

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

November 8, 1971

City Officials Present

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

Corporation Counsel Gingerich
 City Treasurer Turner
 Fire Chief LaScola
 Deputy Fire Chief Fickes
 Police Chief Porter
 Director of Public Works Rhodes
 Dep. Dir. of Public Works Barile
 Director of Recreation Ziegler

The Mayor and City Council of Takoma Park, Maryland met in regular session at 8:00 PM, November 8, 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, if there were no corrections or additions. The motion was made by Councilman Roth, seconded by Councilman Eppes, and carried.

CORRESPONDENCE RECEIVED: City Treasurer Turner reporting

1. Fred S. Anderson, Executive Secretary, TESS Commission, 8513 Piney Branch Road, Silver Spring, Md. Report on TESS Citizens Advisory Council meeting of 11-3-71. Coun. Files
2. W. C. Lynn, Project Manager, Dalton-Dalton-Little, Cleveland, Ohio. Request for comments and review of preliminary plan for Juniper Street Bridge from Metro planners. Council as a Whole [Mr. Turner will represent the City in Mr. Pridgen's absence at a meeting tentatively scheduled for November 18.]
3. Rita Robinson, Librarian, City. Request for 10-month leave of absence for Mrs. French from January 1 thru October 31, 1972. Special Library Committee
4. Amelia W. Burroughs, 7218 Cedar Avenue, City. Letter expressing appreciation to Mayor Miller for his long and dedicated service to the City and the good services provided by the Public Works Department. Council Files [Mayor Miller stated that he found this letter very cheering; particularly in coming from a citizen such as Mrs. Burroughs.]
5. Peter J. Luciano, 7512 Jackson Avenue, City. Complaint about new parking restrictions in the 7500 block of Jackson Avenue; suggested alternative. Law. Enf. Comm.
6. Thomas Camp, 717 Sligo Creek Parkway, City. Expression of appreciation for arrangements made by Messrs. Barile and Olson for some road repairs in his area. Code Enf. Comm., Public Works Committee
7. Leon Trager, Dollar Sign Properties, 109 University Boulevard West, Silver Spring. Inquiry re plans for disposal of 8 Columbia Avenue. Finance Committee
8. J. P. Gaquin, Personnel Director, Montgomery County, Rockville. Letter outlining steps taken to allocate 30 slots under the Public Employment Program of 1971; list of positions and agencies. Finance Committee; Council as a Whole

November 8, 1971

FINANCIAL STATEMENT OF BANK BALANCES AS OF 10-31-71: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS

Balance as of September 30, 1971	472,478.25	
October receipts	<u>188,201.66</u>	660,679.91
October disbursements		124,035.84
Less: Cost of Treasury Bills		487,922.78
Balance as of October 31, 1971		<u>48,721.29</u>

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

Balance as of September 30, 1971	7,392.91	
October transfers from Gen. Funds	<u>83,998.06</u>	91,390.97
October disbursements		<u>78,689.56</u>
Balance as of October 31, 1971		<u>12,701.41</u>

CITIZENS BANK OF MARYLAND--GENERAL FUNDS

Balance as of September 30, 1971	11,811.38	
October receipts	<u>1,103.62</u>	12,915.00
No October disbursements		--
Balance as of October 31, 1971		<u>12,915.00</u>

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

Balance as of September 30, 1971	551.62	
October receipts	<u>228.69</u>	780.31
No October disbursements		--
Balance as of October 31, 1971		<u>780.31</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND

Balance as of September 30, 1971	5,370.76	
October deposits	<u>75,843.75</u>	81,214.51
October disbursements		<u>56,650.50</u>
Balance as of October 31, 1971		<u>24,564.01</u>

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

Balance as of September 30, 1971	154.55	
No October transactions		154.55
Balance as of October 31, 1971		<u>154.55</u>

AMERICAN NATIONAL BANK--GENERAL FUNDS

Balance as of September 30, 1971	31,630.69	
No October transactions	--	31,630.69
Balance as of October 31, 1971		<u>31,630.69</u>

PETTY CASH

200.00

General Funds invested in Treasury Bills	500,000.00
Public Improvement Funds invested in Certificates of Deposit @ 5.25%	400,000.00

Mayor Miller welcomed the audience and announced that the next meeting will be held on November 22. He noted that the Newsletter had erroneously listed November 15 as a Council meeting date, and pointed out that Council meetings are always held on the second and fourth Monday of each month.

