

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

DECEMBER 8, 1969

CITY OFFICIALS PRESENT

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

EXCUSED

Councilman Jones

The Mayor and City Council for the City of Takoma Park, Maryland convened in Executive Session in the Council Chambers, 8 Columbia Avenue, Takoma Park, Maryland at 8:06 p.m. on December 8, 1969. At the request of the Mayor, City Administrator Pridgen called the Roll. Mayor Miller led in the Pledge of Allegiance to the Flag.

READING OF THE MINUTES: Mayor Miller called for any corrections or additions to the Minutes of the meeting held on November 24th. Councilman Geib moved the approval of the minutes as submitted. Councilman Kennedy requested that an addition be made under the Fire Protection Committee Item 2. "to reada meeting of the Finance Committee was held.....". The motion was seconded and duly carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Kathryn T. Simpson, Chairman, Community Improvement Board: Letters re:(a) Commendation for acquisition and beautification of Kass property on Carroll Ave.; (b) Recommendation for an information-type booklet of services available by City; (c) Recommendation that Civic Center be erected or a building leased for City operation. (a)Council Files; (b) Public Welfare and Finance; (c) Council as a Whole.
2. John D. Ruffcorn, Administrator, Washington Sanitarium and Hospital: Expression of appreciation for Mayor Miller's attendance at Volunteer Award Dinner and his remarks as one of the highlights of the evening. Council Files.
3. J. Arthur Walters, President, Takoma Funeral Home, Inc.: Explanation of abandonment of plans to build a new funeral home on Ethan Allen Avenue. Civic Improvements Committee.
4. Clifford J. Waldron, Secretary, Spring Park Citizens Association: Copy of letter to Prince George's County Commissioners regarding pedestrian traffic hazards on Poplar Avenue between 4th Avenue and New Hampshire Avenue. Law Enforcement and Public Works Committees.

FINANCIAL STATEMENT: City Administrator Pridgen reporting.

SEE LAST PAGE OF THESE MINUTES.

MAYOR MILLER'S COMMENTS

Mayor Miller welcomed those present to the first Council meeting during the month of December and invited everyone to attend the second meeting to be held on the fourth Monday of the month.

Mayor Miller commented on a recent newspaper article regarding the retirement of former City Councilman Geibson E. McKenzie who has retired after 43 years and nine months as a printer and foreman for the Washington Daily News. Mayor Miller noted that during his career he was on a first name basis with such great reporters as Ernie Pyle and many more. Mayor Miller noted that Mr. McKenzie served as a member of the City Council for a period of fourteen years. Mayor Miller expressed his hope that Mr. McKenzie will enjoy a long, happy and healthy retirement.

Mayor Miller noted that the Annual Christmas Program will be held on December 14th at 4:00 p.m. in the Fire House Gymnasium. Mayor Miller stated that the program will include Christmas music, two Christmas movies, the lighting of the trees by Santa Claus and usual treats for the children. Mayor Miller urged everyone to attend if possible.

PUBLIC PARTICIPATION:

1. Dr. Ken Nishimoto, 7409 Holly Avenue, Takoma Park, Maryland: Dr. Nishimoto remarked concerning the most recent program of the Community Action Forum relating to a "Safe Takoma" and noted that the members of the Council who attended indicated the interest of the City in a safe community. Dr. Nishimoto commended Officer Sherman and stated that he is proud to know that the City can make a personnel selection such as that of Officer Sherman and noted that he is an excellent officer and the school patrols and other school children are beginning to relate well to him. Dr. Nishimoto noted that Officer Sherman contribute a great deal to the success of the meeting.

Dr. Nishimoto noted that the District of Columbia has a program whereby periodical warnings and instructions are issued over the radio for the benefit of citizens in protecting themselves and their property. He further noted that Montgomery County has started a "Crime Check" program and stated that perhaps the City of Takoma Park could initiate some type of similar program. Dr. Nishimoto commented on the street lighting program and noted that the improvement of lighting should be continued. He further noted that citizens have expressed the desire for more information as to how to report a crime and that perhaps the implementation of a 911 number should be considered.

2. Mr. John Hammond, 831 Hayward Avenue, Takoma Park, Maryland: Mr. Hammond thanked Councilman Hutmire, Officer Sherman and Belle Ziegler for their help during the last meeting of the Community Action Forum. Mr. Hammond presented a sketch of the proposed bulletin board that was requested for the Library grounds and noted that the desirable size would be approximately 7' x 10'. He further noted that the particular style board shown in the sketch should be able to be constructed by local craftsmen at a reasonable price. Mr. Hammond made a number of recommendations as to the possible uses of the two sides of the board and suggested that perhaps representatives of the organizations who have contributed to the fund for the bulletin board could get together and come back to the Council with strong ideas. Mayor Miller noted that a committee of five persons representing various organizations (not necessarily contributors) would be desirable and requested Mr. Hammond to accept as the first appointee of the Committee which should also include the Director of Public Works, Mr. Rhodes. Dr. Nishimoto thanked the Mayor and Council for their indulgence in the foregoing requests and noted that the Community Action Forum is now becoming more positive in their approach and the Council has been very receptive to their ideas. Dr. Nishimoto noted that he is pleased to see that the two groups are now accomplishing mutually beneficial projects.

