

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

April 12, 1971

City Officials Present

Mayor Miller
 Councilman Forshee
 Councilman Huttmire
 Councilman Roth
 Councilman Sidell
 Councilman Webb

Excused: Councilman Eppes
 Councilman Nishimoto

City Administrator Pridgen
 Asst. Corp. Counsel Culpepper
 City Treasurer Turner
 Deputy Fire Chief Fickes
 Captain West, Fire Dept.
 Police Captain Porter
 Director of Public Works Rhodes
 Code Enforcement Officer Olson
 Director of Recreation Ziegler

The Mayor and City Council of Takoma Park, Maryland convened in Executive Session at 8:05 PM, April 12, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Md. Mayor Miller led the Pledge of Allegiance to the flag, after which he called for a motion to waive the reading of the minutes of the last 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. Response to Mayor Miller's letter of March 26, requesting support of MML's 1971 legislative program: Delegates Dean, Ross, Doctor; Senators Emanuel, Steers, Schweinhaut. Council Files
2. Jean M. Schmuhl, Clerk, Prince George's County, Upper Marlboro. Notice of hearing on Special Exception 2479, 10:00 AM, April 13, County Courthouse--wholly enclosed warehouse in Langley Park area, north side of Holton Lane, Parcel A, Hanley Addition; A&Y Properties, applicant.
3. Robert C. McDonell, Exec. Director, Park and Planning Commission. Notice of public hearing on amendment to Master Plan of Streets and Highways for Silver Spring business district; 11:00 AM, April 15, 8787 Georgia Avenue (includes proposed realignment of streets at Juniper Street bridge). Planning and Zoning and Public Works Committees
4. Warren W. Kershow, Assoc. Director of Parks Land Acquisition, Park & Planning Commission (P.G. Co.). Notice of acquisition of new playground site between 3rd and dedicated Highland Avenues and Allegheny and Westmoreland Avenues. Parks & Recreation Comm.
5. Robert M. Arciprete, Principal Park Planner, Park & Planning Comm. (P.G. Co.).
 (a) Response to proposal that Commission acquire land in area of 1111 Sligo Creek Parkway. Parks and Recreation Committee. (b) Results of feasibility study of City acquisition under Maryland Open Space Program of area bounded by Elm, Heather, Larch & N.H. Avenues. Parks & Recreation Committee
6. Ronald E. Davies, Chairman, P.G. Co. Municipal Assoc. Notice of meeting: 8:00 PM, April 15, 8601 - 57th Avenue, Berwyn Heights. Circulate to Council

1. Response to Mayor Miller's letter of March 26, requesting support of MML's 1971 legislative program: Delegates Dean, Ross, Doctor; Senators Emanuel, Steers, Schweinhaut. Council Files

7. Alice R. North, 312 Ethan Allen Avenue, City. (a) Letter in support of Police and Firemen's Assoc. budget proposals. Finance, Law Enforcement, Fire Protection Committees (b) Complaint re parking on Winchester Avenue; unsightly trash house and trash containers at Winchester Avenue Apartments; also commendation for Public Works and Police Departments. Law Enforcement Committee; Public Works Committee

8. William S. Porte, 7515 Maple Avenue, City. Complaint re parking ticket; request to consider rescinding parking restriction near his apartment building. Law Enforcement Comm.

9. Richard A. Wintercorn, 7216 Garland Avenue, City. Complaint re parking ticket--considers present system to be unduly harsh, w/particular reference to restriction on parking at intersections. Law Enforcement Committee

10. Lt. James E. Jarboe, City Fire Department. Suggestion for service awards to City employees. Finance Committee

11. Mrs. Carroll F. Miller, 7722 Carroll Avenue, City. Suggestion for setting up a City deposit station for recycling refuse. Public Works Committee

FINANCIAL STATEMENT OF BANK BALANCES AS OF 3-31-71: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS

Balance as of February 28, 1971	14,006.27	
March receipts*	183,526.12	197,532.39
March disbursements		113,965.80
Balance as of March 31, 1971*		<u>83,566.59</u>

*Includes \$50,000 transferred to Reserve for Public Improvements.

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

Balance as of February 28, 1971	11,615.62	
March receipts	75,400.90	87,016.52
March disbursements		74,238.00
Balance as of March 31, 1971		<u>12,778.52</u>

CITIZENS BANK OF MARYLAND--GENERAL FUND

Balance as of February 28, 1971	211.31	
March Receipts	5.81	217.12
No disbursements during March		--
Balance as of March 31, 1971		<u>217.12</u>

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

Balance as of February 28, 1971	448.69	
No transactions during March	--	448.69
Balance as of March 31, 1971		<u>448.69</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND

Balance as of February 28, 1971	22,392.24	
Deposits	109,187.50	131,579.74
Withdrawals*		50,000.00
Balance as of March 31, 1971		<u>81,579.74</u>

*Transferred to Reserve for Public Improvements

CITIZENS BANK OF MARYLAND--SAVINGS A/C TP-63

Balance as of February 28, 1971	149.46	
Interest earned as of March 31, 1971	1.68	151.14
No disbursements in March		--
Balance as of March 31, 1971		<u>151.14</u>

AMERICAN NATIONAL BANK--GENERAL FUNDS

Balance as of February 28, 1971	500.00	
No transactions during March	--	500.00
Balance as of March 31, 1971		<u>500.00</u>

PETTY CASH

200.00

U. S. TREASURY BILLS

			<u>Cost</u>	<u>Maturity Value</u>	
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
	10-22-70		6-30-71	95,778.89	100,000.00
				<u>287,856.25</u>	<u>300,000.00</u>

CITIZENS BANK OF MARYLAND

90 day Certificates of Deposit @ 4.0% \$700,000.00

Mr. Turner pointed out that the Finance Committee has directed that some of the building funds be invested, which will yield about \$30,000 interest during the fiscal year.

MAYOR MILLER'S COMMENTS:

Mayor Miller welcomed the audience and invited them to attend the next meeting of the Council on April 26, as well as the budget hearing on April 13. He spoke of the groundbreaking ceremony for the new municipal building which was held on Sunday, noting the building is scheduled for completion within the next twelve months.

Mayor Miller made the following presentations to Sgt. John Walters, on behalf of the Police and Firemen's Association:

A resolution commending him for his work in apprehending an armed robber and retrieving money stolen from the Citizens Bank on Laurel Avenue on January 27, 1971.

A plaque citing Sgt. Walter for valor in carrying out the arrest described in the Resolution, and a \$25 bond.

PUBLIC PARTICIPATION:

1. Joseph B. Simpson. Mr. Simpson stated he is the attorney for the Police and Firemen's Association, and the author of several letters and supporting documents circulated to the Mayor and Council and the citizens of Takoma Park, which address themselves to an adjustment to the inequitable pay scale of the City when compared with other local jurisdictions. He cited the following as examples of some of the inequities:

--During the past year the Takoma Park Fire Department responded to 2455 fire calls, while the three Silver Spring Stations responded to a total of 3027, averaging out to only slightly over 1,000 per station.

- Lt. Ted Jarboe, who works for the Silver Spring Fire Department and attained this rank only four weeks ago, earns a salary of \$13,984; his brother, Takoma Park Fire Department Lt. James Jarboe, has held the rank of Lieutenant for five years and earns \$10,178 a year.
- Capt. West of the City Fire Department receives a salary of \$10,700 after 17 years service; a First Lieutenant in the Silver Spring fire service earns \$13,984, as noted above.
- Both policemen and firemen expose themselves to the same dangers, do the same work, spend just as much on living costs, yet their pay is far below that of other departments.
- The Merit Plan is set up in a fashion in which it is possible for a Sergeant to make a higher salary than a Lieutenant; it is also possible for a Captain to make less than a Lieutenant. Such a system is defeating in terms of morale.

