

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

August 9, 1971

City Officials Present

- Mayor Miller
- Councilman Eppes
- Councilman Forshee
- Councilman Roth
- Councilman Sidell
- Councilman Webb
- Councilman Nishimoto
- Excused: Councilman Hutmire
- City Administrator Pridgen
- Corporation Counsel Gingerich
- Asst. Corp. Counsel Culpepper
- City Treasurer Turner
- Fire Chief LaScola
- Police Chief Porter
- Director of Public Works Rhodes
- Dep. Dir. of Public Works Barile
- Director of Recreation Ziegler

The Mayor and Council of Takoma Park, Maryland convened in executive session at 8:01 PM, August 9, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. Mayor Miller led in the pledge of allegiance to the flag, after which he called for a motion to waive the reading of the minutes of the last meeting, if there were no corrections or additions. Motion was made by Councilman Roth, seconded by Councilman Eppes, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Capt. A. L. Schmieg, USNR, U.S. Naval Reserve Training Center, Adelphi. Letter of appreciation to Mayor Miller and Councilman Eppes for the presentation of a 4th of July parade trophy. Council Files w/cc to Fourth of July Committee
2. George K. Bernstein, Federal Insurance Administration, HUD, Washington, D. C. Notice of availability on August 1 of crime insurance at reasonable rates. Council Files
3. Richard H. Turk, Office of Highway Safety Coordinator, Baltimore. Forms and explanatory material for submitting highway safety work program applications. Public Works Committee: Treasurer's Office
4. Minerva Lee, Chairman, Montgomery County Community Action Committee, Rockville. Request for support of Montgomery County Council's proposed Fair Landlord-Tenant Relations Bill by letter or appearance at hearing on September 8 and 9, 8:00 PM. Housing and Code Enforcement Committee
5. Arthur Barber, The First Communications Co., 7600 Hemlock St., Bethesda. Request to be considered as applicant for CATV franchise. Housing & Code Enforcement Committee
6. John D. Ruffcorn, Administrator, Washington Sanitarium, City. Expression of interest in Sanitarium's providing medical and health inputs for CATV system. H&CE Committee
7. Helmut Liers, Jr., 709 Kennebec Avenue, City. Request for waiver of BOCA citation on deficiency of bathroom facilities, citing hardship. Housing & Code Enforcement Committee.
8. Charles T. and Leona M. Long, 7302 Trescott Avenue, City. Complaint of unkempt appearance of 7300 Trescott Avenue. Housing and Code Enforcement Committee

9. Mrs. Melvin Holmes, 10 Pine Avenue, City. Recommendation for consideration of Mrs. Jeanne Bussey for position of Code Enforcement Officer. Housing & Code Enforcement Committee

10. Robert A. Appelbaum, 222 Park Avenue, City. Request to reconsider installation of stop signs on Park Avenue at Spruce and Crescent. Law Enforcement Committee

11. Harold McCurdy, 7204 Holly Avenue, City. Request for clarification of his rights re laws governing noise and charges by neighbors of disturbing the peace. Law Enforcement Comm

12. Leslie D. Adams, Recording Secretary, Takoma Park Volunteer Fire Dept., Inc. City. Proposal for remodeling a portion of the Fire House for VFD use. Fire Protection Committee

13. R. W. Belden, 7907 Glenside Drive, City. Complaint concerning increased City taxes. Finance Committee

FINANCIAL STATEMENT OF BANK BALANCES AS OF 7-31-71: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS

|   |                  |                   |
|---|------------------|-------------------|
| Balance as of June 30, 1971                 | 93,289.80        |                   |
| Revenues collected in July, entered in June | 9,267.69         |                   |
| July receipts                               | <u>32,312.09</u> | 134,869.58        |
| July disbursements                          |                  | <u>111,493.16</u> |
| Balance as of July 31, 1971                 |                  | <u>23,376.42</u>  |

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

|                                   |                  |                  |
|-----------------------------------|------------------|------------------|
| Balance as of June 30, 1971       | 10,168.74        |                  |
| July transfers from General Funds | <u>84,378.37</u> | 94,547.11        |
| July disbursements                |                  | <u>78,217.13</u> |
| Balance as of July 31, 1971       |                  | <u>16,329.98</u> |

