

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

JULY 14, 1969

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Forshee	Deputy City Clerk Levine
Councilman Geib	Corporation Counsel Gingerich
Councilman Hutmire	Asst. Corporation Counsel Culpepper
Councilman Jones	Chief Foster, Police Department
Councilman Kennedy	Chief LaScola, Fire Department
Councilman Roth	Asst. Fire Marshal Williams
Councilman Turner	Director of Recreation Zeigler
	Director of Public Works Rhodes
	Code Enforcement Officer Thorowgood
	Code Enforcement Officer Wollner
	Deputy Fire Chief Fickes

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., July 14, 1969. Mayor Miller led in the Pledge of Allegiance to the Flag.

Mayor Miller requested that any correspondence to come before the Mayor and Council be read at this time.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Mr. W. C. Dutton, Jr., Chairman, Maryland-National Capital Park and Planning Comm. Request for a six year capital improvement program with recommendations. Council as a Whole.
2. Mr. John P. Hewitt, Director of Parks, Maryland-National Capital Park and Planning Comm.: Rejection of request for construction of a pedestrian walkway on the bridge at Maple Avenue. Public Works Committee.
3. Mr. Paul O. Davis, Recording Secretary, Board of Trustees, Takoma Park Volunteer Fire Department, Inc.: Board recommendation that a second delegate from Takoma Park to the Montgomery County Fire Board be the President or a member of the Board. Fire Protection Committee.
4. Mrs. Grace Cangialosi, President, Takoma Park Community Singers, Inc.: Expression of appreciation for budget consideration and disappointment as to the outcome. Finance
5. Reverend John B. Patterson, Pastor, Takoma Park Presbyterian Church: Request for consideration of the following: (a) Summer of 1969 only - space west of a sign on Tulip Avenue "Sunday A.M. Parking Reserved for Pastor only"; (b) Special consideration for parking privileges for handicapped worshippers. Law Enforcement Committee.
6. Dr. Ken Nishimoto, Chairman, Takoma Park Community Action Forum: Suggestion that a Community Bulletin Board be constructed on the Library Grounds. Public Works and Parks and Recreation Committees.



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7. Mrs. Albina Wagner, 8719 23rd Avenue Court, Adelphi, Maryland: Request that Lake Street between Poplar Avenue and Cockerille Avenue be improved for housing development. Public Works Committee.
8. Petition of nine property owners in the 100 block of Ritchie Avenue requesting sidewalk construction. Public Works Committee.
9. Mr. and Mrs. Reed A. Robinson, 7533 Carroll Avenue, Takoma Park, Maryland: Complaint of conditions as a result of the construction of Sligo Gardens Nursing Home. Public Works and Public Welfare Committees.
10. Mrs. Martha Haworth, 116 Sherman Avenue, Takoma Park, Maryland: Complaint of smoke and soot being emitted from the incinerator of an apartment building on Lee Avenue. Public Welfare Committee.
11. Miss Jean M. Schmuhl, Clerk to the Prince George's County Commissioners: Notice of Hearings for Special Exceptions (a.) #2029 - K. L. McCay, et al, 1015 University Boulevard E., Lot 30, Block 14, New Hampshire Gardens, for limited professional use. (b.) #2046 - Robert S. and A. M. Grillo, 6513 Poplar Avenue, part of Lot 7 and 8, Block A, Gude's Addition to Takoma Park, for conversion of dwelling from one-family to multi-family. (c.) #2055, John E. McKenney, 6511 Kansas Lane, Lot 9, Block 7, Pinecrest, for conversion of dwelling from one-family to multi-family. Hearings scheduled for July 16th, 10:00 a.m., Courthouse, Upper Marlboro, Maryland. Civic Improvements Comm.
12. Montgomery County Board of Appeals: Notice of Hearing on Special Exception Case No. 2624, Carl E. Howe and Melvin L. Haas, 517 Albany Avenue, Takoma Park, Maryland, Lots 33, 34 and 35 of Block 74, T. P. L. & T. Subdivision for construction of a nursing home for 45 beds. Hearing to be held on July 17th, 9:30 a.m., County Office Building, Rockville, Maryland. Civic Improvements Committee.
13. Prince George's Cablevision, Inc. Bid to construct a community antenna television system. Public Welfare Committee.
14. Mrs. Amelia Burroughs, 7218 Cedar Avenue, Takoma Park, Maryland: Request that County certificate of over-age 65 tax credit be honored by the City. Finance Comm.

FINANCIAL STATEMENT: City Administrator Pridgen reporting

See last page of minutes for Financial Statement for the month of June, 1969.

Mayor Miller called for a motion approving the minutes of the last meeting held on June 9, 1969. Councilman Geib moved the approval of the minutes with Councilman Jones seconding his motion. The motion was duly carried.

Mayor Miller welcomed those present to the first meeting in the month of July noting that the next scheduled meeting will be held on the fourth Monday of the month. Mayor Miller requested that anyone wishing to address the Mayor and Council do so at this time.

PUBLIC PARTICIPATION:

1. Mr. Wagner, 8719 23rd Avenue Court, Adelphi, Maryland: Stated that he and his wife have written to the Council requesting that consideration be given to the improving of Lake Street in order that he might develop his property located there.

Mayor Miller noted that this has been referred to the Public Works Committee and that consideration will be given to the request at a subsequent meeting.



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2. Dr. Stephen S. Hiten, 7 Hickory Avenue, Takoma Park, Maryland: Spoke regarding the recent newspaper article pertaining to Takoma Park and requested that a letter be written to the newspaper citing some of the erroneous statements and impressions. He further inquired into a statement made in the Suburban Record regarding an area of concentrated planned development and requested clarification as to the location of this area.