Other relevant issues raised were:

- The loss the City must bear in resignations from both departments each year--a situation in which men who have completed expensive training programs are offered jobs at higher salaries which they cannot afford to turn down. This was illustrated by the following: 22 men have resigned from the police force since January 1967, 15 (70%) of whom left to take similar jobs with better pay and fringe benefits in other police departments. Similarly, the Fire Department has lost 25 men since January 1965, with 20 (80%) going on to better paying jobs in other jurisdictions.
- The fact that the City tax rate has remained relatively low over the years, though commendable, leaves room for an adjustment upward. In this connection, Mr. Simpson gave the following tax rate comparison: in 1890 the tax rate was 50¢ per \$100; 1900 - 60¢; 1925 - \$1.10; 1950 - \$1.10; 1969 - \$1.35. He commended the Mayor and Council for having maintained such a low tax rate over the years, but felt that an increase can now be justified and will be willingly borne by the citizenry. He indicated that a 15¢ increase would be required to raise revenues to cover requests of the Police and Firemen's Association.

Mr. Simpson asked the Mayor and Council to give serious consideration to granting the requests made by the Association.

2. Joseph B. Ferrier, 7413 Maple Avenue, City, spoke in support of the Police and Firemen's Association proposed salary increases, and also favored giving the men of the Public Works Department substantial increases. He stated that every man who is hired and trained should be valued as would any other City investment.

3. Sydney W. Tymeson, 8118 Flower Avenue, City, stated he has always favored higher wages for City employees, and spoke of the value of finding means of retaining good trained men. He suggested that the liberal use of fringe benefits might also be considered as a way of achieving this.

4. Mrs. Opal Daniels, 19 Sherman Avenue, stated that she not only favors the Police and Firemen's Association proposals, but would like to see all City employees' salaries increased.

5. Leslie Adams, 7418 Maple Avenue, spoke in support of the P&FA increases and pointed out that the City firemen work a basic 56-hour week, instead of the standard 40 hours.

6. Others who spoke in support of the Police and Firemen's Association proposed salary increases were: Mrs. Ralph L. Magee, 7207 Holly Avenue; Hans H. Peppels, 7300 Trescott Avenue; Mrs. Albert Spear, 1 Valley View Avenue; Vernon Ricks, 5 Lee Avenue; Freeman D. Slye, 7314 Tre scott Avenue; Andrew Buzik, 216 Grant Avenue; Maynard F. Saunders, 7500 Piney Branch Road; Mrs. Leo J. Sheehy, 310 Ethan Allen Avenue; Joseph J. Diamond, 816 Larch Avenue; James J. Jeffas, 7600 Hammond Avenue; Mrs. Jane M. Austin, 7201 Willow Ave.; and George Bartels, Jr., 220 Park Avenue, who also suggested that a tax increase might include money for better lighting on the main thoroughfares of the City, such as Carroll Avenue.

7. Raymond J. Hill, Jr., 7104 Poplar Avenue, stated he would assume the role of devil's advocate and inquired (1) Is it necessary to raise taxes in order to grant raises? (2) Are there untapped sources of revenue which might be utilized instead? (3) Have all known economy measures been utilized? Mayor Miller responded by saying that the Mayor and Council, as well as department heads, are always alert to, and regularly practice, all known economies; that the City is now receiving the maximum funds under present tax-sharing laws, though Council is working through the Maryland Municipal League to generate legislation which would provide a larger share in the future. He indicated that a tax increase will be necessary to provide funds for increments already provided under the Merit Plan; and that all City employees will have to have a cost of living increase this year.

Councilman Roth stated that he agrees with the general premise of Mr. Simpson's presentation--the police and firemen do need a raise. However, he added, in order to complete the record, the following facts should be included:

--Although percentagewise, the City tax rate has not increased a great deal over the years, the County assessment on property has increased substantially during the same period. He cited as a case in point his own property, which is now assessed at \$17,000 as compared with \$10,000 ten years ago.

--The size of the City's Police Department has contributed to the problem with which the Council is now faced: in 1958 there were only 14, now there are 27. The City has chosen to have a full-fledged department instead of maintaining a small force and relying on the Counties for support, as is the case in some other municipalities: for example, Rockville has only 8 policemen, College Park has three, while Greenbelt and Hyattsville have 17 each. Councilman Roth felt the whole issue of big vs. small, full services vs. partial, independent vs. County-supported, etc., should be re-examined and, if we can't get tax equalization laws enacted, perhaps some supplementary services from the Counties should be insisted upon. He stated he would like to reiterate that he favors an increase for police and firemen and will vote for it, but would like to have the above facts considered. Mr. Andrew Buzik took exception to parts of Mr. Roth's statement and wondered why these issues had not been raised before.

8. Joseph Ferrier expressed his concern over proposed legislation realigning boundaries for Congressional Districts which would cut off Takoma Park from Montgomery County, leaving the City more or less a political orphan. He expressed the hope that Council would use its influence to prevent passage of this bill. Mayor Miller replied that the bill has already passed in the House of Delegates and is now before the Senate. He indicated the Mayor and Council have protested through the Maryland Municipal League.

9. Mrs. Leo J. Sheehy, 310 Ethan Allen Avenue, requested that a NO PARKING sign be placed at the rear of her property on Manor Circle, stating that cars park there and damage her grass. Mayor Miller asked Capt. Porter to look into the matter.

PUBLIC PARTICIPATION, continued

10. Mrs. Brensinger, 251 Manor Circle, stated that she sometimes has been forced to park behind Mrs. Sheehy's home when there were no other spaces available, and pointed out that some of the apartment buildings in the area don't provide parking spaces. She asked that this be looked into. Mayor Miller assigned the problem to Captain Porter and the Public Works Department.

11. Henry Preston, 1001 Sligo Creek Parkway, inquired if Council would contact owner of the furniture store at 1111 Sligo Creek Parkway and remind him of the terms of the recent court order, since he has not yet complied with them. Councilman Hutmire pointed out that the court order itself would seem to take care of this problem, and read the following excerpt: "...In addition, the Sheriff is directed to sequester this business. . . to put all Mr. Robert's property inside his building and padlock every door. . . until such time as Mr. Roberts is in a position to give bond guarantying the business will be operated in accordance with the Order, and so conditioned as to hold harmless the City of Takoma Park from any further transgressions of the Order in this case. Now, that bond is to be \$5,000. Until such time as the bond is given and security approved by the clerk of this court, the property in this case is to remain sequestered in accordance with this Order." Asst. Corp. Counsel Culpepper explained that as of four days ago, Mr. Roberts had not posted bond; that a specific order was issued to the Sheriff to padlock the place and was have to been sent to St. Mary's County for the judge's signature last Thursday. If Mr. Roberts does nothing, the bond will be forfeited with the clear understanding that he would be put out of business. Mayor Miller requested that Mr. Culpepper keep Mr. Preston informed on the progress in this case.

COMMITTEE REPORTSHOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Complaints re 6609 Cockerille and 6619 Westmoreland Avenue. Councilman Hutmire stated that the agent for the Cockerille Avenue property has agreed to maintain the property in an acceptable manner, and that the debris at the Westmoreland Avenue address has been taken care of.
2. Conditions at Winchester-Takoma. Councilman Hutmire reported that the complaints were valid ones, and that compliance with a request to correct the offending conditions has been obtained. He asked that item be removed from the agenda, with the understanding that the Code Enforcement Division would continue to keep it under surveillance.
3. Abandoned vehicles and debris at 7216 New Hampshire Avenue. The owner of the gas station has complied with the request to remove both the vehicles and debris, Councilman Hutmire reported. He stated that a close watch will be maintained by the Code Enforcement Division.
4. Proposed requirement of hardsurface parking at commercial places. Councilman Hutmire requested that Mr. Culpepper make himself available for consultation with Messrs. Rhodes and Barile on preparation of a City ordinance to encompass the above requirement, since Montgomery County officials now believe their code cannot be applied retroactively, which would be necessary to accommodate the City's needs.
5. Information booklet for new residents. Councilman Hutmire reported that a very reasonable price estimate on printing has been received from Montgomery College, and that it is hoped the text can be edited and ready for printing within the next few weeks.

