

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
July 13, 1970

CITY OFFICIALS PRESENT

|                      |                                  |
|----------------------|----------------------------------|
| Mayor Miller         | City Administrator Pridgen       |
| Councilman Eppes     | Corporation Counsel Gingerich    |
| Councilman Forshee   | City Treasurer Turner            |
| Councilman Geib      | Fire Chief LaScola               |
| Councilman Hutmire   | Asst. Fire Marshal Williams      |
| Councilman Nishimoto | Captain West                     |
| Councilman Roth      | Police Chief Foster              |
| Councilman Sidell    | Director of Public Works Rhodes  |
|                      | Dep. Dir. of Public Works Barile |
|                      | Director of Recreation Ziegler   |

The Mayor and City Council of Takoma Park, Maryland, convened in Regular Session at 8:05 PM, July 13, 1970, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. Mayor Miller led in the Pledge of Allegiance to the flag, after which he announced the date of the next meeting: July 27, 1970, 8:00 PM, in the Municipal Gymnasium.

On behalf of the Council, Mayor Miller congratulated Scout Troop 33, Scout Master Coviello, and the sponsors on their fiftieth anniversary (June 25, 1920 - June 25, 1970). He noted that the troop is under the auspices of the Takoma Park Presbyterian Church, though boys of all faiths are members, and that it is one of the oldest troops in the Washington Metropolitan Area. He added that a large number of prominent Takoma Park citizens have been members of the troop and that this in itself speaks to one of the qualities inherent in the Scout movement--the foundation of good citizenship. He then awarded a plaque inscribed as follows: "In recognition of this anniversary, the City of Takoma Park presents to the Takoma Park Boy Scout Troop 33 on their golden anniversary in recognition of 50 years of outstanding service to the community, Mayor and City Council, June 25, 1970."

Chief LaScola described an act of herosim on the part of Mr. Bernard Dennison, 8315 Tahona Drive, in which , on July 15, he rescued Mr. and Mrs. Lewis Wexler, both of whom had collapsed in their burning home at 8313 Tahona Drive. Chief LaScola added that this was done with utter disregard for his own life and safety. Mayor Miller then awarded Mr. Dennison with the Fire Department Certificate of Lifesaving, and stated that he admired the courage and strength involved in risking one's own life to save a fellow citizen. The Deputy Fire Marshal. of Montgomery County, on behalf of the Montgomery County Fire Service, read a citation commending Mr. Dennison and awarded him a Certificate of Meritorious Service, stating that this act was particularly noteworthy at a time when many people have so little regard for the welfare of their fellow man.

Mr. Walters of the Washington Sanitarium spoke of the skilled performance of the Takoma Park Fire Department in controlling the fire at Columbia Union College on February 19. He stated that, having spent some 23 years as a fireman himself, he could speak professionally, and that he had never seen a better-coordinated job; that the efficiency of the firemen in

July 13, 1970

saving records permitted the College to resume operations very quickly. He then presented plaques to the Fire Department and Chief LaScola in appreciation and commeration of the event. The plaques bore the following inscriptions:

Awarded to the Takoma Park Fire Service in recognition of your professional assistance in extinguishing the 4-alarm fire on campus the evening of February 19, 1970. Your dedication to duty is greatly appreciated. Presented by Columbia Union College, Takoma Park, Maryland, 1970.

Awarded to Chief LaScola in recognition of your professional supervision in extinguishing the 4-alarm fire on campus the evening of February 19, 1970. Your dedication to duty as Chief of the Takoma Park Fire Service is greatly appreciated. Presented by Columbia Union College, Takoma Park, Md., 1970.

Mayor Miller called for a motion to waive reading of the minutes of the last meeting. Motion was made by Councilman Geib, seconded and passed. Mayor Miller then explained that the reason for this action is to save time for the many items on the agenda; that minutes are mailed to civic organizations, to citizens requesting them, and are posted on bulletin boards.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Waldomior Borges, Mayor, Jequie, Brazil. Telegram greeting Sister City on the 4th of July. Sister City Committee
2. Robert J. Helfrich, Executive Director, Maryland Municipal League, Inc. Congratulations to Mayor Miller on his election as Member-at-Large to the League Council. Council Files
3. Walter A. Scheiber, Executive Director, Washington Metropolitan COG, 1225 Conn. Avenue, N. W., Washington, D. C. Request for Council adoption of Police Mutual Aid Agreement and Operational Plan. Executive Session
4. Walter A. Scheiber, COG. Request for comments on proposed role of COG in resolution of disputes among its participating governments. Executive Committee
5. Jean M. Schmuhl, Clerk, Prince George's County Commissioners, Upper Marlboro, Md. Notice of hearing on Wednesday, July 15, 1970, 10:00 AM, Courthouse, Upper Marlboro, on No. 2348, Real Estate sales office (in applicants' home), 6804 New Hampshire Avenue. Applicant: Cecil E. and Evelyn J. Holland. Planning and Zoning Committee
6. Board of License Commissioners, Prince George's County, Hyattsville, Md. Notice of hearing on July 16, 1970, 10:00 AM, County Service Building, Rm. 224, Hyattsville, Md., on application for Alcoholic Beverage License. Applicant: Michael S. Herman, et al., Eastern Beverages, Inc., 6300 New Hampshire Avenue. Planning and Zoning Committee
9. John J. Brode, Development Coordinator, Maryland National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring, Md. Request for recommendation on pre-preliminary subdivision plan for parts of Lots 2 and, Block 58, Gilbert's Addition (John E. Becker). Planning and Zoning Committee

10. W. C. Dutton, Jr., Chairman, Maryland National Capital Park and Planning Comm., Riverdale, Md. Notification of legislation combining park and recreation functions in Prince George's County. Parks and Recreation Committee
11. W. C. Dutton, Jr., Park & Planning Commission, Riverdale, Md. Notice of availability of funds and formula for allocation to Prince George's municipalities under the Maryland Open Space Program. Planning and Zoning Committee
12. John M. Brusingham, Director of Administrative Services, WSSC, Hyattsville, Md. Notice of concurrence with City's request for relocation of sewer between Grant Avenue and the Library and cost estimate. Public Works Committee
13. R. J. Dawson, Director, Traffic Research, D. C. Transit System, Inc., 2250 - 26th Street, N. E., Washington, D. C. Notice that requested changes have been made in bus stop on Carroll Avenue. Council Files
14. Gibson E. McKenzie, 7401 Carroll Avenue, City. Request for enforcement of ordinance re growth of shrubs near sidewalks at 7405 Carroll Avenue; request for code compliance check of apartment building at 7346-48 Carroll Avenue. Law Enforcement Committee; Housing and Code Enforcement Committee
15. Residents of southern end of Cedar Avenue, City. Petition for control of speeding of southbound traffic on Cedar Avenue. Law Enforcement Committee
16. Richard J. Conley, 20 Columbia Avenue, City. Request for initiation of walking street patrol in City between 8:00 AM and 8:00 PM. Law Enforcement Committee
17. John D. Emler & Associates, 970 Spring St., Silver Spring, Md. Request to be considered for engineering and surveying services. Public Works Committee
18. Rita Robinson, Librarian, City. Letter commending Barry S. Levine for his assistance in securing 35 overdue books. Personnel Files

FINANCIAL STATEMENT: City Treasurer Turner reporting

See page 13.

**MAYOR'S COMMENTS:**

Mayor Miller made the following statement regarding the Municipal Building plans: "For some time the City has been pressed for space--as needs and personnel continue to increase. The Police Department is overcrowded; the Detective Bureau operates out of one small room and its work has been doubled or even tripled. The business of municipal government has increased and therefore necessitates more space. Some years ago, the City purchased property adjacent to the Library and proposed building a municipal center to combine recreation facilities and municipal offices, etc. There were a variety of reactions to this proposal. With the construction of the Middle School and the additional services provided there, it was felt that we did not need such a center. But I do not think anyone can deny that the City needs a municipal building. The building at 8 Columbia Avenue is not even structurally sound; the City Office is cramped. The Mayor and Council have had preliminary plans drawn up for a strictly municipal building."