After considerable discussion as to the location, it was pointed out that these reports pertain to plans only and that before any official action is taken, Public Hearings must be held, etc. Councilman Jones assured Dr. Hiten that the public would be informed well in advance of the planned adoption of any plans for the City.

Dr. Hiten also inquired into the status of the requests that have been made for the construction of a shopping center in the City to facilitate shopping. Mayor Miller noted that this matter has been discussed at great lengths in the past and the general impression is that most developers hesitate to come into the area due to the threat of the proposed North Central Freeway.

3. Mrs. Margaret Holmes, 10 Pine Avenue, Takoma Park, Maryland: Inquired as to the possibility of the general public seeing this proposed plan at the Park and Planning Commission.

Mayor Miller stated that a revision is being made to the plan at the present time and assured the audience that a Public Hearing will be held before anything is officially adopted.

4. Mr. Clarence Boatman, 133 Ritchie Avenue, Takoma Park, Maryland: Requested that consideration be given to the construction of a sidewalk along the length of Ritchie Avenue in order that pedestrians might safely travel this route. Councilman Roth, Chairman of the Public Works Committee stated that the Committee will begin to discuss this during their meeting on Thursday, July 24th.

5. Mrs. Evelyn Ferry, 24 Hickory Avenue, Takoma Park, Maryland: Inquired further as to the location of concentrated development as referred to in the Suburban Record. Mayor Miller explained that the plans being developed by the Park and Planning Comm. cover several areas and that it would be difficult to ascertain exactly which plan is being referred to in the article. Mrs. Ferry noted that the B. F. Gilbert's Citizens Association attempts to keep informed of what is happening in the City and that it would be helpful if other organizations would attempt to do the same in order to offer support.

6. Mr. Stuart Sweeney, 11 Sherman Avenue, Takoma Park, Maryland: Inquired as to the status of the Impact Study which was authorized some time ago and whether it has been made available to the public. Councilman Jones stated that the first study completed by the Council of Governments was submitted to the City and turned down. He noted that the study was, in the opinion of the Councilmen, insufficient. He further noted that the Park and Planning Commission is presently making a similar study.

7. Dr. Ken Nishimoto, President, Takoma Park Community Action Forum: Stated that he would like to commend Chief Foster and members of the Police Department for their surveillance of his home during his recent absence. In reference to the 1969-1970 Budget, he stated that at the time of the Budget Hearing, it would have been helpful if the figures submitted were the combined efforts and desires of the Council and the Department Heads rather than just the wishes of the Department Heads. He further noted that it would be helpful if the actual expenditures were shown with the figures in the previously adopted budget. He noted that this would be helpful as an indication of where the tax dollars are being spent. Councilman Turner pointed out that the expenditures were shown through the end of February which is all that was possible under the accounting system of the City.



Dr. Nishimoto further noted that the Takoma Park Community Action Forum would like to stress law enforcement, safe streets, etc. at a future meeting. He noted that he would like to have the opportunity to sit down and discuss the possibility of such a meeting and the subjects which may be covered. He noted that such a meeting would give people an opportunity to request improvement in some areas, if needed.

COMMITTEE REPORTS:

CIVIC IMPROVEMENTS COMMITTEE: Councilman Geib reporting

1. 7000 Poplar Avenue: Stated that a letter has been received from the owner stating that he will meet with the Council at the next meeting. He further noted that in the meantime, the Court Hearing is being held up.
2. 114 Grant Avenue: Councilman Geib noted that the owners have taken care of most of the violations and therefore will probably not have to go to court. He further stated that the owners have assured City Officials that they will cooperate fully with the City.
3. 1111 Sligo Creek Parkway: Councilman Geib inquired of Assistant Corporation Counsel Culpepper as to the status of the court order against the operator of the business. Mr. Culpepper stated that there is a pending court date and that an attempt is being made to obtain a date which will enable the same judge as previously presiding to again preside as he is familiar with the case.
4. Case No. 2578, Appeal of Roger W. Mason: Councilman Geib noted that the appeal was denied, however, the decision may be changed if proof can be shown such as a lease agreement for the required number of parking spaces. If such proof can be shown, the building permit may be issued.
5. Case No. 2624, Special Exception for the construction of a nursing home at 517 Albany Avenue: Councilman Geib noted that the building at this location now is not in very good condition and therefore, the construction of new facilities would be an improvement. Councilman Geib moved that the Montgomery County Board of Appeals be advised that the Mayor and Council have no objection to the granting of this application. The motion was seconded by Councilman Turner and duly carried.
6. Case No. 2610, Petition of Raphael L. Kranwinkel, 7125 Sycamore Avenue: Councilman Geib stated that he was very surprised that the Special Exception was granted as it is in violation of the Master Plan and he does not feel that the Master Plan should be overlooked. He further noted that the Special Exception was granted with a number of stipulations which must be complied with. Councilman Geib stated that he is of the opinion that the County is saddling the City with the policing duties in order to determine if the restrictions are complied with. Councilman Geib moved that the decision be appealed by the Council. Councilman Roth seconded the motion and stated that the appeal should include the fact that the Mayor and Council are concerned about maintaining the residential character of the neighborhood. He further stated that the previous violations cited against the property should be pointed out also in making this appeal. The motion was unanimously carried.
7. Special Exception Application No. 2029, 1015 University Boulevard E.: Councilman Geib moved that the County Commissioners be advised that the Mayor and Council have no objection to the granting of the exception as this particular area is now densely occupied with Doctor's offices and the use requested would conform. The motion was seconded by Councilman Jones and duly carried.



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8. Sidewalks in 1000 block of University Boulevard: Councilman Geib stated that he has recently observed the fact that this block on University Boulevard does not have sidewalks although it serves a large number of pedestrians. Councilman Geib requested that this matter be placed on the agenda for future consideration.
9. Beautification Grant: Councilman Geib stated that it is necessary to adopt another Resolution in order to reapply for the Beautification Grant as was done during the last fiscal year. He stated that if the grant is not approved, the governing body must re-apply each year. The motion for the adoption was seconded by Councilman Jones and duly carried.