6. Establishment of housing authority for City. The Committee is still reviewing responses elicited from other cities with housing authorities, Councilman Hutmire stated, and will have a recommendation after this process is completed.

7. CATV system. A meeting with the last group who submitted proposals is scheduled for early May, Councilman Hutmire said, after which findings will be compared and a recommendation made to the Council.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Flower Avenue: proposal to widen, straighten at Jackson and Cherry Avenues. Councilman Roth stated that the Committee feels it cannot support this proposal for the following reasons: City would have to acquire considerable property to straighten the curves: also the plan to use it as a main thoroughfare to New Hampshire Avenue is incompatible with the general layout of that section of the City, since the streets were designed for residential traffic only. He asked that the item be removed from the agenda.

2. Mr. Alfred White's query re special Wednesday trash pickup. Councilman Roth stated that after examination of the situation, it has been determined that service is available to Mr. White on the same basis as that offered his neighbors.

3. Petition to improve Hodges Field. Councilman Roth reported that while the Committee is investigating another possible solution here, it has requested the Public Works Department to drag the field to clear up the ruts.

4. University Boulevard: sidewalks in 1000 block. Detailed specifications are being prepared for construction of the sidewalks, Councilman Roth stated.

5. Anne Street sidewalks. This is still under consideration, Councilman Roth reported.

6. Storm drain overflow near 1402 Erskine Avenue. Councilman Roth stated that the work on this is going forward.

7. Street lights--Manor Circle. Councilman Roth moved that Council approve the installation of two additional street lights (at a cost of \$3.00/light/year) which were missed during the initial installation on Manor Circle: one to be located east of Carroll Avenue and North Manor Circle, and one located south of Boyd Avenue. Motion was seconded by Councilman Forshee and carried.

8. Street lights--area bounded by Carroll, Philadelphia, Piney Branch Road and Mississippi Avenue. Councilman Roth requested approval of the installation of mercury-vapor lights in the above area, in accordance with the proposal submitted by PEPCO. This would involve installing 86 100-watt and 52 75-watt m-v lights at a net annual increase of \$204.10. Motion was seconded by Councilman Hutmire and unanimously approved.

9. Colby Avenue Tot Lot. Councilman Roth stated that Public Works discovered a spring under the lot which necessitated installing a special drainage system at a cost of \$1390 in labor and materials; and that the next step is to install concrete bases for the playground equipment.

10. Fire Department storage shed. Public Works has been requested to construct a storage shed for paint outside the Fire House, Councilman Roth stated, and indicated the job would be added to the work roster and done during the next four to six weeks.

11. Other items: Curb and gutter work on Carroll Avenue is in progress, though at a rather slow pace. An 8" water main is being laid on Park Avenue at no cost to the City. Upon inquiry by Councilman Forshee, Mr. Rhodes stated that WSSC is to do further work on the Maple Avenue roadway when the weather permits.

FIRE PROTECTION COMMITTEE: Councilman Roth reporting

1. Xerox charges to the Volunteer Fire Department. Councilman Roth stated that a letter has been received from the VFD regarding charges levied at the Library for use of the Xerox machine. He moved that the VFD be permitted to use the machine at the same price charged to other City Departments, since they are members of the City family. Motion was seconded by Councilman Hutmire and unanimously approved.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Open space at Elm, Heather, Larch and New Hampshire Avenues. Councilman Sidell noted that a letter concerning this area had just been read and referred to the Parks and Recreation Committee, and stated that he would be available to work with them, if needed.

2. Special Exception 2479, wholly enclosed warehouse, north side of Holton Lane in Langley Park area (hearing: April 13). Councilman Sidell asked the City Administrator to request that the hearing records be held open for fifteen days to give the Committee time to review it and make a recommendation.

PUBLIC WORKS COMMITTEE, continued

FINANCE COMMITTEE: Councilman Forshee reporting

1. Merit Plan revision. Councilman Forshee stated that a typographical error had been made in the 1969 Merit Plan, which had compounded with successive revisions, and moved that it be corrected by adoption of the following ordinance:

ORDINANCE NO. 2153

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

SECTION 1. THAT to correct errors in the existing Pay Scale Plan as adopted by Ordinance No. 2101 on June 8, 1970, and as amended by Ordinance No. 2150 on February 22, 1971, Ordinance No. 2101 be further amended by correcting the salaries of two positions to read as follows:

	Start	6 mos.	2	3	4	5	6
Code Enforcement Officer	\$9038	\$9199	\$9360	\$9594	\$9857	\$10,121	\$10,412
Youth Officer	\$8526	\$8678	\$8830	\$9051	\$9299	\$ 9548	\$ 9823

Motion was seconded by Councilman Webb and the ordinance adopted by Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Hutmire, Roth, Sidell and Webb. Nay: none. Excused Councilmen Eppes and Nishimoto.

2. Fire Tax rate. Councilman Forshee moved that the following ordinance be adopted which sets the fire tax rate in the 22nd Precinct for the next fiscal year:

FINANCE COMMITTEE: Councilman Forshee reporting

1. Merit Plan revision. Councilman Forshee stated that a typographical error had

ORDINANCE NO. 2154

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

SECTION 1. THAT a tax rate of TWENTY CENTS (\$0.20) per one hundred assessable base within the Special Fire Tax Area within the 22nd Precinct of the 13th Election District of Montgomery County be set for the fiscal year beginning July 1, 1971 for the continuation of Fire protection of this area outside the corporate limits of the City of Takoma Park, AND

SECTION 2. THAT the Montgomery County Council be requested to levy, collect and remit to the City of Takoma Park, the Special Tax as provided in Section 1 of this ordinance in accordance with Section 42-1, Montgomery County Code (1965) as amended.

Motion was seconded by Councilman Sidell. Upon question by Councilman Hutmire, Mr. Forshee stated that this action must be taken each year. The Ordinance was adopted by Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Hutmire, Roth, Sidell and Webb. Nay: none. Excused: Councilmen Eppes and Nishimoto.

LAW ENFORCEMENT COMMITTEE: Councilman Forshee reporting

1. Personnel. Councilman Forshee announced the resignation of Det. Sgt. Crider to accept the position of chief of campus police at Madison College, Harrisonburg, Va. He noted that the resignation is to become effective on April 15, and moved that it be accepted with regret. Motion was seconded by Councilman Hutmire and carried.

2. Complaint re parking near Juniper Street bridge. Councilman Forshee stated that the Law Enforcement Committee and the Police Department concur with the proposed parking restriction and moved that it be carried out by adoption of the following ordinance:

ORDINANCE NO. 2155

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

SECTION 1. THAT in the interest of traffic safety, parking of vehicles be hereby prohibited at all times on both sides of Albany Avenue between Takoma Avenue and the approach to the Juniper Street (pagoda) bridge (across B&O Railroad tracks) AND

SECTION 2. THAT the Director of Public Works is hereby authorized to erect the necessary signs to denote the restriction as enacted in Section 1 of this ordinance, AND

SECTION 3. THAT the penalty for violation of this ordinance shall be the same as provided in the Municipal Code (1961) governing traffic regulations in the City of Takoma Park, Maryland.

Motion was seconded by Councilman Sidell and adopted by Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Hutmire, Roth, Sidell and Webb. Nay: none. Excused: Councilmen Eppes and Nishimoto.

3. Personnel. Councilman Forshee read the following statement regarding Chief Foster's disability retirement application, and requested that it be made a part of the official record:

Last fall, Chief Foster unilaterally applied to the Employees Retirement System of Maryland, of which the City is a member, for accidental disability retirement, claimed as job connected. As of November 17, 1970, the Council authorized extension of administrative leave payments awaiting a determination by the Medical Board and the Board of Trustees on Chief Foster's case which was to have been decided in December, and then again in January. Subsequent events further postponed the decision and from time to time, Council has continued to extend leave payments.