Mayor Miller then announced the appointment of three councilmen to make a study of the cost of financing the building and methods of raising funds: Councilmen Forshee, Hutmire and Eppes. The other four councilmen, he added, will be working on the building plans; later they will call on various civic organizations for suggestions.

Mayor Miller also announced the following appointments: Special Library Committee, to be composed of Councilmen Roth, Forshee and Nishimoto; Councilman Roth as Mayor Pro-tem.

PUBLIC PARTICIPATION:

1. Evelyn Ferry, 24 Hickory Avenue, City. Mrs. Ferry thanked Mr. Rhodes and the Police Department for their efforts in controlling debris and vandalism at the ~~Takoma~~ Park Presbyterian Church. She also expressed her appreciation to Mrs. Ziegler for the good work of the Recreation Department in providing activities for children during the summer months and, in this connection, made the following suggestion: that the Department provide some form of supervision in the parks after the counties wind up their programs in mid-August until school begins. She felt this is needed to protect small children from harassment by the older ones, noting that this is particularly prevalent in Spring Park.

2. Henry E. Preston, 1001 Sligo Creek Parkway, City. Mr. Preston reported that the Park and Planning Commission has, after four years' effort on his part, begun installation of a drain near his property at Heather and Sligo Creek Parkway, and that this will eliminate about half the mud which drains off onto his property. He stated that the Commission has suggested that he request the City to locate the source of the problem and take steps to alleviate it.

3. Kathryn T. Simpson, Chairman, Community Improvement Board, 7300 Cedar Ave., City. Mrs. Simpson expressed her concern over the reason for the fire on July 4 at 205 Cedar Street, N.W., stating that she knew a large group of people resided there. She requested Council to enforce regulations dealing with space occupancy. She also requested Council to investigate occupancy of condemned houses, pointing out that such a house at 228 Cedar Street, even though condemned and boarded up, is occupied on occasion. In this connection she requested Council to contact the appropriate agency in the District of Columbia and request discontinuance of occupancy at 205 Cedar Street. Council instructed the City Administration to contact METRO, owners of the property, with this request. Mrs. Simpson stated that there are a lot of communes in Takoma Park, 7116 Maple Avenue, for example, and that her concern was not so much with morals, but safety and compliance with standards.

4. Stephen Hiten, 7 Hickory Avenue, City. Mr. Hiten spoke as a representative of the B. F. Gilbert Association. He stated that they heartily support the decision to go ahead with the new municipal building. He also congratulated Mr. Hutmire on the improvement in appearance and cleanliness of the City, suggesting that Council might give some thought to means of keeping it clean.

Mr. Hiten then spoke of the need for a grocery store, adding that it is still on the agenda and seems to be dragging on too long. He expressed the hope that Council would appreciate the urgency of the need and asked for a report on progress thus far.

Another area of concern had to do with what Mr. Hiten described as "overcrowding" Takoma Park with facilities and programs which would tend to attract too many indigent people from the Washington Metropolitan Area. He specifically mentioned the following as being of this type: the NARCE proposal for a "meals on wheels" program (stating he

the public and the... some years ago the... small town and... and therefore necessary...

was not aware of the need for such a program); the NARCE home for the elderly; the nursing home for the elderly (which would provide housing at reasonable rates); and similar plans of the Salvation Army. Mr. Hiten went on to say: "The B. F. Gilbert Association would like to remind you that we haven't changed our ideas promoted for a number of years that we would like to retain Takoma Park as a good-class residential city. We have fought high rise apartments; we relented concerning this apartment building being built right now because of the particular place involved. We would not like to see our zoning changed. We are very determined to preserve the zoning map in our particular area. We trust that you will keep this in mind and help us preserve our [neighborhood]. It is a haven from metropolitan Washington." Mayor Miller referred this to the Planning and Zoning Committee.

Mr. Hiten then inquired about the disposition of the now removed agenda item "alternative to siren." Upon inquiry by Mayor Miller, Chief LaScola stated that with the City's type of operation, use of the siren can never be eliminated; that it is used to summon volunteer firemen, who are an integral and vital part of the Department. He added that the blowing of the siren has been cut down to two signals and that it is only used at night except during weekends and holidays. Mr. Hiten asked how other cities manage without a siren, to which Mayor Miller replied that they operate with a force of salaried firemen, while the Takoma Park force is composed of both paid firemen and volunteers, and that the Department relies heavily on the volunteers.

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Curbs on Maple Avenue between Valley View and Tulip. Councilman Roth reported that there are any number of curbs to be repaired and insufficient funds to take care of all of them; that the Department will make a survey and work out priorities. With respect to the Maple Avenue request, Mr. Roth said it is possible the Sanitary Commission may lay a new water main here which would require reconstruction of curbs, and that the Committee will work toward this end.
2. Holes in road: Eastern between New Hampshire and Walnut; Laurel near viaduct. Both these locations, Councilman Roth pointed out, are within the D. C. boundaries and have now been repaired.
3. Ritchie Avenue Citizens Association request. Councilman Roth stated that progress is being made--some weeds have been cut and property cleaned up.
4. Improvement of First Avenue at Allegheny (CIB recommendation). Councilman Roth described the area as being unimproved and unattractive, adding that it is presently being used as a parking lot. He stated that there are two alternatives here: (1) schedule a public hearing to see if residents are willing to be assessed for improvements or (2) make some temporary arrangement not requiring assessment.
5. Summary of activities: Sanitation Division. Councilman Roth reported that 585,610 pounds of trash was collected during the special pick-up period this year, as compared with 324,000 pounds collected during the same period in 1967. Councilman Hutmire stated that this reflects the magnitude of the problem the Public Works Department is faced with.

6. Improved street lighting program. Councilman Roth reported completion of a study and receipt of a recommendation from PEPCO for improvement of lighting in the area of Carroll Avenue to Piney Branch and Flower Avenue to Sligo Creek Parkway; that PEPCO recommended replacing 15 existing 2500 lumen and 23 existing 1000 lumen incandescent street lights with 38 mercury vapor 4200 lumen street lights, at an annual cost increase of \$738.10. Councilman Roth moved that Council authorize PEPCO to proceed with the work. Motion was seconded by Councilman Hutmire. Councilman Geib inquired about the Lincoln Avenue lights; Mr. Roth stated that, while no special study has been made of this street, Mr. Rhodes is making a survey of the whole area; that this is preliminary to requesting a recommendation from PEPCO. Mr. Geib stated that residents of Lincoln Avenue feel they will have to install yard lights if lighting is not improved. Councilman Roth stated he will personally look into this and try to find some solution. Motion was passed unanimously.

7. Purchase of sanitation truck. Councilman Roth stated that bids on the truck have been received from three companies for various combinations of bodies and chassis, as follows: International Harvester Cargostar \$16,265; Prince George's Truck Center (Reo-Diamond T West Coast Jet) \$19,120; Weber White Trucks, Inc. (White Alley Cat) \$19,870--all equipped with a Heil Mark III packer body (25 cu. yd.). The lowest bid, as it turned out, was not for a heavy-duty chassis; the West Coast Jet may require excessive maintenance; therefore, it was decided that the White Alley Cat, with better maneuverability, heavy-duty chassis and lower maintenance, most nearly meets the requirements of the Department. Councilman Roth moved that Council authorize the purchase of the White Alley Cat by adoption of the following ordinance:

ORDINANCE NO. 2104

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

SECTION 1. THAT after having been duly advertised and notices sent to qualified bidders, bids were opened on July 7, 1970, for one Refuse Collection Truck per specifications, Public Works Job. No. 70-1, AND

SECTION 2. THAT after due consideration by the Director of Public Works and the Public Works Committee of the City Council, the purchase is hereby awarded to Weber's White Trucks, Inc., Washington, D. C., for one White "Alley Cat" Model 1550 Truck equipped with Heil Mark III 25 yard refuse collection body for the sum of NINETEEN THOUSAND, EIGHT HUNDRED, SEVENTY DOLLARS (\$19,870.00) AND

SECTION 3. THAT the sum of EIGHT HUNDRED SEVENTY DOLLARS (\$870.00) be transferred from the Emergency Fund to a/c 13.403B to provide sufficient funds for the Capital Outlay.

