

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

June 14, 1971

City Officials Present

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

City Administrator Pridgen
Corporation Counsel Gingerich
Asst. Corp. Counsel Culpepper
City Treasurer Turner
Deputy Fire Chief Fickes
Fire Captain West
Acting Police Chief Porter
Director of Public Works Rhodes
Dep. Director of Public Works Barile
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, June 14, 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 Roth. Mr. Joseph Ferrier asked that a summary of D. C. Council Chairman Hahn's letter, received in May, be included in the minutes. The City Administrator gave the gist of the contents of the letter and Mayor Miller asked that it be incorporated in the minutes [See Correspondence, item #17.] Motion to approve the minutes as submitted was seconded by Councilman Eppes and carried.

Mayor Miller stated he would deviate from the agenda to make some presentations, and was joined by Mr. Arthur Phipps in making Police and Firemen's Association awards to the following police officers:

Officer Boyd and Officers F/C Goetz and Sherman were given \$25 bonds and citations "in recognition of meritorious service above and beyond the call of duty" in connection with their apprehension of three suspected robbers of the S. H. Kress store on February 22.

Mayor Miller read a resolution which commended Officer Henry M. Wortman, Jr. for his outstanding work and bravery in capturing three suspects involved in the robbery of the National Permanent Federal Savings & Loan on May 14, and the retrieval of a large sum of money. A plaque citing the event and a \$25 savings bond were also awarded Officer Wortman.

Mayor Miller, on behalf of the Council, expressed appreciation for the work of these policemen who had so effectively demonstrated the training, bravery and skill of both the Police and Fire Departments, stating he felt these men were representative of all the members of both departments.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

- 1. Peter B. Harkins, Maryland Municipal League, Annapolis. Proposed resolution concerning increase in rates for telephone service; also proposed Authorization to Intervene.

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2. Prince George's County Councilman Francis W. White, Upper Marlboro. Response to Mayor Miller's requests to provide adequate recreation funds and to exempt City from the County Fire tax. Council Files
3. W. C. Dutton, Jr., Chairman, P. G. County Planning Board, Park & Planning Comm., Riverdale. Response to Mayor Miller's letter supporting their proposed budget for recreation. Council Files
4. Jean M. Schmuhl, Clerk, Prince George's County Council, Upper Marlboro. Notice that Special Exception No. 2479 (A&Y Properties petition for operation of a warehouse on Holton Lane) is to be taken under advisement with County Attorney "instructed to prepare favorable Findings and Conclusions." Planning and Zoning Committee
5. Dollie H. Fyfe, Clerk to Montgomery County Board of Appeals, Rockville. Favorable action on Case. No. 2732, granting one year's extension to implement Special Exception granted to enlarge nursing home at 517 Albany Avenue. Planning and Zoning Committee
6. Mrs. H. Robert Morrison, Poster Contest Chairman, Takoma Park Elementary School PTA. Expression of appreciation to the Mayor for participation in a poster awards ceremony. C.F.
7. Kay Stimson, President, Takoma Park Art Association. Letter thanking Mayor Miller for participating in the Association's annual art show. Council Files
8. Mr. & Mrs. John Connell, Sr., 511 New York Avenue, City. Letter supporting the proposed expansion of Montgomery College (Scheme 5). Spec. Comm. Planning & Zoning Comm.
9. Mr. & Mrs. John D. Luxley, 7427 Buffalo Avenue, City. Letter expressing approval of Montgomery College's expansion into Block 69. Planning and Zoning Committee, Spec. Comm.
10. Kurt H. Stern, 103 Grant Avenue, City. Suggestions on means of retaining Block 69 as a residential area and expansion of Montgomery College vertically. Spec. Comm. P&Z Comm.
11. Evelyne J. Ferry, 24 Hickory Avenue, City. Request for tax adjustment in line with Montgomery County's policy. Finance Committee
12. John E. Ouvam, 322 Boyd Avenue, City. Statement of intent to comply with Code Enforcement Division's request re repairs; request to correct water leak in vicinity of Carroll and Flower Avenues. Public Works Committee
13. Alease L. Huskerson, 410 Philadelphia Avenue, City. Request that light be installed in vacant lot adjacent to her home. Public Works Committee
14. Adelaide H. Fraser, 7200 Holly Avenue, City. Complaint re house and lot at 7112 Holly Avenue, and request that a fire inspection be made. Housing and Code Enf. Committee; Fire Protection Committee
15. Ruth Thomas Towne, 111 Lee Avenue, City. Copy of letter to Postmaster General, w/request for follow-up by Council, asking for relocation of mail storage box at Manor Circle and Carroll Avenue. City Administrator
16. Mildred A. McDonnell, 240 Manor Circle, City. Request for help in getting screens at 250 Manor Circle. Housing and Code Enforcement Committee
17. Gilbert Hahn, Jr., Chairman, D. C. City Council. Letter indicating D.C. government desires only limited parking facilities at Metro stations; suggests City could provide facilities within its boundaries. Council Files.

FINANCIAL STATEMENT OF BANK BALANCES AS OF 5-31-71: City Treasurer Turner reporting

SUBURBAN TRUST CO.--GENERAL FUNDS

Balance as of April 30, 1971	69,741.81	
May receipts*	<u>186,037.91</u>	255,779.72
May disbursements		<u>170,606.04</u>
Balance as of May 31, 1971		<u>85,173.68</u>

*Includes 1 \$100,000 Treasury bill; \$50,000 Public Imp. Fund

SUBURBAN TRUST CO.--PAYROLL ACCOUNT

Balance as of April 30, 1971	10,211.76	
May transfers from General Funds	<u>78,171.45</u>	88,383.21
May disbursements		<u>73,979.05</u>
Balance as of May 31, 1971		<u>14,404.16</u>

CITIZENS BANK OF MARYLAND--GENERAL FUNDS

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

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

Balance as of April 30, 1971	551.62	
No transactions during May	<u> --</u>	551.62
Balance as of May 31, 1971		<u>551.62</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND

Balance as of April 30, 1971	72,040.06	
No transactions during May	<u> --</u>	72,040.06
Balance as of May 31, 1971		<u>72,040.06</u>

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

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

AMERICAN NATIONAL BANK--GENERAL FUNDS

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

PETTY CASH

200.00

U.S. TREASURY BILLS

Purchased: 10-22-70	Due to mature: 6-30-71	<u>Cost</u>	<u>Maturity Value</u>
		95,778.89	100,000.00

CITIZENS BANK OF MARYLAND

Certificates of Deposit @ 4% interest rate 600,000.00

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PUBLIC PARTICIPATION:

1. James Crenca, President, TESS Community Advisory Planning Group. Mr. Crenca requested the Council to name a representative to his group, either a Councilman or a citizen conversant with Council actions and plans. He indicated that the Potomac Conference of Seventh Day Adventists and Columbia Union College have been invited to appoint representatives; also that various citizens groups in the City had been approached, but all felt Takoma Park should be represented by an official delegate of the Mayor and Council. Mayor Miller assigned this to the Planning and Zoning Committee and stated a name would be submitted to act as liaison with the Council.

2. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier stated that the awards presented earlier were an excellent expression of the performance of the City's policemen and firemen.

Mr. Ferrier than spoke of the role he felt the Mayor and Council should assume in protection of the rights of the citizens they represent, with particular reference to two current situations: the plight of residents who are faced with condemnation suits and the loss of a home through widening of Piney Branch Road. He pointed out that citizens look to their government to keep abreast of such events, even anticipating them, and expect some protection against powerful bodies who infringe on their rights; that individual citizens are supposed to have equal protection under the laws of our country. He stated that there are fallacies in the proposition which states that you can't stop progress, which also contains the inference that all progress is good: it can be stopped, e.g., the progression of illness and disease; progress to the detriment of citizens' rights is not good. He stated his hope that the Mayor and Council would extend their protective powers to the citizens of Block 69.

3. Robert J. Johnson, 316 Tulip Avenue, City. Mr. Johnson spoke in favor of granting requested pay increases to the policemen and firemen, stating that even if they are granted, the amount would still be insufficient to retain good men. He suggested that the City's pay scale should at least meet that of surrounding jurisdictions or perhaps exceed it. He further stated that if the trend of losing men continues he will be forced to leave the City or arm himself.

COMMITTEE REPORTS:PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Montgomery College expansion. Councilman Sidell stated that he would read a statement which represents the consensus of the Planning and Zoning Committee and the Council as a Whole. Councilman Sidell said the letters just read concerning proposed expansion had been circulated to the entire Council and had been useful in formulating the statement. He then read the following:

The Planning and Zoning Committee, as well as the Council as a Whole, have been considering the question of Montgomery College. Mr. Deutchmann, the attorney for a number of property owners, has placed the responsibility squarely on our shoulders. For a number of years, dating back to 1963, the City Administration has alternately been supporting the expansion of the facilities of Montgomery College, and opposing suggestions for the closing of the Takoma Park Campus. We express the view of our citizens that the institution is a cultural asset to the City and we do not want to lose its immediate benefits from our borders. We know the campus is serving a most useful function to this community, otherwise, the enrollment would not be continuously increasing year by year.

In 1963, Mayor Miller stated to the Montgomery County School Board: "Our position, therefore, is that we do not object to the proposed expansion of the College, but do in fact approve the general concept, provided that condemnation powers not be exercised and that acquisition of property be on an availability basis with the least amount of inconvenience to our citizens." Eight years have passed since that time and the college has been able to acquire only four properties during this period, which averages only one every two years.

At this rate it will be the year 2009 before the college could proceed with its expansion. The College can wait no longer. The College administration has kept the faith. The time has come for action if we do want the Takoma campus to remain. We still would like to see the owners of property in Block 69 obtain a fair price for their property and be given ample time to relocate. However, if the past policy of the City Administration stands to cause us the loss of the institution, the time has come for us to change our policy.

Therefore, Mr. Mayor, as Chairman of the Planning and Zoning Committee, I move that the City Council go on record that it will not oppose any action taken by the Board of Trustees in its further effort to acquire property for the expansion of Montgomery College into Block 69 in Takoma Park.

The motion was seconded by Councilman Eppes and unanimously passed.

2. Proposed open space area at Jackson and Central Avenues. Councilman Sidell stated that upon investigation the Committee discovered that this space is located within three blocks of park land, going in either direction (Long Branch and Sligo Creek Parks), and that for this reason they cannot justify the purchase of additional space in the area. He asked that it be removed from the agenda.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Purchase of Recreation Department motor vehicle. Councilman Webb moved for Council approval of the ordinance below, which authorizes purchase of a station wagon for Departmental use:

ORDINANCE NO. 2160

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

SECTION 1. THAT it has been determined the Recreation Department is in need of a motor vehicle, AND

SECTION 2. THAT, upon authorization to advertize, the City Administrator opened bids on June 8, 1971, submitted by three automobile dealers, AND

SECTION 3. THAT the low bid submitted by Palmer Ford, Inc. be hereby accepted for a 1971 Ford Torina station wagon, meeting all specifications, for the sum of THREE THOUSAND, TWO HUNDRED FORTY EIGHT AND 55/100 DOLLARS (\$3,248.55) AND

SECTION 4. THAT the sum of \$848.55 be transferred from Captial Outlay A/C 19.203B1 to Capital Outlay A/C 19.203F.

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

2. Founder's Day celebration. Councilman Webb stated that a group is formulating long-range plans for the celebration, and asked that it be removed from the agenda until a further report is received.

3. Hodges Field improvements. Councilman Webb said the ruts have been filled and some repairs made to the backstop, with additional improvements being considered by Committee.

4. Summer activities. Councilman Webb announced the opening of playgrounds next week with a full schedule of activities. In addition to the usual activities of ball, crafts, swimming, etc., there will be free baton lessons, three live theatre performances, and free dog obedience classes (in cooperation with 4-H Clubs of Montgomery County). The Takoma Park Community School is to furnish transportation for field trips, and the Department hopes to have movies in the parks. [See attached schedule of recreation activities for complete program, dates and time.]

FINANCE COMMITTEE: Councilman Forshee reporting

1. Revision of Section 8, Article 6 (Ordinance 1400), Pay Scale. Mayor Miller and Councilman Forshee expressed their appreciation to all who had helped prepare the budget--the City Treasurer and City Administrator, as well as all members of the Council who spent so many hours in its preparation. Councilman Forshee stated that no strictly across-the-board increase had been made in the pay scale; instead, salaries were adjusted to encourage employees to remain with the City, with increases ranging from 6-15%. He moved that the revised pay scale as contained in Ordinance No. 2161 below be adopted. Motion was seconded by Councilman Webb. Councilman Forshee stated that Councilman Nishimoto would later propose the new position of Clerk/Dispatcher to be added to the Police Department section of the merit plan, with salary scale ranging from \$5600-\$6700. He asked that this item be included in the merit plan. The ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Nishimoto, Roth, Sidell and Webb. Nay: None. Excused: none. [NOTE: Please see pp. 7-8 for Ordinance No. 2161.]

2. Transfer of funds. Councilman Forshee moved that the following ordinance be adopted to effect the transfer of Unappropriated Surplus Funds to the 1971-72 budget:

ORDINANCE NO. 2162

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

SECTION 1. THAT the City treasurer be hereby authorized to transfer funds to the 1971-72 budget from 1970-71 Unappropriated Surplus, AND

SECTION 2. FURTHER THAT this ordinance shall become effective as of June 30, 1971.

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

3. 1971-72 FY Budget. Councilman Forshee stated that the ordinance below consists of the following: setting the tax rate at \$1.55 per \$100 assessed valuation; adoption of the 1971-72 FY budget, which includes estimated revenues of \$1,691,360 and appropriations of \$1,606,792, with certain additions and deductions as indicated in Section 2; setting the salaries of department heads (which does not include the vacant position of Chief of Police); and other provisions which are self-explanatory. He moved that the ordinance be adopted.