Action by the Board of Trustees is now scheduled for tomorrow, April 13, and dependent upon the final decision of the Board, the Council will make a further determination as to its position regarding Chief Foster's status. His claim, of course, has been that his physical condition is such as to preclude him from continuing service in police activities. In the meantime, Council has authorized leave payment through April 15, 1971.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee reporting

1. Personnel. Councilman Forshee stated that the Librarian, Mrs. Robinson, will begin two weeks leave on April 19.

2. Library inventory. Councilman Forshee stated that the Library took an inventory some five years ago and felt it valuable enough to repeat. He indicated that it has been agreed to by the Library Committee, with the Library Board concurring, and moved that the Library be authorized to close for a week beginning June 28. Motion was seconded by Councilman Roth. Upon question by Councilman Hutmire, Councilman Roth explained that the purpose of the inventory is to determine the number of books missing; they then come up with a loss ratio which can be used for comparative purposes, noting that the ratio figure was 3-5% of total volumes at the time of last inventory. Councilman Roth went on to say that staff has no way of knowing a book is missing unless it happens to be brought to their attention.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Purchase of park equipment. Councilman Webb moved that Council authorize the purchase of the following equipment from Miracle Equipment Co., at a total price of \$340, plus freight: four 6' picnic tables @ \$62.50; two 6' park benches @ \$45.00. He indicated that funds for the tables are available in A/C 19.203B3, and that benches should be charged to A/C 19.203B4. Motion was seconded by Councilman Hutmire and carried.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn the meeting. Motion was made and seconded, and the meeting adjourned at 10:15 PM, to reconvene at 8:00 PM, April 26, 1971, in the Municipal Gymnasium.

Attest:

Haynes M. Bridgman
City Administrator

Approved:

George M. Miller
Mayor

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARINGProposed Budget: 1971-72

April 13, 1971

Present at the hearing were: Mayor Miller; Councilmen Forshee, Hutmire, Roth, Sidell, and Webb; City Administrator Pridgen; City Treasurer Turner; Fire Chief LaScola; Police Captain Porter; Director of Public Works Rhodes and Recreation Director Ziegler.

Mayor Miller opened the meeting at 8:05 PM. He welcomed the audience and requested that they make any suggestions or comments they might have on the proposed budget. He noted that the budget as it presently stands is based on last year's tax rate of \$1.35 and represents requests submitted by department heads with salaries at their present level. He then introduced Councilman Forshee, Chairman of the Finance Committee, and turned the meeting over to him.

Councilman Forshee expressed his appreciation for the large number of interested citizens present and stated the meeting had been called to seek their guidance and help in balancing the budget; since the Mayor and Council have no preconceived plan, all suggestions are welcome. He stated that Mayor and Council have reviewed with department heads the requests made, but haven't changed any figures as yet. However, they were conservative in making requests and did not include many valid ones, such as manpower and capital improvement items. He said the Finance Committee had requested that the budget be prepared using the present pay scale so as to give a starting point from which something uniform may be developed.

Councilman Forshee displayed a chart which broke down the budget into three major categories giving the percentage of total budget allocated to each: salaries: 66%; expenses: 27%; capital outlay: 7%. He stated the salary budget has increased by \$40,000 over last years and operating expenses by \$107,000. Two or three items comprise the major portion of the latter item: the Debt Service of \$64,000, which is for the new building; and increased insurance costs (\$6,000) and employee benefits (\$14,000). There is a decrease in capital outlay (\$42,000), primarily because all requests have not been honored and because the new fire truck raised last year's figure to an unusual degree. Anticipated revenues total \$1,546,050; after deducting \$77,303 for reserve funds, there is a net income of \$1,468,747, which leaves a \$120,987 deficit. He explained that due to reassessments in both counties, the City's tax revenue will increase by about \$97,000 during the coming year.

Government Administration shows a \$9,000 increase, Councilman Forshee stated, which represents a change in accounting procedures and not an actual increase. Public Works budget includes two new sanitation workers at a cost of \$17,000.

Councilman Forshee referred to Mr. Simpson's presentation at the April 12 Council meeting which illustrated variations in the tax rate (ranging from 50¢ in 1890; \$1.10 in 1925; 78¢ in 1943; to \$1.35 in 1970), and pointed out that tax rates alone are not significant unless considered along with variations in the assessable base.

He called attention to several other items: An amount of \$110,000 carried in last year's budget earmarked for the new fire truck and a fund set up for the municipal building,

neither of which will recur. There have been some increases in general items in the budget over which Council has no control, i.e., debt service, insurance, employee benefits, which total \$83,000. Capital outlay expenditures are budgeted for \$80-85,000--possibly they could be deleted and later covered by the reserve fund. The City carried forward \$24,000 this year, and possibly this could be applied toward the deficit. The City will have to construct a new impounding lot after the municipal building is completed and funds will be needed for that; some of it might come from the sale of 8 Columbia and 8 Sherman Avenue, but funds realized here would not be available in time to help with this year's budget.

Councilman Forshee asked members of the audience to express their views and offer any suggestions they might have in the way of balancing the budget.

Mrs. Sue Lerner, 7708 Takoma Avenue, suggested other sources of income which could be exploited: Arrange with Montgomery College to pay for the police and sanitation service they receive free, perhaps this would yield enough to pay the salary of one policeman. Install parking meters in every available space near Montgomery College and request that College broaden the streets on their side to accommodate meters. Upon question by Councilman Forshee, Mr. Rhodes stated the City does not provide sanitation service to the College, and Captain Porter stated that they have their own campus police, with the City supplying only traffic police.

Mrs. Evelyn Ferry, 24 Hickory Avenue, asked that Montgomery County be requested to increase subsidy payments to the Police Department, noting that the percentage remains the same as it was in the 1930s when the City took over responsibility for police protection. Upon question, the City Administrator stated amount anticipated from this source is \$53,000 and Councilman Forshee indicated Council is willing to try to increase the amount. Mrs. Ferry also inquired about the status of her earlier request to have the City make a tax adjustment for persons over 65 with incomes under \$5000, so they will not be taxed on the full reassessment of their property. Councilman Forshee replied that this will be considered along with other requests.

Mrs. Louis Cornwell, 7005 Westmoreland Avenue, asked if the extra funds earned from the reassessments would not cover the \$120,000 deficit; Councilman Forshee replied that these funds have been included in the revenue section of the budget. Mrs. Cornwell then asked for the salaries of Capt. Porter and his administrative assistant, and stated she felt the second post could be occupied by a uniform policeman. Capt. Porter gave the requested information and pointed out that Officer Phillips is a uniform policeman. Mrs. Cornwell suggested that a patrolman would better fill this slot, and stated that she would like more men on the streets, that she is afraid to sit on her porch in the evenings. She also commented on the small number of men on duty at any given time in the police station; and that she thought air conditioned cars interfered with policemen's ability to hear what is going on. Councilman Forshee and Capt. Porter stated that every effort is made to keep as many men on the streets as possible within the limitation imposed by manpower and cars available.

Mr. Bonafiglio, 27 Philadelphia Avenue, stated he felt the Police Department is doing a fine job; however, it is important to consider the loss through resignations because of low salaries; he suggested that by increasing salaries, the City would benefit in having a reduced crime rate which would, in turn, attract a more desirable and stable class of residents.

An unidentified person asked if the proposed tax assessment includes an increase for firemen, to which Councilman Forshee replied it does not.

Mrs. Lerner, 7708 Takoma Avenue, stated she would like to see the pay of Takoma Park police and firemen comparable to that of other jurisdictions.