CITIZENS BANK OF MARYLAND--GENERAL FUND

|                             |           |               |
|-----------------------------|-----------|---------------|
| Balance as of June 30, 1971 | 217.12    |               |
| No transactions during July | <u>--</u> | <u>217.12</u> |
| Balance as of July 31, 1971 |           | <u>217.12</u> |

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENTS FUND

|                             |           |               |
|-----------------------------|-----------|---------------|
| Balance as of June 30, 1971 | 551.62    |               |
| No transactions during July | <u>--</u> | <u>551.62</u> |
| Balance as of July 31, 1971 |           | <u>551.62</u> |

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND

|                             |               |                  |
|-----------------------------|---------------|------------------|
| Balance as of June 30, 1971 | 60,790.06     |                  |
| July receipts               | <u>250.00</u> | 61,040.06        |
| July disbursements          |               | <u>35,728.46</u> |
| Balance as of July 31, 1971 |               | <u>25,311.60</u> |

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

|                             |           |               |
|-----------------------------|-----------|---------------|
| Balance as of June 30, 1971 | 152.84    |               |
| No transactions during July | <u>--</u> | <u>152.84</u> |
| Balance as of July 31, 1971 |           | <u>152.84</u> |

AMERICAN NATIONAL BANK--GENERAL FUNDS

|                             |           |               |
|-----------------------------|-----------|---------------|
| Balance as of June 30, 1971 | 500.00    |               |
| No transactions during July | <u>--</u> | <u>500.00</u> |
| Balance as of July 31, 1971 |           | <u>500.00</u> |

PETTY CASH

200.00

MAYOR MILLER'S COMMENTS:

Mayor Miller announced that the next Council meeting will be held on September 13; that, as previously announced, the second meeting in August is being cancelled to give Council a brief recess. He also announced that the Park and Planning Commission staff has scheduled a briefing and question and answer session on the Takoma Park Transit Impact Area Plan for 8:00 PM, August 23, in the auditorium at 8787 Georgia Avenue. He pointed out that this is to disseminate information prior to the public hearing on September 13, and suggested that all interested persons attend.

Mayor Miller presented a certificate of appreciation to Mr. Irving H. Harrison of 7904 Glenside Drive, citing his many years of unheralded service to the City in collecting litter en route to work each day.

He then administered the oath of office to Chief of Police Porter, announcing that it was with great pleasure that he did so.

Mayor Miller stated that a series of meetings dealing with transit and zoning recommendations will be held by the Montgomery County Council Citizens Advisory Committee, and will be chaired by Mr. Royce Hanson. Meetings are to be held at 7:30 PM at the Park and Planning Commission offices, 8787 Georgia Avenue, as follows: August 19, September 9, and on several subsequent Thursday evenings. Mayor Miller asked Mrs. Kathryn Simpson, Chairman of the Community Improvement Board, if she would agree to represent the Council at these meetings, to which she replied in the affirmative.

PUBLIC PARTICIPATION:

1. Christopher Forden, 7402 Glenside Drive, City. Mr. Forden stated that some of the proposed changes in the transit impact area plan tend to cancel out any benefits City residents would derive from the station. Specifically, he mentioned: that the widening of streets and providing a parking lot would tend to encourage the use of automobiles to the detriment of residents and the degradation of neighborhoods; that the destruction of a residential area to provide space for commercial and highrise developments would result in loss of tax revenue; and he pointed out the irony of proposing to preserve a residential area by completely surrounding it with four to six lane highways, and questioned the validity of the assumption that this can remain a viable neighborhood within such rigid confines. Mr. Forden proposed that the Mayor and Council act to discourage the use of the automobile by recommending that roads not be widened, a parking lot not be built but, instead, initiate action to provide an efficient feeder bus system, including a local minibus, which would also provide a valuable service to persons without access to a car. He urged the Mayor and Council to accept their responsibility here and perhaps avoid an overt expression of public indignation, a technique which is often successfully employed today. Mr. Forden also requested that more copies of the plan be provided and that better means of publicizing it be worked out, pointing out that few copies of the plan have been distributed, while flyers announcing a band concert were given wide distribution. Mayor Miller and Councilman Roth explained the interrelationship of the Council and the Park and Planning Commission, noting that the City's authority extends only to making recommendations; also, that the purpose of the public hearing, scheduled for September 13, is to hear opinions, recommendations, objections, etc., and only after these are considered is a final plan formulated. Mayor Miller thanked Mr. Forden for his remarks and suggested that he put them in writing for presentation at the public hearing.