December 8, 1969

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Dr. Nishimoto read from a memo to the Mayor and Council listing recommendations which are the result of a meeting attended by 29 adults and 22 teenagers regarding many aspects of youth and the City of Takoma under the community program "Youth Concerns". Briefly, the recommendations included: the development of material for the information of new residents to develop community belonging and pride; the establishment of a teen recreation center; development of a teen council to serve in an advisory capacity; assistance in the acquisition of a building for the use of the Takoma Park Boys Club; and the addition of two teenagers to the Takoma Park Community Action Forum Steering Committee.

COMMITTEE REPORTS:

PUBLIC WELFARE COMMITTEE: Councilman Hutmire reporting.

1. 25 Holt Place: Councilman Hutmire noted that a clean-up campaign was recently undertaken at this property.
2. Street cleaning: Councilman Hutmire stated that the first leaf pick-up of the entire City has been completed and the second pick-up started, with completion scheduled prior to Christmas.
3. Status reports: 122 Park Avenue: attempting to gain entrance for inspection.
Winchester-Takoma Apartments: Councilman Hutmire stated that the Code Enforcement Officers are still working closely with tenants and management of the building.
4. Code Enforcement: Councilman Hutmire noted the number of activities engaged in by the Code Enforcement Officers and noted that a meeting is scheduled for Wednesday at 7:30 in the Public Works Department for the purpose of discussing the proposals submitted by the City Administrator relating to the Code Enforcement Program. There was considerable discussion as to the relationship between fire prevention inspections by the Fire Marshal and Code violation inspections by the Code Enforcement Officers. Assistant Fire Marshal Williams commented that the cooperation of the Code Enforcement Division has been tremendous and at times it has proven very helpful having more than one person participating in an inspection. Assistant Fire Marshal Williams further stated that it is his feeling that particularly in the case of multiple family dwellings, the management would prefer one inspection simultaneously by the two Departments rather than two entirely separate inspections.
5. Prince George's Housing Authority: Councilman Hutmire read a proposed Resolution to authorize Prince George's County Housing Authority to operate within the City and presented a motion that a maximum of ten units be authorized. Councilman Roth stated that he would second the motion if the number of units was reduced to seven. Councilman Hutmire agreed. At this point, Councilman Turner pointed out that the normal Montgomery County-Prince George's County ratio based on the land area and population should be maintained, and inasmuch as ten units had been authorized for Montgomery County, he would propose a motion for five units in an amendment to the main motion. The amendment was seconded by Councilman Geib. Upon the question, the amendment was approved by a *voice vote*.

RESOLUTION NO. 2 OF 1969

SEE NEXT PAGE

RESOLUTION NO. 2 OF 1969

WHEREAS, under the provisions of Section 23 of the United States Housing Act of 1937, as amended, the Public Housing Administration is authorized to provide financial assistance to local public housing agencies in providing low-rent housing by leasing dwelling units in existing privately-owned structures, AND

WHEREAS, said Section 23 provides that the provisions thereof shall not apply to any locality unless the governing body of the locality has by Resolution approved the application of such provisions to such locality.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF TAKOMA PARK, MARYLAND, that the application of the leasing provisions of Section 23 of the United States Housing Authority of Prince George's County, Maryland, to the City of Takoma Park is approved with provision that such consent is given for a total of five (5) units within the Prince George's County Section of the City of Takoma Park, Maryland, AND

THAT, the Housing Authority of Prince George's County, Maryland is to give priority in the occupancy of these units to residents of the City of Takoma Park, Maryland and to notify the City of the specific units leased, AND

FURTHER THAT, this Resolution shall become effective immediately.

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

PARKS AND RECREATION COMMITTEE: Councilman Jones, Chairman - Excused.

The following Christmas Holiday Programs are scheduled for the Gymnasium:

Roller Skating: Monday thru Friday (except New Years) 9:00 a.m. to 10:30 a.m. - 11 and under ; 10:30 to 12:00 noon - 12 years old and up.

Open Gym: Monday thru Friday (except New Years) 1:00 to 5:00 p.m.

CHRISTMAS BASKETBALL TOURNAMENTS:

December 26 thru January 3 (except December 28th and New Years) 9:00 a.m. - 5:00 p.m.
Junior High Age - Takoma Park Junior High School Gymnasium
Senior High School Age - Montgomery Blair Senior High School (Any boy welcome at either program)

CHRISTMAS SPECIAL - CHILDREN'S HOUR:

December 29-30-31 - Kindergarten through third grade - 11:00 a.m. Takoma Park Library

CONCERT- TAKOMA PARK COMMUNITY SINGERS:

Sunday, December 21st - 8:00 p.m. Trinity United Church of Christ (Glenside and New Hampshire Avenue) No Charge.

December 8, 1969

PUBLIC WORKS COMMITTEE: Councilman Roth reporting.