## RESOLUTION - SEE NEXT PAGE

10. 250 Manor Circle: There was considerable discussion as to whether the owner has attempted compliance with the City Code. Councilman Geib moved that on the basis of future inspections, warrants shall be issued as necessary. The motion was seconded and duly carried. Assistant Corporation Counsel Culpepper noted that each day that the property is in violation may be considered a separate offense and the owner fined accordingly.
11. Special Exception Cases No. 2046 and 2055: Councilman Geib moved that the Board of County Commissioners be informed that the Mayor and Council have no objection to the granting of these Special Exceptions and further noted that the property is actually located outside of the City limits. It was further pointed out that mention should be made of the fact that due to the close proximity of these two properties, as well as others that may apply for such Special Exceptions, the schools located within the City will be affected as more children move into the immediate area. Due to the overcrowding problem now being faced in Montgomery County, it was felt that this should be taken into consideration as related to this non-conforming use.
12. Takoma Park Azalea Committee: After discussion, it was requested that the item be removed from the Civic improvements agenda and properly placed with the Parks and Recreation Committee for future consideration.

SPECIAL LIBRARY COMMITTEE, Councilman Jones reporting:

1. Library Shelving: Councilman Jones noted that there has been a delay in the completion of the Library shelving due to a strike at the Art Metal Factory.

PARKS AND RECREATION COMMITTEE, Councilman Jones reporting:

1. Recreation Facilities: Councilman Jones noted that he was very pleasantly surprised recently when he learned of the recreation facilities planned for the new apartment complex being developed on New Hampshire Avenue and Ray Road by the D. C. Board of Trade. He noted such planned facilities as swimming pools, tennis courts, etc. He stated that the builders have planned these facilities very well and are to be commended.
2. Request for three portable swimming pools: Councilman Jones requested that this item be removed from the Agenda as swimming pools are being considered by the Task Force in relationship to the problems of Takoma Park-East Silver Spring and it is very likely that a swimming pool facility will be built in the area in the near future.
3. Request for post and chain at Hodges Field: Councilman Jones requested that this item be held in abeyance as it will be considered in connection with the proposed school.
4. Proposed Park - Old Carroll Road: Councilman Jones stated that the Park and Planning Commission has suggested that the City prepare a plan as to what we would like.



## R E S O L U T I O N

## APPLICATION FOR URBAN BEAUTIFICATION AND IMPROVEMENT GRANT

WHEREAS, Title IX of the Housing and Urban Development Act of 1965 amends Title VII of the Housing Act of 1961 and provides for the making of grants by the Department of Housing and Urban Development to States and local public bodies to assist them in the beautification and improvement of open-space and other public urban land where such assistance is needed for carrying out a local program which is important to the comprehensively planned development of the locality; AND

WHEREAS, the City of Takoma Park desires to beautify and improve open-space and other public urban land to facilitate their increased use and enjoyment; AND

WHEREAS, Title VI of the Civil Rights Act of 1964 and the regulations of the Department of Housing and Urban Development effectuating that Title prohibit discrimination on the basis of race, color, or natural origin in the use of all facilities and improvements provided by Federal assistance AND

WHEREAS, the City of Takoma Park is cognizant of the conditions that are imposed in the undertaking and carrying out of programs assisted under Title VII of the Housing Act of 1961, as amended, including those relating to labor standards and equal employment opportunity; AND

WHEREAS, it is estimated that the cost of the activities proposed to be carried out in performance of beautification and improvement of open-space and other public land exceeds the usual expenditures of the City of Takoma Park for comparable activities by \$ 8,785.

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

1. That an application be made to the Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, for urban beautification and improvement of open-space and other public land, which amount is presently estimated to be \$8,785., and that the City of Takoma Park will provide the balance of the cost.

2. That the City Administrator, City of Takoma Park, is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the City of Takoma Park.

3. That the proposed urban beautification activities are in accordance with the beautification program prepared by the Maryland National Capital Park and Planning Commission, of importance to the comprehensively planned development of the locality, and that, should said grant application be approved, the City of Takoma Park will undertake, carry out, and complete said urban beautification activities designated in said application and approved by the Department of Housing and Urban Development.

4. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the City of Takoma Park with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the City of Takoma Park with the Federal Labor standards imposed under Title VII of the Housing Act of 1961, as amended.



5. Request from Takoma Park Elementary School P.T.A. for azaleas: Councilman Geib noted that azaleas have been planted on the school grounds in the past and that the problem has always been the matter of maintenance. City Administrator Pridgen stated that perhaps the solution to this problem could be found in connection with the plans for the expansion of the Elementary School and the Middle School. Mr. Pridgen suggested that the matter be presented to the Board of Education for their suggestions and perhaps a guarantee of maintenance if the City should donate the plants.

6. Visiting AFS Students: Councilman Jones spoke regarding the planned visit of the AFS Students and the party that is planned for July 22nd in their honor. Councilman Jones moved the authorization of the payment of \$100.00 for expenses incurred during this visit. The motion was seconded and duly carried. Councilman Jones commended Mrs. Geib for the efforts made in the past and planned for this year in connection with the visit.

FINANCE COMMITTEE, Councilman Forshee reporting:

1. Approval of Expenditures: Councilman Forshee moved the approval of expenditures as follows: February, \$104,663.00; March, \$108, 612.00; April, \$92,230.62 and May, \$120,540.85. The motion was seconded and duly carried. Councilman Forshee noted that the largest expenditures other than payroll were for the Library expansion and the renovation of the gymnasium.