2. Mrs. Margaret Holmes, 10 Pine Avenue, City. Mrs. Holmes stated that she and all the others who needed it so badly, appreciated the Council's action in permitting a tax break for senior citizens which provides a more equitable arrangement in light of recent property assessments.

Christopher Forden, 7402 Glenside Drive, City. Mr. Forden stated that some of the proposed changes in the transit impact area plan tend to cancel out any benefits City residents would derive from the station. Specifically, he mentioned: that the widening of streets and providing a parking lot would tend to encourage the use of automobiles to the detriment of residents and the degradation of neighborhoods; that the destruction of a residential area to provide space for commercial and highrise developments would result in loss of tax revenue; and he pointed out the irony of proposing to preserve a residential area by completely surrounding it with four to six lane highways, and questioned the validity of the assumption that this can remain a viable neighborhood within such rigid confines. Mr. Forden proposed that the Mayor and Council act to discourage the use of the automobile by recommending that roads not be widened, a parking lot not be built but, instead, initiate action to provide an efficient feeder bus system, including a local minibus, which would also provide a valuable service to persons without access to a car. He urged the Mayor and Council to accept their responsibility here and perhaps avoid an overt expression of public indignation, a technique which is often successfully employed today. Mr. Forden also requested that more copies of the plan be provided and that better means of publicizing it be worked out, pointing out that few copies of the plan have been distributed, while flyers announcing a band concert were given wide distribution. Mayor Miller and Councilman Roth explained the interrelationship of the Council and the Park and Planning Commission, noting that the City's authority extends only to making recommendations; also, that the purpose of the public hearing, scheduled for September 13, is to hear opinions, recommendations, objections, etc., and only after these are considered is a final plan formulated. Mayor Miller thanked Mr. Forden for his remarks and suggested that he put them in writing for presentation at the public hearing.

3. Mrs. Harold Phipps, 7210 Holly Avenue, City. Mrs. Phipps inquired if the transit impact plan hearing could be held in the City, or at least in a place large enough to accommodate those who wish to attend. Mayor Miller responded by saying that the City Administrator could request a change in location, though the Commission usually schedules additional hearings when there is a need. Mrs. Phipps also asked about the overlapping authority of the City and Park and Planning Commission and inquired who made the input into the plans for the area around the Metro station. Mayor Miller replied that the Mayor and Council had met with the Commission many times and, prior to that, the Commission and WMATA held a series of meetings with experts and persons who had observed the impact of mass transit development in other areas, and the findings brought out in these meetings and studies were incorporated into the present plan. He emphasized that the plan is not firm but, as the title implies, a proposed plan. Mrs. Phipps then spoke of the contradiction of Public Works Committee agenda items 6 and 9, and inquired about item 1 of the Council as a Whole agenda. Mayor Miller said that Councilman Roth would speak to the Public Works agenda items, and stated that the item dealing with the banning of sale of throwaway containers had been introduced, but defeated, in the last session of the General Assembly, but is being retained on the agenda in the event it is reintroduced at the next session.

4. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier thanked Councilman Eppes for the copy of former Gov. McKeldin's statement regarding control of cats and said he hopes Council will see fit to remove this item from the agenda. He spoke of the informative nature of the public participation portion of Council meetings and the value of actual participation. Mr. Ferrier stated that Mrs. Spear, of #1 Valley View Avenue, and Mrs. Nellis, 7417 Maple Avenue, are concerned about finding their homes located within the transit impact area and that they will be looking to the Mayor and Council to protect their interests. He also spoke of Block 69, and expressed the hope that the college would expand vertically, and spare the homes, noting that the loss of homes through condemnation constitutes a loss of individual rights.