Phil Vogel, 7117 Garland Avenue, said he felt the policemen deserve credit: also that Councilman Roth should be commended for his statement at Monday's Council meeting, which took courage; that it is apparent the police need a raise, but pointed out that there is a limit to the amount of taxes which can be levied. With reference to Councilman Roth's statement that Hyattsville operates with a police force comprised of three men, he suggested that it would be worthwhile to find out how they manage with this small number, and that the City might look to the Counties for further support. Mr. Vogel inquired about Council's plans for utilizing the \$18,000 in matching funds available for purchase of open space, to which Councilman Webb and the City Administrator replied that at Council's request the Park and Planning Commission has made a study of the feasibility of acquisition of one site, which is to be presented to the Prince George's County Planning Board on April 26 for consideration. Councilman Forshee stated that funds cannot be allocated until a site is chosen and the purchase price is known. Mr. Vogel asked what he gets for the \$31,000 in labor allocated to the Parks Division. Mr. Rhodes replied that it covers the men who are responsible for up-keep of City parks and playgrounds, various gardens, street cleaning and snow removal; Councilman Webb pointed out that acquisition of new parklands would only increase this sum, to which Mr. Vogel replied he would not object. Upon inquiry by Mr. Vogel re the high cost of maintaining an animal warden, Mr. Forshee said that the amount included covers his salary, his truck and that of a helper. Mr. Vogel then asked about the \$38,000 allocation for street lights and was told by Councilman Forshee that this is what City pays PEPCO.

Curtis J. Baird, 7100 Central Avenue, inquired if office supplies were purchased centrally, to which the City Administrator replied that most things are purchased through the County at a considerable saving, and the purchasing process is centralized as much as is feasible, and noted that separate amounts under each department is for accounting purposes. Upon question by Mr. Baird re the method of purchase of the five vehicles listed, Mr. Pridgen explained that fleet discounts have been discontinued, but noted that the City saves a considerable amount by purchasing gas, oil and automotive parts through the County. Mr. Turner stated that Montgomery County has joined in a suit against General Motors for their discontinuance of fleet discounts, and that COG is attempting to work out a centralized purchasing agency in which small municipalities can participate at considerable savings. Mr. Baird then questioned the value of having a training officer for the Fire Department and noted that the VFD does not support it; Chief LaScola replied that he feels there is a need for this position and that it had originally been supported by the VFD. Upon question by Mr. Baird re the need for radios in garbage trucks, Mr. Rhodes explained that, because of the increased quantities of trash and the two long runs which must be made to dispose of it, the radios are very important; that trucks break down and drivers have no way of contacting the Department--if this happens in town, people are reluctant to give the use of their phone: on the highway, they must walk a considerable distance to find a public phone. He estimated the Department would need four more men if they didn't have radios.

Mrs. Cornwell, 7005 Westmoreland Avenue, inquired about the small salary of the Deputy Clerk, to which Councilman Forshee replied that this may be the reason the position has not been filled for some months.

Mrs. Peggy Holmes, 10 Pine Avenue, expressed pleasure in having so many young people present and voicing their opinions. She said she favors a raise for police and firemen, and requested that consideration also be given to the tax break for over-65 persons, as requested by Mrs. Ferry.

Mr. Bonafiglio, 27 Philadelphia Avenue, felt the request should be considered since, if older people lose their homes, they will likely be converted to multi-family housing,

which would in turn attract transients. He felt lower-class people should be kept somewhere else. Mr. Turner stated that City does conform to County practice on the tax rebate. Councilman Forshee explained that Mrs. Holmes is speaking of a different tax adjustment which is the result of reassessments. Montgomery County has worked out a system in which the taxes for senior citizens are computed on the old assessment.

Raymond Hill, 7107 Poplar Avenue, queried: Just what reason is there for having a separate police department apart from the County? What instigated this? Is it possible to put them under County jurisdiction? Mayor Miller pointed out the difficulties under a bi-county system, and also recalled that at one time there was a split arrangement with Montgomery County in which so many difficulties were encountered re line of command, etc., that the County finally asked the City to take it over, and provided some funds to help sustain the operation. Other things mentioned were: the City police give better and faster service; City can enforce its own laws through its own police force; both Counties have a shortage of men. He stated he personally hopes the City-operated Police and Fire Department arrangement will continue, since they go hand in hand with local government.

Lester Ahlswede, 1302 Erskine Avenue, asked Council to give careful consideration to the long-suffering taxpayer, who is looked to from all hierarchies of government for more and more revenues. He said that it is obvious, even though not verbalized, that if the present budget is adopted, a tax increase will be necessary. He pointed out that some programs are continued year after year with out evaluation of their usefulness, and that there is a duplication of services which overlap those already supplied by the Counties: e.g., the Police and Fire Departments, and the Recreation Department. He suggested that Council consider an organized system of City-County cooperation for police protection and the full use of the Volunteer Fire Department. He stated that the only City service he values is the trash removal; that there are good and bad facets to a responsive police force, noting that a son was recently badgered by both City and County policemen. Mr. Ahlswede said that despite the criticism, he much admires the dedication and service rendered by the Mayor and Council.

Dale L. Rothrock, 7409 Cedar Avenue, asked what amount would be needed to give City employees a 5-6% cost of living increase, to which Councilman Forshee replied roughly \$60,000.

Lester M. Geib, 7509 Hancock Avenue, stated he felt City employees are doing a terrific job; that the Fire Department is second to none and that this may be due to the good training officer--a position which he would like to see made permanent. He stated that if you expect good service from employees, they must be paid for it.

Jack Mitton, 501 Philadelphia Avenue, inquired if it is true that Prince George's County contributes nothing to the City Police Department and, if so, what can be done, since, in effect, this results in Montgomery subsidizing Prince George's in this area. Mayor Miller replied that it is true, despite his efforts for 18 years to get tax equalization which would give City a rebate from the County in lieu of services. He noted that several bills were introduced during this session of the Legislature, but without success. He indicated that this issue is a political football for the Prince George's County delegation and that only three or four of the 28 County municipalities furnish municipal services. He felt that tax equalization would eventually come, but not in the immediate future. He noted that at the time Montgomery County adopted a charter form of government, it asked to pull out of the City-County cooperative ventures; that as a result of pressure in Annapolis several years ago the City now receives \$48,000 from the state, and that a Federal tax-sharing plan would yield about \$46,000. Mr. Mitton asked if a higher tax rate could be levied in Prince George's County, and that this might induce citizens to work for tax equalization. Mayor Miller replied that it is unconstitutional to segregate citizens in that way. Mr. Mitton felt citizens could not live with a tax increase which, if reassessment is considered, would amount to 32-33%.

Joseph B. Simpson, Attorney for Police and Firemen's Association, stated that in his previous statement on behalf of pay increases for the police and firemen, he had not meant to imply that he objected to increases for all other employees, but that his primary concern was for the group he is serving. He referred to Councilman Forshee's statement about the relationship between tax rate variations and assessable base changes, and stated that despite increases in both, a property owner would still benefit from the increased value of his home. He then reiterated parts of his previous night's presentation in support of increased salaries for police and firemen. [See April 12 Council meeting minutes.]

Mrs. Beverly Quattlebaum, 8000 Maple Avenue, read a statement in support of increases for police and firemen, and spoke of the rise in serious crimes and the small amount of money allocated to the Detective Bureau. She pointed out the good relationship the City policemen now have with schools and school children, and doubted if this could be achieved by County policemen. Mr. Simpson stated that places such as Rockville who have a state-county-city police operation do not attempt to have the city police undertake the type of functions which are standard practice for the Takoma Park Department, things which range from parking tickets to homicide.

Vernon Ricks, 5 Lee Avenue, stated that the TESS Commission had to be founded in an attempt to overcome some of the neglect by the County in the Takoma Park area; that the County's interest and services are focussed on the wealthy up County sections, from which a larger portion of their tax money is derived; that it has been well demonstrated that if the City doesn't supply its own services and protection, it just won't be forthcoming. He stated he would be willing to have taxes raised and perhaps avert the need for another TESS commission.

Andrew Buzik, 216 Grant Avenue, stated he is willing to pay increased taxes and pointed out that City police and firemen are apparently also willing, since 95% of them are residents and taxpayers.