Motion was seconded, and after some questions on the reasons for the choice of this particular model were answered, the ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

8. Relocation of sewer line between Library and Grant Avenue. Councilman Roth reported that WSSC has submitted a plan for relocation which meets with Committee approval as well as the Civic Center architect. He proposed that the following ordinance be adopted authorizing WSSC to proceed with the work:

ORDINANCE NO. 2105

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

- SECTION 1. THAT as a result of the construction of the Piney Branch Middle School, it is necessary that the Washington Suburban Sanitary Commission relocate an eight inch (8") sanitary sewer line in Grant Avenue which line also serves the City Library building and other buildings located on City property, AND
- SECTION 2. THAT the aforesaid sewer line presently lies in a portion of the site of the proposed Civic Center between the City Library and Grant Avenue and it is necessary that such lines be relocated prior to construction on the City property, AND
- SECTION 3. THAT the Washington Suburban Sanitary Commission has provided a relocation plan that meets the approval of City Officials and the architect studying plans for the Civic Center, which requires certain rights of way be granted by the City to the Washington Sanitary Commission.
- SECTION 4. THEREFORE THAT the Mayor be hereby authorized to execute a document granting 577.097 square feet or 0.0132 acres as Part One and 3,483.15 square feet or 0.0800 acres as Part Two to the Washington Suburban Sanitary Commission as Right of Way through two strips (2) or parcels of land owned by the City of Takoma Park as recorded in Liber 2682 at Folio 522 and Liber 2909 at Folio 255 among the Land Records of Montgomery County.

Motion was seconded by Councilman Geib. Upon inquiry by Councilman Forshee, Mr. Barile stated that the total cost would be approximately \$19,000, of which the City would be obligated for 24 per cent. Motion was passed by roll call vote recorded as follows:  
Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none.  
Excused: none.

9. Theft of flags. Councilman Roth stated that some \$400 in flags were stolen on the evening of July 4, noting that this is the first such incident ever to occur in Takoma Park.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Fire compliance check at 7804 Carroll Avenue. Councilman Eppes asked that this be removed from the agenda since it was reported on at the last meeting.
2. Proposed remodeling of Fire House. This is still pending and will be discussed at the next Committee meeting, Councilman Eppes reported.
3. Revision of Article 4, Municipal Code. Councilman Eppes stated that this is a long-range project and he had no report to make as yet.
4. Personnel. Councilman Eppes moved that Asst. Fire Marshal Williams be promoted to the rank of Captain, effective July 1, so as to give him a salary commensurate with his position. Motion was seconded by Councilman Hutmire and passed unanimously.

5. Official Leave. Councilman Eppes moved that Council grant Chief LaScola ten days official leave--from August 6 through August 15--to attend the annual conference of the International Association of Fire Chiefs and a preliminary seminar. He added that expenses for this trip are included in the Fire Department budget. Motion was seconded and passed unanimously.

6. Personnel. Councilman Eppes moved that Mrs. Mary Pat Waigand, having satisfactorily completed her probationary period, be given a permanent appointment as Secretary in the Fire Department, effective July 1. Motion was seconded and passed unanimously.

7. Personnel. Councilman Eppes moved that Council approve the probationary appointment of Walter C. Wilkinson, 12501 Blake Road, Silver Spring, effective July 1, at the annual salary of \$7791. Motion was seconded and passed unanimously.

PLANNING AND ZONING COMMITTEE: Councilman Geib reporting

1. Montgomery College's expansion plans. Councilman Geib read the following statement in response to a petition presented by Mrs. Roderic Davis at the last Council meeting, and moved that it be sent to all the petitioners:

I have read the letter which was mailed to the residents of North Takoma and with the broadest interpretation of the letter I could never say that it was a threat to condemn anyone's property. It is an open invitation to come in to see them and talk to them, if they so desire. We have repeated assurances from the College as well as from their lawyer that there is not now, nor will there be, a threat to condemn any property in the North Takoma area for the College's use.

The accusation has been made that the Mayor and Council have worked with and for the College in their expansion plans. We, the Mayor and Council, wish to assure the residents of North Takoma that we want them to live there as long as they wish. I personally feel that they are in a very enviable position since, if they do at some future date desire to sell, they can do so and save the realtor and settlement fees. In some cases this could amount to several thousand dollars.

The statement was made that the residents felt that they should have been consulted in matters concerning the college. Perhaps so, but if we were to consult everyone in the City concerning problems that may affect them, we would be on their doorsteps most of the day. We feel, and hope, that we were voted into office with the confidence of the voters and therefore would always act in their behalf, which as far as I am concerned, we have done in this instance.

We would hope that in the future that the residents of North Takoma would not listen to rumor, gossip and half-truths, but would instead bring their problems to the City Office where, if they do not have the answers, Mr. Pridgen can get them.

After discussion with other Council members, Councilman Geib withdrew the motion and requested that copies of these minutes be mailed to all petitioners.

Handwritten notes and stamps at the bottom of the page, including "COUNCIL" and "JULY 13 1970".



July 13, 1970

2. Request for resubdivision of 8525 Sligo Creek Parkway. Councilman Geib moved that the following recommendations be forwarded to the Maryland National Capital Park and Planning Commission:

- (1) That a new resubdivision for two lots only be granted.
- (2) That each of the lots be not less than 6,000 square feet and be provided with maximum access to the Public Right of Way, apparently approximately 25 feet each.
- (3) That a new resubdivision plat designating each of the two lots differently from existing numerical system of identifying lots within Block 58, Gilbert's Addition to Takoma Park and that such plat be properly recorded among the land records of Montgomery County.
- (4) That such subdivision plat be prepared in such manner that the existing house and any subsequent construction of another house be located on land identified as one for each building.

Motion was seconded and passed unanimously.

3. 6839 Eastern Avenue business operation in R-60 zone. Councilman Geib reported that the City Administrator's office has been in contact with the owner who stated he plans to apply for rezoning. Mr. Geib asked that this item be put in suspension for 90 days.

4. NARCE Chapter 357 resolutions. Councilman Geib reported that he has spoken with Mr. Wolfe and is of the opinion he has changed his feelings on the resolutions. Since they concern plans so far in the future, Councilman Geib asked that item be removed from the agenda until such time that it needs to be reconsidered.

5. Status reports: Upon inquiry from Councilman Geib, Mr. Gingerich stated the trial for operator of the store at 1111 Sligo Creek Parkway is scheduled for Friday, July 17; and that 114 Grant Avenue is to be burned on Sunday, July 19.

6. Application for Special Exception #2348, 6804 New Hampshire Avenue. Councilman Geib explained that this is an application to operate a real estate office in a residence and moved that Prince George's County Commissioners be notified that, although this is outside Takoma Park, Council opposes granting special exception because it would tend to downgrade a residential neighborhood. Motion was seconded and passed unanimously.

7. Sister City parking lot (7301 Carroll Avenue). Councilman Geib moved that the following ordinance be adopted which would enable the Sister City Committee to reopen their parking lot:

ORDINANCE NO. 2106

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

SECTION 1. THAT the Mayor be authorized to execute a new lease agreement with the State Roads Commission of Maryland effective July 1, 1970, for the sum of one dollar (\$1.00) per month rental of the premises located at 7301 Carroll Avenue, AND

SECTION 2. THAT pursuant to the terms of the aforesaid lease agreement, orderly public parking of operable motor vehicles shall be permitted for periods not in excess of TWO (2) HOURS AT ANY TIME on parking lot portion of 7301 Carroll Avenue, AND

- SECTION 3. THAT the Director of Public Works be authorized to remove the existing barrier from the Carroll Avenue driveway into such premises and to provide and maintain necessary signs and lines in accordance with Section 2 of this Ordinance, AND
- SECTION 4. THAT the Chief of Police be authorized to initiate periodic patrol of 7301 Carroll Avenue to ascertain that the intent of Section 2 of this Ordinance is enforced, AND
- SECTION 5. THAT the penalty for violation of Section 2 of this Ordinance shall be as provided in Article 10 of the Municipal Code of Takoma Park (1961) titled Traffic Regulations.

