

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

May 10, 1971

City Officials Present

- Mayor Miller
- Councilman Eppes
- Councilman Nishimoto
- Councilman Roth
- Councilman Sidell
- Councilman Webb
- Excused: Councilman Forshee
- Councilman Hutmire
- City Administrator Pridgen
- Corporation Counsel Gingerich
- City Treasurer Turner
- Fire Chief LaScola
- Deputy Fire Chief Fickes
- 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 Executive Session at 8:00 PM, May 10, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Md. Mayor Miller led in 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 to approve the minutes as submitted by Councilman Eppes, seconded by Councilman Webb, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. State Senator Edward T. Conroy, Annapolis. Response to Mayor Miller's letter re S.B. 663 and 735. Council Files
2. State Delegate Woodrow M. Allen, Annapolis. Response to Mayor Miller's request to support H.B. 1296. Council Files
3. LaVerne W. Miller, Chairman, Dept. of Learning Resources, Montgomery College, City. Comments on the beauty of the Library garden. Parks & Recreation Committee; Azalea Committee

FINANCIAL STATEMENT OF BANK BALANCES AS OF 4-30-71: City Treasurer Turner reporting

SUBURBAN TRUST CO.--GENERAL FUNDS

Balance as of March 31, 1971	83,566.59	
April receipts*	118,784.05	202,350.64
April disbursements		132,608.83
Balance as of April 30, 1971		<u>69,741.81</u>

\*Includes 2 \$50,000 treasury bills

SUBURBAN TRUST CO.--PAYROLL ACCOUNT

Balance as of March 31, 1971	12,778.61	
April transfers from Gen. Funds	82,027.52	94,806.13
April disbursements		83,282.94
Balance as of April 30, 1971		<u>11,523.19</u>

FINANCIAL STATEMENT, continued

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May 10, 1971

CITIZENS BANK OF MARYLAND--GENERAL FUNDS

Balance as of March 31, 1971	217.12	
No transactions during April	--	217.12
Balance as of April 30, 1971		<u>217.12</u>

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENTS FUND

Balance as of March 31, 1971	448.69	
April receipts	102.93	551.62
No disbursements during April		--
Balance as of April 30, 1971		<u>551.62</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND

Balance as of March 31, 1971	81,579.74	
April receipts	--	81,579.74
April disbursements		9,539.68
Balance as of April 30, 1971		<u>72,040.06</u>

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

Balance as of March 31, 1971	151.14	
No transactions during April	--	151.14
Balance as of April 30, 1971		<u>151.14</u>

AMERICAN NATIONAL BANK--GENERAL FUNDS

Balance as of March 31, 1971	500.00	
No transactions during April	--	500.00
Balance as of April 30, 1971		<u>500.00</u>

PETTY CASH

		<u>200.00</u>
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U. S. TREASURY BILLS

		<u>Cost</u>	<u>Maturity Value</u>
Purchased: 9-23-70	Due to mature: 5-31-71	95,795.83	100,000.00
10-22-70	6-30-71	95,778.89	100,000.00
		<u>191,574.72</u>	<u>200,000.00</u>

CITIZENS BANK OF MARYLAND

Certificates of Deposit @ 4.0% interest		600,000.00
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MAYOR MILLER'S COMMENTS

Mayor Miller said it has been traditional for the VFW Post 350 Buddy Poppy Princess to be crowned at the first Council meeting in May. He stated he would presently issue a proclamation, after which the incoming and outgoing princesses would sell poppies. He congratulated Post 350 for the tremendous job they do, not only their veterans activities, but also the service function of the auxiliary which extends to work in hospitals, dispensing coffee at civic programs, etc. The Post also participates in the annual Halloween party the Fourth of July program, of which they have a representative on the Committee, and are the main sponsor of the annual Memorial Day program. The Mayor read the following proclamation, after which Miss Lynn Gray was crowned Buddy Poppy Princess by Miss Gay Rhindone, last year's princess:

A proclamation naming the month of May 1971 as BUDDY POPPY MONTH and designating it as a period for the distribution and sale of Buddy Poppies as a symbol of gratitude to the honored dead of the City, the proceeds of which are used to help needy veterans and families of deceased veterans.

The Commander of Post 350 thanked the Mayor and Council for permitting the ceremony and sale of poppies to be held at a Council meeting. He indicated that Miss Gray had been chosen princess by members of the junior girls unit.

Mayor Miller invited those present to attend the Memorial Day service as a token of esteem for those who have lost their lives. He commented on the recent demonstrations, noting that Washington has been the scene of both good and bad demonstrations recently, which in no way detracts from the sacrifices made by veterans of past and present wars. He spoke of our constitutional right to protest against what we do not like and the ways of voicing dissent and working toward correcting the ills of the country, noting that these are privileges not granted in totalitarian forms of government.