ORDINANCE NO. 2161

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

SECTION 1. WHEREAS, Section 6 of Article 6 titled "THE MERIT PLAN" of the Municipal Code (1961) of the City of Takoma Park, Maryland provides that Pay Scales may be changed from time to time by Resolution duly adopted by the City Council, AND

SECTION 2. THAT Section 8 of Ordinance No. 1400 and subsequent amendments thereto, known as the Pay Scale Plan for the City of Takoma Park, has been thoroughly reviewed in consideration of salary increases throughout the Metropolitan Area, AND

SECTION 3. THEREFORE THAT Section 8 be amended to increase salary scales in accordance with the schedule below, to be effective July 1, 1971.

"Section 8--Pay Scale Plans"

FIRE DEPARTMENT:	START	6 MOS.	2	3	4	5	6
Private	8,414	8,473	8,594	8,847	9,099	9,352	9,603
Private First Class				9,099	9,352	9,603	9,857
Sergeant				9,654	9,943	10,233	10,553
Lieutenant				10,296	10,553	10,810	11,196
Asst. Fire Marshall				11,033	11,336	11,639	11,974
Captain				11,033	11,336	11,639	11,974
Deputy Chief				11,571	11,940	12,276	12,645

POLICE DEPARTMENT:

Officer	8,414	8,473	8,594	8,847	9,099	9,352	9,603
Officer First Class				9,099	9,352	9,603	9,857
Youth Officer	9,208	9,372	9,536	9,775	10,043	10,312	10,609
Corporal				9,654	9,943	10,233	10,553
Sergeant				10,296	10,553	10,810	11,196
Lieutenant				11,033	11,336	11,639	11,974
Captain				11,571	11,940	12,276	12,645
Detective Officer	8,594	8,655	8,775	9,027	9,279	9,532	9,785
Detective Officer F/C				9,279	9,532	9,785	10,036
Detective Corporal				9,897	10,187	10,478	10,799
Detective Sergeant				10,540	10,799	11,055	11,441
Detective Lieutenant				11,352	11,655	11,959	12,293
Detective Captain				11,889	12,260	12,595	12,965
Crossing Guards	1,363		1,486	1,610			
Clerk/Dispatcher	5,600	5,700	5,800	6,000	6,200	6,400	6,700

OFFICE WORKERS:

	START	6 MOS.	2	3	4	5	6
Bookkeeper	6,563	6,690	6,815	7,068	7,320	7,573	7,825
Cashier; Asst. Bookkeeper	6,310	6,437	6,563	6,815	7,068	7,320	7,573
Secretary	6,310	6,437	6,563	6,815	7,068	7,320	7,573
Clerk-Typist	5,680	5,805	5,932	6,184	6,437	6,690	6,942
Clerk	5,427	5,553	5,680	5,932	6,184	6,437	6,690

LIBRARY DEPARTMENT:

Associate Librarian	7,139	7,264	7,494	7,743	7,992	8,242	8,491
Assistant Librarian	6,814	6,937	7,061	7,309	7,556	7,805	8,052
Library Clerk	5,575	5,698	5,823	6,070	6,318	6,566	6,814
Extra Clerk, part-time	1.94/hr.						
Page, Adult	1.89/hr.						
Page, Junior	1.34/hr.						

PUBLIC WORKS DEPARTMENT:

Street Supervisor	9,044	9,136	9,224	9,478	9,762	10,047	10,362
Sanitation Supervisor	8,594	8,720	8,847	9,099	9,352	9,603	9,857
Parks Supervisor	8,258	8,317	8,434	8,684	8,931	9,179	9,426
Auto Equipment Supervisor	8,594	8,720	8,847	9,099	9,352	9,603	9,857
Bldg. Maintenance Supervisor	7,129	7,245	7,363	7,596	7,830	8,063	8,298
Code Enforcement Officer #1	9,580	9,751	9,922	10,170	10,448	10,728	11,037
Code Enforcement Officer #2	7,245	7,363	7,479	7,713	7,947	8,180	8,414

HOURLY WORKERS:

Street Foreman	3.38		3.48	3.54	3.63	3.72	3.79
Equipment Operator No. 1	3.25		3.34	3.40	3.50	3.58	3.66
Equipment Operator No. 2	3.12		3.20	3.29	3.36	3.46	3.53
Equipment Operator No. 3	2.99		3.06	3.14	3.22	3.32	3.38
Sanitation Driver Foreman	3.18		3.26	3.35	3.41	3.51	3.59
Asst. Sanitation Driver	2.99		3.06	3.14	3.22	3.32	3.38
Laborer	2.70		2.80	2.86	2.95	3.03	3.12
Custodial Worker	2.63		2.73	2.81	2.87	2.91	3.05
Skilled Worker	3.25		3.34	3.40	3.50	3.58	3.66
Mechanical Helper	3.25		3.34	3.40	3.50	3.58	3.66

ORDINANCE NO. 2163

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

SECTION 1. THAT a general tax rate of ONE DOLLAR, FIFTY-FIVE CENTS (\$1.55) on each ONE HUNDRED DOLLARS (\$100) assessed valuation be and the same is hereby levied and approved, and the City Treasurer is hereby authorized to collect taxes on the basis of the \$1.55 tax rate on all real and public utilities property lying within the Corporate Limits of the City of Takoma Park, Maryland, and to proceed to advertise for sale such delinquent properties that may be in arrears on the date specified by Law. The tax rate of the City is for the purpose of meeting any and all general expenses for the City for the Fiscal Year beginning July 1, 1971, AND

SECTION 2. THAT in accordance with Section 49-14 of the Montgomery County Code (1965 Ed.) and 74-10 of the Prince George's County Code (1963 Ed.), the Budget for 1971-72 is hereby approved and adopted for the fiscal year beginning July 1, 1971, providing an estimated revenue of ONE MILLION, SIX HUNDRED NINETY-ONE THOUSAND, THREE HUNDRED SIXTY DOLLARS (\$1,691,360), less FIVE PER CENT (5%) Charter Reserve Fund of EIGHTY-FOUR THOUSAND, FIVE HUNDRED SIXTY-EIGHT DOLLARS (\$84,568) and appropriations of ONE MILLION, SIX HUNDRED AND SIX THOUSAND, SEVEN HUNDRED NINETY-TWO DOLLARS (\$1,606,792) and transfer of TWENTY THOUSAND DOLLARS (\$20,000) AND

SECTION 3. WHEREAS Article 81, Sec. 12f of the Annotated Code of Maryland, 1957 (1969 replacement volume), authorizes a tax credit from real property taxation for municipal purposes upon the dwelling of any home owner who has attained the age of 65 years and whose gross income, or combined gross income, as the case may be, shall not be in excess of FIVE THOUSAND DOLLARS (\$5,000) for the calendar year immediately preceding the fiscal year of application, and Section 12d of said article further provides that the municipality may grant additional tax credits as related to the assessable base.