Motion was seconded by Councilman Hutmire. Councilman Forshee stated that he was a bit puzzled about this action, noting that although the City collected some \$75 a month when Sister City lot was in operation, it was decided to close it and open the Kass lot at considerable expense to the City. He added that he failed to see the logic in having a free parking area directly across the street from a lot with metered parking. Mayor Miller stated that the State Roads Commission will not permit meters in the Sister City lot and Councilman Geib added that the lot is being reopened primarily as a convenience to the Sister City Committee--a service traditionally provided by the City to its businessmen whenever practicable. Councilman Forshee stated he understood Sister City was to make their own arrangements for parking. Councilman Hutmire suggested the ordinance be voted on and the possibility of installing meters in the lot be reconsidered. Councilman Geib pointed out that this would negate the agreement with the State Roads Commission. The ordinance was passed by roll call vote recorded as follows: Aye: Councilmen Eppes, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: Councilman Forshee. Excused: none.

8. Application for Alcoholic Beverage License--6300 New Hampshire Avenue. Councilman Geib requested the City Administrator to contact the Board of License Commissioners, Prince George's County, and request a 30-day extension which would permit residents of the neighborhood to voice their opinions.

PARKS AND RECREATION COMMITTEE: Councilman Sidell reporting

Councilman Sidell gave the following report on Recreation Department activities:

Playgrounds: Attendance is higher than last year, with registration as follows: Heffner--53; Sligo--81; Spring--126; Jeque--120; Forrest--117; Long Branch--102; Takoma Recreation Center--157. Mr. Sidell expressed his appreciation for the good work of the volunteers whose help enabled the Department to win three awards on the 4th of July.

Community activities: Band concerts in Jeque Park--July 20 (Old Guard Fife and Drum Corps and U.S. Army Drill Team); other concerts on August 19 and 26, 7:30 PM. Square dance--July 26, 7:30 PM, Jeque Park; Play--"Once a Princess," July 15, 4:00 PM, Takoma Park Recreation Center.

FINANCE COMMITTEE: Councilman Forshee reporting

1. May expenditures. Councilman Forshee moved for Council approval of May expenditures in the amount of \$90,593.06. Motion was seconded by Councilman Eppes and approved unanimously.

2. Boys' Club request for \$4000. Councilman Forshee stated that the City is not in a position to grant this request and asked the City Administrator to advise the Club.

3. Offer to purchase land at 8 Sherman Avenue from City. Councilman Forshee stated this should be removed from the agenda as it has been agreed this land would not be sold as a separate parcel.

4. Request for \$1600 grant for Maryland Science Center Building. Mr. Forshee instructed the City Administrator to notify this group that the City is in the midst of a building program of its own and cannot grant their request.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Horseback patrol along Sligo Creek Parkway. Councilman Nishimoto requested the City Administrator to notify the initiator of this request that Sligo Creek Parkway is under the jurisdiction of the Park and Planning Commission and that we will forward her request to them.

2. Revision of Police Manual. Councilman Nishimoto moved that Section 2016 of the Police Manual be revised to include the following:

Section 2016

The Chief of Police shall authorize the formation of a Grievance Committee, members of which will be elected, by secret ballot, by the regular officers below the rank of Lieutenant of the Takoma Park Police Department. This Grievance Committee will consist of three regular officers of the Police Department elected for a term of three years beginning August 1, 1970.

Any and all grievances must be in writing and brought to the Chief of Police. A carbon copy will be made available to the Law Enforcement Committee by the Chief of Police. If, after a reasonable length of time, the Grievance Committee is not satisfied with the results of the action by the Police Chief, this Committee may then request the Chief of Police to refer the matter to the Law Enforcement Committee.

Motion was seconded by Councilman Geib and approved by Council by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

3. Personnel. Councilman Nishimoto moved that Council approve the appointment of Henry M. Wortman, Jr., 6815 Red Top Road, City, as Police Officer, effective July 16, 1970, at the annual salary of \$7791. Motion was seconded by Councilman Geib and approved unanimously.

4. Appointment of Youth Officer. Councilman Nishimoto reported that a Police Department Applicant Board has selected John O. Duvall, Jr., 9309 - 19th Avenue, Adelphi, Md., as Youth Officer under the Youth Action program and moved that Council approve his appointment, effective July 27, 1970, at the annual salary of \$8526. Motion was seconded and approved unanimously.

5. Personnel. Councilman Nishimoto moved that Council approve the promotion of Det. Sgt. William W. Dalrymple to the rank of Detective Lieutenant, effective July 15, 1970, at the annual salary of \$10,690. Motion was seconded by Councilman Geib and duly passed.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Tenants' complaints--610-12 Kennebec Avenue. Councilman Hutmire reported an appointment has been set up on July 15, for Code Enforcement Officers to look into complaints.

2. Ritchie Avenue Citizens' Association requests: Councilman Hutmire stated that Code Enforcement Officers have been in touch with people involved and that some progress has been made--some of the debris has been picked up behind the Winchester-Takoma; some weeds have been cut; property at Piney Branch and Ritchie is being considered for burning.

3. Commendation of family at 7401 Flower Avenue. This is still in process with some action by Fire Department and Code Enforcement, Councilman Hutmire reported.

4. Community Improvement Board recommendations. Councilman Hutmire reported that the two remaining items are still under study.

5. Information booklet for new residents. A draft of this booklet has been prepared by City Administrator and his staff and was reviewed by the Committee at their last meeting, Mr. Hutmire reported. He added that it is now being prepared for distribution to other Council members for their comments and suggestions.

6. Summary of activities: Division of Licenses and Inspections. Councilman Hutmire had nothing in detail to report, but noted that quite a few Community Improvement Board items have been picked up by the Code Enforcement Officers.

7. Animal control program. Councilman Hutmire reported that the Committee is moving ahead here with plans to hire a dog catcher and consideration of the type of controls and authority to be extended.

There being no further business to come before the Mayor and Council, Mayor Miller moved for adjournment of the meeting. Motion was seconded and meeting adjourned at 10:35 PM.

Attest: Hayes M. Pridgen  
City Clerk

Approved: George M. Miller  
Mayor

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FINANCIAL STATEMENT OF BANK BALANCES AS OF JUNE 30, 1970

SUBURBAN TRUST COMPANY--GENERAL FUNDS

|                             |                   |                          |
|-----------------------------|-------------------|--------------------------|
| Balance as of June 30, 1970 | 14,779.86         |                          |
| June Receipts               | <u>228,156.13</u> | 242,935.99               |
| June Disbursements          |                   | <u>123,000.55</u>        |
| Balance as of June 30, 1970 |                   | <u><u>119,935.44</u></u> |

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

|                              |                  |                         |
|------------------------------|------------------|-------------------------|
| Balance as of June 30, 1970  | 12,665.34        |                         |
| Transfers from General Funds | <u>71,844.97</u> | 84,510.31               |
| May Disbursements            |                  | <u>74,279.91</u>        |
| Balance as of June 30, 1970  |                  | <u><u>10,230.40</u></u> |

CITIZENS BANK OF MARYLAND--GENERAL FUND

|                             |        |                      |
|-----------------------------|--------|----------------------|
| Balance as of June 30, 1970 | 215.47 |                      |
| No transactions during June | --     | 215.47               |
| Balance as of June 30, 1970 |        | <u><u>215.47</u></u> |

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

|                             |        |                      |
|-----------------------------|--------|----------------------|
| Balance as of June 30, 1970 | 364.65 |                      |
| No transactions during June | --     | 364.65               |
| Balance as of June 30, 1970 |        | <u><u>364.65</u></u> |

CITIZENS BANK OF MARYLAND--SAVINGS A/C TP63

|                             |             |                      |
|-----------------------------|-------------|----------------------|
| Balance as of June 30, 1970 | 144.55      |                      |
| Interest received           | <u>1.62</u> | 146.17               |
| No disbursements in June    |             | --                   |
| Balance as of June 30, 1970 |             | <u><u>146.17</u></u> |