Mayor Miller announced that the desecration of the bank behind the Library, about which he had received numerous phone calls, is necessary to provide space for moving in heavy equipment for construction of the new building. He stated that it will be replanted and landscaped along with new building grounds and should be even more beautiful next year.

#### PUBLIC PARTICIPATION:

1. George B. Kennedy, VFW Post #350, stated he would like to call attention to the many City officials who are members of VFW Post 350, and named the following as being active: Mayor Miller, Councilmen Roth and Hutmire, City Treasurer Turner, Public Works Director Rhodes and Fire Chief LaScola. Mayor Miller pointed out that Mr. Kennedy served on the Council a number of years and had made many contributions to the City during his tenure.
2. Henri Sokolove, 509 New York Avenue, City. Mr. Sokolove referred to last week's hearing on Montgomery College's planned expansion and noted that the Mayor and many Councilmen had been present. He stated that agreement on the need for expansion is practically unanimous, but that residents whose property is in jeopardy object to the failure of the College officials to communicate their plans to their immediate neighbors. He felt their aims might be better accomplished, and with less animosity, if the Trustees were not so secretive about their plans, and went on to say that the Mayor and Council occupy a unique position in the controversy because of their vested powers; e.g., they have the authority to either grant or withhold permission to close New York Avenue. He expressed the hope that the Mayor and Council would seek alternatives to the acrimonious seizure of wanted properties, suggesting that one alternative would be for the City to donate Jequie Park and/or other land needed for expansion. Mr. Sokolove closed by saying that it is incumbent on the City authorities to see that the residents of the area who will be affected are not only kept informed on the College's plans, but permitted to participate in the process; that failure to do this has precipitated much of the bitterness and hostility which is present in the neighborhood.
3. Joseph G. Ferrier, 7413 Maple Avenue, City, stated he would like to echo Mr. Sokolove's remarks and noted that he has been working with the residents of Block 59 in an attempt to save their homes. Mr. Ferrier stated that he assumes the requested pushbutton

stop light at Maple and Sherman Avenues will be considered, as promised, after the new school is completed. He referred to the recent change in food stamp allocation and stated he has been working to reinstate the former method through letters to Congressmen Goode and Hogan, and Senators Beall and Mathias. Mr. Ferrier reported that he had assisted TESS in registering over 200 persons from the immediate area who are eligible for the reduced bus rates (15¢ off fares 40¢ or over). He also noted that, in connection with the May trash drive, he and his son had taken away four truckloads on their own initiative, thus lightening the workload of the Public Works Department.

4. George F. Cox, 314 Ethan-Allen Avenue, City. Mr. Cox requested that some action be taken to force the Winchester Avenue Apartments to correct the deplorable condition of their trash container and to demolish the trash house, noting that both serve as breeding grounds for vermin and rodents. He referred to earlier requests made by nearby residents some time ago. He also asked that the abandoned cars be removed from the parking lot at the end of Winchester Avenue. Mayor Miller requested Mr. Rhodes to look into these situations.

5. Mrs. Leo J. Sheehy, 310 Ethan Allen Avenue, City. Mrs. Sheehy reiterated Mr. Cox's requests and stated that rats and mice from the trash units have entered her house. She asked that the trash container be moved to the bottom of the hill where it belongs. Mayor Miller referred this to Mr. Rhodes.

#### COMMITTEE REPORTS

##### FINANCE COMMITTEE: Councilman Forshee, Chairman

No report.

##### LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Councilman Nishimoto stated he is glad to have Mr. Ferrier's comments and said consideration of the pushbutton light will be included in an over-all study of safety for that area, though he could not promise a light would be decided on.

1. Police and Firemen's Association proposed Merit Plan revision. Councilman Nishimoto stated this is still under consideration.

2. Traffic hazard at Piney Branch Road, Eastern & Takoma Avenues. Dr. Nishimoto reported that some progress has been made in the form of a meeting between State Roads Commission representatives and Captain Porter, with the decision being made to set up a radar apparatus on the site to make a preliminary check on speeding.

3. Personnel. Councilman Nishimoto moved that Council accept the resignation of Special Policeman John A. Postle, effective May 1. Motion was seconded by Councilman Roth and carried.

4. Personnel. Councilman Nishimoto announced the resignation of Police Chief Foster, effective immediately, and stated that it is with considerable regret that he did so. He spoke of the fine job the Chief has done for over 20 years, first as a patrolman, then a motorcycle officer, and finally as the Chief. He moved that his resignation be accepted. Motion was seconded by Councilman Roth and carried.

No report.