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

THAT a tax credit shall be allowed by the City Treasurer upon the dwelling house and the lot where the same is erected of one or more home owners not to exceed the amount derived by applying the current City tax rate to the first \$5,000 of the assessable base established as of July 1, 1970, against the particular property to taxpayers who apply for such tax credit and meet all the following conditions:

- a. The home owner must have attained the age of 65 years on or before July 1 of the fiscal year for which application is made.
- b. The home owner must reside on and have legal interest in the property to which the credit will apply, and the dwelling must be the principal residence of such home owner.
- c. Gross income of the home owner or the combined gross income, as the case may be, shall not exceed \$5,000 for the calendar year immediately preceding the fiscal year for which credit is claimed.
- d. The home owner must apply for the credit on or before September 1 of the taxable year or otherwise the credit shall not be allowed;

- e. Upon the death of an eligible home owner who has received the tax credit, such credit shall be allowable to the otherwise ineligible surviving spouse for only the remainder of that taxable year.
- f. The tax credit on the assessable base established as of July 1, 1970, shall not be transferrable, AND

BE IT FURTHER ORDAINED that only one such tax credit shall be allowed on any given parcel of property and that every person seeking such tax credit for residential property as provided herein shall first make application annually to the City Treasurer, supplying the information requested on the application form which shall be provided. Said application shall be submitted to the City Treasurer on or before September 1 of the fiscal year for which application is filed.

The term "home owner" as used herein is defined as every person who actually resides in a dwelling in which such person has a legal interest, including any life estate, whether as sole owner, joint tenant, tenant in common, or tenant by entireties. "Gross income" means total gross income from all sources, including but not limited to gifts, and whether or not included in the definition of "gross income" for Federal or State income tax purposes; however, gross income shall not include any income received from Social Security. "Combined gross income" means the gross income of all home owners and all persons actually residing in the same dwelling except those persons paying a fixed rental charge.

BE IT ORDAINED that this ordinance shall become effective July 1, 1971, and thereafter until amended or repealed.

SECTION 4. THAT the fiscal salary for City Department Heads as provided in the appropriations budget shall be as follows:

- a. Librarian: \$10,229
- b. Recreation Director: \$10,000
- c. Fire Chief: \$13,483
- d. Director of Public Works: \$14,045
- e. Deputy Director of Public Works: \$11,130
- f. City Treasurer: \$12,000
- g. City Administrator-City Clerk: \$16,621

SECTION 5. THAT the City Treasurer be hereby authorized to compute salaries for all City employees in accordance with past practices as related to various departments and disburse accordingly; to pay all rentals on the first of each month and all bills monthly, discounting such bills as possible, AND

SECTION 6. THAT not more than TEN PER CENT (10%) of any Contingent Fund may be expended at any one time without the express authorization of the Council committee in charge thereof, nor any funds other than those designated for salaries be expended for personal services except on a contractual basis, AND

SECTION 7. THAT all Capital Outlay items be expressly authorized by Council with the exception of items costing less than FIFTY DOLLARS (\$50), funds of which shall be properly authorized.

The motion for adoption of the ordinance was seconded by Councilman Eppes, after which Councilman Hutmire inquired if the tax credit referred to in Section 3 is nontransferrable,

to which Councilman Forshee replied in the affirmative. The ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Nishimoto, Roth, Sidell and Webb. Nay: none. Excused: none. [NOTE: The budget is a separate document.] Councilman Forshee stated that provisions are made to take care of any unanticipated needs as well as some anticipated ones, such as the Police Chief's salary, for which funds will be allocated when the position is filled.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Councilman Nishimoto thanked Messrs. Phipps, Ferrier and Johnson for their support of the City's police force. He spoke of the importance of public support, noting that regardless of their rate of pay, it cannot compensate for the type of risks for which Officers Wortman, Boyd, Goetz and Sherman were cited; however, he said, it is important for them to know that the citizens they defend are behind them. Councilman Nishimoto said that much time and energy were expended in seeking ways of financing salary increases and pointed out that the City's resources do impose some limitations.

Councilman Nishimoto read a letter from William H. Shewell, of Ronald S. Senseman FAIA, which contained an expression of appreciation for the work of Officer Wortman in the National Permanent Savings robbery, with particular reference to the fact that no injuries had been incurred. Councilman Nishimoto reaffirmed this fact: neither Officer Wortman nor nearby citizens nor the suspects were injured.

He also read a letter from Mr. & Mrs. George W. Jones, Jr., who commended Officers Sherman and Carter for the bravery and professionalism displayed in their response to the Park Pharmacy robbery. Councilman Nishimoto stated that he and the Police Department, and particularly the policemen involved, very much appreciate this kind of communication from citizens and indicated he had also sent commendatory letters. He thanked the Police and Firemen's Association for the awards presented earlier, and indicated that he could only wish they had been broader based; that is to say, emanating from the community and including both businessmen and citizens, since law enforcement is such a vital element in every aspect of community life.

1. COG hot pursuit policy. Councilman Nishimoto stated that the Acting Chief of Police is studying the proposal, and hopes to have a recommendation to make at the next Council meeting. He explained that it is a policy developed by COG, a prototype of which has been adopted in Washington, and involves policies governing pursuit of suspected criminals into other jurisdictions--pursuits of the type Officer Sherman was involved in following the robbery of Park Pharmacy.

2. Requests for parking signs, etc., Columbia Union College. The Department has recommended against installing the requested signs, Councilman Nishimoto said, primarily because it take away too much of the already-limited residential parking space. He indicated that Captain Porter has conferred with the Dean, who is amenable to the recommendation.

3. Petition re parking tickets and condition of NO PARKING signs on Fenton Street. Councilman Nishimoto reported that the condition of the signs has been checked and some are in need of straightening. With respect to the parking tickets, he stated that many people had received tickets because of a rumor circulated within Montgomery College to the effect that tickets received on Fenton Street could be ignored; however, he said, since they park in clear violation of the law, the tickets cannot be rescinded. He said that Captain Porter has arranged to have the Business Manager circulate a memo to clarify the parking prohibition.

4. Additional safety precautions in area of Silver Spring Intermediate School. Councilman Nishimoto stated that the Committee is working with the principal of that school and the Middle School, and had met with the Takoma Elementary School principal, with a view to making a recommendation to encompass safety for the tri-school area.

5. Police and Firemen's Association proposals for Merit Plan revision. Councilman Nishimoto stated that Council had done their best to fulfill the requests within the limited resources available; that he hoped the revised pay scale would be satisfactory.

6. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. This is under study, with a meeting with the State Roads Commission scheduled for June 23, Councilman Nishimoto reported.

7. Resignation of Special Police Officers. Councilman Nishimoto moved that resignation of the following Special Officers be accepted: Officer Joseph McKenney, effective June 14, and Officer Aubrey F. Kinzer, effective June 1, both of whom are leaving town. Motion was seconded by Councilman Hutmire and carried.