5. R. W. Belden, 7907 Glenside Drive, City. Mr. Belden referred to his letter [Correspondence section] dealing with City's tax increase. He stated that this increase, along with county increase, brings his real estate tax bill to \$80-\$100 per month. He questioned the boundary lines as they relate to his property and noted that some property owners near him do not pay City taxes, though they have a Takoma Park address. He also asked about the use of funds gleaned from the tax increase. Mayor Miller pointed out that boundary lines were established by the General Assembly in 1890, and suggested that Mr. Belden stop in to see the City Administrator and Treasurer. Councilman Forshee gave Mr. Belden a City map and copy of the budget, and pointed out that a public hearing had been held prior to the adoption of the budget at which many of the details on appropriations were explained.

#### COMMITTEE REPORTS

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

Councilman Nishimoto said he is very pleased that Captain Porter has been officially appointed Chief of Police; that he has done an excellent job and he is confident he will continue to do so.

1. Loitering near Ritchie and Oswego Avenues. Councilman Nishimoto reported that the Chief has investigated this situation and ordered intensified patrol of the corner, with instructions to apprehend all violators. In response to Mr. Forden's question, Councilman Nishimoto said that loiters would be picked up as public nuisances or as creators of public disorder, adding that the complainant had specifically referred to abusive language and drinking. He stated that the Department attempts to enforce law and order with justice.

2. Proposed NO LEFT TURN and NO RIGHT TURN signs at Langley Professional Building entrance. This is being studied and the Committee will have a recommendation shortly, Councilman Nishimoto stated.

3. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. Councilman Nishimoto stated that the State Roads Commission has completed all the work here except for road signs.

At this point Councilman Nishimoto excused Chief Porter.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Vice-Chairman Sidell reporting

No report.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Proposed NO LEFT TURN and NO RIGHT TURN signs at Langley Professional Building entrance. Councilman Roth stated that the Law Enforcement Committee has prime responsibility here, but that the Public Works Committee will support the proposal if it can be worked out.

2. Proposed use of plastic bags in garbage containers. Councilman Roth referred to Mrs. Phipps' earlier comments, and stated that until problems of recycling and disposal can be worked out on a regional level, there is a need for pragmatic approaches to the situation; that the Committee has favored use of plastic bags for various reasons, one of which is to enhance the human dignity of the occupation; however, there are problems to be worked out, such as warehousing and selling the bags, prior to instituting their use. Mrs. Phipps thanked Mr. Rhodes for his prompt response to a complaint she had made on garbage collection.

3. Street light on unimproved block of Baltimore Avenue at Philadelphia Avenue. Councilman Roth moved for Council approval of the installation of one 4200 lumen mercury-vapor street light at this location, at an annual cost of \$33.07. He noted that this is in response to a citizen's complaint and a Police Department recommendation. Motion was seconded by Councilman Forshee and unanimously approved.

4. Painting of fire house interior. Councilman Roth stated that this project had been deferred for a year, but Committee feels it cannot be delayed any longer because of need and probable increased cost. He moved that the following ordinance be adopted to accomplish the task:

ORDINANCE NO. 2169

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

SECTION 1. THAT it has been determined that the interior of the Fire House building is in need of repainting, AND

SECTION 2. THAT Mr. Tracey Porter has agreed to abide by the terms of his bid submitted a year ago and complete the painting at a cost of \$1455.

SECTION 3. THEREFORE THAT Mr. Tracey Porter is hereby awarded a contract to paint the interior of the Fire House, excluding the gymnasium, for the sum of \$1455, with said sum being charged to A/C 10.813B.

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

5. Purchase of vacuum leaf machine. Councilman Roth stated that this item is included in the budget and explained that an additional machine is needed because of their proneness to breakdowns which, in turn, interferes with scheduled leaf collections. He also pointed out that there are larger quantities of leaves to be collected since the prohibition on leaf burning went into effect. He moved for adoption of the following ordinance authorizing the purchase of a leaf machine:

ORDINANCE NO. 2170

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

SECTION 1. THAT it has been determined there is need for an additional leaf collecting machine of the same type now in use, AND

SECTION 2. THAT funds have been provided in the Adopted Budget for a Mobile Leaf Vacuum, a/c 13.403C, \$4500.