5. Personnel. Since September, Captain Porter has been acting as Chief of Police, and has done a tremendous job, Councilman Nishimoto stated. He expressed his appreciation for a good performance during a difficult period, and moved that Captain Porter be designated Acting Chief of Police until a definite replacement is obtained. The Motion was seconded by Councilman Sidell and unanimously approved.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Vice-Chairman Sidell reporting

1. Information booklet. Councilman Sidell stated this is coming along well and, as previously reported, will be ready for printing soon.

2. CATV system. Discussions are continuing with organizations who have submitted proposals, Councilman Sidell reported.

3. Proposed housing authority. Responses to a questionnaire submitted to several Maryland cities who have housing authorities are being studied, Councilman Sidell stated.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. University Boulevard sidewalk (1000 block). Councilman Roth reported that plans are going forward and it is anticipated the contract will be let in June.

2. Anne Street sidewalk. Councilman Roth stated the Committee has studied the alternatives to a sidewalk emanating from the public hearing, and have concluded that it is essential that sidewalks be built; that there is no other solution to the extremely hazardous situation with which pedestrians must cope. He stated that the pedestrian traffic is generated by patrons of the shopping center--an income-producing property for the City--and not by the residents of Anne Street; that the Anne Street residents do not want sidewalks. He stated that in the interest of public safety, it was the consensus of the Committee that the sidewalk should be constructed with the use of City forces. He moved that Council authorize the Public Works Department to proceed with the work. Mr. Vogel and Mr. Sokolove raised questions as to the propriety of using City personnel and taxpayers' money to pay for what is a legal obligation of one small group of residents. Mayor Miller and Councilman Roth explained that the City doesn't go into every neighborhood to build sidewalks, but this situation is such that Council would be derelict in its duty to protect the public if no action is taken; that it has been on the agenda for seven or eight years and something must be done before a death occurs. It was pointed out that the proposed sidewalk would not include property adjacent to the shopping center, since it was put in at owner's expense some time ago.

In reply to Mr. Vogel's question as to how the assessment of property owners along the 1000 block of University Boulevard can be justified in light of the motion just presented, Councilman Roth stated that these properties are income-producing, while those on Anne Street are one-family residences. He indicated the cost would be something under \$3800, the contractor's price. In reply to Mr. Sokolove's question regarding legal responsibility of property owners to pay for sidewalks, Mayor Miller stated that Council has the authority to require this, but it hardly seems justifiable when there is no benefit derived by the property owners, as is the case here.

Councilman Sidell stated that the majority of the Anne Street residents do not want sidewalks, much less pay for them; that they have gone to the expense of landscaping and planting shrubbery and would like to have it remain as it is; also, there are few sidewalks

in that development. He noted that sometimes residents do feel they have a moral responsibility and ask to have sidewalks put in at their own expense, as was the case in his own neighborhood, and that the City has installed many blacktop sidewalks where they felt a threat to the safety of citizens existed. He seconded Councilman Roth's motion on that basis. Mr. Ferrier asked why Philadelphia Avenue does not have sidewalks on both sides, to which Mayor Miller replied that this has been deferred, pending widening of Route 410. The motion to proceed with sidewalks on Anne Street was unanimously approved.

3. Equipment. Councilman Roth moved that Council approve the purchase of three new air conditioners for the Fire Department by adoption of the ordinance below, and noted that the old ones are beyond economical repair:

ORDINANCE NO. 2158

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

SECTION 1. THAT three window air conditioners at the Fire Department are inoperable and in need of replacement; AND

SECTION 2. THAT the purchase of the following replacement units, from A&A Appliances, Washington, D. C., is hereby authorized:

1 - 18,000 BTU, 230 V. Gibson Air Conditioner	\$282.00	
1 - 11,500 BTU, 115 V. Gibson Air Conditioner	267.00	
1 - 8,000 BTU, 115 V. Gibson Air Conditioner	191.00	
	Total	\$740.00

AND

SECTION 3. FURTHER THAT funds for these purchases be transferred from A/C 10.811A1 to A/C 10.813. Motion was seconded by Councilman Eppes and the ordinance adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Nishimoto, Roth, Sidell and Webb. Nay: none. Excused: Councilmen Forshee and Hutmire.

4. Items of information. Councilman Roth stated that, with the help of a public-spirited citizen, work on the Fire House storage shed is coming along well. He also stated that during the first three weeks of the spring cleanup period, the Department has picked up 297 tons of special trash. Upon inquiry, Mr. Rhodes stated this is the last week of the drive. Councilman Sidell suggested that residents be reminded that they must call for a special pickup after this week. Mayor Miller noted that many groups have been actively involved in cleanup campaigns during the past weeks, and felt that the Sligo Chapter of the Isaac Walton League, a conservation group, deserve special notice for their accomplishments in this area.

