

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

October 12, 1970

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Eppes	Asst. Corp. Counsel Culpepper
Councilman Forshee	City Treasurer Turner
Councilman Hutmire	Fire Chief LaScola
Councilman Nishimoto	Det. Lt. Dalrymple
Councilman Roth	Dep. Dir. of Public Works Barile
Councilman Sidell	

EXCUSED: Councilman Geib

The Mayor and City Council of Takoma Park, Maryland, convened in Regular Session at 8:00 PM, October 12, 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 called for a motion to waive reading of the minutes of the last meeting. There being no corrections or additions, motion was made by Councilman Sidell, seconded by Councilman Eppes, and passed.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Jean M. Schmuhl, Clerk to Prince George's County Commissioners, Upper Marlboro. Notice of hearings scheduled Wednesday, October 21, 1970, Courthouse, Upper Marlboro, on Special Exceptions: (Planning and Zoning Committee)
 - (a) No. 2388, Printing Shop, 6480-6482 Sligo Mill Road; applicant: T. M. Woodall, Inc.
 - (b) No. 2389, Printing Shop, 6476 Sligo Mill Road; applicant: Roy D. Wright, owner
2. John C. Martin, Montgomery Co. Chapter, Maryland Municipal League, Rockville, Md. Notice of general membership meeting, October 22, 1970, 8:00 PM, Council Chambers, Rockville City Hall. Council as a Whole
3. Kathryn T. Simpson, Chairman Community Improvement Board, City. Invitation to Council and Corporation Counsel to attend CIB meeting, 8:00, October 15, 1970, to discuss proposed Takoma Park Housing Authority. Council as a Whole
4. Joseph G. Ferrier, 7413 Maple Avenue, City. Request for consideration of a "Caution Area" on Maple Avenue near Sherman, in lieu of previous request for crosswalk. Law Enforcement Committee.
5. Max F. Fitzig, Suburban Properties Mgt. Inc., 11037 Viers Mill Rd., Silver Spring. Request to defer outside maintenance of 7101 Cedar Avenue in view of owner's plans for re-development in area. Housing and Code Enforcement Committee.

CORRESPONDENCE RECEIVED, continued

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October 12, 1970

6. Dorothy Chapman, 6637 Eastern Avenue, City. Complaint of debris strewn in front of residence. Public Works Committee : Housing and Code Enforcement Committee
7. Rita Robinson, Librarian, City. Request for three weeks leave. Spec. Lib. Comm.

FINANCIAL STATEMENT: City Treasurer Turner reportingFINANCIAL STATEMENT OF BANK BALANCES AS OF SEPTEMBER 30, 1970SUBURBAN TRUST COMPANY--GENERAL FUND

Balance as of August 31, 1970	66,628.81	
September receipts	<u>463,744.47</u>	503,373.28
September disbursements*		<u>305,443.24</u>
Balance as of September 30, 1970		<u>224,930.04</u>

*Includes \$200,000 for Treasury Bills

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

Balance as of August 31, 1970	10,232.59	
Transfers from General Fund	<u>76,472.92</u>	86,705.51
September disbursements		<u>72,466.60</u>
Balance as of September 30, 1970		<u>14,238.91</u>

CITIZENS BANK OF MARYLAND--GENERAL FUND

Balance as of August 31, 1970	751.70	
September receipts	<u>2,670.31</u>	3,422.01
No disbursements during Sept.		--
Balance as of September 30, 1970		<u>3,422.01</u>

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENTS FUND

Balance as of August 31, 1970	364.65	
September receipts	<u>84.04</u>	448.69
No disbursements during Sept.		--
Balance as of September 30, 1970		<u>448.69</u>

CITIZENS BANK OF MARYLAND--SAVINGS A/C TP63

Balance as of August 31, 1970	147.81	
No transactions during September	--	147.81
Balance as of September 30, 1970		<u>147.81</u>

AMERICAN NATIONAL BANK--GENERAL FUND

Balance as of August 31, 1970	435.13	
September receipts	<u>25,593.77</u>	26,028.90
No disbursements during September		--
Balance as of September 30, 1970		<u>26,028.90</u>

PETTY CASH

Balance as of August 31, 1970	10,232.59	
Transfers from General Fund	<u>76,472.92</u>	86,705.51
September disbursements		<u>72,466.60</u>
Balance as of September 30, 1970		<u>200.00</u>

U. S. TREASURY BILLS

		Cost	Maturity Value
Purchased 9/16/70	Due to mature 4/22/71	48,085.00	50,000.00
" 9/23/70	" 4/30/71	48,196.53	50,000.00
" 9/23/70	" 5/31/71	95,795.83	100,000.00
		<u>192,077.36</u>	<u>200,000.00</u>

PUBLIC PARTICIPATION:

1. Joseph G. Ferrier, 7413 Maple Avenue, City. Mr. Ferrier thanked Council for consideration of the proposed crosswalk on Maple at Sherman, saying he particularly appreciated time and efforts extended by Councilman Nishimoto and Det. Lt. Dalrymple in investigating the feasibility of his suggestion. However, he added, since they have determined it to be unfeasible, he has proposed an alternative plan--a large caution area with both diagonal and vertical crossings, some half a block in length, and designed in such a way as to attract pedestrians and be highly visible to motorists. Mr. Ferrier suggested that the City consider capitalizing on this with a formal dedication ceremony and possibly news media coverage of "the world's largest cross-walk." Councilman Nishimoto assured Mr. Ferrier that his proposal would be considered, stating that he is interested in the plan and will personally contact the County traffic engineer to see if it has merit.