Charles E. Fiske, 232 Park Avenue, said he has asked to have taxes raised for several years to provide money for better salaries. He noted that last year he had brought up the discrepancy in the salary of the Public Works automotive supervisor (\$9400, responsible for 29 pieces of equipment, and 11 years service with the City) and that of the Fire Department mechanic (\$10,178, 7 pieces of equipment, only one year's service). He said this was to have been considered last year, but the inequity remains. He felt that all employees of the City are underpaid and voiced approval of an increase across the board.

George Bartels, Jr., 200 Park Avenue, stated he feels equivalent services could not be obtained from County policemen, and expressed his concern over the fact that so many people, even Councilman Roth, are not only inviting, but demanding, that County take over the policing function. In response to his question as to just how such a decision would be made, Mayor Miller replied that it has never been discussed among Council as a whole, but in the event of such a decision, there would be extensive public hearings to get the reactions of citizens. He also pointed out that it is likely the County would not want to accept this responsibility and, in any case, County taxes would have to be raised to pay for additional policemen. Mr. Roth stated he was not proposing abolition of the Takoma Park Police Department, but was thinking in terms of what services might have to be requested of the County.

Mrs. Sue Lerner, 7708 Takoma Avenue, suggested that a citizens group be formed to seek ways of raising revenue outside the tax structure, suggesting as possibilities the collection of fees for some of the 4th of July activities and trash collections.

Mr. Bonifiglio, 27 Philadelphia Avenue, stated he wished to have the best of services and protection and is willing to pay for it.

Mrs. Roderic Davis, 703 New York Avenue, inquired about the principle of tax-sharing, to which Mayor Miller responded. She then suggested the formation of a strong taxpayers group to work in Annapolis for the desired legislation. She asked the amount of COG's budget and added that she viewed this group as a super-government with unnecessary powers over other government bodies. In response to Mrs. Davis' question on association dues, Mr. Pridgen stated that dues to the Maryland Municipal League are \$2,000 and COG dues are approximately \$1500. Mrs. Davis expressed the opinion the City derives no return on these dues and felt it should run its own affairs on a local basis. She also pointed out that every house sold to Montgomery College means a loss in revenue to the City and that it might be considerable in ten years time. Mrs. Davis suggested that a survey be made to determine interest in the Newsletter, adding that in her view it is probably useful to property owners, but not to renters, and that any savings could be applied toward raises for firemen and policemen.

Mrs. Ferry, 24 Hickory Avenue, noted that the B.F. Gilbert Association had suggested a 47¢ tax increase two years ago, and asked how much would be required to balance the budget. Councilman Forshee stated that each 1¢ tax increase raises income by \$7250.

Mrs. Kathryn Simpson, 7300 Cedar Avenue, stated it has been her privilege to work closely with the City on a voluntary basis for a number of years and that during this time she has had occasion to become aware of the operation of the surrounding jurisdictions; she felt the City gives much better services and more of them. She also stated that in her judgment there are no frills in the budget, just needed things, and commended Council on what they have been able to accomplish with the funds available.

Mr. Ricks, 5 Lee Avenue, stated that most of the suggestions made are of such little value in terms of raising revenue that they are hardly worth spending time on; that the only worthwhile suggestion made has been increasing tax rate. Many members of the audience displayed their concurrence with his statement with applause.

Charles E. Fiske, 232 Park Avenue, suggested that all apartment residents be taxed.

An unidentified gentleman asked if there were commercial enterprises not being taxed, to which Mr. Pridgen replied that City is limited by State law as to whom it may tax; that City only collects a traders license fee on businesses. The gentleman then suggested that nonprofit groups be taxed. He also suggested an automobile use tax, to which Mayor Miller replied that proposed legislation on this has just been defeated.

Mayor Miller thanked those present for their interest and suggestions, and assured them that all comments would be considered. The meeting adjourned at 10:18 PM.

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APPROVED: George M. Malachuk

ATTEST: Raynes M. Pridgen
City Administrator-Clerk

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THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
April 26, 1971City Officials Present

Mayor Miller
 Councilman Hutmire
 Councilman Nishimoto
 Councilman Roth
 Councilman Webb
 Councilman Eppes
 Excused: Councilman Forshee
 Councilman Sidell

City Administrator Pridgen
 Corporation Counsel Gingerich
 Asst. Corp. Counsel Culpepper
 City Treasurer Turner
 Fire Chief LaScola
 Fire Captain West
 Police Captain Porter
 Director of Public Works Rhodes
 Dep. Dir. Public Works Barile
 Director of Recreation Ziegler

The Mayor and City Council of Takoma Park, Maryland convened in Regular Session at 8:05 PM, April 26, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. The invocation was given by Dr. Paul Gillespie, Takoma Park Baptist Church, after which Mayor Miller led in the Pledge of Allegiance to the flag. Mayor Miller called for a motion to waive the reading of the minutes, if there were no corrections or additions. Motion was made by Councilman Roth, seconded by Councilman Eppes, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. W. C. Dutton, Jr., Parking and Planning Commission, Riverdale. Announcement of second "Dimension in Music" festival for Prince George's County, Saturday, May 15, Prince George's Community College, Largo, 12:00-6:00 PM and 8-10:00 PM; request for contribution and/or purchase of advertising space. Parks and Recreation Committee
2. Carlton R. Sickles, Chairman, WMATA, 950 S. L'Enfant Plaza, S. W., D.C. Re-sponse to letter regarding plans for air rights, at Takoma Park Metro station. Planning and Zoning Committee
3. Dollie H. Kyte, Clerk, Montgomery County Board of Appeals, Rockville. Notice of public hearing on Special Exception 2732, re operation of a nursing home at 517 Albany Avenue, scheduled for 9:30 AM, May 20, Carl E. Howe & Melvin L. Haas, petitioners. Planning and Zoning Committee
4. Leslie D. Adams, Recording Secretary, T.P. Volunteer Fire Department, Inc., City. Letter and resolution pertaining to the vacant position of training officer in Fire Dept. Fire Protection Committee
5. Richard E. Young, et al., 251 Manor Circle, City. Petition concerning problems with parking and abandoned cars in Manor Circle-Winchester Avenue area. Law Enforcement Committee
6. Mr. and Mrs. Howard E. Ludwig, 7111 Cedar Avenue, City. Letter supporting proposed pay increase for police and firemen. Finance Committee

7. Alfred P. Vogel, 7117 Garland Avenue, City. Proposed plan for raising revenue to purchase open space. Finance Committee

8. Mrs. Mellie Morgan, 8208 Roanoke Avenue, City. Complaint about poor condition of sidewalks and potential danger to senior citizens with particular reference to those in Flower Avenue shopping center area. Finance Committee; Public Works Committee

9. Margaret Holmes, et al., B. F. Gilbert Citizens Assoc., City. Request to adjust tax to reflect Montgomery County's procedure in cases of reassessment of property owned by senior citizens. Finance Committee

MAYOR MILLER'S COMMENTS

After welcoming the audience and inviting them to attend the May 10 Council meeting, Mayor Miller issued the following proclamations:

A proclamation given to Sgt. Georgia McClellan, standing in for Capt. Peggy Heideman of the Baltimore Recruiting Station, designating May 9-15 as WOMEN'S ARMY CORPS WEEK, and saluting their contribution to the nation on their 29th anniversary.

A proclamation given to Andrew Buzik naming the month of May as TAKOMA PARK BOYS CLUB DAYS in the City, which asked citizens to support the Club by donating \$2.00 for a Boys Club tag.

Mr. Buzik noted that two baseball players who started out in the Takoma Park Club--Steve Barber and Sonny Jackson--are now together on the Atlanta team. He also spoke of the shortage of coaches this year, stating that because of this, for the first time the Boys Club will be unable to sponsor a midget team this year in the Montgomery County Baseball Association.