8. Personnel. Councilman Nishimoto stated that the permanent appointments of several officers had been overlooked and moved that the following persons be given permanent appointments on the dates indicated: George F. Gamble, August 1, 1970; James E. Holmberg, August 15, 1970; S. W. Carter, March 15, 1971; John R. Gowin, May 15, 1971. Motion was seconded by Councilman Hutmire. In response to Councilman Eppes' request, Councilman Nishimoto clarified the dates, after which the motion passed unanimously.

9. Proposed crosswalk on Carroll at Anne Street. The Acting Chief of Police has recommended against a crosswalk at this particular point, since it is a difficult intersection and a crossing would only intensify the problem. Councilman Roth suggested that the item remain active until the Anne Street sidewalks are completed; Councilman Nishimoto responded by saying that Captain Porter is seeking advice on another location for a crosswalk, possibly at Glenside and Carroll.

10. Speed limit on Anne Street. Since this is a residential area with an automatic speed limit of 25 MPH, and since there are STOP signs posted on the street, it was the consensus of the Committee that no additional signs are needed, Councilman Nishimoto stated.

11. Position of civilian Clerk-Dispatcher. Councilman Nishimoto stated that Captain Porter has recommended that three civilians be hired as Clerk/Dispatchers at the beginning salary of \$5600, and moved that Council approve this recommendation. He stated that the dispatcher's desk is presently manned by policemen on each shift, resulting in a loss of needed manpower. The positions would use funds already appropriated for three policemen, at a savings of some \$2800 on each slot. He indicated that the creation of the clerk/dispatcher position had been recommended in the recently completed IACP study and that retired policemen will be considered for employment. Councilman Nishimoto went on to say that civilians have worked out well in many places, with Omaha employing civilian dispatchers in both their police and fire departments. Motion was seconded by Councilman Eppes, after which Councilman Roth inquired if this would involve an increase in the number of policemen. Councilman Nishimoto replied that it would not at present, though it might at some future date. Councilman Hutmire inquired if a fourth clerk/dispatcher might not be needed to fill in on weekends and during vacations, to which Councilman Nishimoto replied he would be glad to entertain this suggestion. Motion to approve the hiring of three civilian clerk/dispatchers was approved unanimously.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Ceiling height violation at 8206 Flower Avenue. Councilman Hutmire stated that this involves a specific code enforcement action in which owner was notified that an apartment at this address cannot be rented until violation is corrected. He asked that it be removed from the agenda, since the Code Enforcement Division will see that the citation is carried out.
2. Petition on control of cats. Councilman Hutmire reported that the possibility of enacting an ordinance designed to control the dog and cat population is under consideration.
3. Code Enforcement Division. Councilman Hutmire stated that a needed legal opinion dealing with some aspects of the Workable Program application has been received and the proposal itself should be ready for submission to HUD very shortly. In response to Councilman Nishimoto's question as to when the proposal will be submitted, the City Administrator stated he hoped to send it out this week. Councilman Hutmire stated the Committee is reviewing a landlord-tenant ordinance now under consideration by the Montgomery County Council, and that it is possible the City may develop something comparable to it. He also said that the last of a series of interviews for the vacant position of Code Enforcement Officer is to be held this week, with a decision to be made quite soon. Councilman Nishimoto inquired about the status of the information booklet, to which Mr. Hutmire replied that it is undergoing another cycle of editorial revision.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Request for sidewalk repair at 6749 Eastern Avenue. Councilman Roth stated that the sidewalk in question is not among the worst in the City, but it is in need of repair, and would be added to the work list in that order of priority.
2. Sidewalk repair in Flower Avenue shopping center area. The problem here is that there are no curbs and cars break away edges of the sidewalk, Councilman Roth said. He stated they would be repaired and asked that item be removed from the agenda.
3. Proposed recycling station. Councilman Roth stated the Committee is studying the operation of some stations in the area, one of which was a mobile unit operated by the Pepsi Cola Company, located in Langley Park last Saturday. He indicated they had pleaded budgetary problems when asked if the unit could return to this area periodically, but that the Committee will keep in touch with them in the event the situation changes.
4. University Boulevard sidewalks. Councilman Roth stated that three bids had been received, all of which were in excess of the estimated cost. He moved that the low bid of Brigham & Day Paving Co., for \$4800, be accepted by adoption of the following ordinance:

ORDINANCE NO. 2164

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

- SECTION 1. THAT, in accordance with the options set forth in Section 49-10 of the City Charter (1965), the Mayor and Council have deemed it necessary in the interest of public safety and welfare to construct sidewalks in the 1000 block of University Boulevard East, AND

- SECTION 2. THAT a public hearing was held on February 18, 1971, as outlined in Ordinance No. 2140, and in accordance with the provisions of Sec. 49-10 of the City Charter, with no objections being voiced by property owners affected, AND
- SECTION 3. THAT the low bid of \$4800 submitted by Brigham and Day Paving Co., Inc., in response to required advertising, is hereby accepted, AND
- SECTION 4. FURTHER THAT the improvement shall be assessed against abutting properties (Lots 14, and 25-33, inclusive, Block 14, New Hampshire Gardens Subdivision) by an ordinance to be adopted subsequent to completion of project and compilation of all costs.

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

5. Councilman Nishimoto inquired about agenda item, Proposed use of plastic bags, and Councilman Roth responded by saying that it has been favorably discussed at Committee meetings, but action has had to be delayed because of more pressing problems. He stated that there are also operational decisions to be made: e.g., mandatory vs. voluntary use: pick-up from curbside or in backyards; etc. In response to Councilman Nishimoto's query as to whether the bags are bio-degradable, Councilman Roth said they are not, but that they are disposable in incinerators, and deteriorate in landfills at about the same rate as paper.

6. Purchase of burlap squares. Councilman Roth moved that Council authorize the purchase of 1500 sheets of 10 oz. burlap in 80" squares from the low bidder, Columbia Bag Supply Co., at a cost of \$1363.50, for use in the Sanitation Department. Other bids received were: \$1410.45, \$1499.10 and \$1650. Motion was seconded by Councilman Forshee and carried.

7. Purchase of folding chairs. The Department is in need of an additional 100 folding chairs, Councilman Roth stated, and moved that Council approve the purchase from the Adirondack Chair Co. at the total price of \$346, plus freight (\$3.46 ea. in lots of 100), to be charged to Capital Outlay A/C 10.813A. Motion was seconded by Councilman Sidell and unanimously approved.

8. Purchase of trash receptacles. Councilman Roth proposed a motion authorizing the purchase of three litter receptacles for the total price of \$201, from Daycron Products Co., Inc., with funds to be charged to Capital Outlay A/C 13.403A. Motion was seconded by Councilman Sidell. Upon question by Councilman Nishimoto as to their use, Councilman Roth stated they are replacement items. The motion was unanimously approved.