2. Ordinance to amend Merit Plan: Councilman Forshee referred to a memorandum from the City Administrator wherein he stated that the position of Assistant Fire Marshal and the corresponding Pay Scale were inadvertently not shown. Councilman Forshee moved the adoption of the following Ordinance.

ORDINANCE NO. 2070

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

SECTION 1. THAT Ordinance No. 2063 was adopted by the Mayor and Council on June 9, 1969 setting forth positions and compensations under the Merit Plan for the City of Takoma Park, AND

SECTION 2. THAT the position of Assistant Fire Marshal was created by the adoption of Ordinance No. 2047 on February 10, 1969 with the same pay scale then in existence for Lieutenant under Fire Department ranks, AND

SECTION 3. THAT, inadvertently in preparing Ordinance No. 2063, the position as set forth in Section 2 of this Ordinance was omitted.

SECTION 4. NOW, THEREFORE, the following shall be inserted as a amendment to Ordinance No. 2063.

Assistant Fire Marshal	8, <sup>3</sup> / <sub>830</sub>	9, <sup>4</sup> / <sub>051</sub>	9, <sup>5</sup> / <sub>271</sub>	9, <sup>6</sup> / <sub>602</sub>
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The motion was seconded by Councilman Geib and adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy, Roth and Turner. Nay, None: Excused, None:



3. Metropolitan Area Transit Authority Resolution: Councilman Forshee moved the adoption of the following Resolution. The Motion was seconded and unanimously carried.

RESOLUTION

- WHEREAS, the City of Takoma Park is an integral part of the Metropolitan Washington area; and
- WHEREAS, after many years of planning a regional rapid rail transit system was adopted by the Washington Metropolitan Area Transit Authority and all of the participating jurisdictions; and
- WHEREAS, Montgomery and Prince George's Counties have expended larges sums of money for administrative and planning purposes in preparation for construction of the adopted regional rapid rail transit system; and
- WHEREAS, Montgomery and Prince George's Counties have approved bond authorizations in the amount of many millions of dollars to pay for their share of the system; and
- WHEREAS, construction plans have been drawn, engineering and design work has been completed and rights of way have been acquired, resulting in an expenditure of many millions of dollars to date; and
- WHEREAS, the plans have been concurred in by the President of the United States, the D. C. Council, the suburban governing bodies and an overwhelming majority of suburban voters in public referenda, and
- WHEREAS, an immediate start in the construction of the rapid transit system would be in the public interest, benefitting every part of the metropolitan Washington area and the Nation as a whole by improving transportation in the Nation's Capital; and
- WHEREAS, delay of construction of the system is costing the taxpayers a reported minimum of \$265,000 per day and that delay has been due to the withholding of transit funds pending the start of construction of proposed Washington area freeways;
- NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Takoma Park, Maryland, that the Executive and Legislative branches of the Federal Government be urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and
- BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the President of the United States, the United States Senators from Maryland, the Congressmen representing Takoma Park, the Chairmen of the United States Senate and House of Representatives, <sup>Sub-</sup> District of Columbia Appropriations Committees, ~~and~~ Public Works Committees, <sup>and District Committees</sup> the Secretary of the Department of Transportation, the President and Chairman respectively of the Montgomery County Council and the Prince George's County Commissioners, and the Chairman of the Board and the President of the Metropolitan Washington Council of Governments.

ADOPTED THIS FOURTEENTH DAY OF JULY, NINETEEN HUNDRED SIXTY-NINE



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LAW ENFORCEMENT COMMITTEE, Councilman Turner reporting:

1. 8308 Flower Avenue: Councilman Turner referred to a memorandum from Chief Foster recommending the placement of "No Parking" signs for a distance of 20 feet west on the south side of Flower Avenue beginning at the westernmost driveway to 8308 Flower Avenue. Chief Foster pointed out in his memo that this is under the jurisdiction of the State Roads Commission and a recommendation should be submitted to them for consideration. Councilman Turner moved that the recommendation of Chief Foster be sent to the State Roads Commission for their consideration. The motion was seconded and duly carried.
2. Complaint of conditions existing around Takoma Park Junior High School: Councilman Turner stated that the Park Police, County Police and City Police have all increased their number of patrols in the area and that no further incidents have occurred to his knowledge.
3. Personnel: Councilman Turner presented a motion for the promotion of Officer First Class Grant A. Starkey to the rank of Corporal to be effective July 15, 1969. The motion was seconded by Councilman Geib and duly carried.
4. Personnel: Councilman Turner presented a motion for the promotion of Officer Ronald K. Specht to the rank of Officer First Class to be effective July 15, 1969. The motion was seconded by Councilman Kennedy and duly carried.
5. Personnel: Councilman Turner presented a motion for the promotion of Officer Berthol J. Harbrant to the rank of Officer First Class to be effective July 15, 1969. The motion was seconded by Councilman Geib and duly carried.
6. Personnel: Councilman Turner presented a motion for the promotion of Officer Werner P. Winkler to the rank of Officer First Class to be effective July 15, 1969. The motion was seconded by Councilman Kennedy and duly carried.
7. Personnel: Councilman Turner presented a motion for the promotion of Officer First Class John P. Morgan to the rank of Corporal to be effective July 15, 1969. The motion was seconded by Councilman Geib and duly carried.
8. Personnel: Councilman Turner presented a motion for the appointment of Gary Lee Carroll as an Officer in the Police Department to be effective retroactively to July 1, 1969. The motion was seconded and duly carried. Councilman Turner noted that Officer Carroll has previously been a member of the Police Department having resigned rather recently and now desiring to return to Law enforcement work. He further noted that Officer Carroll will return to step 3 of the Merit Plan for Police Privates with no probationary period required.
9. Personnel: Councilman Turner presented a motion for the acceptance of the resignation submitted by Officer First Class Paul A. Strizak, with regrets, to be effective June 28, 1969. The motion was seconded and duly carried.