Mayor Miller read the following resolution:

RESOLUTION

WHEREAS, a new Pedestrian Law has been enacted by the State of Maryland, effective January 1, 1971, which provides: (1) Pedestrians, in general, have the right of way in crosswalks and intersections; however, they must yield to emergency vehicles and are subject to traffic-control signals; (2) Blind pedestrians are accorded special privileges, through the use of appropriate signals, at street crossings and intersections; (3) Pedestrians may not lawfully walk on streets where sidewalks are provided; (4) Pedestrians may not solicit rides or flag passing cars except to ask for aid with disabled car; (5) Pedestrians may not walk on or cross controlled-access highways except to seek help for a disabled car; (6) Vehicles, in general, have the right-of-way between intersections; (7) Both pedestrians and drivers are to exercise due caution; AND

WHEREAS, citizens may not be aware of the above provisions of said law, the Maryland Traffic Safety Commission has requested that the Governor and all Commissioners

and Mayors of the state support a safe pedestrian campaign by proclaiming the month of May as SAFE PEDESTRIAN MONTH.

THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland, do hereby endorse the principles of Safe Pedestrian Month, and call upon all citizens to comply with the provisions of the new law, not only during the month of May, but throughout the year.

PUBLIC PARTICIPATION

1. Mrs. Evelyn Ferry, 24 Hickory Avenue, City. Mrs. Ferry stated that she has embarked on her annual campaign to establish a revolving fund for low interest home improvement loans for senior citizens. She noted that for eight years this request has appeared briefly on the agenda, then is removed with no action having been taken. She spoke also of her concern about real estate speculators stepping in to buy deteriorating homes, instead of buyers attracted by well-kept property, and said that houses are regularly put on the market for lack of upkeep funds. Councilman Hutmire pointed out that his Committee is studying the possibility of setting up a City housing authority, which could encompass such a fund, and stated that there is an already established fund available through Montgomery County. Mrs. Ferry stated that few people have knowledge of this fund or the procedure for making application and, in any case, she feels this should be a City function under the aegis of the Mayor and Council. Councilman Hutmire agreed to seek ways of publicizing the Montgomery County program while the housing authority plan is being studied.

2. Kathryn B. Simpson, 7300 Cedar Avenue, City. Mrs. Simpson said she was present as Chairman of the Community Improvement Board to distribute the accouterments the Mayor and Council would use in the one-hour May Day on Trash collection, scheduled for 10:00 AM, Saturday, May 1. She indicated that a local college has agreed to give the campaign some radio publicity. Mayor Miller commented on Mrs. Simpson's resourcefulness in constructing the pickup sticks and armbands.

3. Andrew Buzik, 216 Grant Avenue, City. Mr. Buzik inquired about vacancies in the Fire and Police Departments, and urged Council to fill these positions from the ranks rather than bring in new people. He specifically inquired about the Lieutenant's slot in the Police Department and about the status of the Chief of Police. Councilman Nishimoto responded by saying that there is a Detective Lieutenant on the force, but the position of Uniform Lieutenant is vacant; that Chief Foster has been on leave and that in his absence Captain Porter has done very, very well as the Captain taking over as Chief of Police.

COMMITTEE REPORTS

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Parking in Manor Circle-Winchester Avenue area. Councilman Nishimoto stated there have been several requests dealing with parking in this area, and reported on them as follows: (a) Request to permit parking on North side of Winchester Avenue at Manor Circle and requests to prohibit parking on West end of Winchester Avenue on the South side: He stated he concurs with the recommendation of the Police Department that parking prohibition should be retained on the North side and that it be instituted on the South side, and moved that the following ordinance be adopted to achieve this:

ORDINANCE NO. 2156

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

SECTION 1. THAT Ordinance 1633, adopted January 23, 1961, is hereby repealed, AND

SECTION 2. THAT parking be prohibited at all times on the South side of Winchester Avenue, from its dead end to its intersection with Manor Circle, AND

SECTION 3. THAT the Director of Public Works is hereby directed to erect appropriate signs to indicate the restriction ordained in Section 2.

SECTION 4. FURTHER THAT the penalty for violation of this Ordinance shall be the same as prescribed by the Municipal Code (1961) governing traffic violations in the City of Takoma Park, Maryland

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

(b) Request for ordinance to enable the removal of abandoned cars in Winchester Apartments parking lot: Councilman Nishimoto stated that there is no need for an ordinance, since appropriate laws are already in effect; that the Department has already begun the removal process, however; it will take time to go through the required legal procedure. Councilman Hutmire inquired if this were the ordinance which permits unlicensed cars to be kept in driveways, etc., if they are screened from public view, and asked if this is the only available means of controlling the problem. Councilman Nishimoto doubted that visibility should be used as the criterion here. Capt. Porter stated that the law being enforced in this instance is a State law which permits removal of abandoned cars from parking lots if owner or manager agree to sign the appropriate form; that visibility doesn't enter into it. Councilman Hutmire stated he was questioning the procedure used when such an agreement cannot be obtained. Councilman Nishimoto stated that the necessary laws are on the books and there is no need for an additional ordinance. (c) Councilman Nishimoto stated that the request to permit parking a commercial vehicle on the street cannot be granted, since it is in violation of a City ordinance.

2. Complaint re parking tickets and restriction on parking at intersections. This involves a parking ticket received within the 40' prohibited area, and a request that consideration be given to rescinding or altering the covering ordinance, Councilman Nishimoto stated. He requested that Public Works repaint the curbs at the intersection of Garland and Minter, and stated the Police Department will, on a low priority basis, survey the City intersections to determine if some alteration of the ordinance may be in order. He further stated that the reason for the ordinance is to give better visibility at the intersections on the very narrow City streets, and that, personally, he would prefer to have it remain in force as much as possible.

3. Request to rescind parking restriction at 7515 Maple Avenue. This situation involved a ticket issued for violation of the City ordinance which prohibits parking within 5' of a driveway, Councilman Nishimoto stated. He said that the ticket cannot be rescinded since recipient was in clear violation. He requested that Public Works paint the small section of curbing in front of 7515 Maple Avenue to avoid further violations.

4. Additional safety precautions in area of S.S. Intermediate School. Councilman Nishimoto stated that the Department has had discussions regarding additional crossing guards with the principal and other representatives of the school. However, he feels a recommendation would need to be deferred until the whole question of safety needs can be coordinated with representatives of the new school and Takoma Park Elementary.

5. Police and Firemen's Association proposals re Merit Plan revision. A decision on this will be made by the Finance Committee, Councilman Nishimoto stated.

6. Traffic hazard at Piney Branch Road, Eastern and Takoma Avenues. The State Roads Commission has broken numerous appointments set up to discuss this multi-jurisdictional problem, Councilman Nishimoto stated, and requested that a letter be sent over the Mayor's signature indicating the seriousness of the situation and requesting that some decisive steps be taken to correct it.

7. Washington Walk for Development. Councilman Nishimoto stated that a group using this name walk to raise money for various causes, being paid a certain amount per mile walked. They have asked permission to pass through a portion of the City and solicit money. He requested the City Administrator to notify the group that approval has been given under the same terms as that granted previously.

8. Commendation. Councilman Nishimoto reported that a commendation has been received from the Pirate's Den citing Officer Holmberg's efficient handling of a robbery case. He asked that it be made a part of his personnel record.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Proposed requirement of hardsurface parking at commercial places. The Committee is now preparing a proposed ordinance for presentation to the Council, Councilman Hutmire stated.

2. Information booklet. Councilman Hutmire reported that the material will be ready for the printer within the next few weeks, and that he has reached a firm understanding with printer after having arranged for a substantial cost reduction.

3. Proposed housing authority. Material received from a group of Maryland cities with already established housing authorities is being studied by the Committee, Councilman Hutmire stated.

4. CATV system. Members of the Council have had to reschedule a trip to Annapolis to view a CATV system in operation, which will add to the knowledge already acquired thru meetings with the several groups who submitted proposals, Councilman Hutmire stated. In addition, one group has requested a second meeting.