Councilman Roth reported that the former azalea garden behind the Library is to be re-graded by the Municipal Building contractor to provide a slope rather than a steep embankment.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

Councilman Eppes read a letter from Mr. C. Brean Norwood, which commended the Fire Department for its performance during a recent fire in his home. Councilman Eppes stated that both he and members of the Department are very appreciative of this type of recognition.

1. Prince George's County Fire Tax. Councilman Eppes reported that, following letters from Mayor Miller and the City Administrator, he and Mr. Pridgen had appeared before the County Council on June 3 to present Takoma Park's position on the Fire Tax. He explained that the tax, prior to adoption of the new charter, had not been imposed on municipalities having fire departments; however, they are not exempt under the present charter and all County residents will be required to pay a tax of 18¢ per \$100 assessed valuation unless some adjustment is made. He indicated the County Council has agreed to consider such an adjustment, but has made no promises.

Mayor Miller proposed that a resolution be drawn up for the signature of the Mayor and Council to express their sympathy to the family of Mr. Verne Austin, a long-time resident of the City, recently deceased. Motion was seconded by Councilman Roth and unanimously approved.

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 10:00 PM, to reconvene at 8:00 PM, June 28, 1971, in the Municipal Gymnasium.

APPROVED: George M Miller
Mayor

ATTEST: Haynes M Pridgen
City Administrator-Clerk

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

June 28, 1971

City Officials Present

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

City Administrator Pridgen
 Asst. Corp. Counsel Culpepper
 City Treasurer Turner
 Fire Chief LaScola
 Fire Captain West
 Acting Police Chief 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, June 28, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Md. Rev. Edward R. Bley, Zion Evangelical Lutheran Church, gave the invocation, after which Mayor Miller led in the Pledge of Allegiance to the flag. Mayor Miller asked 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 carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. M. S. Caltrider, District Engineer, State Roads Commission, Baltimore. Notice that the resurfacing of Carroll Avenue will not commence until after 4th of July parade. Public Works Committee
2. Graham W. Watt, Deputy Mayor of Washington, D. C. Reply to Mayor Miller's letter re parking at Metro stations, indicating D.C. Transit Development Team has recommended that parking at Takoma Park station be reduced to not more than 100 spaces. Plan. & Zon. Comm.
3. T. F. Airis, Director, D. C. Department of Highways and Traffic. Letter indicating conditions do not yet justify installation of traffic signal at Carroll and Maple Streets. Law Enforcement Committee. [Councilman Nishimoto requested that a copy of this letter be sent to Mr. George Hammond of AAA.]
4. Robert A. Appelbaum, 222 Park Avenue, City. Complaint of speeding on Park Avenue: request for new ONE-WAY signs with STOP signs on the back of those at Holt and Crescent intersections. Law Enforcement Committee
5. Ronald S. Senseman, FAIA, 7676 New Hampshire Avenue, City. Request to reopen Hammond Avenue and extend service road to Holton Lane with additional opening onto building parking lot. Public Works Committee
6. Joseph G. Ferrier, 7413 Maple Avenue, City. Letter opposing restrictions on cats; suggests means of population control. Housing and Code Enforcement Committee

MAYOR MILLER'S COMMENTS

Mayor Miller announced that the next meeting of the Mayor and Council will be held on July 12, and invited all to attend. He stated that the Independence Day celebration will be held on July 5, and will include all the usual things, with the fireworks being held on the Junior High School grounds because of the construction near the formerly used site.

Mayor Miller and Councilman Nishimoto were joined by Mr. Arthur Phipps who, on behalf of the Police and Firemen's Association, made the following presentations:

A resolution commending Officer Gary Sherman for his outstanding service to the citizens of Takoma Park in the apprehension of suspects and recovery of a large sum of money after a robbery at Park Pharmacy on May 20. Officer Sherman was also given a plaque citing his valor in the same event, and a \$25 savings bond.

PUBLIC PARTICIPATION:

1. Joseph G. Ferrier, 7413 Maple Avenue, City. Mr. Ferrier said he was very impressed with the new ladder fire truck and noted that its cost would be justified if just two homes were saved through its use. He referred to Councilman Sidell's statement re Montgomery College and stated he found it distressing and felt the urgency expressed was not borne out in fact. He pointed out that three of the 22 families in Block 69 have owned their homes only 1-3 years, which would seem to indicate the College was either not diligent in its attempts at acquisition or had not offered a fair market price. He also felt they had not acted with complete candor, if the following information which was brought to his attention is true: a 7-acre parking lot is planned, and the acreage in Block 69 happens to be seven; there are plans for a convention hotel in this area; the College will use either the seven acres in Block 69 or another holding to build a parking lot, only to find out later that it is not needed because of Metro, after which it will be turned over to speculators. He asked to have the truth or falsity of this assertion checked out. Mayor Miller assigned this to the Planning and Zoning Committee for investigation.

2. Mr. & Mrs. Allan T. Marsh, 7405 Maple Avenue, City. Mr. Marsh read a statement, excerpts of which follow, after which Mayor Miller referred it to the Planning and Zoning Committee: "We wish to thank you, Mayor Miller, and the members of the Council, for your service and dedication to our city....As parents of a child who was severely injured by an automobile....you can appreciate our concern when we heard from several sources of the possibility of widening Maple and Holly Avenues. It is our hope that the Council does not unquestioningly accept what the planners and highway authorities offer our area. We further hope that more attention will be given in the City Newsletter to informing citizens about controversial changes...and strongly suggest that the Council members persevere even more strenuously than they have in the past in protecting Takoma Park from encroachments from institutions, commuter traffic, commercial developers and real estate speculators."

3. Mrs. Evelyne Ferry, 24 Hickory Avenue, City. Mrs. Ferry inquired about the status of the Takoma Park Master Plan, and asked if it will do anything to curb the increase in parking lots, highways, and other construction which tends to push residents out of the City. Mayor Miller stated that the Mayor and Council have met several times with members of the Park and Planning Commission who, as a result of the Metro station plans, are in the process of revising the 1963 Master Plan. He indicated that a public hearing on the first portion of a major revision is to be held on September 13, and that this would be the time to voice objections or suggestions. Mrs. Ferry stated that the high-rise parking garage, of the type used in Silver Spring, is preferable to vast areas of parking lots.

She also stated that a recent newspaper article indicated the original plans for the North-Central Freeway are going to be pushed through, and stated her concern for the homeowners who would be pushed out and the resulting loss of tax revenue to the City. Mrs. Ferry said that she has over the last ten years asked Council on numerous occasions to set up a fund for the use of retired persons on fixed incomes to help with the upkeep of their property; however, nothing has come of it except vague references to the County.

4. Mrs. Etta Davis, 703 New York Avenue, City. Mrs. Davis referred to Councilman Sidell's statement regarding Montgomery College's planned expansion, and noted that it contained some erroneous information; e.g., in addition to the properties mentioned by Mr. Ferrier, since 1966, there have been four properties purchased and another offered. She felt the Council may have been misinformed on the need to support Scheme 5 or have the school leave the City, that in her opinion the Board of Trustees would not have abandoned the campus in any event. She pointed out that no one has ever contacted residents of Block 69 to get their ideas on alternatives to Scheme 5, and that a resident of the block skilled in this area had presented a good treatise to the college and has made copies available to others. Mrs. Davis also stated that the Planning and Zoning Committee, in their role of liaison between College and nearby residents, had never contacted them. She suggested that Council may wish to investigate the situation further and perhaps reconsider their statement.