2. Henry Preston, 1001 Sligo Creek Parkway, City. Mr. Preston requested Council consideration of the following: (a) Gas station at 7216 New Hampshire Avenue--Mr. Preston pointed out that surroundings are being permitted to deteriorate even though building was recently remodeled; also abandoned cars in rear of property. Mr. Preston suggested that equal treatment should be accorded to the same degree as the furniture store next door. (b) Alley beside 1001 Sligo Creek Parkway: Mr. Preston stated that the recently laid surface material is apparently quite porous and suggested that the condition be called to the attention of contractor. (c) Throw-away bottles: Mr. Preston suggested taxation of merchants as a method of reducing litter problem. Mayor Miller stated that this is a regional problem and impossible to enforce in a tiny portion of what is almost a megalopolis, and that the problem is under study by regional and state agencies.

3. Stephen Hiten, 7 Montgomery Avenue, City. Mr. Hiten spoke on behalf of the B.F. Gilbert's Citizens Association and stated they are concerned about police protection. He pointed out some of the national problems that are beginning to have impact locally, adding that he realized that police work is difficult and expressed appreciation for the efforts of the City's Police Department. He stated that the force should be given full support and the facilities needed to do an effective job. He recounted some recent incidents which had occurred in his area and wondered whether the City has sufficient patrol capacity.

Councilman Nishimoto pointed out his personal interest in public safety prior to his election, and particularly since his appointment as Chairman of the Law Enforcement Committee, for which he was gratified. He enumerated the staffing and patrol facilities available and several recent achievements to upgrade quality of police protection. He pointed out that subsequent to the current training program, acquisition of replacement cruisers, and other innovations that are in process, the Department should be one of the best in this area.

4. Eugene Harguindeguy, 707 Boston Avenue, City. Mr. Harguindeguy stated that he has lived at this address since 1963; that he works for an airconditioning and heating company and is on 24-hour call. He added that for three years he has customarily parked the van used in his work in front of the house. He stated that he had received a warning ticket notifying him it is illegal to park his commercial vehicle in a residential area and had visited the City Administrator who explained that an ordinance prohibiting such parking does in fact exist. Mr. Harguindeguy stated that he wished to place his dilemma before the Council with the hope that some solution could be found. He further stated that because of the topography of his lot, it is virtually impossible to construct a driveway. Mayor Miller stated that, while this is a hardship, there are others who share it and requested the Law Enforcement Committee to study the problem.

PUBLIC PARTICIPATION, continued

Mr. Ferrier felt that each situation should be evaluated on its unique implications: that there is a fallacy in the premise which states that if the law is relaxed in one instance, everyone will demand relief. He expressed the hope that Council would find an approach which would satisfy Mr. Harguindeguy's needs without "opening up a floodgate to knock down what is a good law." Councilman Nishimoto stated the Committee and Department will look into it, however, he could promise nothing.

5. Phil Vogel, 7117 Garland Avenue, City. Mr. Vogel stated he would like to go on record as favoring the proposed ordinance to ban sale of throw-away bottles; Mayor Miller reiterated his previous statement, adding that the Council is certainly not opposed to the plan, but feel it is unenforceable at present.

6. Jack Mitton, 501 Philadelphia Avenue, City. Mr. Mitton stated that he favored a crosswalk of some type at Maple and Sherman, since many people cross there, including bus passengers and people using the delicatessen. He added that he has seen accidents at this spot and that it is a wide open drag strip.

Mr. Mitton also stated that he felt City could not afford to have policemen patrolling every block of the City every hour of the day; that the people have to be the eyes and ears of the community. He stated that never to his knowledge have the police failed to respond, and asked why the residents on Mr. Hiten's street had not simply called the police when they were concerned about a disturbance.

MAYOR'S COMMENTS:

Mayor Miller read Councilman Geib's resignation, effective October 1, and moved that it be accepted with great regret. Councilman Forshee seconded the motion and stated that he would have been happy to have him continue, but it is Councilman Geib's choice and he would second the motion on that basis. Motion was passed. Mayor Miller requested the City Administrator to prepare a letter to Mr. Geib expressing Council's regret and appreciation for his service during the past five years.

COMMITTEE REPORTS:PARKS AND RECREATION COMMITTEE: Councilman Sidell reporting

No report.