1. Request for anti-litter signs: Councilman Roth stated that the signs already located in the vicinity of Carroll, Grant and Philadelphia Avenue are sufficient. Requested that the item be removed from the agenda.
2. Street lighting: Councilman Roth stated that in response to remarks relating to the street lighting in the City, he would like to note that the street lighting has been doubled during the past few years on a number of streets located south of East West Highway. He further noted that an accelerated campaign is to begin on the north side of the highway. Councilman Roth noted that during the period between Christmas and New Years, Mr. Rhodes will make a study of the area and make recommendations to be eventually presented to PEPCO. Councilman Geib stated that the residents of Takoma Park are most fortunate for the adequate lighting provided for them as some areas in the Metropolitan Washington region have very insufficient lighting. Councilman Turner commended Councilman Roth for his very strong program and stated that a wonderful job has been done in the lighting of Takoma Park.
3. New York Avenue Storm Drainage: Councilman Roth noted that the City has been attempting to acquire the necessary rights of way in order to proceed with the construction of the storm sewer. Councilman Roth noted that the City has fulfilled all legal obligations and moved that the matter be turned over to the Washington Suburban Sanitary Commission upon the advice of the Corporation Counsel. Councilman Kennedy noted that the City would be derelict in its obligations if action wasn't taken to provide protection for the other residents of the area due to the two property owners who don't want the improvement. The motion was seconded and carried.
4. Maple Avenue bridge: Councilman Roth noted that the approach area of the bridge has been restored and the railing fixed by the Park and Planning Commission. He further noted that repairs to the railing on the bridge structure are being made by a welder through the Public Works Department.
5. Purchase of a dump truck: Councilman Roth stated that the Public Works Department is in need of a dump truck and moved that Mr. Rhodes be authorized to proceed with obtaining bids through the Montgomery County purchasing contract. The motion was seconded and carried.

FIRE PROTECTION COMMITTEE: Councilman Kennedy reporting.

1. 7219 Maple Avenue: Councilman Kennedy noted that a Public Hearing is scheduled for December 15th relating to the demolition of the storage building.
2. Volunteer Fire Department: Councilman Kennedy noted that Councilman Forshee, Jones and himself attended a meeting of the Board of Directors of the Volunteer Fire Department and discussed several matters of interest. He further stated that these matters will be further discussed at the next meeting of the Fire Protection Committee to be held on December 17th.
3. Remodeling of the Fire House Building: Councilman Kennedy noted that Chief LaScola has met with Mr. Mason, the architect, to discuss the sketches of the proposed remodeling.

CIVIC IMPROVEMENT COMMITTEE: Councilman Geib reporting.

1. 250 Manor Circle: Councilman Geib requested that the Corporation Counsel meet with Code Enforcement Officer Thorowgood as soon as possible regarding this property.
2. 7000 Poplar Avenue: Councilman Geib reported that the decision of the judge requires that the property be returned to two apartment use.

3. 7209 Cedar Avenue: Councilman Geib stated that he has received indication from Mrs. Simpson, Chairman of the Community Improvement Board that the property has been brought into compliance.

4. 1111 Sligo Creek Parkway: Councilman Geib reported that he feels the owner is making an effort to keep the location looking good and is aware that the City intends to see that the court order is complied with.

FINANCE COMMITTEE: Councilman Forshee reporting.

1. Approval of expenditures: Councilman Forshee moved the approval of the expenditures for the month of October in the amount of \$506,439.24. The motion was seconded and carried.

2. Request for purchase of lot: Councilman Forshee stated that the particular lot in question would be of little use unless the adjoining lot was also purchased. Councilman Forshee requested that the item be removed from the agenda if there are no objections.

LAW ENFORCEMENT COMMITTEE: Councilman Turner reporting.

1. Personnel: Councilman Turner moved the approval of a probationary appointment for Robert F. Jarnigan as a police officer for the City of Takoma Park to be effective December 15, 1969. The motion was seconded by Councilman Geib and duly carried.

2. School Patrol Party: Councilman Turner noted that a party will be held for the school safety patrols on December 17th at the Takoma Park Junior High School. He further noted that this is an annual event, made possible by the help of the Lion's Club and invited all members of the Council to attend.

3. Dog Complaint: Councilman Turner noted that the complaint of dogs running loose in the vicinity of Tulip and Cedar Avenues has been taken care of and the complainant notified. Councilman Turner requested that the item be removed from the agenda.

4. In regards to a complaint received from a citizen, Councilman Turner referred to a memorandum from Captain Porter which indicated that the location was incorrectly given to the dispatcher, thereby causing the police officers to respond to the wrong location.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:40 p.m. to reconvene at 8:00 p.m. on December 22nd.

APPROVED George M. Meyer
MAYOR

ATTEST: [Signature]
DEPUTY CITY CLERK

THE CITY OF TAKOMA PARK, MARYLAND

SPECIAL HEARING

December 15, 1969

L. H. Carmichael

Mayor Miller called the Hearing to order at 7:37 p.m. in the Council Room, #8 Columbia Avenue, Takoma Park, Maryland, December 15, 1969. The Mayor stated the purpose of the meeting was to hear Mr. L. H. Carmichael in response to his request concerning an order by the Assistant Fire Marshal to demolish and remove the dilapidated building identified as the "carriage House" on the property at 7219 Maple Avenue, in the Montgomery County section of the City. Mayor Miller requested Councilman Kennedy, Chairman of the Fire Protection Committee to conduct the Hearing. In addition to Councilman Kennedy also present at the time the Hearing convened were Councilmen Forshee, Geib, Hutmire, and Turner. The following City Officials were also present, Corporation Counsel Gingerich, Director of Public Works Rhodes, Fire Chief LaScola, Assistant Fire Marshal Williams and Fire Captain West, Code Enforcement Officer Wollner and City Administrator, Clerk-Treasurer Pridgen.