5. Mrs. Margaret Holmes, 10 Pine Avenue, City. Mrs. Holmes thanked the Mayor and Council for responding to the request for a tax break on property reassessments for persons over 65. She read excerpts from a speech given by a member of the White House staff to the AARP, which recounted some of the difficulties faced by retired persons living on fixed incomes in the face of steadily rising property taxes, and which also indicated that over 70% of persons over 65 own their own homes or apartments.

6. Mrs. Kathryn B. Simpson, Chairman, Community Improvement Board, City. Mrs. Simpson presented the following report from the Community Improvement Board to the Mayor and Council:

We wish to thank the Mayor and Council for the wisdom they showed in establishing this Board and the Code Enforcement office. All over the city this year we have seen improvements.

We wish to thank you for your efforts on behalf of Montgomery College. We are happy that the architect and the college were able to make changes in the original plans which we hope will make the expansion less painful to the homeowners in Block 69.

We thank you for moving toward requiring hard-surface parking at commercial establishments and encourage you to consider requiring hard-surface parking at all multiple housing units. Automobiles cause so much damage to bare land.

We know you are considering plans for the Metro impact area and hope you will place particular emphasis on the opportunity you have to make a graceful landscaped approach to our tree-shaded city.

Certain kinds of erosion problems apparently come under the supervision of the police. Mud washing onto sidewalks and standing indefinitely is one we wish to mention. People walk around these in wet weather--usually in the street--which seems dangerous as well as unsightly.

We were disappointed in our effort to aid property owners through Montgomery County's Rehabilitation Funds. This fund does not seem to be available to people with relatively minor repairs that are nonetheless beyond the owners' capacity to accomplish.

Motions passed at the June 17, 1971 meeting: REBUILT

1. Motion was made that CIB endorse a careful study by the Mayor and Council of the Montgomery County landlord-tenant bill with a view to passing an equitable plan for both tenant and landlord.

2. Mr. Wall moved, and CIB approved, a motion that CIB go on record as favoring parking provisions along with suitable commercial development in connection with such parking facilities at the Metro stop.

3. Mrs. Holmes moved, and CIB approved, a motion to request city to examine its code enforcement requirements for maintenance of commercial property. Home owners can hardly be expected to comply with clean-up requirements and codes if there are no requirements for commercial establishments.

7. John A. Tucci, 608 Philadelphia Avenue, City. Mr. Tucci referred to Montgomery College's revised Scheme 5, which would involve the purchase of only eight properties instead of the entire Block 69, and stated that this plan obstructs and makes the resolution of the problem more difficult. He stated that the plan will fail, since it tends to strengthen the solidarity of Block residents.

8. Stephen S. Hiten, 7 Hickory Avenue, City. Mr. Hiten inquired about the relationship of citizens associations to TESS, stating that they have asked such groups to report on things such as satisfaction or dissatisfaction with the work of the Park and Planning Commission, or changes they would like to see come about. He stated that he felt this should be a function of the Mayor and Council and asked if he were correct in this assumption. Mayor Miller said he could only give his personal opinion and commented as follows: Shortly after the inception of the Commission, it was decided that greater citizen participation should be sought and members of church groups, citizens associations, and other interested groups were invited to become members of the Citizens Advisory Council. He felt that for those groups living outside of Takoma Park, far away from their seat of government (Rockville), it is probably good to be able to go directly to TESS with problems; however, in the case of Takoma Park groups, he felt requests or complaints, etc., should be channeled through the Council. He went on to say that some misinterpretations may have come about because of TESS's concern with the whole of Takoma Park and East Silver Spring and that they have branched too far afield of their original goals. Councilman Roth said he would second Mayor Miller's comments and noted that he would prefer that TESS stick to its original area of concern, social welfare. Mrs. Simpson spoke of the change in the tone and content of meetings this year as compared to the first year of operation and stated she feels the Commission appears to be somewhat confused as to where they want to go, though this is not entirely their fault. She indicated that she is concerned about the Citizens Advisory Council rather than TESS proper, and suggested that a meeting of the Mayor and others might be in order to determine where they might be helpful.

Mayor Miller thanked the speakers for their suggestions and criticisms and noted that Council often does supply information to the public on upcoming events, legislation, etc., but in many cases attempts at intervention are thwarted because the City has no control over decisions made by other bodies; e.g., the widening of Piney Branch Road and converting it into a major arterial highway, was a decision made by D.C. and the State Roads Commission. With reference to the Master Plan, he said it will only become final after recommendations, objections, etc., emanating from the public hearing are considered. He pointed out that copies of the plans will be available prior to the hearing and urged interested persons to study them and attend the public hearing prepared to speak. He stated that a notice of the hearing will appear in the City Newsletter.

COMMITTEE REPORTS

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Fire inspection at 7112 Holly Avenue. Councilman Eppes stated that an inspection was made on June 10, which revealed no Fire Code violations. He asked that item be removed from the agenda.

2. Prince George's County Fire Tax. Councilman Eppes referred to a summary of steps taken to secure a waiver, made at the last Council meeting, and requested that the item be removed from the agenda until the County Council acts on the City's request. Upon Councilman Roth's request, Mayor Miller ruled that the item should remain on the agenda.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Appointment of Council representative to TESS Citizens Advisory Council. The Committee will delay an appointment until after discussions are held with Mayor Miller and Mrs. Simpson, Councilman Sidell stated.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Open space at New Hampshire, Elm, Heather & Larch Avenues. The Committee is awaiting action by the Prince George's Planning Board, Councilman Webb reported.

2. Summer playground program. Councilman Webb stated that registration at the playgrounds as of June 25, numbered 526 children.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Proposed resolution on telephone rate increase. Councilman Forshee moved that Council go on record as supporting the Maryland Municipal League in their protest of proposed increased telephone rates. Motion was seconded by Councilman Roth and unanimously approved.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Consideration of COG hot pursuit policy. This matter is still under study, Councilman Nishimoto said, and he expects to be able to report on it at the next Council meeting.

2. Additional safety precautions in area of Silver Spring Intermediate School. Captain Porter had a meeting with representatives of the State Roads Commission on June 23, Councilman Nishimoto reported, at which they recommended that additional traffic signals not be placed on Philadelphia Avenue, as requested by Mr. Nathaniel White, President of the school PTA. He requested Captain Porter to convey this information to Mr. White. Councilman Nishimoto indicated that the Department has also been working closely with the School principal on matters of safety. He asked that the item be removed from the agenda.

3. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. Councilman Nishimoto stated that this matter was also discussed at the June 23 meeting and the State Roads Commission has agreed to take the following steps: post larger curb sign on both the north and south sides of the intersection and paint a road message on Piney Branch Road, north of the intersection, to read "curb" with arrows indicating the approach.

4. Crossings on Flower Avenue at Columbia Union College. This too was discussed at the June 23 meeting, with agreement reached to paint a crosswalk across Flower Avenue to establish a safety zone, Councilman Nishimoto stated. The State Roads Commission also agreed to disconnect the traffic signal, since the College cannot now absorb the cost of moving it as originally planned. Councilman Nishimoto requested the Acting Police Chief to inform Dean Stevens of these agreements.

5. Personnel. Councilman Nishimoto moved that Council accept the resignations of Special Police Officers Donald Olson and Thomas Thorowgood, effective June 19 and July 1, respectively. Motion was seconded by Councilman Eppes and carried.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

- 1. Montgomery County's proposed landlord-tenant bill. Councilman Hutmire stated that this is a new item and the Committee will consider it at its next regular meeting.

2. Complaint re 7112 Holly Avenue. An inspection of this property revealed conditions which require correction, Councilman Hutmire stated, and a notice has been served on the person responsible.

3. Request to help in obtaining screens at 250 Manor Circle. Councilman Hutmire reported that the Code Enforcement Division is actively seeking the owner of this property and a warrant application is now in the hands of the Corporation Counsel.

4. Petition on control of cats. Councilman Hutmire thanked Mr. Ferrier for his eloquent letter on the subject and stated the Committee will continue to study the matter. He noted that the Humane Society and other groups continually stress the importance of controls on population due to the increasingly large numbers of abandoned kittens.

5. Information booklet for new residents. Councilman Hutmire stated he has set a deadline of July 31 for delivery of copy to the printers.

6. Code Enforcement Division. The last interview for the position of Code Enforcement Officer has been held, Councilman Hutmire reported, with a decision to be made at this week's Committee meeting. He also stated that HUD now has the complete Workable Program application. Councilman Nishimoto noted that approval of this program would be helpful in providing funds of the type Mrs. Ferry has been seeking.

7. Renewal of animal warden's contract. Councilman Hutmire proposed that the operation be extended another three months and moved that Council approve the following ordinance:

ORDINANCE NO. 2165

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

SECTION 1. WHEREAS Mr. William Jarboe was appointed Animal Warden by Ordinance 2117 to enforce control over dogs as provided in Ordinance 2113, AND

SECTION 2. WHEREAS his appointment has been limited to quarterly periods, and it has been determined that his services have been effective and need to be continued.

SECTION 3. THEREFORE THAT the provisions of Section 1, 2, 3 and 4, of Ordinance 2117 be extended for an additional three months through September 30, 1971, AND

SECTION 4. THAT funds to provide for the quarterly period in the amount of ONE THOUSAND THIRTEEN HUNDRED FIFTY DOLLARS (\$1,350) be transferred from A/C 22.1 to A/C 11.911 (\$945) and A/C 11.912A (\$405), effective July 1, 1971.

Motion was seconded by Councilman Eppes. Councilman Hutmire expressed satisfaction with the success of the program which, he said, is illustrated by the increased numbers of calls received in the City Administrator's office, which would seem to suggest that the visibility

of Mr. Jarboe's truck enhances the operation. Councilman Nishimoto stated he questions the validity of judging the success of the program on the increased number of calls; he pointed out that number of dogs captured has never been discussed. He further stated he felt it has been a piece-meal operation instead of a carefully thought out program of dog control. Mayor Miller suggested, and Councilman Hutmire concurred, that Councilman Nishimoto submit suggestions for Committee's consideration. The ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Roth, Sidell and Webb. Nay: Councilman Nishimoto. Excused: none.

8. Appointment to Community Improvement Board. Councilman Hutmire moved that Council approve the appointment of Mrs. Julleana Jones, 6102 Sycamore Avenue, to a one-year term on the Community Improvement Board (Zone 7B). Motion was seconded by Councilman Forshee and unanimously approved.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Hammond Avenue. Councilman Roth expressed his disappointment with the lack of concern for the community and its residents displayed in the letter read earlier from Mr. Senseman, an occupant of the Langley Professional building. He pointed out that Hammond Avenue was not designed as an access road to major thoroughfares for commercial traffic; instead, it is for the use of the street residents in gaining access to such roads. He stated that the Council made a moral commitment to close Hammond Avenue to through traffic at the time when rezoning of property for the office building was approved. He stated that he is not personally involved, but is speaking as a representative of the neighborhood, the majority of whom wish to abandon the North end of Hammond Avenue.

2. Hodges Field. Councilman Roth reported that a great deal of work has been done, with additional improvements to be considered in the fall. He commended Mr. Rhodes for the fine job done.

3. Use of plastic bags in garbage containers. This is still under study, Councilman Roth stated, and indicated a recommendation may be ready for the next Council meeting.

4. Montgomery County refuse charge. Councilman Roth stated that this bill, which imposes a \$5.00/ton charge on refuse disposed of in Montgomery County, is to be voted on tomorrow. He moved that a message be sent stating Council's opposition to the bill and pointing out the many services the City provides which lighten the burden of the County; i.e., library, police, maintenance of streets, roads, street lights, etc. Motion was seconded by Councilman Forshee. Upon question by Mr. Ferrier, the City Administrator stated that individuals may use the facilities free for the first 500 pounds. Councilman Sidell objected to inclusion of ways in which City operations lighten the burden of Montgomery County, after which Mayor Miller suggested, and Councilman Roth concurred, that the message simply state Council's opposition to the bill. The motion carried.

5. Municipal Building project. Councilman Roth stated that in the process of work on Library parking lot, a storm drain was found which needs to be rebuilt and that this was not included in the contract. He stated that the architect has advised the Committee it must be done and moved that Council concur with his professional judgment. Motion was seconded by Councilman Forshee and unanimously approved.

Councilman Roth stated that the construction contract contained an option on rebuilding the steps leading from the school to Library parking lot. He stated that it

June 28, 1971

PUBLIC WORKS COMMITTEE, continued

was the consensus of everyone involved, including school personnel, that the steps should not be replaced, since it would be highly undesirable to have school children walking into this large parking area. He moved that the Council not take the option to rebuild the steps. Motion was seconded by Councilman Nishimoto and unanimously approved.

Councilman Roth reported that the sidewalks on Anne Street have been completed, with only the landscaping to be done. He noted that the Sanitation Division is just barely keeping on schedule because of a variety of difficulties encountered.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn. Motion was made by Councilman Eppes, seconded by Councilman Forshee, and the meeting adjourned at 9:45 PM, to reconvene at 8:00 PM, July 12, 1971, in the Municipal Gymnasium.

APPROVED: George M Miller
Mayor

ATTEST: H. James W. Ridgman
City Administrator-Clerk

CITY OF TAKOMA PARK
8 Columbia Avenue
Takoma Park, Maryland 20012

FIRST CLASS MAIL