PUBLIC WELFARE COMMITTEE, Councilman Hutmire reporting:

1. Independence Day Celebration Activities: Councilman Hutmire commended the Public Works Department for their efforts before the parade (trimming trees, cutting grass along the parade route) and after the parade clean up.
2. Spring Clean-Up: Councilman Hutmire stated that the following figures are the pounds of refuse picked up during the Spring Clean up. April 23-119,320; April 30-147,680; May 7-126,880; May 14-116,320; for a grand total of 510,200 pounds.



3. BOCA Code: Councilman Hutmire noted that copies of the proposed Boca Code as revised have been circulated to the Mayor and Council for their recommendations.
  4. Winchester-Takoma Apartments: Councilman Hutmire stated that the new parking lot has been completed and the old portion resurfaced. He stated that lines have been painted for parking spaces and curb stops placed. The incinerator problem has been corrected to a degree by the installation of new doors, however, there is trouble with a burner. The Fire Department will follow this closely.
  5. Code Enforcement Forms: Councilman Hutmire noted that new forms have been designed as a log record and semi-monthly report for use by the Code Enforcement Officers. He further recommended that any suggestions be submitted in the near future prior to printing.
  6. CATV Proposal: Councilman Hutmire stated that this is still under consideration and will have to be studied further during the coming weeks.
  7. 312 Philadelphia Avenue: Councilman Hutmire stated that some of the safety violations have been corrected and the yard cleaned up, however, the exterior still needs repairs. Councilman Hutmire commended the Code Enforcement Division for their excellent follow-up on this property.
  8. Grant Avenue: Councilman Hutmire stated that the proposals concerning Grant Avenue will be discussed between Committees at a later date before making recommendations.
  9. Requested pedestrian walk-way across Sligo Creek at Maple Avenue: Councilman Hutmire noted that a letter had been written to the Park and Planning Commission however, the reply was not favorable. He stated that this will have to be discussed further between committees.
  10. 7117 Sycamore Avenue: Councilman Hutmire noted that upon the last inspection the owner has reverted to single-family use. Councilman Hutmire stated that there was nothing the City could do to permit this non-conforming use, as it is a matter for the zoning board.
  11. Second Reading of Proposed Ordinance: Councilman Hutmire noted that the first reading of the proposed Ordinance was on June 9th. Councilman Hutmire moved the adoption of the following Ordinance as an amendment to the Municipal Code (1961).  
ORDINANCE NO. 2071  
SEE NEXT PAGE
- The motion for the adoption of the Ordinance was seconded and duly carried by a Roll Call Vote recorded as follows: Aye, Councilmen Forshee, Geib, Hutmire, Jones, Kennedy, Roth and Turner. Nay, None: Excused, None.
12. 111 Lee Avenue: Councilman Hutmire stated that the complaint pertaining to the smoke and soot coming from the apartment building on Lee Avenue has been referred to the Air Pollution Control Division of the Health Department in Montgomery County.
  13. Sidewalk on Poplar Avenue: Councilman Hutmire requested that Mr. Waldron's request that consideration be given to the construction of a sidewalk on Poplar Avenue be removed from the Public Welfare Agenda and placed under Public Works.



ORDINANCE NO. 2071

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

SECTION 1. WHEREAS, past experience has demonstrated that the present City Code provisions (Section 9, Art. 36) governing the removal of excessive weeds, etc. has proven to be ineffective in accomplishing the desired result, AND

SECTION 2. THAT such regulation of excessive weeds, etc., is necessary to protect the health, safety and public welfare of the citizens of Takoma Park, AND

SECTION 3. THEREFORE, that the provisions of Section 9 of Article 36 of the Municipal Code (1961) regulating excessive weeds or undergrowth be hereby amended to read:

Section a.) Duty of property owners and occupants to cut.

It shall be the duty of every owner, occupant, lessee or agent in charge of land lying within the City of Takoma Park to keep all weeds on such land cut to a height of not over six inches.

Section b.) Notice to owners and occupants; removal by City.

Upon the failure, refusal or neglect of the owner, occupant, lessee or agent to cut, destroy or remove weeds as ordered by the Director of Public Works and Inspections, said Director shall notify in writing the owner, lessee, occupant or agent at his last known address of the conditions existing on the land and shall direct such person to eliminate such weeds within ten days. If the person to whom the order is directed fails to comply, said Director may cause the weeds to be cut, destroyed or removed.

Section c.) Cost of removal by the City.

Whenever it is necessary for the Director of Public Works and Inspections to have weeds cut, destroyed or removed, as herein provided, the cost shall be a lien upon, and be assessed as a tax against the property and collected in the manner now provided for the collection of the general taxes of the City.

Section d.) Appeals from orders and decisions under Article.

The Mayor and Council shall have full authority to hear testimony and decide all appeals taken from decisions or orders of the Director of Public Works and Inspections under this Article. Any person aggrieved by the issuance, denial, renewal, suspension or revocation of a permit or any other decision or order of said Director made under this Article may appeal to the Mayor and Council within ten days from such order or decision. Upon notice, after hearing, the Mayor and Council shall have authority to affirm, modify or reverse the order or decision of the Director. Such appeal shall not stay execution of the order unless the Council, upon application, shall grant a stay of such order.

Section e.) Penalty for violation of Article; Injunctive relief, etc.

Any violation of any provisions of this Article shall, upon conviction thereof before a court of competent jurisdiction, be punished by a fine of not more than fifty dollars (\$50.00) or in default of payment of such fine, by imprisonment of not more than thirty days. Each day a violation of any provision of this Article continues to exist shall constitute a separate offense. In addition thereto, the City may institute injunctive mandamus or any other appropriate action or proceedings at law or equity for the enforcement of this Article, any any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions or other forms of remedy or relief.