Mr. Pridgen was requested to read into the record a letter from Mr. and Mrs. Fred D. Lindsey, 7301 Maple Avenue as follows:

December 10, 1969

The Honorable George M. Miller, Mayor
and Members of the City Council
City of Takoma Park
8 Columbia Avenue
Takoma Park, Maryland 20012

Gentlemen:

Several weeks ago Mr. Carmichael, who bought the "Schaeffer Property" at 7219 Maple Avenue, asked us if we knew who might have complained about the old "carriage house" on his property. We told him that we did not know of any formal complaint. He advised us at that time that he had received notice of its condemnation and was to be given a hearing before the Council as to why it should not be demolished.

We live next door (North) to this property and have talked frequently with Mr. Carmichael regarding his hopes and ambitions toward the restoration of the building in question. In these conversations, we offered our help toward this end as we began to realize the historic significance of the "Carriage House."

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Mr. Carmichael has owned the property less than two years, and has made substantial repairs on the main house both interior and exterior such as: repainting, reguttering, roof repairs, chimney repairs, and has cleaned over-grown brush and unwanted shrubbery from the yard. This in itself is evidence that he is striving to revive the appearance and value of one of the "older homes" within the City.

The "Carriage House", which is the building in question, is not inhabited. He has been clearing out debris and unwanted accumulated items which had been stored for years under the past ownership, in preparation toward making the building a useful tool house and garage. These efforts clearly indicate to us that his intentions were, have been, and are clear cut, and that is, to restore it. Since we do live in an age of automobiles, this seems to be a useful purpose for which the building could be used.

We are asking the City to give Mr. Carmichael ample time as the weather permits, to beautify this building, rather than to demolish it. We do not know how much time he might need, but that is for you to work out between you, but we believe your encouragement will be far more appreciated rather than discouragement.

There are many other things which we could say on behalf of this property and perhaps others, but we do not wish our intentions to be misconstrued.

Respectfully yours,

Mr. and Mrs. Fred D. Lindsey
7301 Maple Avenue

Councilman Kennedy read a violation notice dated October 13, 1969 served on Mr. L. H. Carmichael at his place of employment - Takoma Ford, Takoma Park, Maryland by Assistant Fire Marshal I. T. Williams of the Takoma Park Fire Department concerning the condition of the subject building and requested Mr. Williams to present information and his reasons for issuing the violation notice of October 13.

Mr. Williams stated that he was charged with the responsibility of checking out possible fire hazards within the City and that Chief LaScola had instructed him to inspect the subject building at 7219 Maple Avenue because a complaint had been received describing it as a fire hazard. He displayed ten or twelve pictures of the building taken, developed, and printed by Captain C. West of the Fire Department who accompanied him on the date of the original inspection on October 13, 1969. He stated there was evidence of a previous fire and pointed out the various conditions such as debris, loose plaster and lath, rotten timbers and deteriorated conditions that constituted fire hazards in his opinion. He further displayed pictures of broken glass, glassless windows and other open means of access to the building as an attraction to children and arsonists. He stated that subsequently, in the company of Mr. Carmichael, Mr. Rhodes, Mr. Wollner and others while re-inspecting the second floor of the building he, Williams, partially fell through rotten floor boards up to his knees. Mr. Williams stated the building clearly is in violation of the Fire Prevention Code.

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Councilman Turner inquired as to whether Mr. Carmichael could give some information as to what he expects to do with the building. Councilman Kennedy stated that he would like other City personnel to first speak on the case. Mr. Williams stated that all had agreed it to be an unsafe building and that it had also been cited under the BOCA Basic Housing Code by Mr. Wollner. Councilman Kennedy inquired if youngsters could gain access to the building and Mr. Williams replied in the affirmative, that they could get in through the side windows.

Councilman Turner inquired as to why such a large number of people were involved in the inspection of this particular building, that several City employees had been named. Mr. Williams stated that when such a fire hazard and unsafe condition is observed, the opinion and cooperation of other City officials is desirable. Councilman Turner commended Mr. Williams for this action. Councilman Kennedy inquired if the pictures were taken by the Fire Department and Mr. Williams answered in the affirmative.

Councilman Geib inquired as to the type of foundation by which the building is supported and was informed that the foundation and first floor were concrete. Councilman Geib then inquired as to termite infestation and Mr. Williams replied that he did not know.

Councilman inquired of Mr. Carmichael as to his plans concerning the structure in view of the testimony that had been presented.

Mr. Carmichael pointed out that he had been working on the main house which contains twelve rooms, repairing and painting, etc. He stated that he had plans for the subject structure but had not started work on it yet - that he had been in and out of the building since owning the property and had he known of the adoption of the BOCA Code he would have started the job earlier. He referred to the falling through floor incident as possibly rotting wood caused by the leaking roof.

In answer to a question as to how he would go about rehabilitating the building, Mr. Carmichael made an explanation as how the building is constructed and that he had acquired certain materials including wall board which he had stored in the main house. When asked to be more specific in detail he stated that he wished to preserve the historic character of the building and would not like to change the front of the building at all but intended to place cross member supports and siding on the sides and rear.