SECTION 4. FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. VFD resolution re position of Department Training Officer. Councilman Eppes stated the Committee has not met since this was received; that he would report on it at a later meeting.

2. Police & Firemen's Association Merit Plan proposals. This cannot be acted on until the Chairman of the Finance Committee returns from vacation, Councilman Eppes stated.

3. Revision of Article 4. This is being done by the Fire Chief in collaboration with a former fire chief, and is not yet completed, Councilman Eppes said.

4. Personnel. Councilman Eppes stated that Pvt. John P. Kimball has submitted his resignation, effective May 16, to accept a position with the Fairfax County Fire Dept. He moved that the resignation be accepted with regrets. Motion was seconded by Councilman Roth and carried.

5. New ladder truck. Councilman Eppes announced that the new truck is scheduled for delivery this week and would represent a substantial addition to the Department's fire fighting capability.

Councilman Roth inquired about the status of the Prince George's County fire tax. Mayor Miller stated he has written a letter regarding it and asked that it be added to the Fire Protection Committee agenda.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Special Exception 2732, nursing home, 517 Albany Avenue. Councilman Sidell moved that the Board of Appeals be notified that Council has no objection to extending the time period within which the special exception previously granted was to have been exercised. He noted that the nursing home has been there for some time and, to his knowledge, there have never been any complaints about it. Motion was seconded by Councilman Roth and carried.

2. Proposed open space area at Jackson and Central Avenues. This is still being investigated, Councilman Sidell stated, with nothing specific to report as yet.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Open space at Elm, N.H., Heather & Larch Aves. Councilman Webb referred to a report given at the last Council meeting and stated Committee is awaiting a report on possible funding.

2. Suggested annual Founder's Day celebration. The Committee considering the proposal has made no report as yet, Councilman Webb stated.

3. Petition to improve Hodges Field. Councilman Webb reported that the field should be ready for ball playing within the next week or so.

4. Colby Tot Lot. Councilman Webb stated that the equipment has been delivered, but installation is being held up until the grass is sturdy enough for children's play.

5. "Robin Hood". This production of the children's drama group was very successful, Councilman Webb said, with attendance running around 300, earning enough to cover expenses.

6. Equipment. Councilman Webb moved that Council approve purchase of the following gym and playground equipment, for which funds have been allocated in this year's budget under A/Cs 19.203E and 19.203E2: 1 - table tennis table from Nissen Corp. @ \$190; one combination buck and short horse from Nissen @ \$485; one pair multi-purpose aluminum portable game standards from Jayfro Corp @ \$169; total: \$844, including freight. Motion was seconded by Councilman Eppes and unanimously approved.

Upon inquiry by Mayor Miller, Mr. Gingerich said items on the agenda for which he is responsible are in progress and that the new codification of City Code has been received and is being reviewed by his staff. There being no further business to come before the Council motion was made to adjourn. Motion was seconded and the meeting adjourned at 9:13 PM, to reconvene at 8:00 PM on May 24, 1971, in the Municipal Gymnasium.

ATTEST: Haynes M. Bridger  
City Administrator-Clerk

APPROVED: George M. Miller  
Mayor

## THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
May 24, 1971

City Officials Present

Mayor Miller  
Councilman Eppes  
Councilman Hutmire  
Councilman Nishimoto  
Councilman Roth  
Councilman Sidell  
Councilman Webb

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

Excused: Councilman Forshee

The Mayor and City Council of Takoma Park, Maryland convened in Regular Session at 8:03 PM, May 24, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Md. Councilman Joseph H. Webb gave the Invocation, 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 of the last meeting, if there were no corrections or additions. Motion was made by Councilman Sidell, seconded by Councilman Eppes, and the minutes were approved as submitted.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Paul E. Burke, Executive Director, Maryland Traffic Safety Commission, Baltimore. Letter stating that copy of pedestrian safety resolution adopted by the Mayor and Council has been circulated to various communication media. Council Files
2. M. S. Caltrider, District Engineer, State Roads Commission, 300 W. Preston St., Baltimore. Notice that resurfacing of Carroll Avenue should begin around June 10, with completion anticipated prior to July 4. Public Works Committee
3. John D. Forrest, Regional Traffic Engineer, State Roads Commission, Baltimore. Request for meeting between representatives of that body and City officials to discuss several traffic problems. Law Enforcement Committee
4. Gilbert Hahn, Jr., Chairman, D. C. City Council. Response to letter from Mayor Miller, indicating some differences of opinion between D. C. and Takoma Park on the desirability of parking lots around subway stations. Council as a Whole
5. Walter A. Scheiber, Executive Director, COG, Washington, D. C. Letter describing proposed policy on hot pursuit of police into surrounding jurisdictions; request for notification on adoption of policy. Law Enforcement Committee
6. Lawrence Stevens, Dean of Students, Columbia Union College, City. Request for action on elimination of certain traffic and pedestrian hazards in campus area. Law Enforcement Committee

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Paul E. Burke, Executive Director, Maryland Traffic Safety Commission, Baltimore.