PUBLIC WORKS COMMITTEE, Councilman Roth reporting

1. Anne Street: Councilman Roth stated that a letter is being composed to be sent to property owners along Anne Street to determine if they want a sidewalk, if they want a sidewalk on both sides of the street and if not, on which side they do want it.
2. Ritchie Avenue: Councilman Roth stated that a new estimate in the cost of improving Ritchie Avenue will be obtained in approximately two weeks.
3. Lighting at Carroll and Philadelphia Avenues: Councilman Roth stated that this has not been overlooked and an estimate will be submitted shortly.
4. Westmoreland Avenue - Right of Way Crossing: Councilman Roth stated that an estimate for the cost of making such an improvement will be submitted shortly.
5. Pedestrian Walkway: Noted that this matter was referred to the Park and Planning Commission and a favorable reply was not received.
6. Vacant Lots on Ritchie Avenue: Councilman Roth reported that this has been taken care of and the item may be removed from the Agenda.
7. Trash Truck: Councilman Roth noted that a check in the amount of \$1,679.20 has been received from the Insurance Company for the trash truck which recently burned. Councilman Roth presented a motion for the authorization of soliciting bids for the remainder of the truck. The motion was seconded and duly carried.
8. Carroll Avenue: Councilman Roth stated that most of the conditions complained about in the letter from the Robinsons appear to have been taken care of. He stated that it seemed that most of the problems stemmed directly from the construction of the nursing home and have since been corrected.
9. Flasher Signals: Councilman Roth presented a motion authorizing the City Administrator to contact the State Roads Commission and request that the material behind the lights on the flashers be replaced. The motion was seconded and duly carried.

FIRE PROTECTION COMMITTEE, Councilman Kennedy reporting:

1. Alternative for siren: Councilman Kennedy noted that the big problem in locating a replacement for the siren is in contacting the firemen when they are outside of their homes and not in range of a radio.
2. Personnel: Councilman Kennedy presented a motion for the appointment of Mrs. Mary Pat Waigand as Secretary in the Fire Department under the Merit Plan to be effective as of July 7, 1969 for the customary one year probationary period. The motion was seconded and duly carried.
3. Personnel: Councilman Kennedy presented a motion for the probationary appointment of Robert T. Langer to the position of Fireman Private to be effective retro-active to July 1, 1969 for a one year probationary period. The motion was seconded and duly carried.
4. Personnel: Councilman Kennedy presented a motion for the permanent appointments of the following probationary firemen: Francis A. Gaegler, David C. Moltrup and Bruce Allen. This permanent appointment is to be effective retro-actively to July 1, 1969.
5. Personnel: Councilman Kennedy moved the retirement of Volunteer Captain Darl R. McBride to be effective as of July 1, 1969. He further stated that this retirement is being accepted with deep regret and at the same time a great deal of pride.



July 14, 1969

Councilman Turner spoke regarding the excellent Independence Day Celebration. Mayor Miller requested that the Mayor and Council go on record as highly commending the Independence Day Committee and all other participants in the parade for the excellent job that was done.

There being no further business to come before the Mayor and Council at this time, the meeting was adjourned at 10:35 to reconvene in Regular Session on July 28th at 8:00 p.m.

APPROVED: George M. Miller  
Mayor

ATTEST: Billy Stone  
Dep. City Clerk ~~T. Miller~~

July 14, 1969

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July 14, 1969

FINANCIAL STATEMENT

OF BANK BALANCES

AS OF JUNE 30, 1969

SUBURBAN TRUST COMPANY - GENERAL FUNDS

Balance as of May 31, 1969	49,561.71	
*June Receipts	<u>78,942.40</u>	128,504.11
June Disbursements		<u>100,107.83</u>
*Includes \$50,000.00 Treasury Bill that matured		<u>28,396.28</u>

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of May 31, 1969	14,457.83	
Transfers from General Funds	<u>62,808.01</u>	77,265.84
June Disbursements		<u>60,864.02</u>
Balance as of June 30, 1969		<u>16,401.82</u>

CITIZENS BANK OF MARYLAND - GENERAL FUND

Balance as of May 31, 1969	139.12	
No Transactions during June	<u>-0-</u>	139.12
Balance as of June 30, 1969		<u>139.12</u>

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENT FUND

Balance as of May 31, 1969	1,876.36	
No Transactions during June	<u>-0-</u>	187.36
Balance as of June 30, 1969		<u>187.36</u>

AMERICAN NATIONAL BANK GENERAL FUND

Balance as of May 31, 1969	442.21	
No transactions during June	<u>-0-</u>	442.21
Balance as of June 30, 1969		<u>442.21</u>

CITIZENS BANK OF MARYLAND - RECREATION SAVINGS ACCOUNT TP-63

Balance as of May 31, 1969	1,407.62	
Interest for 1st and 2nd quarters of 1969	<u>28.00</u>	1,435.62
		<u>1,435.62</u>

PETTY CASH

Cash as of June 30, 1969		<u>200.00</u>
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THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

JULY 28, 1969

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Forshee	Deputy City Clerk Levine
Councilman Geib	Corporation Counsel Gingerich
Councilman Hutmire	Asst. Corp. Counsel Culpepper
Councilman Jones	Chief LaScola, Fire Department
Councilman Kennedy	Chief Foster, Police Department
Councilman Roth	Asst. Fire Marshal Williams
	Director of Recreation Ziegler
	Director of Public Works Rhodes
	Code Enforcement Officer Thorowgood

EXCUSED

Councilman Turner

The Mayor and Council for the City of Takoma Park, Maryland convened in Regular Session in the Council Room, 8 Columbia Avenue at 8:02 P.M., July 28, 1969. Councilman Forshee rendered the Invocation. Mayor Miller led in the Pledge of Allegiance to the Flag.