PUBLIC PARTICIPATION:

1. Rita Marth, 7308 Cedar Avenue, City. Mrs. Marth reported on some of the activities of the Recycling Center, as follows: A Montgomery County Recycling Association, composed of the Takoma Park, Bethesda, and Wheaton centers, has been formed to facilitate work with the County and to help in establishing policy. At the Solid Waste Hearing on October 23, assistance from the County was requested to provide other sites for recycling operations: aid in improving facilities of some of the centers, e.g., shelters, electricity, etc.; provide transportation for hauling glass and cans; lend assistance in negotiations with purchasers of materials. The Association also met with County Public Works officials, who indicated County has decided to assist recycling centers as a matter of policy. In addition, meetings have been held with Mr. Gleason and his administrative officer to discuss recent proposals made by that office, the most relevant of which is the establishment of a site near the Rockville landfill where recyclable material would be accepted and disposed of. The Takoma Park Center has been allowed to use this site for cans as an emergency measure. The Association supports Mr. Gleason's proposal, but with some reservations. They would like to have a representative on the proposed Solid Waste Advisory Panel, a request to which Mr. Gleason seems favorably disposed. Upon question by Mayor Miller, the Corporation Counsel stated that the incorporation papers for the Takoma Park Recycling Center have been filed. Councilman Hutmire commended Mrs. Marth, stating it was gratifying to observe this group of volunteers who, after only a few weeks' operation, not only have their own center functioning, but are also seeking area-wide solutions through large group participation.

2. Kathryn B. Simpson, Chairman, Community Improvement Board, City. Mrs. Simpson announced that the next meeting of the Board would be held on November 18, at 8:00 PM, at Takoma Tower, and that a tour of the building would be made. In addition, Mr. Womack, who chairs a subcommittee studying the feasibility of establishing a housing authority in the City, will make a preliminary report. She invited the Mayor and Council to attend.

COMMITTEE REPORTS:PUBLIC WORKS COMMITTEE: Councilman Roth reporting

Councilman Roth expressed his appreciation to Mrs. Marth for the work of her group, and stated that it is encouraging to receive help from citizens at a time when there are so many discouragements in trying to make things run well in the City.

1. Request to improve access to Langley Professional Building parking lot. Councilman Roth stated that he had met with several of the owners of the building, and that they are aware of the problems, though they have no immediate solution; however, some mention was made of seeking the advice of a traffic engineer. Councilman Roth also stated that the building is only about three-fourths rented, resulting in a deficit of about \$100,000.

2. Storm drain overflow near 1402 Erskine Avenue. Mr. Barile has managed to move some relevant paper work from WSSC back to the Prince George's County offices. Councilman Roth reported, noting that, though progress is slow, there is some progress.

3. Street lighting on Houston Court. Councilman Roth moved for approval of the installation of a 4200 lumen mercury-vapor light on PEPCO Pole 739103, at the point where the street makes a 90° turn, at an annual cost of \$33.07. The motion was seconded by Councilman Sidell and unanimously approved.

4. Purchase of replacement truck and panel van. Councilman Roth moved for adoption of the following ordinances authorizing the purchase of a 1/2 ton truck and a compact panel van:

ORDINANCE NO. 2181

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

- SECTION 1. THAT, in accordance with authorization granted October 11, 1971, a request for bids on one 1/2-ton truck was advertised as required by law, AND
- SECTION 2. THAT bids were opened at 4:00 PM, November 2, 1971, with Sports Chevrolet submitting the low net bid of \$2107.
- SECTION 3. THEREFORE THAT the contract for one 1/2-ton 1972 Chevrolet truck is hereby awarded to Sport Chevrolet for the sum of \$2107 (TWO THOUSAND, ONE HUNDRED SEVEN DOLLARS), AND
- SECTION 4. THAT the City Clerk is hereby authorized to transfer to Sports Chevrolet the title on trade-in vehicle, a 1965 Chevrolet Fleetside Pick-up truck, Serial #C1445B-106316, Title #573264.
- SECTION 5. FURTHER THAT funds for this purchase shall be transferred from the Reserve Fund to A/C 14.403D.