FINANCE COMMITTEE: Councilman Forshee reporting

No report.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Purchase of police cruisers. Councilman Nishimoto reported that bids have been received on replacements for two police cruisers and moved that Council approve their purchase by adoption of the following ordinance:

ORDINANCE NUMBER 2126

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

SECTION 1. THAT, in accordance with the law, Invitations to Bid on two 1971 Police Cruisers were duly advertised; AND

SECTION 2. THAT such bids were opened at 3:00 PM, October 6, 1970, with Palmer Ford, Inc. submitting the low net bid of FIVE THOUSAND, FIVE HUNDRED THIRTY-EIGHT DOLLARS AND EIGHTY-EIGHT CENTS (\$5,538.88), including tax exemptions and trade-in allowance on Police Cruisers #4 and #8.

SECTION 3. THEREFORE the contract for purchase of two 1971 Ford Sedans, equipped as Police Cruisers in accordance with bid specifications, is hereby awarded to Palmer Ford, Inc., Hyattsville, Maryland, for the net sum of FIVE THOUSAND, FIVE HUNDRED THIRTY-EIGHT DOLLARS AND EIGHTY-EIGHT CENTS (\$5,538.88), AND

SECTION 4. THAT the City Clerk be hereby authorized to transfer to Palmer Ford, Inc. titles on the trade-in cruisers--1968 Ford S/W Serial No. 8E70Z169394, Title 170669, and 1969 Ford 4-door Sedan, Serial No. 9B51K129532, Title 710866, AND

SECTION 5. THAT budgeted amount of \$4400 (A/C 11.113A) be applied toward this purchase with the balance of \$1,138.88 to be transferred from the Reserve Fund to Account No. 11.113A.

Motion was seconded by Councilman Forshee, who stated that the price differential is due to the fact that Prince George's County no longer contracts for this item and the budgeted amount of \$4400 had been based on their previous prices. Motion was passed by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

2. Trees at Elm and Ethan Allen Avenues. Councilman Nishimoto reported that the Department has checked this out and the trees are located on private property. He requested the City Administrator to contact the owner and attempt to get his cooperation in eliminating this traffic hazard.

3. Personnel. Councilman Nishimoto moved that the following be promoted to Officer First Class, to be effective as indicated: Officer Householder, effective October 15; Officers Fuller and Goetz, effective November 1. Motion was seconded by Councilman Eppes and unanimously passed.

4. Modification of police station. Councilman Nishimoto proposed passage of the ordinance below to permit certain modifications in the physical arrangement of the police station:

ORDINANCE NUMBER 2127

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

SECTION 1. THAT \$900 is hereby authorized from the Reserve Fund for modification of a portion of the Police Station, AND

SECTION 2. THAT expenses incurred for this project be charged to government building account #10.813D.

LAW ENFORCEMENT COMMITTEE, continued

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

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. 65 Walnut Street. Councilman Hutmire reported that the condition has been satisfactorily cleared up and requested that Mrs. Hardy's most recent letter be responded to fully.
2. 7346-48 Carroll Avenue. Progress continues here, Councilman Hutmire stated, with a close watch being maintained.
3. Tenants' complaints--610-12 Kennebec Avenue. Councilman Hutmire stated that after a false start at this building, some progress is now evident.
4. Property at Ritchie Avenue and Piney Branch Road. Councilman Hutmire reported that this small house has been secured from any possible ingress and that it is not inhabited. He added that the owner has been notified that it is not to be reoccupied without prior notification to the City. He also stated that it is likely the owner is not in a position financially to have the house razed.
5. CATV system. Councilman Hutmire stated that the City has been studying the merit of having a CATV system in Takoma Park for over a year, after having been approached by several groups. He proposed adoption of the following resolution so that the City can move forward with the system providing most benefits to its citizens:

RESOLUTION

WHEREAS for a period of several months, the Mayor and City Council of Takoma Park, Maryland have been considering the feasibility of granting the privilege of the operation of a community antenna television (CATV) system within the City boundaries, AND

WHEREAS it is the desire of the Mayor and Council that any system selected will best serve the present and future needs of the citizens of the community, AND

WHEREAS it is the opinion that in view of the complexities and the apparent potential of such communication system, invitations should be issued to numerous commercial community antenna systems enterprises to submit a prospectus to provide such service to the City,

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council that the City Administrator be hereby authorized to communicate the intent of this resolution to numerous business organizations with a request that such prospecti be submitted no later than January 15, 1971, with the stipulation that all submissions will be evaluated upon individual merit and benefits to the City of Takoma Park, Maryland, and the citizens thereof; however, that the Mayor and Council reserve the right to reject any or all such submissions and develop terms and specifications to fulfill City needs.

Motion was seconded and approved unanimously.

6. Proposed establishment of City housing authority. Councilman Hutmire stated that this matter will be the subject of discussion at a meeting of Council and the Community Improvement Board on October 15.

7. Division of Licenses and Inspections. Councilman Hutmire reported the development of a new form to be used for reporting of inspections.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

Councilman Roth stated that Public Works Director Rhodes suffered a mild coronary insufficiency several weeks ago, but is making a good recovery and expects to return to work very soon. In the meantime, Mr. Barile, Deputy Director, is carrying on in his place.