AMERICAN NATIONAL BANK--GENERAL FUND

|                             |        |                      |
|-----------------------------|--------|----------------------|
| Balance as of June 30, 1970 | 338.74 |                      |
| No transactions during June | --     | 338.74               |
| Balance as of June 30, 1970 |        | <u><u>338.74</u></u> |

PETTY CASH

|                             |  |        |
|-----------------------------|--|--------|
| Balance as of June 30, 1970 |  | 200.00 |
|-----------------------------|--|--------|

Note: The above represents a pre-audit report. The final report may reflect some adjustments due to the audit.

|                             |        |                      |
|-----------------------------|--------|----------------------|
| Balance as of June 30, 1970 | 215.47 |                      |
| No transactions during June | --     | 215.47               |
| Balance as of June 30, 1970 |        | <u><u>215.47</u></u> |

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

|                             |        |                      |
|-----------------------------|--------|----------------------|
| Balance as of June 30, 1970 | 364.65 |                      |
| No transactions during June | --     | 364.65               |
| Balance as of June 30, 1970 |        | <u><u>364.65</u></u> |

CITIZENS BANK OF MARYLAND--SAVINGS A/C TP63

|                             |             |                      |
|-----------------------------|-------------|----------------------|
| Balance as of June 30, 1970 | 144.55      |                      |
| Interest received           | <u>1.62</u> | 146.17               |
| No disbursements in June    |             | --                   |
| Balance as of June 30, 1970 |             | <u><u>146.17</u></u> |

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL  
July 27, 1970

CITY OFFICIALS PRESENT

- |                      |                                  |
|----------------------|----------------------------------|
| Mayor Miller         | City Administrator Pridgen       |
| Councilman Eppes     | Corporation Counsel Gingerich    |
| Councilman Forshee   | Asst. Corp. Counsel Culpepper    |
| Councilman Geib      | City Treasurer Turner            |
| Councilman Hutmire   | Fire Chief LaScola               |
| Councilman Nishimoto | Asst. Fire Marshal Williams      |
| Councilman Roth      | Captain West                     |
| Councilman Sidell    | Police Chief Foster              |
|                      | Director of Public Works Rhodes  |
|                      | Dep. Dir. Public Works Barile    |
|                      | Code Enforcement Off. Thorowgood |
|                      | Director of Recreation Ziegler   |

The Mayor and City Council of Takoma Park, Maryland, convened in Executive Session at 8:05 PM, July 27, 1970, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. The Invocation was given by Rev. Frederick W. Kemper of Calvary Lutheran Church, after which Mayor Miller led in the Pledge of Allegiance to the flag.

Mayor Miller welcomed those present and stated he would deviate from the agenda in order to make several well-deserved awards. Chief LaScola then introduced Chief David Gratz of the Silver Spring Volunteer Fire Department, who stated he was present as a representative of the International Association of Fire Chiefs to honor Chief Irving Johnson on his retirement from the Takoma Park Volunteer Fire Department. He noted that Chief Johnson has served long and well, not only Takoma Park, but other departments in Montgomery County and the State. He then read a citation in commeration of his service and presented Chief Johnson with a gold life membership card to the IAFS.

Chief LaScola described an act of heroism on the part of Pvt. Bernard Collins, in which he saved Pvt. Ingalls from serious injury, or even death, by protecting him with his own body after a gas explosion. Chief LaScola awarded Pvt. Collins the Medal of Valor for this act.

Chief LaScola then introduced Sparky the Firedog, adding that this is his first appearance but he would be present at many functions in the year to come.

Mayor Miller stated that the Council also wished to honor Chief Johnson on the close of his 47 years of active service. He stated that his career as a fireman began in 1913, when he became a mascot fireman in Washington, D. C., and later joined the Takoma Park department in 1933; that he has held all the ranks up to and including fire chief and is an authority on fire prevention, as well as every other area of fire work. He is also one of the co-founders of the University of Maryland Fire Extension Service and is recognized throughout the state as an authority; many of the firemen who have left Takoma Park to go on to other departments have benefited from his knowledge and his excellent library. Mayor Miller said that in addition to all this, Chief Johnson is a fine horticulturist. He then presented Chief Johnson with a plaque inscribed as follows:

July 27, 1970

To Chief Irving Wallen Johnson, Sr., for his totally unselfish dedication to the Fire Service on the national, state and local levels, 1927 - 1970. Presented this 27th day of July 1970. Hon. George M. Miller and the City Council, City of Takoma Park, Maryland

Chief Johnson thanked Mayor Miller, adding that he had enjoyed every minute of his time spent as a fireman.

Mayor Miller then announced that Capt. Kearns has resigned from the City Fire Department to accept a position as head of a fire department in Wisconsin. He stated that he has done much for the Takoma Park Fire Department, both as a volunteer and a paid fireman, particularly in the area of training. Chief LaScola then awarded Capt. Kearns the Certificate of Outstanding Achievement in Fire Training.

At this point, Capt. Kearns, on behalf of the Police and Firemen's Association, read a resolution of the Association commending Pvt. Bernard Collins for his heroism on December 27, 1969, after which Councilman Eppes and Chief LaScola presented him with a \$25 bond and a plaque commemorating the event.

Capt. Kearns then described the courageous action of two policemen--Cpl. John Morgan and Officer Gary Sherman--who, in October 1969, pursued and captured two armed bank bandits at great risk to their own safety. He read resolutions passed by the Police and Firemen's Association commending them, and Councilman Nishimoto and Chief Foster presented each with a \$25 bond and a plaque citing the deed.

Sgt. John Walter of the Police Department presented a plaque and a bond to Capt. Kearns in commemoration of his three years as president of the Police and Firemen's Association.

Mr. Dwight Perkins then introduced Mr. Victor Howard who, on behalf of Boy Scout Troop 33, presented Mayor Miller with a certificate commending him for his support of the troop and expressing their appreciation for his many endeavours on their behalf. Mr. Howard stated the Scouts were particularly appreciative of the Mayor's courtesy in addressing them at the last Council meeting, noting that he was the only speaker to do so. Mayor Miller expressed his appreciation for the certificate.

#### MAYOR'S COMMENTS:

Mayor Miller stated he would use his speaking time to propose an ordinance, explaining that the Mayor can only vote when there is a tie, but he can make a motion for the adoption of an ordinance and this he would do. He said that probably many of those present have seen a sign near the Library stating a new municipal building would be erected on the site, and that some may have thought of it as a mythical building, but that is not the case; in fact, the Mayor and Council have been working on it nearly six years. He added that the \$3 million school going up nearby had in effect expedited construction of the municipal building, since many of the functions previously planned for it would be incorporated in the school. He then proposed adoption of the following ordinance authorizing the architect to proceed with plans for the municipal building:

ORDINANCE NO. 2107

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

SECTION 1. THAT in the interest of more efficient operation of the City Government and to provide more adequate facilities for citizens, further consideration be given to the construction of a Municipal Building on land owned by the City on Maple Avenue adjacent to the City Library, AND

SECTION 2. THEREFORE THAT the City accept the Standard Form of Agreement between Owner and Architect, Mr. Philip W. Mason, to prepare design and structural drawings and specifications based upon a preliminary drawing submitted, AND

SECTION 3. THAT the Mayor be hereby authorized to execute the agreement as referred to in Section 2 of this Ordinance, AND

SECTION 4. THAT the Architect be requested to schedule the design project for December 1970 completion in anticipation of construction bids in January 1971.

Motion was seconded by Councilmen Eppes and Sidell and adopted by roll call vote, recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

PUBLIC PARTICIPATION:

1. Joseph Simpson, Jr., 7300 Cedar Avenue. Mr. Simpson said heretofore he has had nothing but praise for the good city services, but that he was present to file a complaint about the trash collection for himself and his neighbors, two of whom were also present-- Mrs. Udell and Mr. Blow. He stated that the trash put out last Wednesday is still on the curb and, though he knew there must be a good reason, it doesn't remedy the situation. He suggested that when a special pick-up request cannot be honored the initiator might be notified. Mr. Simpson also stated if a tax increase is necessary to supply additional equipment and manpower that he would favor it.