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

ORDINANCE NO. 2182

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

- SECTION 1. THAT authorization to solicit bids on one compact panel van was granted on October 11, 1971, AND
- SECTION 2. THAT, after having been duly advertised in accordance with the law, bids were opened at 4:00 PM, November 2, 1971, with Sports Chevrolet submitting lowest bid which met all specification requirements in the amount of \$2610.
- SECTION 3. THEREFORE THAT a contract for one 1972 Chevrolet Compact Van with automatic transmission is hereby awarded to Sports Chevrolet for the net sum of \$2610 (TWO THOUSAND SIX HUNDRED TEN DOLLARS), AND
- SECTION 4. THAT the City Clerk is hereby authorized to transfer to Sports Chevrolet the title on trade-in vehicle, a 1963 Chevrolet Fleetside Pick-up, Serial #3C254B-115089, Title #K-42687.
- SECTION 5. FURTHER THAT the sum of \$2500, allocated in budget item 14.403D, be applied to this purchase, with an additional sum of \$110 being transferred from the Reserve Fund to A/C 14.403D.

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

5. Municipal Building. Councilman Roth referred to a letter from the building architect, which stated that the County Safety Officer has instructed that some changes be made

to meet fire code requirements. He offered two options: enclose the stairway between lobby and second floor at a cost of \$3337, or install two hour rated ceilings in basement and first floor at \$6405. The architect indicated he would prefer that the stair remain, since it is a feature of the lobby, Councilman Roth said, and stated that this would be his personal preference also. Chief LaScola, upon question by Councilman Roth, stated that it was his understanding that both changes must be made, and indicated that Mr. Mason had been so informed last May. Mayor Miller and Councilman Nishimoto questioned Chief LaScola on the possibility of a sprinkler system as an alternative to the required changes, to which Chief LaScola replied that it would meet all requirements of the fire code. It was subsequently agreed that a cost estimate for a sprinkler system would be obtained.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Prince George's County Fire Tax. Councilman Eppes reported that no word has yet been received from the County Council on the promised return of some \$50,000 to the City. He stated that he and the City Administrator had appeared before the Council to make this request, but that his Committee has made no follow-up inquiries, though Mr. Pridgen may have done so. Mayor Miller requested that Mr. Turner prepare a letter to the Council asking about the status of the proposed rebate.

2. Vehicle for Fire Prevention Division. Councilman Eppes moved for authorization to solicit bids on a new fire prevention inspection car, noting that the present car, a 1965 Ford, is beyond economical repair. Motion was seconded by Councilman Hutmire. Councilmen Eppes and Roth requested that bids be sought on a full range of cars--from compacts to the second price range. Upon question by Councilman Nishimoto, Chief LaScola stated that the mileage on the present car has averaged 9-10,000 a year, and that this includes service as the Chief's car for a period. The motion to authorize solicitation of bids was unanimously approved.

3. Purchase of ambulance equipment. Councilman Eppes moved that Council approve the purchase of cardio-pulmonary resuscitation equipment at a cost of \$164.47, noting that this is a budgeted item and will replace equipment purchased in 1956. Motion was seconded by Councilman Roth and carried.

4. Home alarm system for Volunteer Firemen. Councilman Eppes requested that this be placed on the agenda for consideration at the next Council meeting. He explained that this is a home alarm radio system which would keep the volunteer firemen apprised of the status of fire signals.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Special Exception 2599, 1021 University Boulevard, medical office in basement. Councilman Sidell requested the Fire Department to check these premises for conformance with City codes. He noted that this request pertains to the same property whose owner recently requested a C-G zone, and on which the Council recommended denial.