- 7. Robert Benson, et al., 8500 Garland Avenue, City. Petition to rescind parking tickets received on Fenton Street, near Montgomery College, and request to move NO PARKING signs to a more conspicuous place. Law Enforcement Committee
- 8. Robert V. Garrison, 6749 Eastern Avenue, City. Request to check needed sidewalk repair in his area.
- 9. Martin S. Rogers, Esq., Tucson, Arizona, representing owner of 8206 Flower Ave. Request to defer enforcement of ceiling height code violation until after July 1; also raises question as to City's authority to enforce. Housing and Code Enforcement Committee
- 10. James W. McCabe, President, Bliss Electrical Society, City. Letter from alumni association of Bliss Electrical School supporting Montgomery College's continuance and expansion at present location; also requests similar support by the Mayor. Planning and Zoning Committee
- 11. Thomas Camp, 717 Sligo Creek Parkway, City. Expression of appreciation of, and confidence in, the City Police Department. Law Enforcement Committee
- 12. Sheldon Golub, Associate Director, Public Relations, P.G. Co. Park and Planning Commission, Riverdale. Letter of transmittal and brochure outlining plans for proposed sports-cultural complex in Largo, Md.; notice of public hearing: 6-1-71, 8:00 PM, 6600 Kenilworth Avenue. Planning and Zoning Committee
- 13. Eugene Griffith, et al., 7906 Wildwood Drive, City. Petition suggesting forms of legal control of cats, similar to those imposed on dogs. Housing and Code Enf. Comm.

**MAYOR'S COMMENTS:**

Mayor Miller welcomed those present and invited them to attend the next meeting of the Council on the second Monday in June. He urged everyone to attend Monday's Memorial Day service, scheduled for 2:00 PM at Memorial Park, stating that the ceremony is brief--about a half-hour--and that it is fitting to honor those who have made sacrifices to set up and preserve the freedoms our constitutional form of government provides; particularly so, when all possible ways of testing those freedoms are demonstrated almost daily. This dissent would not be condoned under some forms of government, he stated.

Mayor Miller introduced Fire Lt. James Jarboe, of the Police and Firemen's Association, who, in turn, introduced TESS Community Aide, Bill Sefekar. Mr. Sefekar commented on the members of a TESS-sponsored elementary-school-age softball team who were present, and stated they have been quite successful this season. He thanked those who had been helpful in getting the team going: the Police and Firemen's Association, who supplied the jerseys; Mrs. Edwin Turner, President of the Associated Health & Welfare Agencies, who helped with the equipment; Mr. Edwin Turner, Lt. Jarboe, Capt. Porter, and Sgt. Walter, all of whom were instrumental in getting the team into operation. Mr. Turner noted that Belle Ziegler had also been helpful. Mr. Sefekar stated that one of the goals of TESS is to set up groups such as this through the active involvement and participation of individuals and organizations of the community; that the ball club represents just one type of cooperative effort envisioned by the Commission.

PUBLIC PARTICIPATION:

1. Murray L. Deutchman, Attorney, 27 West Jefferson St., Rockville. Mr. Deutchman stated he represents a group of home owners from Block 69--an area into which Montgomery College may expand--and that he would attempt to enlist the aid of the Mayor and Council to prevent that expansion. He referred to statements by representatives of the City which favored the expansion, but did not condone condemnation of nearby properties. Mr. Deutchman felt that these positions are mutually exclusive under the presently proposed Scheme 5; that is to say, Scheme 5 cannot be carried out without the condemnation of Block 69. This is so, he said, because the homeowners on Block 69 will not willingly sell their property. He urged the Mayor and Council to take a stand on one side or the other. He further stated that the residents of this block will not give up their property without a fight; that they will tie up the condemnation procedure every step of the way; that their property is not for sale and, furthermore, they will try to prevent others from selling; that, if necessary, they will file 15 separate law suits. Mr. Deutchman said that, in the view of his clients, the Board of Trustees have taken an unreasonable position in stating that they will consider either accepting Proposal 5 or abandon the Takoma Park campus--a decision which is to be made on June 14. He pointed out that there are other alternatives to horizontal expansion: vertical expansion, for example, which could include the modernization of present buildings and the construction of new buildings of at least 6 stories. Other alternatives which would permit residents of Block to remain would include: splitting the campus, or expanding to the nearby commercial area. He felt it incumbent on the Mayor and Council to look to the interest of Takoma Park citizens, and urged them to come up with an alternative proposal, acceptable to the Board of Trustees, prior to June 14 so as to prevent them from making a possibly irrevocable decision which would mean condemnation of Block 69 or abandonment of the campus. He pointed out that his clients very much want the College to remain and to expand, but not at their expense. He traced the history of the planned expansion and noted that up to mid-1970, the home owners were unaware that the plans included taking over their land; that prior to that time there had been no attempt made to enlist their aid in the planning process. Mr. Deutchman went on to speak of residents' attachment to their homes--some dating back to 1880 and 1890--as well as their desire to remain in the City where their roots are. He closed by asking the Mayor and Council to let the Board of Trustees know that if they adopt Scheme 5, they will have to fight not only the residents of Block 69, but the Mayor and Council as well. Mayor Miller referred the matter to the Planning and Zoning Committee.