Mr. Rhodes stated that a combination of circumstances has brought about the present problems, with the ordinance restricting burning the greatest contributing factor; that since its enactment the volume of trash has increased almost three-fold. Another factor, Mr. Rhodes added, is the diligence of the Fire Inspectors and the Code Enforcement Officers in encouraging residents to get rid of their trash. He stated that he has declared an emergency and suspended the special pick-ups temporarily.

2. Evelyn Ferry, 24 Hickory Avenue, City. Mrs. Ferry inquired if the Revenue Authority can by-pass the special exception requirements in setting up "old-age, indigent nursing homes and apartments with day care centers for senile citizens." Mayor Miller and Mr. Gingerich replied that after property is purchased, the Revenue Authority would be required to make application for special exception. Mrs. Ferry then inquired if notices would be posted and citizens in the area notified of such applications, to which Mr. Gingerich replied that notices are posted and owners of adjoining properties notified. Mrs. Ferry requested that residents living just a block away also be notified. She stated that she was referring to the proposed NARCE projects being promoted by Mr. Wolfe, Mr. Smith and Sen. Schweinhaut.



Mrs. Ferry requested that owners of property at 20 Hickory Avenue be notified of size limitations on items left out for trash collection. She stated that things such as davenportes have been on the curb since Saturday. Councilman Hutmire stated the Code Enforcement Division would look into this and notify persons involved. Mrs. Ferry said that the house itself needs repair.

Many transients live in the area, Mrs. Ferry pointed out, and suggested that flyers might be distributed to inform residents of regulations on trash collection, adding that this could be accomplished by using PTAs, schools, Boy and Girl Scouts. Mr. Roth thought the use of flyers might be considered and also suggested using the Newsletter. Mrs. Ferry pointed out a small notice which appeared in the Newsletter, but was apparently ineffective. She suggested that the Newsletter might be more meaningful if space were provided for communications from citizens who have suggestions or complaints; adding that citizens need a place to register complaints--even anonymous ones.

3. Margaret Holmes, 10 Pine Avenue, City. Mrs. Holmes stated that she doesn't know if she is necessarily opposed to the Revenue Authority projects, but inquired as to just what the Authority is; what is meant by extended care services and would it be low cost. Councilman Geib replied that it is a nursing home type thing and the cost would be average, adding that since it would be federally funded, everyone would be eligible. He pointed out that nothing has been signed and it is a little premature to take a position at this point.

Mayor Miller called for a motion to waive reading of the minutes of the last meeting. Motion was made by Councilman Roth, seconded by Councilman Hutmire and duly passed.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. J. F. Veasey, Consular Section, British Embassy, Washington, D. C. Letter thanking Mayor Miller for his hospitality at July 4 celebration. Council Files

2. James M. Hennessey, Chief, Zoning & Planning Administration, Park and Planning Commission, Riverdale, Md. Notice of Zoning Map Amendment Petition, No. A-8399, R-18 to C-0, Ann E. Fogarty, petitioner, 1011 University Lane, East. Planning and Zoning Committee

3. Harold C. Morris, President, Montgomery County Chapter, Maryland Municipal League, Gaithersburg, Md. Request for Council to support and promote "Community-University Day" (University of Maryland), August 2, 1970. Council as a Whole

4. Ronald E. Davies, Councilman, Laurel, Maryland. Request for City sponsorship of a page in Centennial Historical brochure. Finance Committee

5. Ralph F. Sidell, General Chairman, Takoma Park Independence Day Committee, Inc. Letter expressing appreciation for support of Council and City departments in this year's celebration. Council Files

6. Clifford J. Waldron, Corresponding Secretary, Spring Park Community Assoc., City. Request for toilet facilities at Spring and Jeque Parks. Parks and Recreation Committee

7. Fenton E. Froom, President, Potomac Conference of SDA, Staunton, Va. Letter expressing appreciation for City Police help with traffic at a recent conference. Law Enforcement Committee

8. B. L. Montgomery, Captain, Prince George's County Police Department. Letter commending Cpl. Starkey for his help in apprehending four persons involved in an auto theft and attempted robbery. Law Enforcement Committee; Personnel Files

COMMITTEE REPORTS

HOUSING AND CODE ENFORCEMENT COMMITTEE, Councilman Hutmire reporting

1. Code compliance check, 7346-48 Carroll Avenue. Councilman Hutmire reported an inspection has been set for early August.

2. Enforcement of ordinance regulating number of occupants in dwelling units. Councilman Hutmire stated that when complaints are filed such regulations can be enforced under the BOCA Code.

3. Tenants' complaints--610-12 Kennebec Avenue. The complaints were justified, Councilman Hutmire reported, and the owner has been notified he will have until September 14 to bring building into compliance with standards.

4. Information booklet for new residents. Councilman Hutmire reported a great deal has been accomplished; that copies of a draft have been distributed to Committee members. He asked that Committee be prepared to give suggestions and comments at their next scheduled meeting.

5. Animal control program. Councilman Hutmire stated an ordinance has been drafted, with some alternative suggestions, adding that he hoped to have a first reading at the next meeting.

6. Status reports: There has been some progress and reinspections will be made at 25 Holt Place and 312 Philadelphia Avenue, Councilman Hutmire reported.

7. Proposed CATV system. Councilman Hutmire said this is still under study.

PUBLIC WORKS COMMITTEE, Councilman Roth reporting

1. Relocation of sewer at Maple and Grant Avenues. Councilman Roth noted this was authorized at the last Council meeting and moved for adoption of the following ordinance which delineates the City's financial obligation:

ORDINANCE NO. 2108

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

SECTION 1. WHEREAS Ordinance No. 2105 was adopted July 13, 1970, granting certain rights of way through City owned land on Maple Avenue between the City Library and Grant Avenue for an 8" sanitary sewer line relocation, AND

SECTION 2. WHEREAS a portion of such sewer line will continue to serve the City Library building and other buildings located on City property, AND

SECTION 3. WHEREAS the Washington Suburban Sanitary Commission has submitted a cost estimate of nineteen thousand (\$19,000) for relocating such sewer line and proposed that seventy-six percent (76%) of such cost be billed to the Montgomery County Board of Education and twenty-four per cent (24%) of such cost be billed to the City of Takoma Park.

SECTION 4. THEREFORE THAT the TWENTY-FOUR PER CENT (24%) share of the cost be accepted and the City Administrator be authorized to execute an agreement with the Washington Suburban Sanitary Commission accordingly, AND

SECTION 5. THAT such cost when paid be charged to the Municipal Building Project, A/C 10.813.

Motion was seconded by Councilman Forshee and adopted by roll call vote, recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

2. Closing of Grant Avenue. Councilman Roth stated Committee is proceeding with notification to residents of Grant Avenue regarding the desirability of establishing a cul-de-sac in view of the hazards involved in traffic and the construction on Maple Avenue.

3. Additional lighting--Lincoln and Sligo Creek Parkway. Councilman Roth moved that Council authorize PEPCO to make a study of the area between Carroll and New Hampshire, and between Ethan Allen and Sligo Creek Parkway, with a view to replacing present street lighting with 4200 lumen mercury-vapor lights. Motion was seconded. Councilman asked that better lighting at Public Works building be considered and Councilman Nishimoto requested that Hefner Park area also be included. Councilman Roth moved that the block of Oswego Avenue on which the Public Works building and Hefner Park are located be included in the motion. Motion was seconded and passed.

4. Landfill operation. Councilman Roth stated that the John Driggs Co., excavators for the new school, have requested permission to place fill dirt on the low section of City lot adjacent to Junior High School ballfield, and raise the ground level by ten feet (15 feet above sewer). They have agreed to level, provide drainage and seed the area if they are given exclusive rights to perform fill operation. Councilman Roth moved that Council authorize the contractor to dispose of dirt to the ten foot level. Motion was seconded by Councilman Geib. Councilmen Forshee and Hutmire requested that the operation be watched closely. Motion was passed unanimously.