2. 1111 Sligo Creek Parkway. Councilman Sidell referred to a letter sent to the operator of the furniture store which gave him until November 4 to correct the offending conditions. Councilman Hutmire stated that none of the conditions have been corrected and indicated that Mr. Barile would be in touch with the County officer later in the week.

3. Opinion on alternative expansion plans for Montgomery College. Councilman Roth moved for approval of the following letter to the County Council, in the interest of clarifying the City Council's position in this matter:

Mrs. Idamae Garrot, President
Montgomery County Council
Rockville, Maryland

Dear Mrs. Garrot:

I have been informed that the County Council believes the Takoma Park City Council is in the process of revising its position on expansion of Montgomery College.

We have had a number of discussions with the citizens on this subject, and will probably continue to do so. However, none of the discussions have caused any proposal for change in the position adopted by the Takoma Park City Council on June 14, 1971. A copy of the approved motion is attached; this is still our position.

Very truly yours,

George M. Miller
Mayor

The motion for approval of the letter was seconded. Councilman Forshee stated that he would like for Montgomery College to take a second look at some of the new proposals which have been made, and that they at least evaluate the plan which would permit expansion, but cause very little disruption of the neighborhood. He pointed out that the County Council has agreed to take a second look and that he would like to see these thoughts reflected in the letter addressed to them. In response to Councilman Hutmire's question, Councilman Forshee stated he would like the request to be directed to both the College and the County Council. Councilman Roth stated he felt any attempt by the City Council to evaluate the plans would be a fruitless exercise, and would involve evaluations which the Council is not competent to undertake; that it would probably necessitate a series of public hearings on a matter which is not within the scope of Council's authority. An analogous situation would be if the Board of Education attempted to influence the Council on the design of the Municipal Building, he said. Councilman Forshee said he had not intended to suggest that Council review the plans, but had asked that the Council request Montgomery College to take a second look. Councilman Roth read the June 14 statement, saying he felt it should stand unless stronger evidence to the contrary is presented. Mayor Miller referred to County Council's request for the Park and Planning staff and the Planning Board to review the new plan. Mrs. Simpson said that several meetings have been set up to give the Block 69 Committee a second hearing, and that she was pleased to note that some opposing views have been heard for the first time. She and Councilman Sidell stated that the Chairman of Montgomery College Board of Trustees had indicated at last week's County Council meeting that the Board does have a set of the new proposals. Mr. Turner referred to correspondence item #1, and read the results of votes taken at the November 3 TESS Citizens Advisory Council meeting, which indicated a preference for expansion without use of condemnation, but approved expansion by condemnation, if necessary. Councilman Roth's motion was approved by majority vote, with Councilman Forshee abstaining.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Request to change hours of Sunday shows at Library. Councilman Webb said that, since the Committee had had no adverse reactions from citizens or from church officials who were contacted, he would move for deletion of the item from the agenda. Councilman Nishimoto stated he would give the name of the complainant to Councilman Webb, who then agreed to let the item remain for two weeks. Councilman Hutmire indicated that persons contacted in an

effort to uncover the source of the complaint included most of the officials of the church. Councilman Sidell moved that the item be taken off the agenda, saying it was inappropriate for the Council to consider this item, since many Takoma Park citizens worship on Saturday, and the Council represents all groups. His motion was seconded by Councilman Eppes and carried, with Councilman Nishimoto voting in the negative, and Councilman Forshee abstaining.

2. Activities. Councilman Webb noted that between three and four hundred children had participated in Halloween activities, and commended the Recreation Department for their successful effort. He announced that the first production of the Teen Theatre, "The Ghost of Furstenburg Castle," is scheduled for presentation as follows: Nov. 19, 4:30 PM; Nov. 20, 7:30 PM; Nov. 21, 3:00 PM. All performances will be held in the Junior High auditorium. Admission for children, 25¢; adults, 50¢.