2. Lester H. Ahlswede, 1302 Erskine Street, City. Mr. Ahlswede stated he represented the Hillwood Manor Citizens Association. He referred to the Budget Hearing and noted that since that time he has considered possible means of balancing the budget without a tax increase. He further noted that the City has contracted for a new building without sufficient funds available, and without having held a public hearing. He felt that, though there is a certain amount of civic pride among Takoma Park residents, by and large, most view themselves as residents of suburban Washington, and as part of the Metropolitan Area. More important, he said, the City is part of two large county systems to whom taxes are paid for services not received; resulting in considerable overlap in some of the services provided by the City which should be available through the counties. He spoke of the stiff reassessment (22%) in Prince George's County, and the double fire tax to which he is subjected. Mr. Ahlswede felt that the City services could operate more efficiently, and at smaller cost, if they were coordinated with available County services. In this connection, he suggested the following: That the City seriously consider coordinating and unifying the functions of the police, fire, recreation and library departments with departments of the two counties; that the feasibility and ways of implementation of the coordinated efforts be studied during the coming year; and that any increase in taxes be delayed until after this has been done. He also noted that Prince George's County traditionally has not given the City a fair share of taxes and stated that it is the responsibility of the Mayor and Council to see that this is corrected.

3. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier stated that the Mayor and Council are familiar with his stand on Montgomery College vs. residents of Block 69: that he is firmly behind the residents in their efforts to maintain their homes. In response to Mr. Ahlswede's presentation, he made the following statements: Municipal Building--the plans have been discussed at numerous Council meetings over the years and reported in the minutes and, in this way, the public should have been well informed; and on the matter of municipal bonds, he said the City had issued them at a very favorable interest rate at a time when the market was largely static. Regional cooperation--the City is one of the bodies comprising COG, which is charged with planning and coordination of regional-type functions for the Washington Metropolitan Area. County vs. City services--Mr. Ferrier stated that, though he would hate to see taxes rise, one of the reasons he prefers to live in Takoma Park is because of the services it provides; e.g., the police arrive two minutes after a call, whereas there is no assurance as to when a County policeman would respond; the fire service is also good; the streets are by and large kept in good repair; if there are questions or complaints regarding any of these, he can bring them to the Council or a City department and get an answer.

Mr. Ferrier referred to a letter from the Police and Firemen's Association directed to the Mayor and Council asking for a meeting, and suggested that the meeting be held, since anything that brings about understanding and promotes communications is generally worthwhile. He pointed out the good leadership both Police and Fire Departments enjoy under Councilmen Nishimoto and Eppes and members of their respective committees.

4. Mrs. R. F. Davis, 703 New York Avenue, City, cited three instances in which motorists have failed to yield at the STOP sign on Cedar at Eastern Avenue, and suggested that it might be put under observation before a serious accident occurs. Mayor Miller referred this to Acting Police Chief Porter for investigation. With reference to the dilemma of residents of Block 69, Mrs. Davis stated they have been heartened by the support of other residents of North Takoma, some of whom have circulated petitions with a view to protecting the home owner; she observed that many people feel it is a good place to live.

Mayor Miller thanked the speakers for their suggestions and recommendations and stated that Council will work toward solutions to the best of its ability.

COMMITTEE REPORTS

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Purchase of vehicle for Recreation Department. Councilman Webb moved that Council authorize the advertising for bids on a vehicle, the funds for which have been allocated under budget A/C 19.203F. Motion was seconded by Councilman Hutmire and carried.
2. Hard ball playing on Hodges Field. An incident which occurred last week has brought a request to modify the regulations which govern playing of hard ball at Hodges Field by restricting it to midget players (12 years and under), Councilman Webb stated. He read the present City Code provision and proposed that the following ordinance be adopted to effect the modification, noting that it is in harmony with Park and Planning Commission regulations.