Councilman Turner first directed a question to Mr. Carmichael as to what he would do to secure the building to eliminate the hazards if he were given time and then re-directed to Mr. Williams as to what could be done to bring the building into a safe condition. Mr. Williams stated that boarding the openings certainly would not be sufficient and that there is a question as to how much snow load the building would carry - that the second floor would not hold his weight.

Chief LaScola inquired as to whether a building permit had been obtained (from Montgomery County) to renovate the building. Mr. Carmichael said that since receiving the notice from the Fire Department there seemed to be no need for a permit if repairs will not be satisfactory. He said one of his tenants had suggested that he

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request the Fire Department to burn the building. Chief LaScola implied that it would not be safe to burn.

Councilman Forshee inquired as to when Mr. Carmichael would start work if given time and Mr. Carmichael replied "Tomorrow, if necessary." In reply to Councilman Geib's question as to the length of time required to complete, Mr. Carmichael stated ninety days. In reply to Councilman Kennedy's question as to his intention to rebuild the structure except for the front, Mr. Carmichael was not too specific, he spoke of a fire in one corner and an antique table.

Councilman Geib stated that he was in the building a month ago and looked again this date and it appeared to be leaning more now than previously. Mr. Carmichael stated that the main support is deteriorated thus giving the impression of leaning. Councilman Kennedy pointed out the City's interest is because the building constitutes a fire hazard. Councilman Jones inquired as to why it is considered a fire hazard - if it contained combustible materials, defective electrical wiring or gas fixtures? Mr. Williams read a portion of Section 86-16 (d) of the Fire Prevention Code. Mr. Carmichael stated that he had placed locks on the building and would start the job right away if given time. He stated that he had not received the notice of the hearing until this date. Councilman Kennedy stated that Mr. Carmichael was overlooking the fire hazard to other buildings and inquired if Mrs. Lindsey wished to speak on the subject.

Mrs. Lindsey stated that she could see the subject building from the breakfast room of her house and that the family enjoyed the historic appearance and her children often pointed out some new area of interest. She stated that even though there are three or four foot fences there has been considerable vandalism, particularly prior to Mr. Carmichael's acquisition of the property - that windows had been broken by BB shots. She stated she would like to help restore the building as a historic thing and that Mr. Carmichael had done a terrific job on the main house.

Councilman Kennedy asked if she thought it was a fire hazard and Mrs. Lindsey stated that she could see broken down plaster and lathing but this could be torn down.

Councilman Geib inquired that since Mrs. Lindsey's two children are attracted by the structure did she permit them to go into the building. She replied in the negative and that they would not enter otherwise because they respect other people's properties.

Councilman Hutmire stated that Mrs. Etta Davis was present and that possibly she had something to add to the Hearing.

Mrs. Davis stated that she had observed the building and recognized its historical value and further understands that it was once used as a school. She stated that she had requested Mr. Marschalk of the Takoma Park Historical Society and also Mr. Davis to look at the building. She expressed hope that the Society may become interested in preservation of the structure. She commended Mr. Carmichael for his attempt to preserve a historical building that this was much better than the several boarded up houses such as on Cedar Avenue.

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Chief LaScola pointed out that the building was checked as a result of a complaint and not specifically picked out by the Fire Department - that the boarded houses mentioned by Mrs. Davis was evidence of the total effort of the Department.

Councilman Kennedy thanked all participants, noting there was nothing personal involved, merely a formal matter of City business and commended City personnel involved. Adjournment 8:39 p.m.

Approved:

George M. Miller
Mayor

Haynes M. Pridgen
Haynes M. Pridgen
City Administrator and
Clerk-Treasurer

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

DECEMBER 22, 1969

CITY OFFICIALS PRESENT

Mayor Miller
 Councilman Forshee
 Councilman Geib
 Councilman Hutmire
 Councilman Jones
 Councilman Kennedy
 Councilman Roth

City Administrator Pridgen
 Deputy City Clerk Levine
 Director of Public Works Rhodes
 Chief LaScola, Fire Department
 Chief Foster, Police Department
 Director of Recreation Ziegler
 Corporation Counsel Gingerich
 Asst. Corporation Counsel Culpepper
 Code Enforcement Officer Wollner
 Code Enforcement Officer Thorowgood
 Assistant Fire Marshal Williams

EXCUSED

Councilman Turner

The Mayor and City Council for the City of Takoma Park, Maryland, convened in Regular Session in the Council Chambers, 8 Columbia Avenue, Takoma Park, Maryland at 8:10 p.m. on December 22, 1969. Mayor Miller requested that the City Administrator call the Roll. The Invocation was rendered by Reverend John B. Paterson of the Takoma Park Presbyterian Church. Mayor Miller led in the Pledge of Allegiance to the Flag.