Mayor Miller welcomed those present to the second meeting during the month of July and invited their attendance at the meeting to be held on the second Monday in August.

At the request of Mayor Miller, City Administrator Pridgen presented the correspondence to come before the Mayor and Council.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. C. Beverly Briley, President, National League of Cities: Letter of solicitation for contribution and support of the Inter-American Municipal Organization. Finance Comm.
2. Victor H. Schiro, Mayor, City of New Orleans, President, Inter-American Municipal Organization: Letter urging support of and membership in the Inter-American Municipal Organization. Finance Committee
3. Frank T. Lamb, Mayor, City of Rochester, New York: Letter requesting membership and support of Town Affiliation Association. Finance Committee and Sister City Committee
4. Hershel Lashkowitz, Mayor, City of Fargo, North Dakota: Letter of invitation to Mayor Miller for participation in trip to Europe for exchange of information concerning Urban problems. Council Files
5. Jerome W. Cox, Legislative Counsel, Legislative Council of Maryland, 16 Frances Street Annapolis, Maryland: Letter of information concerning the reclassification of Municipal Corporations. Council Files
6. M. M. Brodsky, Deputy Comptroller, State Roads Commission, 300 West Preston Street, Baltimore, Maryland: Notification of allocation of Urban Federal Aid available to various political subdivisions. Public Works Committee



- 7. Dr. Paul A. Henry, Asst. Sup. for Business and Financial Services, Montgomery County Public Schools, 850 North Washington Street, Rockville, Maryland: Letter concerning the Takoma Elem. School and plans for parking and other facilities. Civic Improvements
- 8. Francis B. Francois, Vice Chairman, Prince George's County Commissioners: Letter concerning Longbranch Park. Parks and Recreation Committee.
- 9. Jean M. Schmuhl, Clerk, Prince George's County Commissioners: Notifications of the following applications for Special Exceptions: No. 2063, 6617 Poplar Avenue, Lot 9, Block 15-A, Gibbs and Kosacks Sub.; No. 2066, Mortimer & Catherine Shaughnessy, 6410 Westmoreland Avenue, Lot 15 and 16, Block 5, Pinecrest Sub.; No. 2071 and 2072, Fred and Frances A. Teal, 6501 Kansas Lane, Lot 8, Block 6, Pinecrest Sub.: Civic Improvements
- 10. M's Karin Jackson, 7007 Woodland Avenue, Takoma Park, Maryland: Letter concerning hazardous conditions at Woodland and Beech Avenues and request for erection of stop sign. Law Enforcement Committee.

Mayor Miller called for a motion to dispense with the reading of the minutes of the meeting held on July 14, 1969. Councilman Kennedy moved the approval of the minutes as submitted. The motion was seconded and duly carried.

Mayor Miller spoke regarding the work done by Mr. Stuart Armstrong, who, although not an actual resident has done so much to promote the planting and propagation of azaleas in public and private gardens throughout the City. Mayor Miller noted that Mr. Armstrong was a colleague of the late Mr. B. Y. Morrison who was the founder of the National Arboretum and also contributed greatly to the azalea program. Mayor Miller stated that he could not adequately express the appreciation of the Mayor and Council and all the residents of the City for the work that has been done by Mr. Armstrong. At this time, Mayor Miller presented Mr. Armstrong with a plaque naming him as an Honorary Citizen of the City of Takoma Park. Mr. Armstrong commented that he was surprised and grateful and thanked everyone for this honor.

PUBLIC PARTICIPATION:

- 1. Mr. Ralph Sidell, 606 Boston Avenue, Takoma Park, Maryland: As Chairman of the Independence Day Committee, Mr. Sidell expressed appreciation to the Mayor and Council for their financial and moral support in connection with the celebration. He further noted that all of the City Departments have always cooperated in every way with the wishes of the Committee.
- 2. Mr. Henry Daniels, 19 Sherman Avenue, Takoma Park, Maryland: Speaking for the Takoma Park Community Action Forum, Mr. Daniels further reiterated the Forum's advocacy of the adoption of the proposed BOCA Code for the City.
- 3. Dr. Ken Nishimoto, Takoma Park Community Action Forum: Dr. Nishimoto, as Chairman of the Community Action Forum, stated that he would like to thank Chief Foster for sending Lt. Porter to speak to the group concerning Law Enforcement in the City and some of the proposed programs for the future relating to crime control, narcotics programs and roving leaders. Dr. Nishimoto stated that perhaps closer liason between the Police Department, Recreation Department and the Parent Teacher Associations at the various schools would prove beneficial. He stated that in the Fall of this year, the committee would like to have another presentation by the City in connection with a Safe Streets Act.

COMMITTEE REPORTS:



July 28, 1969

FIRE PROTECTION COMMITTEE, Councilman Kennedy reporting:

1. Fire Department Vehicles: Councilman Kennedy referred to a memorandum from Chief LaScola wherein he stated the need for air conditioners in Cars No. 22 and 23 which are used for Fire Prevention and Inspection work. Councilman Kennedy moved that the low bid submitted by Montgomery Ward be accepted in the amount of \$241.35 for each unit. The motion was seconded and duly carried for the transfer of \$482.70 from the Reserve Fund.
2. Personnel: Councilman Kennedy moved the acceptance of the resignation submitted by Private Douglas M. Aquino, with regret, to be effective July 31, 1969. The motion was seconded by Councilman Geib and duly carried.
3. Personnel: Councilman Kennedy moved the approval of the permanent appointment of Sergeant John H. Parsly to be effective August 1, 1969. The motion was seconded by Councilman Roth and carried by a voice vote.