1. Purchase of salt spreader. Councilman Roth reported that only one bid had been received which, fortunately, met all specification requirements. He proposed approval of the purchase by adoption of the following ordinance:

ORDINANCE NO. 2128

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

SECTION 1. THAT Invitations to Bid on a Spreader for Rock Salt and Ice Control Chemicals were advertised in accordance with the law, AND

SECTION 2. THAT bids were opened at 4:00 PM, October 7, 1970, with McClung-Logan Equipment Company, Baltimore, Maryland, submitting low bid of ONE THOUSAND DOLLARS (\$1,000) FOB Takoma Park, Maryland.

SECTION 3. THEREFORE THAT a contract for the purchase of one Tarco Model SS-7V3 Valvomatic "Scotsman" Salt Spreader, equipped in accordance with specifications, is hereby awarded to McClung-Logan Equipment Co., Baltimore, Maryland, in the amount of ONE THOUSAND DOLLARS (\$1,000), AND

SECTION 4. THAT the sum stated in Section 3 above be charged to A/C 12.203D, with the \$300 surplus in this account to be transferred to the Reserve Fund.

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

2. Proposed ordinance banning sale of throw-away bottles. Councilman Roth stated that this has been discussed at Committee meetings and he would like to assure those present that there is no lack of interest; that Public Works--aside from esthetic reasons--has a very practical interest: bottles take up a lot of room in trash trucks. However, he added, Council must face reality when considering such ordinances and, as Mayor Miller pointed out, it is impracticable at this time. He stated that the Committee is interested in pursuing this and moved that COG be notified that Council proposes they make a study of the feasibility of such an ordinance on an area-wide basis. He also moved that Council support legislation dealing with the problem. Motion was seconded by Councilman Eppes and unanimously passed.

PUBLIC WORKS COMMITTEE, continued

3. Storm drain overflow near 1402 Erskine Avenue. Councilman Roth stated that no progress has been made here; that Committee has been unable to obtain permission from one out-of-town property owner to run drain over property line.
4. Consideration of engineering and surveying service. Councilman Roth reported a meeting is to be set up with the firm making request.
5. Request for cement curb on Maple between Valley View and Tulip Avenues. Since WSSC does not plan to install a new water line on the west side of Maple Avenue, Mr. Roth stated this request will be added to the Public Works docket and work will be done as soon as Department can handle it.
6. Grant Avenue cul-de-sac. Councilman Roth moved that the following Ordinance be adopted to establish a cul-de-sac at the lower end of Grant Avenue:

ORDINANCE NO. 2129

- WHEREAS, for several years members of Parent-Teacher Associations have expressed concern for the safety of children walking along Grant Avenue between Maple Avenue and Holly Avenue due to narrow roadway and heavy vehicular traffic, AND
- WHEREAS, the residents and property owners along this section of Grant Avenue have recently been canvassed and the majority approve the elimination of through traffic on this street section, AND
- WHEREAS, it is apparent that the lower section of Grant Avenue near Maple Avenue was never formally dedicated as public right of way, AND
- WHEREAS, the considerable construction at this time and that planned for the near future has already and will in the future increase the volume of traffic on Grant Avenue, THEREFORE

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

- SECTION 1. THAT through motor vehicle traffic be prohibited on Grant Avenue between Maple Avenue and Holly Avenue, and that signs to this effect be erected at these locations, AND
- SECTION 2. THAT a barricade be erected across the lower end of Grant Avenue near Maple Avenue approximately at the point where the existing concrete curbing terminates, AND
- SECTION 3. THAT a turn-around space be provided on the north side of the location of the authorized barricade, AND
- SECTION 4. THAT the penalty for removal of authorized barricade or violation of Section 1 of this Ordinance shall be as provided in Article 10 of the Municipal Code of Takoma Park, Maryland governing violations of traffic regulations, AND
- SECTION 5. THAT this Ordinance shall become effective November 1, 1970.

Councilman Roth stated that this would be an interim solution, since the Municipal Building Parking lot may require another arrangement. Upon inquiry by Councilman Sidell, Mr. Roth stated that a portion of the barricade would be removable to permit use of Grant Avenue during emergencies. Motion was seconded and adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Excused: none.

7. Request for sidewalks--1000 block of University Boulevard. Councilman Roth reported Committ has concluded that public hearings should be held, and that the date will be announced at a later meeting.

8. Public hearing--Anne Street. Councilman Roth stated that this continues to be a problem and that Committee will hold further discussions with Corporation Counsel.

Councilman Roth stated that asphaltting of streets has been completed at a cost of some \$1,000 less than anticipated. He also announced that the new trash truck will be ready for delivery from Cleveland sometime this week.