READING OF THE MINUTES: Mayor Miller called for any corrections or additions to the Minutes of the meeting held on December 8, 1969. Councilman Kennedy moved the approval of the Minutes as submitted. The motion was seconded and duly carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. M's Lois M. Gosnell, Clerk to the Board, Board of Appeals for Prince George's County: Requests for variances at three locations all outside the City limits. Civic Improvements
2. Mr. William C. Strasser, President, Montgomery College, Rockville, Maryland: Letter transmitting proposed budgets and request for testimony at Public Hearing. City Administrator.
3. Montgomery College, Takoma Park, Maryland: Notice of class "Law for Laymen" being repeated January 20th through February 26th. Newsletter.
4. Mr. Walter Scheiber, Executive Director, Council of Governments, 1225 Connecticut Avenue, Washington, D.C.: Letter regarding the formation of an air quality planning agency through the Council of Governments. Council as a whole.
5. Mrs. Sylvia Cutler, Director, Home Study Nursery School, Hefner Park Branch, Takoma Park, Maryland: Letter of appreciation for the improvements made to the Recreation center and new furnishings supplied. Parks and Recreation.

December 22, 1969

6. Mrs. M. E. Dawson, 24 Holt Place, Takoma Park, Maryland: Letter regarding unhealthful conditions at 25 Holt Place. Public Welfare Committee.
7. Ms. W. R. Taylor, 902 Larch Avenue, Takoma Park, Maryland: Request for street light on Larch Avenue between 900 Larch Avenue and Elm Avenue intersection. Public Works Comm.
8. Mr. Joseph Fleischman, 7611 Maple Avenue, Takoma Park, Maryland: Letter of protest regarding the use of public funds for purchase of Christmas decorations and the display of same on public lands. Parks and Recreation Committee.
9. M's Amelia John Garrison, Property Manager, Shapiro Realtors, 1413 K Street, N.W., Washington, D.C.: Letter of thanks and commendation for Mr. Thorowgood's and Mr. Williams' efforts regarding the upgrading of the Winchester-Takoma apartments. Public Welfare and personnel.
10. Mr. Richard Dempsey, 6708 Poplar Avenue, Takoma Park, Maryland: Copy of letter to Chief Foster commending the Police Department and Detective Bureau. Law Enforcement Comm.

MAYOR MILLER'S COMMENTS:

Mayor Miller noted that due to this being Christmas week with so much to be done in preparation for the Holiday, his remarks would be brief. Mayor Miller noted that this nation has so much to be thankful for and we have been so beautifully blessed by the Christ Child.

PUBLIC PARTICIPATION:

1. Reverend John B. Paterson, Takoma Park Presbyterian Church, Takoma Park, Maryland. Reverend Paterson stated that the letter sent on behalf of the Mayor and Council concerning the booklet "Welcome to Takoma Park", reached his desk after a considerable delay due to the fact that it was sent to the Board of Trustees. He noted that this is technically correct, but the booklet was in fact prepared by the Session of Elders and chaired by James Barclay. A written response will soon be forthcoming. He brought extra copies of the booklet for distribution to the Mayor and Council members. Reverend Paterson reported on an official motion of the Church Board of Trustees on November 25th to the effect that in recognition of City services, the Takoma Park Presbyterian Church offers the City the free use of the Fellowship Hall to the extent that there is no conflict with other activities. Such uses could be for recreational, educational functions, etc. the Church offers this in response to City services for which the City does not charge.
2. Dr. Ken Nishimoto, 7409 Holly Avenue, Takoma Park, Maryland: Stated that as a representative of the Community Action Forum, he intended to speak on subjects such as the BOCA Code, Workable Program, Safe Community with citizen participation, the T.E.S.S Commission, the Middle School, Recreation in terms of the Middle School, and the challenges faced by the Mayor and City Council. Dr. Nishimoto stated that there is no longer a Town of Takoma Park, but rather the City of Takoma Park. Dr. Nishimoto stated that due to the holiday season, he would like to follow Mayor Miller's example in keeping comment brief. Dr. Nishimoto extended Holiday greetings to the Mayor and Council and wishes for a forward looking New Year with the hopes of perhaps working even more closely during the coming year.

COMMITTEE REPORTS:

LAW ENFORCEMENT COMMITTEE: Councilman Geib, Vice Chairman reporting.

NO REPORT.

PUBLIC WELFARE COMMITTEE: Councilman Hutmire reporting.

1. 25 Holt Avenue: Councilman Hutmire noted that there has been some improvement, however, this is not the first time the property has had to be worked on by the Code Enforcement Officers. Code Enforcement Officer Wollner noted that the property is a habitual offender insofar as the trash on the outside of the building is concerned. Mr. Wollner noted that the property owner has stated that someone was hired to take care of the problem. Councilman Hutmire requested that Mr. Wollner keep a close watch on the property.
2. Street Cleaning: Councilman Hutmire noted that the leaf pick-up has been completed with efforts to be centered now on general street cleaning and the pick-up of scattered leaves, picking up of discarded Christmas trees and storm drain clearing.
3. Status Reports: 122 Park Avenue: Attempting to gain entrance for inspection. 312 Philadelphia Avenue: Code Enforcement Officer Thorowgood is in contact with Emergency Housing representative who is attempting to locate housing for these tenants. Winchester-Takoma: Gradual Improvement.
4. Code Enforcement Activities: Councilman Hutmire noted that a memorandum from the Code Enforcement Division indicates that the total activity numbered 244 for the period from December 5 to December 19. He further noted that this figure includes 59 re-inspections and 29 complaints closed out.