Councilman Webb commented on the poor condition of the gymnasium walls, which was followed by a discussion on the relative merits of paint and panelling. Mr. Webb thanked Mrs. Marth for the work she and her group have undertaken in setting up a recycling center. He also thanked the Police Department for their quick response to a recent burglary at his home.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. (a) Comments on Prince George's County Human Relations Committee's police-community relations program goals. This is being reviewed, Councilman Nishimoto said, and should be available at an early date. (b) Appointment of liaison person from community to work with Committee. A panel is being set up with a view to selecting a representative from the Prince George's section of the City, Councilman Nishimoto said.

2. (a) Suggested curfew for children under 16. Councilman Nishimoto stated that this is not a desirable solution and pointed out the problems of enforcement encountered by other jurisdictions. Some have imposed a curfew--e.g., Prince George's County. He said that the City and Montgomery County presently employ a method of control in which children who are found on the street at an unreasonable hour are held until parents pick them up. The Department hopes to curb vandalism through the use of heavier patrols, he said. (b) Request for instructional program on bicycle use. Councilman Nishimoto cited several ways in which this type of information is already being disseminated: Bicycle registration is held every Thursday, and some fundamental safety instructions are given at that time; the School Safety Coordinator recently conducted an instructional program at Fellowship Hall; and he also holds regular school safety assemblies, which include bicycle safety.

3. Speed control on Maple Avenue. Councilman Nishimoto said the Committee is giving this situation a very close examination, and that a coordinated effort will be made to correct the problems of pedestrian and vehicular traffic. He referred to a request made by Mr. Robert Moore for a traffic light at Maple and Sherman Avenues, and stated that it would be considered along with the other problems. In response to Mr. Moore's question, Councilman Nishimoto and Mr. Rhodes stated that Maple Avenue is a State route, not a County road, but that section between Philadelphia and the Parkway is maintained by the City, and the full cost of a traffic light would have to be borne by the City.

4. Proposed NO TURN signs at Langley Professional Building. An ordinance will be proposed at the next Council meeting, Councilman Nishimoto said.

5. Control of traffic at Carroll and Philadelphia Avenues. Councilman Nishimoto said the City needs \$6,000 to help pay for a traffic signal at this intersection; that it will be installed and synchronized with adjacent lights as soon as the money is budgeted.

6. Request for patrol or speed trap on Willow between Tulip and Valley View. Councilman Nishimoto stated it was his understanding that the problem had diminished, but in response to Mr. Moore's expression to the contrary, instructed that the area be patrolled aggressively.

7. Petition for speed bumps or alternative, 7300 block of Cedar Avenue. Councilman Nishimoto referred to information received from another area regarding the practicality of installing speed bumps, which pointed out the serious hazards to drivers, as well as the possibility of suits against the government. In view of this, and the fact that the situation has improved, he suggested that the item be removed from the agenda. Mrs. Marth, while agreeing there has been improvement, stated that it might have to be returned to the agenda, if there is no permanent alleviation of the speeding problem.

8. Complaint of restricted visibility on Maplewood at Flower Avenue. Councilman Nishimoto reported that this situation has been corrected through strict enforcement of illegal parking, and requested that it be deleted from the agenda.

9. Highway Safety Work Program application. It has been learned that there are no funds for this particular program, Councilman Nishimoto stated.

10. Traffic hazard at Piney Branch, Eastern and Takoma Aves. The State Roads Commission has not yet completed the promised painting of roadway signs, Councilman Nishimoto said.

11. Personnel. Councilman Nishimoto moved for Council approval of the permanent appointment of Officer ~~Haws~~ C. Boyd, effective September 23. Motion was seconded by Councilman Eppes and carried.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Expenditures for September and October. Councilman Forshee moved for approval of the following expenditures: September: \$226,358.94; October: \$124,089. Motion was seconded by Councilman Webb and carried.

2. Voting delegate to Annual Congress of Cities. Councilman Forshee stated that the Committee had approved Mayor Miller's trip to the meetings in this capacity, but that he has indicated he will be unable to attend.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Vacancy in Code Enforcement Division. Councilman Hutmire reported that this is still under study.