FIRE PROTECTION COMMITTEE, Councilman Eppes reporting

1. Purchase of new fire hose. Councilman Eppes stated that the requested 2,000 feet of hose had to be reduced by 500 feet due to unanticipated budgetary problems, and moved that Council approve the purchase of 1500 feet of 3" fire hose by adoption of the following ordinance:

ORDINANCE NO. 2130

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

SECTION 1. THAT Invitations to Bid on 1500 feet of 3" fire hose were advertised in accordance with the law, AND

SECTION 2. THAT bids were publicly opened at 3:00 PM, October 8, 1970, with L&P Safety Co., Inc., Silver Spring, Maryland, submitting the low bid of \$2.03 per foot in accordance with specification requirements.

SECTION 3. THEREFORE THAT L&P Safety Co., Inc., Silver Spring, Maryland, is hereby awarded the contract for ONE THOUSAND, FIVE HUNDRED FEET (1,500) [thirty (30) fifty foot (50') sections] of three inch (3") one hundred per cent (100%) polyester National Fire Hose, six hundred pound (600) test, equipped with three-part Pyrolite couplings for the sum of THREE THOUSAND AND FORTY-FIVE DOLLARS (\$3,045) less 1/2% 15 days, AND

SECTION 4. THAT the budgeted sum of \$3,000 in A/C 11.213D be applied toward this purchase with the balance of \$45 to be transferred from the Reserve Fund to A/C 11.213D.

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

2. Revision of Article 4, Municipal Code. Councilman Eppes reported that a meeting of the Committee and the Board of Trustees of the Volunteer Fire Department has been set up for this week, and that the revision of Article 4 will be on the agenda; he stated he expects to have something specific to report at the next meeting.

3. Personnel--Volunteer Fire Officers. Councilman Eppes moved that Council approve the following promotions, all effective on November 1, 1970: C. K. Prince, from Lieutenant to Captain; C.J.F. Fiske, from Sergeant to Lieutenant; F. Bell, from Private to Sergeant; J. Cina, from Private to Sergeant; R. Taylor, from Sergeant to Rescue Lieutenant; and P. A. Mendeis, from Private to Rescue Sergeant. Motion was seconded and unanimously passed.

PLANNING AND ZONING COMMITTEE, Vice-Chairman Sidell reporting

1. Special Exception 2905, operation of boarding house at 714 Maplewood Avenue, Washington Sanitarium, petitioner. Councilman Sidell stated that this property has been posted, the adjoining property owners notified of pending application and the Committee has looked at the property involved. Since no objections have been made, he proposed that Council approve the application. Motion was seconded by Councilman Eppes and duly passed.

2. 6839 Eastern Avenue. Councilman Sidell reported that owner of this property has been given until approximately October 24 to discontinue business activities at his address and remove all equipment and materials from premises.

3. Special Exception 2388--6480-6482 Sligo Mill Road; and Special Exception 2389--6476 Sligo Mill Road. Councilman Sidell stated that it is planned to open a printing shop at this location, it is in an area already zoned commercial, and it is outside City limits. He added that Council has no reason to oppose it, and in view of the fact that the hearing date is set for October 21, he would move that Prince George's County Commissioners be notified of Council's approval. Motion was seconded by Councilman Eppes, after which Mr. Vogel suggested that a decision might be delayed since it had just been brought to Council's attention. Councilman Sidell replied that the hearing date is prior to next Council meeting and that in any case it is not within City boundaries. Mr. Vogel stated that within ten years it may well be within the City and should be considered in light of this possibility. Mayor Miller explained that the request for an opinion is merely a courtesy extended by Prince George's County Commissioners, that Council has no jurisdictional powers in an area well outside corporate limits. Motion was carried unanimously.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn. Motion was made, seconded, and the meeting adjourned at 9:45 PM to reconvene at 8:00 PM, Monday, October 26, in the Municipal Gymnasium.

APPROVED: George M Miller
Mayor

ATTEST: [Signature]
City Administrator-Clerk

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL
October 26, 1970

CITY OFFICIALS PRESENT

Mayor Miller	City Administrator Pridgen
Councilman Eppes	Corp. Counsel Gingerich
Councilman Forshee	Asst. Corp. Counsel Culpepper
Councilman Hutmire	Fire Chief LaScola
Councilman Nishimoto	Deputy Fire Chief Fickes
Councilman Roth	Asst. Fire Marshal Williams
Councilman Sidell	Captain West
	Police Captain Porter
	Dep. Director Public Works Barile
	Code Enforcement Officer Olsen
	Recreation Director Ziegler

The Mayor and City Council of Takoma Park, Maryland, convened in Executive Session at 8:00 PM, October 26, 1970, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. The Invocation was given by Rev. Patrick J. Begley, Our Lady of Sorrows Church, after which Mayor Miller led in the Pledge of Allegiance to the Flag.

Mayor Miller then stated that a vacancy has existed on the Council since former Councilman Geib's resignation on October 1, and that Council considered Joseph H. Webb to be the most logical choice to fill the vacancy, since he also had stood for election in the 3rd and 4th wards in March 1970. Since Mr. Webb had agreed to accept the appointment, Mayor Miller moved that Joseph H. Webb, 7412 Jackson Avenue, be appointed to fill the unexpired term of former Councilman Geib. Motion was seconded by Councilman Forshee and unanimously passed. He then administered the oath of office to Mr. Webb.