Mayor Miller noted that Mr. John Benedict, Editor of the Suburban Record, had arrived. The Mayor thanked Mr. Benedict for the fine picture in the recent issue of the Record and inquired as to the nature of the visit. Mr. Benedict stated that his purpose in coming to the meeting was to express appreciation to the Mayor and Council for their thoughtfulness and stated that he was overwhelmed when the City Administrator personally visited his office to extend their greetings. Mr. Benedict noted that in these times of difficult decisions regarding schools, housing, etc., there is too often a lack of human kindness on a personal basis on the part of government. He stated that for government of any level to extend such an act of kindness is very fine. He thanked Mayor Miller and the Council and thanked God for keeping their personal spirit alive. He further stated that he couldn't write about this in the newspaper, but would tell everyone whenever the City of Takoma Park is mentioned.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting.

1. Request for additional street light on 13th Avenue: Councilman Roth referred to a memo from Mr. Rhodes and stated that a recommendation will be forthcoming from PEPCO.
2. Sidewalks - 1000 block of University Blvd.: Ten letters were sent out and five replies received with three indicating yes and one stating no. Councilman Roth stated that Mr. Rhodes is making an attempt to reach the five property owners who did not respond.
3. Improvement of Lake Street: Councilman Roth reported that a reply is forthcoming from the Washington Suburban Sanitary Commission.
4. Ritchie Avenue sidewalk: Councilman Roth noted that 22 requests for a five foot right-of-way were sent. 15 replies were received - 2 yes and 13 no. Councilman Roth noted that attempts are being made to reach the other seven for their replies.
5. Street Lighting: Councilman Roth noted that the street lighting program will be discussed at the next Public Works Committee meeting.
6. Maple Avenue Bridge: Councilman Roth referred to a memo from Mr. Rhodes which stated that a quotation from Riley's Welding Service has been received in the amount of \$245.00

for making repairs to the bridge railing. Councilman Roth moved the acceptance of the price submitted with the amount of \$245.00 to be transferred from Account 12.202A "Road Materials" to 12.202F "Sub-contract work".

7. Purchase of Dump Truck: Councilman Roth referred to a memorandum from Mr. Rhodes relating to the arrangements made with the Montgomery County Purchasing Department whereby the City may purchase a dump truck at the Montgomery County contract price. Councilman Roth moved the adoption of the following Ordinance.

ORDINANCE NO. 2085

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

- SECTION 1. WHEREAS it has been determined that the Public Works Department is in need of a new dump truck, AND
- SECTION 2. WHEREAS the Director of Public Works has obtained permission to purchase one dump truck from the Monroe Ford Company at the Montgomery County contract price, AND
- SECTION 3. THEREFORE THAT, the purchase of one dump truck (Group 1) on Montgomery County Bid #3257 with certain modifications in the amount of FOUR THOUSAND FIVE HUNDRED SEVENTY DOLLARS AND TWENTY SEVEN CENTS (\$4,570.27) plus additions in the amount of \$231.60.
- SECTION 4. FURTHER THAT, the Clerk-Treasurer is hereby authorized to transfer the total sum of FOUR THOUSAND EIGHT HUNDRED ONE DOLLARS AND EIGHTY SEVEN CENTS (\$4,801.87) from the Reserve Fund.

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

FIRE PROTECTION COMMITTEE: Councilman Kennedy reporting.

1. Revision of Article 4: Councilman Kennedy noted that a meeting was recently held with representatives of the Volunteers and further consideration will be given at the next Committee meeting.
2. 7219 Maple Avenue: Councilman Kennedy moved the acceptance of the recommendations of Fire Chief LaScola regarding the property. Councilman Jones seconded the motion. An inquiry was made by Councilman Roth as to whether this included making the building structurally safe. Councilman Kennedy stated that this would be taken care of under the Montgomery County Building Code. Councilman Geib inquired as to the number of extensions which might be granted after the initial 90 period. He noted that Chief LaScola should give careful consideration before allowing another delay. Councilman Geib stated that Mr. Carmichael should make every effort to repair the property within this time period. Councilman Kennedy stated that the time limits set were to ensure continuous progress at each stage. Councilman Forshee inquired as to what will take place after 90 days if there is not 75% compliance. Councilman Kennedy stated that the recommendations are to take the place of a demolition order. If the work is not completed at the end of 90 days, there is a provision for only an additional 30 days. If not finished by then, the Council can order demolition. Councilman Hutmire noted that if after the period specified, if any reason to question the work schedule, look at the sincerity of the owner for his intentions to do the job. Councilman Jones noted that the 90 days was not an arbitrary figure, it was what Mr. Carmichael asked for. Councilman Geib stated that Mr.

Carmichael should be aware of the fact that he cannot use the building for heavy storage as it would violate zoning laws. Mr. Carmichael should consider this before he expends money to repair it. Councilman Kennedy stated that he feels that Mr. Carmichael is acting in good faith as is Chief LaScola in making these recommendations. Chief LaScola noted that the 75% completion requirement is really in Mr. Carmichael's favor as the necessary work can be easily completed in one-half that time. He stated that the extra time will allow for any unforeseen difficulties such as bad weather. The question was called by Councilman Forshee and the motion carried.

3. Damaged ambulance: Councilman Kenredy referred to a memorandum from Chief LaScola recommending that the International Ambulance be removed from the Fire Department inventory records and assigned to another department. Councilman Kennedy noted that the Public Works Department has expressed a desire to make use of the vehicle and moved that the 1965 International Ambulance be transferred to the Public Works Department. The motion was seconded by Councilman Jones and duly carried.

