIONAL INSTITUTIONS: Councilman Hutmire requested that City Administrator Pridgen forward an appropriate letter of endorsement and response to Mr. Williams' letter. The motion was seconded by Councilman Turner and duly carried.

2. BOCA: Councilman Hutmire reported that at present the schedule of activities connected with the preparation of the housing code itself is in process and suggested that the Public Welfare Committee discuss some of the details further during the next regular meeting as a whole.

3. 122 PARK AVENUE: No report at the present time.

4. WINCHESTER-TAKOMA: The overcrowding of one of the apartments in this building has been attended to.

5. PROPOSED ORDINANCE - INSPECTION AND LICENSES DEPARTMENT: With regard to the proposed Ordinance, Councilman Hutmire reported that the Public Welfare Committee was interested in (1) studying and preparing recommendations regarding the Montgomery County Health Ordinance and (2) possible code amendment regarding use of occupancy permits for rental properties.

PUBLIC WORKS DEPARTMENT - Councilman Roth reporting

1. HEFFNER PARK: Work is continuing at Heffner Recreation Center but at a slower pace due to the work in the Library .

2. ELM AVENUE: Councilman Roth reported that the additional lights have been installed on Elm Avenue.

3. LIBRARY: Steel and brick posts have been installed to protect the air-conditioner at the Library.

4. HEFFNER PARK DRIVEWAY: Advised that the posts and chain have been placed across the driveway at Heffner Park Recreation Center.

5. SPRUCE AVENUE: Work is continuing on the storm drain on Spruce Avenue.

FIRE PROTECTION COMMITTEE - Councilman Kennedy reporting

1. SIREN: No report at this time.

- 2. EXAMINATION - ASSISTANT FIRE MARSHAL: Councilman Kennedy reported that the examination which Chief LaScola was instructed to hold in conjunction with the applicants for the position of Assistant Fire Marshal has been prepared and will be held on March 26th in the Heffner Park Recreation Center. He added that eleven members of the Fire Department are eligible to take this examination.

- 3. SHOWER ROOM: Councilman Kennedy advised that work on the shower room has not been completed as materials for the partitioning have not yet been received.

- 4. PERSONNEL: Councilman Kennedy advised that a vacancy exists on the paid force of the Fire Department and therefore proposed a motion authorizing the probationary appointment of John P. Kimbal effective March 16, 1969, subject to the approval of the report of his physical examination. The motion was seconded by Councilman Turner and duly carried.

- 5. PROPOSED AMENDMENT TO SUBSECTION (d) of SEC. 86-16, FIRE CODE - MONTGOMERY COUNTY: Councilman Kennedy requested that this item be held in abeyance prior to approval by the Montgomery County Council.

PUBLIC PARTICIPATION:

- 1. Mr. G.E. McKenzie, 7401 Carroll Avenue: Mr. McKenzie referred to the situation on Anne Street and stated that it is impossible to walk on Anne Street as the residents have shrubbery, etc. on city property. He added that a number of people walk to the Langley Shopping Center and it is a very dangerous situation. Mayor Miller advised Mr. McKenzie that action will be taken by the appropriate Committee and suggested that he come to the Public Hearing.

- 2. Mr. Clifford Stitely: Mr. Stitely asked what action had been taken on the letter he submitted to the Mayor and Council- Mayor Miller advised Mr. Stitely that action will be taken on this matter when the Council meets as a whole next Monday night.

There being no further business to come before the Council, the Meeting was adjourned at 9:02 p.m. to reconvene on March 10, 1969 at 8:00 p.m.

APPROVED: George M Miller
Mayor

ATTEST: [Signature]
~~City Administrator~~ Deputy
~~Clerk Treasurer~~ City Clerk