The following proclamations were issued by Mayor Miller

A proclamation designating Tuesday, November 10, 1970 as MARINE CORPS RECOGNITION DAY in the City of Takoma Park in tribute to their 195th anniversary.

A proclamation in observance of NATIONAL VOLUNTEER FIREMEN'S WEEK, October 24-30, 1970.

Mayor Miller and Asst. Fire Marshal Williams then made the following awards to winners of the Fire Prevention Week poster contest: A bicycle to Gordon Kildy, Takoma Park Elementary School, first place winner in Group I (grades 1-3); a radio to Clarence Bishop, J. Enos Ray School, who was runner-up in this group. Winners in Group II (grades 4-6) were: Glen W. Milam, Sligo Elementary School--a bicycle for first place; Michael Feder, Silver Spring Intermediate School--a radio for runner-up.

Mr. George Hammond of the D. C. Division of the American Automobile Association presented Mayor Miller, Captain Porter and Councilman Nishimoto with a plaque on behalf of the Association certifying that the City has had no pedestrian fatalities during the past four years.

READING OF THE MINUTES:

Mayor Miller called for motion to waive reading of the minutes of the last Council meeting, if there were no corrections or additions. Motion was made by Councilman Sidell, seconded by Councilman Roth and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Peter B. Harkins, Executive Director, Maryland Municipal League. Acknowledgement of check in payment of annual membership dues and expression of appreciation for continuing support in state-wide activities. Council Files
2. Thomas Hicks, Traffic Safety Division, State Roads Commission. Re signalization (fire house pre-empt) at Carroll Avenue (Md. 195) and Philadelphia Avenue (Md. 410). Law Enforcement Committee; Public Works Committee
3. Joseph E. Bartell, Sr., Director, Department Licenses and Inspections, Prince George's County. Re jurisdiction and enforcement of fire regulations in City and pending Use and Occupancy Permits. Fire Protection Committee
4. Nathaniel White, President, Silver Spring Intermediate PTA. Re assistance in improving safety measures for children at intersections: (a) Philadelphia and Takoma Aves. (b) Piney Branch Road and East West Highway. (c) Piney Branch Road and Ray Drive. Law Enforcement Committee
5. Robert V. Garrison, 6749 Eastern Avenue, City. Copy of letter to Chief of Police, Washington, D. C., regarding vandalism to his property by boys allegedly from D.C. Law Enforcement Committee
6. George H. Akers, President, Columbia Union College, City. Request for institution of certain safety measures at pedestrian crossings near the College. Law Enforcement Committee

MAYOR'S COMMENTS:

Mayor Miller spoke of the up-coming election and urged those present to turn out to vote on November 3, citing the lack of interest displayed in the primaries as being indicative of a certain amount of complacency among American voters. He pointed out the necessity of exercising this privilege if we want to retain it and stated it should be valued above all material possessions. He announced that some of the Democratic candidates had made themselves available for questions and that the Republicans would be at the Junior High School from 4-6:00 on October 27. Also, there is plenty of literature available.

PUBLIC PARTICIPATION:

1. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier stated he had visited in the area of the proposed caution area on Maple near Sherman Avenue and spoke with the merchants and some persons active in civic groups. He reported that they are pleased with the Council's interest in the problem pedestrians face at this spot. He also reported

that the merchants had expressed concern as to whether the proposed caution area would affect the free parking now available, and stated he had responded that it would not, to the best of his knowledge. Councilman Nishimoto stated that he has discussed the proposal with Capt. Porter as well as Mr. Barile, who has been in touch with Montgomery County traffic engineers. He expected to have a solution very soon.

2. John E. Becker, 8525 Sligo Creek Parkway, City. Mr. Becker inquired about changing the special trash pickup regulations to eliminate special packaging and weight requirements and to include such things as old appliances, tree limbs, etc., and asked if trash could be simply put in a pile for collection. Councilmen Roth and Hutmire and Mr. Barile responded as follows: The cost rises in direct proportion to the relaxation of regulations imposed; one's neighbors may not care to look at a pile of trash awaiting removal, and in any case it could get out of hand; the trucks used for removal are of the hydraulic packer type and cannot accommodate large metal objects; there is some doubt as to whether the dumping grounds would permit disposal of appliances-type material. Councilman Hutmire requested Mr. Barile to look into the system once used in which a special truck collected such objects. Mr. Roth stated that the Department would not want to do any less than other municipalities and suggested that a comparison might be made.