CIVIC IMPROVEMENTS COMMITTEE, Councilman Geib reporting:

1. 7000 Poplar Avenue: Councilman Geib stated that there have been enough delays in this case and moved that Corporation Counsel Gingerich be authorized to proceed with having a court date set and whatever other legal steps are necessary at this point. The motion was seconded and duly carried.
2. Carroll and Grant Avenues: Councilman Geib spoke regarding the meeting held on the property recently where possibilities for the beautification of the area were discussed. He noted that specifications will be submitted by the Public Works Department shortly.
3. Special Exceptions: Councilman Geib referred to the Special Exception Application Letters received from Prince George's County and noted that all three are located outside the City Limits. He noted however, that the converting of these dwellings into multiple-family units may present a problem insofar as overloading the enrollment of schools. He requested that this be pointed out to the Prince George's County Commissioners when the letter containing the recommendation of the Mayor and Council is sent. Councilman Geib moved that the County Commissioners be informed that the Mayor and Council have no objection to the granting of the Special Exceptions other than the possible school over-crowding. The motion was seconded and duly carried.

SPECIAL LIBRARY COMMITTEE, Councilman Jones reporting:

Councilman Jones stated that the shelves still have not been installed due to the strike at the Art Metal plant.

PARKS AND RECREATION COMMITTEE, Councilman Jones reporting:

1. Azalea Committee: Councilman Jones noted that an invitation has been extended to the Azalea Committee to meet with the Parks and Recreation Committee.
2. Agenda items 2 and 4: Councilman Jones noted that the two items pertaining to the bulletin board for the library grounds and the donation of azaleas to the Takoma Park Elementary School will be discussed with the Committee before any recommendations may be made.
3. Protection in the Parks: There was considerable discussion pertaining to the problems arising in the City parks after dark. Councilman Jones suggested that the Ordinance pertaining to behavior and other rules and regulations enforced in the parks be amended to change the time that the parks must be vacated from 12:00 p.m. to 9:00 p.m. or dark. Councilman Forshee moved that the discussion be tabled until the next meeting when precise wording may be presented for approval. The motion for tabling was seconded and carried.



PARKS AND RECREATION COMMITTEE, continued

July 28, 1969

At the conclusion of the discussion, Councilman Geib noted that he was not aware of the problems in the parks and would like to be informed of the specific problems in a meeting as soon as convenient.

FINANCE COMMITTEE, Councilman Forshee reporting:

1. Approval of Expenditures: Councilman Forshee moved the approval of the expenditures for the month of June in the amount of \$100,150.54. The motion was seconded by Councilman Hutmire and duly carried.

LAW ENFORCEMENT COMMITTEE, Councilman Geib, Vice Chairman, reporting:

1. Personnel: Councilman Geib moved the probationary appointment of George F. Gamble as a police officer to be effective August 1, 1969. The motion was seconded by Councilman Roth and duly carried.

2. Personnel: Councilman Geib moved the probationary appointment of James E. Holmberg as a police officer to be effective August 1, 1969. The motion was seconded and duly carried.

PUBLIC WELFARE COMMITTEE, Councilman Hutmire reporting:

1. Street Cleaning: Councilman Hutmire noted that considerable street cleaning has been done recently due to the heavy rains, etc. He further noted that new center lines and cross walk lines have been painted on many of the streets.

2. BOCA Code: Councilman Hutmire noted that several lengthy meetings have been held for the purpose of finalizing the amendments to the BOCA Code and stated that the type-out of the final draft should be completed soon. He thanked Mr. Daniels, Mr. Hammond and Dr. Nishimoto for their interest and support of the Code in behalf of the Community Action Forum.

3. 122 Park Avenue: Councilman Hutmire stated that the property still remains in the same condition and noted that the owner recently turned down the City's offer to assist him with the yard.

4. CATV: Councilman Hutmire noted that the Metropolitan Washington Council of Governments (COG) has now taken an interest in CATV and is undertaking some studies. He stated that recommendations will be made at a future meeting.

PUBLIC WORKS COMMITTEE, Councilman Roth reporting:

Councilman Roth stated that very little agenda items have been considered by the Committee due to two evenings being spent considering the BOCA Code.

1. Lake Street: Councilman Roth moved that City Administrator Pridgen be authorized to write to WSSC requesting that they construct storm drainage from Spring Avenue to New Hampshire Avenue and noted that this will be the first step in making development of Lake Street possible. The motion was seconded by Councilman Geib and carried.

2. Air-conditioners in the Council Room: Councilman Roth moved that Mr. Pridgen be authorized to purchase two air conditioners for approximately \$300.00 each. The motion was seconded and carried for the transfer of \$600.00 from the Reserve Fund.



3. Remodeling of the Fire House Building: Councilman Roth moved that the City Administrator be authorized to draw up a contract with the architect and the structural engineer to make a feasibility study in connection with the remodeling of the Fire House. The motion was seconded and carried for the transfer of \$750.00 from the Reserve Fund.

4. Metropolitan Area Transit Planning Board: Councilman Roth noted that most of the area jurisdictions have become members of this Board and moved that the City Administrator be authorized to enter the City as a member if the membership is still open. The motion was seconded by Councilman Geib and carried.

Councilman Geib noted that he had neglected to inquire about 1111 Sligo Creek Parkway during the report of the Civic Improvements Committee. Assistant Corporation Counsel Culpepper stated that the court date is scheduled for August 4th. Corporation Counsel Gingerich noted that Mr. Preston has agreed to be a witness in the City's behalf.

There being no further business to come before the Mayor and Council at this time, the meeting was adjourned at 9:05 p.m. to reconvene in Executive Session on August 11, 1969.

APPROVED:

George M Miller  
Mayor

ATTEST:

Barry Irvine  
City Clerk