SECTION 3. THEREFORE, the Director of Public Works is authorized to solicit bids for a leaf machine to conform to established standards.

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

6. Items of information. The heating plant in the Public Works building is being repaired, Councilman Roth stated. He also announced that a Public Works Committee meeting will be held between Council meetings, probably on August 26.

b FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Personnel. Councilman moved that Council approve the probationary appointment of Barry T. Huntington, effective August 16. Motion was seconded by Councilman Roth and carried.

2. Official leave--Fire Chief. Councilman Eppes moved for Council approval, September 16-24, for the Fire Chief to attend the annual conference of the IAFC in St. Louis, and a three-day seminar preceding it. He indicated that funds are provided in accounts 11.212N2 and 11.212.N4. Motion was seconded by Councilman Roth and unanimously approved.

3. Volunteer Fire Department Ladies Auxiliary parade float. Councilman Eppes commended the Ladies Auxiliary of the VFD for their float--"Mrs. O'Leary's Cow"--in the Fourth of July parade, noting that he had failed to call attention to it earlier.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. 1111 Sligo Creek Parkway. Councilman Sidell indicated his committee has not met to discuss this continuing problem, and asked that it also be added to the agenda of the Housing and Code Enforcement Committee.

Councilman Sidell announced that copies of the Metro impact area plan are now available at all City buildings and many places of business throughout the City. He also announced that former Councilman Geib has retired and moved his family to Florida and that he wishes them well.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Open space at New Hampshire, Elm, Heather and Larch Avenues. Councilman Webb stated that a letter has been received from the Park and Planning Commission stating that feasibility and means of acquisition of this tract are under study and that a report will be brought to a work session of the Council.

2. Recreation Department activities:

August 10, 11:00 AM Children's Theater of Baltimore Showmobile  
"The Sorcerer's Apprentice" Rec Center

August 10, 7:30 PM Navy Band Concert, Jequie Park

August 29, 2:00 PM Dedication Ceremony for Colby Tot Lot  
(Participants will include: Mayor and Council; Recreation Council; Takoma Park Women's Club, who donated the play equipment; former Councilman Jones, who was active in early planning phases.)

3. Playground program. Councilman Webb announced the winners of County-level sports contests and stated that one Spring Park contestant, Lorenzo Waters, Jr., not only placed first in the bantam 50-yard dash at the Montgomery County Track Meet, but also won first place in the Governor's Youth and Race Meet in Annapolis.

FINANCE COMMITTEE: Councilman Forshee reporting

1.. Expenditures, December through May. Councilman Forshee moved for Council approval of expenditures as follows: December 1970, \$130,685.09; January 1971, \$163,300.69; February 1971, \$121,632.56; March 1971, \$114,002.04; April 1971, \$132,616.89; May 1971, \$171,235.07. Motion was seconded by Councilman Webb and unanimously approved. Councilman Forshee stated that the annual audit is still under way, and that a fiscal year report will be available when it is completed.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee reporting

Councilman Forshee stated that Mrs. Robinson wished to thank the Mayor and Council for granting permission to close the library to conduct an inventory; that she felt their services to the public would be greatly improved as a result of information obtained. He stated he wished to thank the Library staff for the many extra hours they worked in order to meet the deadline. Councilman Nishimoto stated that he was more than pleased with the results, which revealed no heavy loss of books, and expressed his appreciation to the staff for the some 80 hours time volunteered in order to keep within the allotted budget and time period, and for the excellent job done on the inventory itself and in the preparation of the report.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn. Motion was made and seconded, and the meeting adjourned at 9:32 PM, to reconvene in the Municipal Gymnasium on September 13, 1971, at 8:00 PM.

ATTEST: Haynes M. Pridgen  
City Administrator

APPROVED: George W. Miller  
Mayor