ORDINANCE NO. 2159

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

SECTION 1. THAT Section 18 of Article 24 of the Municipal Code (1961) be amended to read as follows:

"Section 18. No person shall toss, throw, catch, hit, or otherwise "play" any hard ball, as customarily used in the games of baseball or golf, in any municipal park located in the City of Takoma Park other than on the City ball field, known as Hodges Field, located at Holly Avenue and Hodges Lane, where only Midget Teams (12 years of age and under) and none other, may play hardball, and except on any duly constituted ball field under the jurisdiction of the Maryland National Capital Park and Planning Commission or either governments of Montgomery County or Prince George's County, or their respective Boards of Education."

Motion was seconded by Councilman Eppes, after which Mr. Phil Vogel, 7117 Garland Avenue, questioned the fairness of passing as law, an issue on which the community might have something to say. He felt that an ordinance so restrictive as to limit ballplaying to those 12 and under is not in keeping with the democratic process if interested citizens are not given an opportunity to be heard. Mayor Miller stated that the restriction is necessary to protect the nearby residents. Mr. Turner (a resident of nearby Grant Avenue) stated that over the years there have been windows broken, property damaged, and near accidents, which he and others have tolerated rather than interfere with the ball playing; however, he added, the field is too small for teenagers and young adults to play hardball. Mr. Vogel felt this points up the need for additional City parks. Mr. Turner pointed out that older players may use the field at Takoma Park Recreation Center and the Junior High field. Councilman Webb stated that the ordinance merely formalizes a previously unwritten rule which limited playing hardball to midget teams. After further discussion, the ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Hutmire, Roth, Nishimoto, Sidell and Webb. Nay: none. Excused: Councilman Forshee. Councilman Hutmire suggested that appropriate signs might be posted on Hodges Field to indicate the new regulation.

3. Suggested annual Founder's Day celebration. The chairman of the committee studying this has not yet made a report, Councilman Webb stated.

4. Petition to improve Hodges Field. Councilman Webb reported that the Public Works Department is continuing their work on this.

Councilman Webb announced that a meeting of the Recreation Council will be held, at 8:00, May 25, at 8 Columbia Avenue.

FINANCE COMMITTEE: Councilman Forshee, Chairman

No report. Mayor Miller stated the Chairman will return from vacation about June 1.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. School safety. Councilman Nishimoto reported that Acting Chief of Police Porter had met with Mr. George Hammond, AAA safety consultant, on school safety problems, with the following recommendations emanating from the meeting: Mr. Hammond did not recommend traffic lights in the vicinity of the Silver Spring Intermediate School, as has been proposed by the PTA of that school. Similarly, he did not recommend a traffic signal on Maple at Sherman Avenue. Councilman Nishimoto stated that these recommendations will be taken under advisement and the whole situation reviewed when the new school opens.

2. Traffic hazard at Piney Branch Road, Eastern and Takoma Avenues. Councilman Nishimoto stated the State Roads Commission has completed a preliminary study of this area with a view to correction of the hazard and, hopefully, they will soon come up with a satisfactory solution.

3. Pedestrian crossing at Carroll Avenue and Anne Street. Councilman Nishimoto requested Acting Police Chief Porter to explore with SRC personnel the possibility of such a crossing at either Anne or Glenside. He stated that the initiator of the above request had also asked that speeding on Anne Street be checked and asked Mr. Porter to look into it.

4. Stop light at Maple and Carroll Streets. The desirability of a stop light at this corner has been brought to Committee's attention by Mr. Hammond, Councilman Nishimoto said, in view of projected traffic problems resulting from some 200-300 workers to be housed in the new SDA building on Maple Avenue. He asked that the City Administrator write the D.C. Traffic Department and request a light.

5. Commendations. Councilman Nishimoto commended the following policemen for their expert handling of two recent robberies, and requested that the citations be made a part of their personnel records:

Officer Henry M. Wortman, Jr., for his capture of two bank robbery suspects on May 14.

Officers Gary L. Sherman and Stephen W. Carter for their apprehension of two suspected robbers of Park Pharmacy on May 21.

Councilman Nishimoto congratulated Officer W. P. Winkler for his recent election to the office of Maryland State President of the American Federation of Police, and requested that it be included in his permanent record.

Councilman Roth stated he wished to join with Councilman Nishimoto in praising these policemen, noting that their participation in the robberies points up the dangerous nature of their jobs. Councilman Nishimoto said that he felt Takoma Park citizens are justly proud of their Police Department and that he doesn't believe we should talk about unifying or coordinating operations with the counties; instead, efforts would be better directed in making the Department as efficient as possible.

Councilman Nishimoto stated he wished to thank Mr. Thomas Camp for his letter which contained an expression of confidence in the Police Department.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

No report. [Councilman Sidell was excused by Mayor Miller at this time.]