Mr. Andrew Rosemary, 303 Grant Avenue, stated that his area is beset with problems caused by the passage of trucks from the landfill on Junior High School property--that everything on his street is covered with a microscopic film; that the curblin is spreading and he is concerned about the pipeline beneath the road. He also stated that there is roughly 500 feet of drainage with no catchbasin at the low part of the area. Mr. Rosemary added that the felt Council would have full cooperation from Grant Avenue residents on the proposed cul-de-sac.

5. Purchase of burlap sheets. Councilman Roth moved that Council authorize the purchase of 1500 burlap squares from Bemis Company, Inc. through passage of the following ordinance:

ORDINANCE NO. 2109

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

SECTION 1. WHEREAS it has been determined that the Sanitation Division is in need of burlap squares for trash removal, bids having been received from three firms specializing in this type of material, with the low bid of ONE THOUSAND SIX HUNDRED SEVEN DOLLARS AND NINETY-THREE CENTS (\$1,607.93) for the 1,500 sheets of 12 oz. burlap squares being submitted by the Bemis Co., Inc., Norfolk, Virginia, AND

SECTION 2. THEREFORE THAT the purchase of ONE THOUSAND FIVE HUNDRED (1,500) burlap squares 80" x 80", 12 oz., unhemmed, is hereby authorized for the approximate total sum of ONE THOUSAND SIX HUNDRED SEVEN DOLLARS AND NINETY-THREE CENTS (\$1,607.93) order to be placed with the Bemis Co., Inc., of Norfolk, Virginia, in accordance with their low bid. The sum to be charged to Account No. 13.402B.

Motion was seconded by Councilman Forshee and ordinance adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

6. Resurfacing City streets. Councilman Roth moved that Council authorize the Public Works Department to advertise for bids on asphalt resurfacing of 26,900 square yards of City streets at an estimated cost of \$25,000. He added that this sum has been approved by the Finance Committee and allows a small amount for curb and gutter repair. The area involved is primarily in North Takoma, Councilman Roth stated, but also includes some of the Gude-Abrahams shopping center. Motion was seconded by Councilman Hutmire and passed.

7. Remodeling of Fire House. Councilman Roth moved that the following ordinance be adopted as the first step in enlarging Fire House to accommodate the new fire truck:

ORDINANCE NO. 2110

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

SECTION 1. WHEREAS, the firehouse doorways are insufficient in height to accommodate the new aerial ladder truck, AND

SECTION 2. WHEREAS, architectural drawings and specifications must be prepared before a contract to raise the doors can be offered for bids, AND

SECTION 3. WHEREAS, Mr. Philip W. Mason, AIA, of Silver Spring, has offered to provide the necessary architectural and mechanical drawings and specifications for the sum of six hundred seventy-five dollars (\$675), AND

SECTION 4. THEREFORE THAT, the offer of Mr. Philip W. Mason, AIA, be accepted and the sum of six hundred seventy-five dollars (\$675) be transferred from the Emergency Fund to A/C 10.813B.

Motion was seconded. Mr. Sidell asked whether the roof would be included. Upon inquiry, Mr. Rhodes stated that he understood it was included, but if it were not, his department could easily handle it. Motion was passed.

July 27, 1970

FIRE PROTECTION COMMITTEE, Councilman Eppes reporting

1. Appointment to Prince George's County Human Relations Committee. Councilman Eppes stated that he and Councilman Roth have selected an appointee, but wish to contact him before making an official designation.

2. Salary scale--Asst. Fire Marshal. Councilman Eppes stated that ordinance below constitutes the formal action necessary in raising the salary of Asst. Fire Marshall Williams and moved that it be adopted:

ORDINANCE NO. 2111

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

SECTION 1. THAT Ordinance No. 2101, adopted June 8, 1970, amending salary scales, to be effective July 1, 1970, be amended to increase the salary scale of the position of Assistant Fire Marshal. as follows:

|                    |          |          |          |          |
|--------------------|----------|----------|----------|----------|
|                    | <u>3</u> | <u>4</u> | <u>5</u> | <u>6</u> |
| Asst. Fire Marshal | 9,594    | 9,857    | 10,121   | 10,412   |

SECTION 2. THAT this amendment is to be retroactive to July 1, 1970

Motion was seconded by Councilmen Hutmire and Roth and enacted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

PLANNING AND ZONING COMMITTEE, Councilman Geib reporting

1. Application for Alcoholic Beverage License--6300 New Hampshire Avenue. Councilman Geib stated that since there have been no comments or complaints on this application, he would move that the Board of License Commissioners be notified that, although it is outside City jurisdiction, Council has no objection to the granting of this license; also that it appreciates the extension of time given. Councilman Geib noted that a liquor store is already located at this address and it seems to be simply a transfer of license. Motion was seconded and passed.

2. B.F. Gilbert Assoc. concern re proposed improvements on Carroll Avenue. Councilman Geib stated that there has been much talk about what is happening on Carroll Avenue; however, nothing is actually in progress except the senior citizens project and, once this is finished, it will be a decided improvement in the area. He added that other developments have been discussed with him and he sees no reason for concern at present. He asked that the item be dropped from the agenda and that B. F. Gilbert Association be assured that there are no problems in the immediate future.

3. Maryland Open Space Program. Councilman Geib requested the City Administrator, Mr. Rhodes and Mrs. Ziegler to look for possible areas in the City which might be acquired under this program, with a view to reporting at next meeting.

4. Grocery store in Carroll-Laurel Avenue area. Councilman Geib stated that Safeway is not interested in reopening here; that other chains have never even responded to our inquiries; and that it is his opinion they are not interested. He pointed out that they act

on recommendation of their consumer research people and generally locate in areas where there is a large potential clientele (areas with many young families) and where adequate parking facilities can be provided. He added that the B. F. Gilbert Association is a bit inconsistent here: on the one hand, they ask for a grocery store while, on the other, they are opposed to anything in the way of change. He stated that the Committee would continue to work toward getting a store and noted that no one has worked harder toward this end than Mr. Wolfe. However, he asked that it be removed from the agenda for the present.

5. Suggested renewal of Laurel Avenue commercial block. Councilman Geib reported another letter has been sent to the bank--owners of the burned-out property at Laurel and Eastern Avenues--but as yet no reply has been received. He added that a lot of suggestions have been made concerning this area, including urban renewal--which is a possibility. He pointed out that Council cannot dictate to owners of a commercial property in matters concerning its use or non-use.

6. Status reports: Upon inquiry by Councilman Geib, Mr. Culpepper stated that operator of store at 1111 Sligo Creek Parkway has been ordered to repair and paint fence, remove debris, and move all display into the building. In response to Councilman Geib's query, Mr. Culpepper stated that some of this has been done and they will check before making their report to the court tomorrow. Councilman Geib asked to have this in writing. Councilman Geib thanked Chief LaScola and the Fire Department personnel for the good work in demolishing 114 Grant Avenue.

7. COG's proposed role in resolution of disputes among participating governments. Councilman Geib reported that this was discussed in executive session last week and the position of the Council is reflected in the following resolution:

RESOLUTION

WHEREAS, the Washington Metropolitan Council of Governments has requested the Mayor and City Council to consider a resolution affirming role of COG in resolution of disputes among participating governments;

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of Takoma Park, Maryland that

1. COG can best serve the citizens of the Washington Metropolitan area and their respective governments (and COG itself) by concentrating on strengthening the ties and expanding the areas of cooperation already existing and promoting such voluntarily where needed;
2. COG should work to expand the areas of cooperation so as to give the weaker jurisdictions the opportunity to resolve their differences before an actual dispute arises, thus allowing the potentially conflicting jurisdictions to avoid the dispute completely;
3. Advisory findings, conclusions, recommendations, etc., would not serve a more beneficial purpose in resolving actual or potential disputes than COG can do now without any formal dispute resolution procedures;
4. Prior stipulations to be bound by COG's decisions could not be enforceable and failure to abide by an unacceptable COG decision would likely result in the non-cooperating jurisdictions withdrawing from COG membership.