5. Code Enforcement Division. Councilman Hutmire stated that the Committee has been reviewing applications for the vacant position of Code Enforcement Officer, but are not yet ready to make a recommendation.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Proposed refuse recycling station. This item is still under discussion Councilman Roth stated.

2. Complaint re trash house and containers at Winchester Avenue Apartments. Councilman Roth stated that the Committee has requested that the commercial trash containers be removed from the public right of way.

3. Hammond Avenue: Langley Professional Building. Councilman Roth requested that a letter be sent to the owners of the building to contain the following: (1) commending them on progress made in landscaping, noting that shrubbery is looking fine; (2) recommending to them that they install a curb along the paved section of Hammond Avenue as an additional improvement to property and to prevent wash along the slope.

4. Hodges Field improvement. Councilman Roth stated that work has been done to ready the field for spring ball playing, and that a more substantive plan is being considered for next year. Mr. Buzik stated that the school buses have caused most of the problems; he noted that at one time they had been instructed to unload at edge of the field with children walking across, and asked that this be instituted again. He also stated that it is not necessary to construct a new backstop, since the old one can be repaired. Councilman Roth stated that someone from the Committee hopes to meet with school personnel.

5. Purchase of post straightener. Councilman Roth moved that Council approve the purchase of a post straightener, at a cost of \$117.60 plus freight, to replace the 15-year-old one now used by the Department. He noted that funds are available in this year's budget. Motion was seconded by Councilman Hutmire. Upon inquiry by Councilman Nishimoto, Mr. Roth explained that the item is a type of hydraulic jack used to straighten parking meters, street sign posts, etc. Motion was unanimously approved.

6. Personnel. Councilman Roth stated that Mr. Anthony Barile has most satisfactorily completed his one year probationary period as Deputy Director of Public Works and Supervisor of the Code Enforcement Division, and moved that Council approve his permanent appointment at the full salary of \$10,500, effective May 1. Motion was seconded by Councilman Eppes and carried.

7. Items of information. WSSC has informed Mr. Rhodes that the F.O. Day Co. will start repairs on Maple Avenue on April 27; the Department will watch this operation closely. The curbs on Garland Avenue are being repaired, as requested by Mr. Teates of 7223 Garland Avenue some months ago. The annual spring clean-up program is under way, with three more special trash pickups scheduled. The Department is also cooperating with the Community Improvement Board in their May Day on Trash program.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Police and Firemen's Association proposals for Merit Plan revision. Action on this will be a function of the Finance Committee, Councilman Eppes stated.

2. Revision of Article 4, Municipal Code. Councilman Eppes reported that this is still under review, with no specific action to report as yet.

3. Repeal of ordinance providing parking space for Fire Chief on Hancock Avenue. Councilman Eppes stated the Fire Chief no longer resides on Hancock Avenue and the reserved space is not now needed. He moved that the following ordinance be adopted:

ORDINANCE NO. 2157

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

SECTION 1. THAT Ordinance 1632, adopted January 9, 1961, authorizing a sign on the Southwest corner of Hancock Avenue at Lee Avenue reading OFFICIAL PARKING: MUNICIPAL FIRE CHIEF ONLY, be hereby repealed, AND

SECTION 2. THAT the Director of Public Works is hereby authorized to remove said sign.

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

4. Training. Councilman Eppes moved that the Fire Department Machinery Superintendent, R. E. Carter, be sent to the Wisconsin Seagrave Company school for 12 days to receive training on the new ladder truck, scheduled for delivery in early May. He noted that the only expenditure involved is \$175 for living expenses. Motion was seconded by Councilman Roth and unanimously approved.

PLANNING AND ZONING COMMITTEE: Vice-Chairman Roth reporting

1. Special Exception 2479, warehouse, Holton Lane. Councilman Roth reported that the Committee had voted 2:1 to recommend approval of the special exception, his own vote being the dissenting one, and moved that Council approve the recommendation. Motion was seconded by Councilman Webb. Councilman Nishimoto asked for clarification and further discussion, saying he had not been happy with the preliminary presentation, and inquired about the advantages of approving the special exception. Councilman Webb cited the following as being either advantageous to the City or of negligible disadvantage: After having been zoned commercial some time ago, this property has remained undeveloped, and the City would benefit from its development in that it would give an added source of revenue; the warehouse will be totally enclosed and won't detract from the neighborhood as it presently exists; the increase in traffic would be insignificant, since deliveries would be made only periodically. Councilman Roth stated he feared the proposed action would set a precedent; that approval of this warehouse might be instrumental in turning the area into a warehouse district. Councilman Nishimoto noted that a warehouse does change the character of an area and suggested that something like a hotel might be aimed for. Mayor Miller pointed out that perhaps this area may not have much success potential for other type enterprises, since some businesses have not done well there and it has been available for commercial use for some years.

Upon question by Councilman Nishimoto as to whether notification of the hearing had been recieved after the fact, the City Administrator stated that in this instance the Clerk had been unaware that site is located within the City, and he had had to request a copy of the notice.

Councilman Eppes moved that the motion be tabled until the next Council meeting to give an opportunity for further study. The motion was seconded by Councilman Nishimoto. The Mayor and City Administrator pointed out that a request to hold open the record for 15 days was made on April 13, and questioned the advisability of asking for additional time. Councilman Eppes withdrew his motion, after which the motion recommending approval was voted on and recorded as follows: Aye: Councilmen Eppes, Hutmire, Web. Nay: Councilmen Nishimoto and Roth. Excused: Councilmen Forshee and Sidell.

April 26, 1971

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Proposed open space area at New Hampshire, Elm, Heather & Larch Aves. Councilman Webb reported that this has been referred to the Prince George's County Planning Board for possible financing.
2. Feasibility of City Acquisition of 1111 Sligo Creek Parkway for recreation area. Councilman Webb read the following from a letter received from Park & Planning Commission's Principal Park Planner: ". . . it is the consensus of opinion that the subject land with the improvement would yield limited recreational benefits as compared with the extremely high cost of the public for the land due to its commercial classification." In view of this, Councilman Webb asked that the item be removed from the agenda.
3. Recreation Department Activities. Councilman Webb gave the following report on activities in or coordinated by the Recreation Department: Colby Tot Lot grass is beginning to grow and the new equipment is due within a week or two. The Easter Gym program which ran from April 12-16, was quite successful, particularly the skating. Scheduled activities include: Next Friday night movie--May 21 in the Gym. The second poodle grooming class will begin May 6, to meet on Thursdays. Three performances of "Robinhood" are scheduled for the weekend of May 7: May 7 at 4:30 PM; May 8 at 7:30 PM, and May 9 at 3:00 PM. All performances will be given in auditorium of Our Lady of Sorrows Church: fee 25¢. This is a production of the Children's Drama Class. A group of children will be given a free trip to the Wheaton Chamber of Commerce Circus this weekend with tickets and bus transportation being donated by the Community School Program. The annual Azalea Show will be held May 1, 4-6:00 Pm, and May 2 from 2-7 PM in the Gym; no charge. The annual plant and flower sale is scheduled for May 8 from 9-1:00 PM at Hodges Field. The Sister City exchange student will teach a free beginners Portugese class beginning May 8; registration May 1 at 10:00 AM. The Sister City Committee would like to schedule visits in various homes for her, as well as weekend trips, and will make the necessary arrangements.

FINANCE COMMITTEE

Mayor Miller stated there would be no formal report in Councilman Forshee's absence; however, the remainder of the Committee, the City Administrator and Treasurer are working on the budget and will have recommendations for submission to full Council at a future date.

SPECIAL LIBRARY COMMITTEE

No report.

There being no further business to come before the Council, Mayor Miller called for a motion to adjourn. Motion was made by Councilman Nishimoto, seconded by Councilman Roth, and the meeting adjourned at 9:45 PM, to reconvene in the Municipal Gymnasium at 8:00 PM, May 10, 1971.

ATTEST:

Haynes M. Ridgman
City Administrator-Clerk

APPROVED:

George M. Miller
Mayor