4. Commendation: Councilman Kennedy referred to a memorandum from Captain Kearns, Training Officer for the Fire Department containing a report of the outstanding achievements of the men, both paid and volunteer, who recently completed a refresher course in closed chest Cardiopulmonary Resusitation and attained the highest class average ever recorded. The participants were as follows:

- | | | |
|---------------------|--------------------------|---------------------|
| Capt. K. F. Kearns | Pvt. B. O. Allen | Pvt. R. W. Griffin |
| Capt. T. L. Jarboe | Pvt. J. T. Baker | Pvt. P. Davis |
| Lt. J. E. Jarboe | Pvt. R. S. Gradijan | Pvt. R. A. Shepherd |
| Sergt. R. E. Rhan | Pvt. J. E. Cina | Pvt. B. L. Collins |
| Sergt. J. H. Parsly | Pvt. D. R. Willey | Pvt. D. M. Aquino |
| Sergt. W. R. Taylor | Pvt. L. Adams | Pvt. H. L. Stephens |
| Sergt. C. J. Fiske | Pvt. R. T. Langer | Pvt. R. F. Collins |
| Sergt. R. B. White | Pvt. P. A. Menedis | Pvt. S. M. Jarboe |
| PFC E. W. Adams | Pvt. A. J. Jarboe | Pvt. R. B. Nash |
| Pvt. B. J. Wallace | Pvt. G. E. McKenzie, Jr. | |

Councilman Kennedy recognized the presence of Mr. McKenzie and Mr. Menedis in attendance at the meeting. Councilman Kennedy requested that a letter be sent via Chief LaScola to the men completing the course commending them for their fine grades.

5. Commendation: Councilman Kennedy recommended that a letter of commendation be sent to the Fire Department via Chief LaScola for their efforts in decorating the Fire House and for their assistance in preparing the downstairs room for the children's Christmas party. Particular mention was made of Private Adams for his fine work in arranging the Christmas light decorations.

CIVIC IMPROVEMENTS COMMITTEE: Councilman Geib reporting.

1. 7000 Poplar Avenue: Councilman Geib stated that the Court has ordered the property owner to revert to two apartments. Councilman Geib requested that the item be removed from the Agenda.

2. 12 Montgomery Avenue: Councilman Geib requested that this property be added to the agenda under "Status reports" due to the recurring bad conditions.

3. North-Central Freeway: Councilman Geib noted that this is being re-considered by the D. C. Government. Councilman Geib moved that a letter be written to Mayor Washington advising him of the City's feelings, that the least damage to Takoma Park would be accomplished by using the B. & O. Railroad corridor. The motion was seconded by Councilman Jones

and duly carried for a letter incorporating the ideas that if there must be a Freeway, the City would like it to be along the B. & O. Railroad Corridor as such would be the most beneficial to both D. C. and the City of Takoma Park.

4. Winchester-Takoma Apartments: Councilman Geib commented on the letter from the Property Manager and noted that this is the first time that such a letter has been received. He further stated that Assistant Fire Marshal Williams and Code Enforcement Thorowgood deserve a great deal of credit for doing a difficult job.

5. 305 Hilltop Road: As a matter of information, Councilman Geib noted that the R-60 to R-10 Zoning granted the Washington Sanitarium was appealed, however, the decision was upheld by the Court as granted by the County Council. Councilman Geib noted that the City had originally supported the R-10 zoning for the property.

6. Prince George's County Board of Appeals: Councilman Geib moved that the Board be advised that the City has no objection to the granting of the Special Exceptions as they are actually located outside the City limits. He noted that this is a case of poor planning and is a problem which should have been taken care of when the properties were built and now the owners should provide parking spaces at their own expense. The motion was seconded and duly carried.

7. Assessment Law: Councilman Geib mentioned a bill being pushed by Councilman Keeney of the Montgomery County Council and suggested that perhaps the City should obtain additional information on the matter.

PARKS AND RECREATION COMMITTEE:

SPECIAL LIBRARY COMMITTEE: Councilman Jaones reporting.

1. Christmas Party: Councilman Jones noted that there were no disruptions at the Christmas Party although the number of persons appeared to be almost crushing the little children as they attempted to see Santa Claus. Councilman Jones suggested that next year the City should consider the construction of a barricade forming aisles to prevent any recurrence of the crushing.

2. Commendation: Councilman Jones commended the Director of Recreation, Mrs. Ziegler and "Santa's helpers" as well as Councilman Hutmire for their efforts and decorations for the Christmas party.

3. Councilman Jones noted that the plans for the Piney Branch Middle School are being taken to the architect to see how we should rearrange our parking spaces, etc. for the proposed City building.

FINANCE COMMITTEE: Councilman Forshee reporting.

NO REPORT.

There being no further business to come before the Mayor and Council at this time, the meeting was adjourned at 9:37 p.m.

BEST WISHES TO ALL FOR A MERRY CHRISTMAS AND A HAPPY AND PROSPEROUS NEW YEAR.

APPROVED:

George M. Miller
Mayor

ATTEST:

Dan Jones
Deputy Clerk