2. Housing authority for City. Councilman Hutmire referred to the Resolution of Intent adopted at the last Council meeting, and stated that the necessary paper work to set the program in motion is in progress. He expressed appreciation for the preliminary work on the feasibility of establishing a housing authority which has been done by a special committee of the CIB, and noted the following suggestion which was offered as a possible alternative: more cooperation with the County and the Housing Authority; their staff would be available and the City could enjoy many advantages without some of the problems. He stated that the Resolution of Intent was an example of this type of cooperative effort.

3. Appointment to Community Improvement Board. Councilman Hutmire moved for Council approval of the appointment of Mrs. Anne Vogel to the Board as a member of the Zone 5 group. Motion was seconded by Councilman Roth and unanimously approved.

Councilman Hutmire commented on a memo from Mr. Phil Vogel which cited some conditions in need of correction, and thanked him for his vigilance. Mr. Vogel, in turn, thanked Captain Porter for the work of the Police Department in helping to correct the violations.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee reporting

Councilman Forshee moved for Council approval of eight months leave of absence for Mrs. Laura French of the Library. Motion was seconded by Councilman Nishimoto and carried.

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 9:40 PM, to reconvene at 8:00 PM, November 22, 1971, in the Municipal Gymnasium

Approved: George M Miller
Mayor

ATTEST:

Hayward M. Pugh
City Administrator-Clerk

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

November 22, 1971

City Officials Present

Councilman Roth, Mayor Pro Tem
Councilman Forshee
Councilman Eppes
Councilman Hutmire
Councilman Nishimoto
Councilman Sidell
Councilman Webb

Corn. Counsel Gingerich
Asst. Corn. Counsel Culpepper
City Treasurer Turner
Fire Chief LaScola
Deputy Fire Chief Fickes
Fire Captain West
Police Chief Porter
Director of Public Works Rhodes
Dep. Dir. of Public Works Barile
Director of Recreation Ziegler

Excused: Mayor Miller

The Takoma Park City Council met in executive session at 8:05 PM, November 22, 1971, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland, with Councilman Roth serving as Mayor Pro Tem. The invocation was given by Rev. James Daniel Poss, Jr., Parker Memorial Baptist Church, which was followed by the pledge of allegiance to the flag. Mayor Pro Tem Roth called for a motion to waive the reading of the minutes of the last meeting, if there were no corrections or additions. Councilman Forshee requested that the item under Special Library Committee, page 9, be corrected to read ten months leave of absence, and Councilman Sidell stated that item 1, Planning and Zoning Committee report (page 5), should read: . . . requested the Code Enforcement Division to check these premises A motion was made and duly seconded to approve the minutes as corrected, and carried.

CORRESPONDENCE RECEIVED: City Treasurer Turner reporting

- 1. Idamae Garrott, Chairman, COG Land Use Policy Committee. Notice of Committee's plans for obtaining citizen input into Year 2000 Plan: request for City to host a series of meetings for citizen participation. Planning and Zoning Committee
2. D. A. Dayhoff, Montgomery County Director of Finance, Rockville. Estimate on FY-73 assessable base. Finance Committee
3. Richard G. Wertz, Ex. Dir., Governor's Commission on Law Enforcement and the Administration of Justice, Cockeysville, Md. Notice of grants available under Omnibus Crime Control-Safe Streets Act. Law Enforcement Committee
4. Patrick Healey, Executive Vice-President, National League of Cities, 1612 K St., NW. Washington, D. C. Request for City's membership in the International Union of Local Authorities. Finance Committee
5. Paul W. McKee, Director, Maryland Department of Water Resources, Annapolis. Notice of necessity to comply with State Sediment Control Law by adoption of grading and sediment control ordinance. Public Works Committee
6. Becky Combs, Principal, Takoma Park Elementary School, City. Request to make Hodges field available for parking and delivery of children. Recreation Committee; Public Works Comm.