Mr. Becker then inquired as to why Council had acted so quickly in approving the Special Exception for the 714 Maplewood Avenue property. He stated that most of the area residents had not been aware of the pending rezoning, nor of the planned use. At his request, Councilman Sidell explained that the house is to be used as a half-way house for alcoholics who have completed the treatment at Washington Sanitarium's detoxification unit; that it is a resocialization process and the first step toward re-entry into the community for a group of men who usually have no money, no job, and have lost all contact with friends and relatives; and that it is a joint venture of the Sanitarium and the Montgomery County Health Department. He stated that it was necessary to act quickly because the hearing date was scheduled for October 22, and that it had been discussed at length during an executive session of the Council as a Whole Committee.

John M. Davis, 706 Maplewood Drive, and Adrian E. Velthuis, 704 Maplewood Drive, along with Mr. Becker, raised additional questions: Questioned the wisdom of having only one person responsible for the nine residents. The building is a fire hazard; how did it receive Fire Department approval? Why has the owner, Washington Sanitarium, been permitted to allow property to depreciate? Will the operation spill over into adjacent deteriorating property? Is this a suitable activity to be observed by college students nearby? Why does the County Board of Appeals allow so little time for studying the question? It was suggested by Councilman Roth that many of these issues should be taken up with representatives of Montgomery County and the Sanitarium, since they do not fall within the realm of Council responsibility. Fire Chief LaScola stated that Fire Code inspections are made after occupancy; and City Administrator Pridgen explained that the City Council has no real authority in passing on special exception applications, that it is merely a courtesy extended by the Board of Appeals. Upon question, Corporation Counsel stated that special exception applications are reviewed annually, and Councilman Roth invited Messrs. Becker, Davis and Velthuis to notify Council of anything they felt to be detrimental to their neighborhood during the first year's operation. It was also stated that the Sanitarium has recently acquired the building with the intention of upgrading it.

Mr. Ferrier stated he felt heartened to see citizens taking an interest and, although he agreed with Mr. Becker re inadequate time allowed, he felt they had come to the wrong place for help. He also stated he would be in favor of the County relinquishing control of zoning and returning it to the municipalities.

3. John Hammond, 831 Hayward Avenue, City. Mr. Hammond and Mr. Vernon Ricks were present as representatives of the Community Action Forum and invited Chairmen of Council Committees and Mayor Miller to make brief presentations at a meeting to be held November 18 at 8:00 PM--tentatively called "Town Meeting 70." He also invited the Mayor and Council to attend a preliminary meeting to be held Saturday evening, November 14.

4. Vernon Ricks, 5 Lee Avenue, City. Mr. Ricks invited all those present to attend the Republican "Meet the Candidates" meeting at the Junior High School, October 27, from 4-6:00 PM.

COMMITTEE REPORTS:

PLANNING AND ZONING COMMITTEE, Vice-Chairman Sidell reporting

No report.

PARKS AND RECREATION COMMITTEE: Councilman Sidell reporting

1. Activities. Councilman Sidell reported that the Montgomery College production of "The 13 Clocks" has been rescheduled for Tuesday, November 14, 4:00 PM. It will be held in the Firehouse gymnasium and is free. He also announced two separate Halloween parties: a party for elementary school age children in the gymnasium, 2-4:00 PM, October 31; and a dance for teenagers at Takoma-Langley Recreation Center, 8-11:00 PM, on the same day; there is a fee of 75¢ for the dance.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Expenditures for the period June through September. Councilman Forshee moved that Council approve expenditures as follows: June, \$129,405.04; July, \$109,827.56; August, \$115,409.24; September, \$305,433.34 (\$192,000 of this amount used for purchase of Treasury Bonds). Motion was seconded by Councilman Eppes and carried.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Social Security coverage for elected City officials. Councilman Nishimoto read the following ordinance, which had its first reading on June 8, and proposed that it be adopted by Council:

ORDINANCE NO. 2131

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

SECTION 1. THAT the City Administrator is hereby authorized to enter into a Plan of Agreement with the Employees' Retirement System, Social Security Division, State of Maryland, to provide Federal Social Security benefits in behalf of all elected officials of the City of Takoma Park, AND

SECTION 2. THAT effective January 1, 1971, the City of Takoma Park shall provide Social Security coverage to all elected officials and the City Treasurer be hereby authorized to withhold appropriate deductions from all elected officials' compensation at the current rate established by Federal Law, AND

SECTION 3. THAT the City treasurer be hereby authorized to remit City funds as provided by budget in addition to amounts withheld from elected officials at prescribed intervals to the Employees Retirement System, Social Security Division, of the State of Maryland.

Motion was seconded by Councilman Hutmire. Mr. Becker asked if the Mayor and Council were not covered under their regular employment; Councilman Nishimoto replied that some of them are, however, those employed by the Federal Government are not. Upon inquiry by Councilman Forshee, it was stated that this ordinance does not include participation in the State Retirement System. Ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Hutmire, Nishimoto, Roth and Sidell. Nay: none. Pass: Councilman Forshee. Excused: none.

2. Request for waiver of ordinance prohibiting commercial parking in a residential zone. Councilman Nishimoto reported that Capt. Porter and a member of his staff have looked over the street and talked with Mr. Harguindeguy about his request but, unfortunately, the only alternative available is off-street parking, since it was agreed that the law should be applied uniformly.