- 5. COG should not be placed in the role of arbitrator between its own members-- such a role likely would weaken the position and defeat the purpose of the organization. A great amount of COG staff time would be better utilized in long-range planning instead of being wasted in developing alternative solutions unacceptable to the disputing members in the heat of debate. If COG acted as an arbitrator and the disputing members ultimately wind up in a court battle, valuable COG staff time could be lost in such legal proceedings. The role of the arbitrator should be filled by knowledgeable but disinterested persons.

ADOPTED THIS TWENTY-SEVENTH DAY OF JULY, NINETEEN HUNDRED SEVENTY.

Councilman Geib moved that the resolution be adopted and COG advised of the Mayor and Council position. Motion was seconded by Councilman Sidell and duly passed.

PARKS AND RECREATION COMMITTEE, Councilman Sidell reporting

1. Office equipment. Councilman Sidell moved that Council authorize the purchase of one IBM 13" Selectric typewriter at a cost of \$468, and one typewriter table if such is available for the total budgeted amount of \$500. Motion was seconded by Councilman Forshee. Councilman Roth suggested that City Administrator purchase it through one of the counties; Councilman Sidell stated that the price quoted by IBM is their government price. Motion was passed unanimously.

2. Purchase of automobile. Councilman Sidell stated this item has been budgeted, but bids cannot be secured until new models are out.

3. Recreation activities. Councilman Sidell reported that the second annual recreation festival will be held August 5, at 7:30 PM in the Gymnasium; also that a "Lone Ranger" film will be shown on July 29, at 7:30 PM in the Gym.

FINANCE COMMITTEE, Councilman Forshee reporting

1. 7416 Hancock Avenue. Councilman Forshee read the following ordinance and moved that it be adopted:

ORDINANCE NO. 2112

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

SECTION 1. WHEREAS the building identified as 7416 Hancock Avenue has been unoccupied for such period of time that it is an attraction for vandals, AND

SECTION 2. THAT the condition of the building has deteriorated to the point that the Fire marshal ordered the same to be boarded up to reduce the fire hazard under the authority of Chapter 86, Section 16, sub-section (D) of the City Fire Prevention Code, AND

SECTION 3. THAT, Glen C. Bull, listed in the tax records as owner of 7416 Hancock Avenue, has not complied with City Fire and Housing Codes in making necessary repairs AND

- SECTION 4. THAT the cost to the City of boarding up the property at 7416 Hancock Avenue totals \$84.04 AND
- SECTION 5. THEREFORE, that the sum of EIGHTY-FOUR DOLLARS AND FOUR CENTS (\$84.04) be hereby levied and assessed in the same manner as taxes and a lien of the same be recorded against the real property identified as 7416 Hancock Avenue, Lot 2, Block 6, Carroll Avenue Park Subdivision, within the City of Takoma Park, Maryland, under Chapter 86 of the City Fire Prevention Code, AND
- SECTION 6. THAT the City Treasurer proceed to collect the sum stated in Section 5 of this ordinance in the same manner as taxes, plus six per cent interest per annum, if not paid within thirty days (30) of the date of this levy.

Motion was seconded by Councilman Roth and adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Geib, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

2. Signature authorization. Councilman Forshee moved for adoption of the following resolution authorizing the City Administrator to sign checks drawn on the Suburban Trust Company:

RESOLUTION

- RESOLVED that the Suburban Trust Company is hereby designated as a depository of this Corporation and that a checking account be opened and maintained in the name of this Corporation with said bank; that any one (1) of the two (2) following officers and agents of the corporation: Treasurer or City Administrator is hereby authorized on behalf of this Corporation and in its name to sign checks, drafts, notes, bills of exchange, acceptances, or other orders for the payment of money from said account; to indorse checks, notes, bills, certificates of deposit, or other instruments, owned, or held by this Corporation, for deposit in said Account, or for collection or discount by said Bank; to accept drafts, acceptances, and other instruments payable at said Bank; to waive demand, protest, and notice of protest or dishonor of any check, note, bill, draft, or other instrument made, drawn, or indorsed by this Corporation; AND
- FURTHER RESOLVED that said bank be and is hereby authorized to honor, receive, certify or pay all instruments signed in accordance with the foregoing resolution even though drawn or indorsed to the order of any officer signing the same or tendered for cashing, or in payment of the individual obligation of such officer, or for deposit to his personal account, and said bank shall not be required, or be under any obligation to inquire as to the circumstances of the issuance or use of any instrument signed in accordance with the foregoing resolution, or the application, or disposition of such instrument, or the proceeds thereof; AND
- FURTHER RESOLVED that the City Clerk shall certify to said Bank the names of the presently duly elected and qualified officers of this Corporation and shall from time to time hereafter as changes in the personnel of said officers are made, immediately certify such changes to the bank, and said Bank shall be fully protected in relying on such certifications of the City Clerk and shall be indemnified and saved harmless from any claims, demands, expenses, loss or damage resulting from, or growing out of honoring the signature of any officer so certified or refusing to honor any signature of any officer so certified or refusing to honor any signature not so certified; AND



FURTHER RESOLVED that the foregoing resolution shall remain in full force and effect until written notice of their amendment or rescission shall have been received by said Bank, and that receipt of such notice shall not affect any action taken by the Bank prior thereto; AND

FURTHER RESOLVED that the City Clerk be, and hereby is, authorized and directed to certify to said Bank the foregoing resolution and that the provisions thereof are in conformity with the Charter and By-Laws of this Corporation.

Motion was seconded and the resolution adopted unanimously.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Shrub growth at 7405 Carroll Avenue. Councilman Nishimoto reported that the residents were advised of the ordinance involved here and have subsequently cut back the shrub as requested.
2. Speeding on Cedar Avenue. The area has been under close surveillance, Councilman Nishimoto reported, with a number of tickets and warnings having been issued. He stated a further report would be given at next meeting.
3. COG Police Mutual Aid operational plan. Councilman Nishimoto moved that Council adopt the operational plan and named Mayor Miller and himself as persons authorized to request, cancel or approve such aid. Motion was seconded and unanimously approved.
4. Nomination of Member-at-Large for Maryland Municipal League. Councilman Nishimoto announced that Mr. Ronald E. Davies of Laurel has been elected to this post.
5. Personnel. Councilman Nishimoto stated he wished to commend Cpl. Grant Starkey who during the period 1965-70 has never been on sick leave.
6. Personnel--permanent appointments. Councilman Nishimoto moved that the following policemen be given permanent appointments, effective August 1, 1970: Officers Gregory R. Cooley, John C. Goetz, Robert D. Fuller and Harry E. Ohe. Motion was seconded by Councilman Geib and passed unanimously.
7. Personnel--probationary appointments. Councilman Nishimoto proposed probationary appointments for two new police officers, both of whom have satisfactorily passed written and physical examinations: Philip Kania, 2221 Kimball Pl., Silver Spring, and Paul C. Leibe, 4G Ridge Road, Greenbelt. Both appointments are to be effective August 1, 1970, at the starting salary of \$7791 per annum. Motion was seconded and duly passed.
8. Personnel--resignations. The following police officers have resigned on dates indicated and Councilman Nishimoto moved for Council acceptance: Gary L. Carroll, June 20; R. F. Jarnagin, July 15; R. K. Specht, July 16; Michael E. Gross, July 21; W. J. Glenn, August 1. Motion was seconded by Councilman Geib and duly passed.
9. Personnel. Councilman Nishimoto moved that Special Officer Lawrence F. Bonofiglio be terminated, effective August 1, 1970. Motion was seconded and passed.

There being no further business to come before the Mayor and Council, Mayor Miller moved for adjournment. Motion was seconded and meeting adjourned at 10:05 PM, to reconvene at 8:00 PM, Monday, August 10, 1970, in the Municipal Gymnasium

Attest: Haynes M. Pilgum  
City Clerk

Approved: George M. Miller  
Mayor