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Agenda items 1, 2, and 3. Councilman Hutmire reported that all these problems and activities are in work.

2. CATV system. Councilman Hutmire stated this is still under study, with two recent meetings having been held with entrepreneurs, both of which were demonstrations of systems in operation. He indicated the Committee has not yet made a firm decision on which system would best serve the City.

3. Proposed housing authority for City. The results of a survey made by the City Administrator are being studied--a survey in which cities in Maryland with housing authorities were asked for information on their operations. He also stated that the Community Improvement Board will report the results of their study to the Council.

4. Code Enforcement Division. Councilman Hutmire stated that two more interviews have been scheduled for the vacant position of Code Enforcement Officer.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

Councilman Roth stated that all the items on the agenda are being studied: that most of the last Committee meeting had been devoted to discussions with new building architect regarding the grading and paving of the parking lot. He indicated a change in plans had been agreed to on the latter. He also stated that the Department is trying to get Hodges Field into shape and that other remedies to the situation are being considered. Councilman Roth stated that the specifications for the University Boulevard sidewalks are ready for mailing, with June 8 as the likely bid opening date. He reported that during the four weeks of special trash pickup a total of 407 tons was collected, and noted that the Department is continuing to experience truck breakdowns, with three of them giving problems last week.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

Councilman Eppes stated that the primary items for discussion at the next meeting of the Committee will be agenda items 1 and 2; that the meeting has had to be cancelled and rescheduled because of conflicting commitments of its members. He announced the arrival of the long-awaited ladder truck, which will be operational after undergoing some modifications and installation of extra equipment.

There being no further business to come before the Mayor and Council, motion was made to adjourn. The motion was seconded and the meeting adjourned at 9:35 PM, to reconvene at 8:00 PM, June 14, 1971, in the Municipal Gymnasium.

COUNCIL AS A WHOLE FINANCE COMMITTEE

Admissions and Amusements tax. Subsequent to the assembled meeting, a report was made to the Mayor and Council by the City Administrator regarding the status of the subject tax, previously levied by the State at the rate of 4-1/2% which has been dropped to 1/2% effective July 1, 1971, thereby making it possible for local jurisdictions to enact the levy with the State continuing collection. A poll vote of the Council resulted in adoption of a resolution as follows:

RESOLUTION

WHEREAS, Section 402, Article 81, of the Annotated Code of Maryland (1957 Edition), and Chapter 729, Acts of 1965, levies a tax at the rate of one-half of one percentum (1/2%) of the gross receipts of every person, firm or corporation derived from the amounts charged for admission or refreshment, service and merchandise specified therein; AND

WHEREAS, Section 403, of Article cited above, authorizes any incorporated city or town by resolution to levy a tax on the gross receipts of every person, firm or corporation obtained from sources within said incorporated city or town derived from the amounts charged

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RESOLUTION, continued

for admission or refreshment, use of sporting or recreation facilities or equipment, service and merchandise to the same extent and in the same manner as that levied by the State under the provisions of 402; provided, however, that the rate of tax which may be levied by any incorporated city or town need not be the same as that imposed by the State; therefore, be it

RESOLVED, that the Mayor and Council of Takoma Park, Maryland, in regular meeting on the 24th day of May 1971, pursuant to the authority granted in said Section 403, hereby levies a tax at the rate of four percentum (4%) of the gross receipts of every person, firm or corporation derived from the amounts charged in Takoma Park for (1) Admission to any place, whether the admission be by single ticket, season ticket or subscription, including a cover charge for seats or tables at any roof garden, cabaret or other similar place where there is furnished a performance if payment of the amounts entitles the patrons thereof to be present during any portion of the performance; (2) Admission within an enclosure in addition to the initial charge for admission to the enclosure; (3) The use of sporting or recreational facilities or equipment, including the rental of sporting or recreational equipment; and (4) Refreshment, service or merchandise at any roof garden, cabaret or similar place where there is furnished a performance.

The term "Roof garden or other similar place" shall include any room in any hotel, restaurant, hall or other place where music or dancing privileges or other entertainment, except mechanical music, radio or television, alone, and where no dancing is permitted, are afforded the members, guests, or patrons in connection with the serving or selling of food, refreshments or merchandise. This tax to be in addition to the one-half percentum (1/2%) levied under Section 402; AND

BE IT FURTHER RESOLVED, that the Comptroller be and is hereby authorized and directed to collect and pay over said tax as provided by Section 403; AND

BE IT FURTHER RESOLVED, that the Comptroller of the State of Maryland be advised of this Resolution.

APPROVED: George M. Miller  
Mayor

ATTEST: Haynes M. Ridgman  
City Administrator-Clerk