7. Kathryn T. Simpson, Chairman, Community Improvement Board, City. Explanation of material prepared on proposed housing authority. Housing & Code Enforcement Committee
8. Mrs. Ernest L. Heimann, President, Montgomery County League of Women Voters, 1047-R Rockville Pike, Rockville, Md. Request for interview with Mayor Miller in connection with a nationwide study of election systems. Mayor
9. Mrs. Morton J. Krakow, 8001 Wildwood Drive, City. Request for crosswalk on Carroll at Anne Street. Law Enforcement Committee
10. John J. Mecholsky, Jr., Chairman Save Takoma Park Committee, 7214 Cedar Avenue, City. Critique and analysis of statements made at November 3 TESS Citizens Advisory Council meeting re Block 69. Planning and Zoning Committee
11. John J. Mecholsky, Jr. Invitation to Mayor and Council to attend public meeting on November 23, at Junior High School, 8:00 PM. Planning and Zoning Committee
12. Victor Turyn, Special Agent in Charge, FBI, 1408 Post Office Building, Baltimore, Md. Letter commending Cpl. Sherman and Off. Carter for outstanding work in apprehending four suspects in connection with a recent bank robbery; also commending Lt. Dalrymple and Chief Porter for cooperation. Law Enforcement Committee: Personnel files
13. Sanford W. Daily, Montgomery County Chapter, Maryland Municipal League, Gaithersburg. Transmittal memo for letter from Mayor of Rockville to County Council protesting proposed use of Gude tract for landfill. Public Works Committee
14. Neal Potter, Montgomery County Councilman, Rockville. Letter dealing with figure cited in Council's (City) June 14 statement on Block 69. Planning and Zoning Committee
15. Douglas H. Clymer, Div. of Anthropology, University of Maryland, College Park. Complaint of rude treatment by policemen when attempting to pay a fine. Law Enforcement Comm.

Mayor Pro Tem Roth called attention to the November 23 meeting sponsored by the Save Takoma Park Committee (Correspondence item #11), saying that many people will probably want to attend. He also announced that there would be only one Council meeting in December--on December 13.

At this point, Mayor Pro Tem Roth awarded a plaque naming Miss Vilani Limi, Sister City exchange student from Jequie, Brazil, as an honorary citizen of the City. The plaque was inscribed as follows:

City of Takoma Park, Maryland, presented to Maria Vilani Maia Lima who is hereby named an honorary citizen for her contribution to improved international relations.

Councilman Roth stated that Miss Lima has been here since February, and that she is now attending Montgomery College where, according to all reports, her academic standing is a credit to her own country and her adopted city. He noted that she will continue to live with the Jack Mittons until her return to Brazil early next year. He also said that she is the sixth student visit Takoma Park under the auspices of the Sister City exchange program. Miss Li responded by saying she has enjoyed being here, and that she will try very hard to be a good student, so as to properly represent her new city.

PUBLIC PARTICIPATION:

1. Joseph G. Ferrier, 7413 Maple Avenue, City. Mr. Ferrier requested that the minutes include the following statement: At the fourth transit impact workshop session, he made a presentation which included a statement to refute the contention that the tax base can be broadened with high rise developments by citing the following: the Park Ritchie on Maple Avenue, with a 45 per cent occupancy rate, was offered as a gift to the community to avoid paying taxes and cost of maintenance. He had also noted that several years ago, following a period of high rise development on Maple Avenue, the City tax rate was increased for the first time in eighteen years. Later in the evening, Mr. Ferrier said, an interesting presentation on the background of the planning of the impact area was given by a Councilman, who then made some further remarks to the effect that Mr. Ferrier had asked for more firemen, more policemen and additional services, and that this had been one reason for the tax increase. Mr. Ferrier stated that he had not asked for additional personnel: to the contrary, he, along with many others, had supported an increase in their pay, a more equitable system of promotions and recognition of seniority. He felt that the Councilman's statement had inferred that he was critical of the services of the Police, Fire and Public Works Departments when he had, in fact, praised their work; and that he had also left the impression that Mr. Ferrier's statement on the tax base vis-a-vis high rise developments on Maple Avenue was in error. Councilman Roth stated he felt Mr. Ferrier was drawing more from his comments than he had intended.