3. Proposed traffic light in D.C. at Carroll and Maple Avenues. Councilman Nishimoto stated that a new office building is going up in this area and AAA has requested Council to work toward getting a traffic light. However, the D. C. Department of Highways think it unnecessary at present and Committee feels action should be deferred until building is completed.

4. "Hospital Zone" sign on Carroll Avenue. Councilman Nishimoto reported the State Roads Commission has come up with an alternative solution which appears to be practicable, and are proceeding with the work.

5. Maryland Police Training Commission directive on part-time policemen. A letter has been written asking for clarification, Councilman Nishimoto reported.

6. Department activities. Councilman Nishimoto stated that the Police Department has issued 800 tickets for speeding during the past three weeks. He also stated that a concentrated effort has begun to clear the city of abandoned cars.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Request to defer outside maintenance at 7101 Cedar Avenue. Councilman Hutmire stated that the management agency making request has been notified they will have to abide by the Code, and they appear to be cooperative.

2. Complaint of debris in front of 6637 Eastern Avenue. This complaint has been resolved, Councilman Hutmire reported.

HOUSING AND CODE ENFORCEMENT
COMMITTEE, continued

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October 26, 1970

3. Condition of gas station lot at 7216 New Hampshire Avenue. The Code Enforcement Division has requested County to investigate this complaint, Councilman Hutmire stated.
4. 7346-48 Carroll Avenue. Councilman Hutmire reported the work is continuing here; owner has been notified to improve outside area.
5. 610-12 Kennebec Avenue. Work is continuing here under close scrutiny of Code Enforcement Officers, Councilman Hutmire stated.
6. Proposed CATV system. Councilman Hutmire stated the City Office is compiling a list of prospective firms who will be asked to submit a plan.
7. Proposed City housing authority. Councilman Hutmire stated that he has met with the Community Improvement Board to discuss this and that discussion will be continued at their regular November meeting; Council and Code Enforcement people are invited to attend.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Complaint of porosity of macadam near 1001 Sligo Creek Parkway. Councilman Roth stated that this complaint has been investigated and found to be unwarranted; that the specifications used in resurfacing City streets are identical to those used by the State.
2. Storm drain overflow near 1402 Erskine Avenue. Councilman Roth stated that both Mr. Rhodes and Mr. Barile have held lengthy discussions with persons whose property would be affected by proposed storm drain and there are several unwilling to cooperate. He added that Committee has decided to pursue the alternative solution of locating drain entirely within the boundaries of 1402 Erskine Avenue and will endeavour to get permission from WSSC and the Park and Planning Commission.
3. Engineering and surveying services. A meeting with representatives of this firm has been scheduled for November, Councilman Roth reported.
4. Request for cement curb on Maple Avenue between Valley View and Tulip. As previously reported, Councilman Roth stated that funds are not available to take on this work at present, but it will be added to work schedule to be done when time and funds permit.
5. Sidewalks in 1000 block of University Boulevard. Councilman Roth stated that plans for a public hearing should be finalized within the next few weeks.
6. Public hearing--Anne Street. The Committee has as yet come up with no solution to this problem Councilman Roth stated.
7. Grant Avenue cul-de-sac. Councilman Roth reported that plans to create the cul-de-sac are under way and residents are being notified this week.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Complaint of abandoned cars behind 7216 New Hampshire Avenue. Councilman Eppes stated that, upon investigation, this complaint was found to be unjustified; there is no Fire Code violation; that the two cars are stored behind gas station for legitimate purposes--one car, which is covered, is being held pending insurance settlement and the other is being repaired.

FIRE PROTECTION COMMITTEE, continued

2. Revision of Article 4, Municipal Code. Councilman Eppes stated that this is a joint undertaking by the Fire Department and the Volunteer Fire Department and is not likely to be completed for some weeks.

3. Alteration of fire house doors. This work is proceeding according to schedule Councilman Eppes reported.

4. Personnel. Councilman Eppes moved that Council accept the resignation of Pvt. Joseph A. McNeece, effective October 29, with regret. Motion was seconded by Councilman Forshee and carried.

5. Personnel. Councilman Eppes moved that Council approve the reinstatement of Bruce O. Allen, effective October 30. He further moved that he be rehired without loss of benefits and at the salary (\$8192 per annum) and position he held at time of resignation some two months ago. Motion was seconded by Councilman Nishimoto. Upon inquiry, Councilman Eppes stated that Mr. Allen had attempted to withdraw his resignation, but was unable to do so because Council had already acted on it. Motion was passed.

SPECIAL LIBRARY COMMITTEE: Councilman Roth reporting

1. Librarian's request for leave. Councilman Roth stated that this would be handled administratively.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn. Motion was made and seconded and the meeting adjourned at 9:50 PM, to reconvene on November 9, at 8:00 PM, in the Municipal Gymnasium.

APPROVED: George M Miller
Mayor

ATTEST: Haynes M. Ridgway
City Administrator-Clerk