2. Harry O'Bree, 401 Boyd Avenue, City. Mr. O'Bree spoke of several burglaries which have occurred on Boyd Avenue, and a system he and his neighbors have worked out for calling the police. He requested that better lighting be installed on Boyd as a possible deterrent. He also referred to an incident in which several policemen came to his home in error, then failed to apologize for their mistake and their rude behavior. He stated that he had been very humiliated to be wrongly accused in front of his neighbors. Councilman Nishimoto, on behalf of the Police Department, apologized to Mr. O'Bree.

3. Tressa C. Johnson, 7409 Aspen Avenue, City. Mrs. Johnson spoke of the recurring problems she has had with a next-door neighbor operating an illegal dog kennel on the roof of their home (7411 Aspen Avenue). She reported that they have been ordered to dispose of most of their dogs and to stop work on a fence for which no permit had been issued; however, the partially built fence, along with a great deal of debris, remains as it was when work stopped. She asked that something be done to have this cleaned up and that an enclosure on the roof (a 7-foot chain link fence) be removed. Upon question by Councilman Hutmire, Mr. Barile stated the County had deferred action on the fence until the dog situation is corrected. Councilman Hutmire stated that the City would act to correct the situation insofar as its codes were applicable, and would continue to work with the County.

4. James Welu, 7330 Piney Branch Road, City. Mr. Welu inquired about the status of the Turnkey Three Program, stating he understood the City's Resolution of Intent had been rejected by HUD because of the stipulation giving Takoma Park residents first consideration. He reported that Mrs. Pearson, who has applied for assistance under the program, is to appear in court on November 24 for an eviction hearing, and that her situation has become very critical. Mr. Welu suggested that the resolution might be worded so that no restrictions are imposed, and efforts to accommodate City residents be made at the time of Council approval of individual cases. Councilman Hutmire responded by saying that he has been in touch with an official of the Housing Authority and they have agreed on the rephrasing of the resolution to bring it into compliance with HUD's requirements; that he would propose adoption later in the meeting and, if approved, would see that it is delivered to the Housing Authority prior to the date of Mrs. Pearson's hearing.

Mr. Welu inquired about how one can dispose of old tires. Mr. Rhodes stated that this is a very difficult problem and, since neither the county incinerators nor landfills will accept them, one partial solution is to turn in old tires when buying new ones. It was

also noted that, although tires are potentially recyclable, it has not yet developed into an industry. Following Mrs. Marth's suggestion, Councilman Roth requested that Mr. Rhodes contact the Washington Ecology Center for information on disposal of tires.

5. Phil Vogel, 7117 Garland Avenue, City. Mr. Vogel referred to the letter from the FBI commending members of the Police Department and stated that, though he agrees they are to be commended, he would like the writer to be made aware that he, and probably others, objects to their use of a racial designation of suspects, saying he felt this to be particularly inappropriate in a letter of commendation. Mr. Vogel also pointed out that the term robbery means a crime against a person, while burglarly does not involve a confrontation. He requested that the thefts referred to by Mr. O Bree be properly reported as burglaries.

6. Kathryn Simpson, Chairman, Community Improvement Board, City. Mrs. Simpson reported on a visit to the Winchester-Takoma by Messrs. Clarence Boatman and Lewis Cross, of the Ritchie Avenue Citizens Association, in the company of two tenants. She described the general upkeep of the buildings and grounds as appalling, and stated the Association had requested that immediate action be taken to force the landlord to correct the following: littered yard; leaks in roof; incinerator partially closed; evidence of rats; need for plaster and paint; broken windows in basement; broken or defective water pipes in laundry room, resulting in water over the floor; basement, stairwells and halls dirty and littered; debris and trash on basement and laundry room floors. Mrs. Simpson felt the situation should not be permitted to exist and requested that continual vigilance, as well as all legal means, be applied to correct it. She pointed out that the landlord's indifferent maintenance can only lead to indifference by some of the tenants, thus exacerbating the problems.

Mrs. Simpson stated that the Community Improvement Board would not meet again until February, but that they would like to share with the Council the results of their research on the question of a housing authority, at Council's convenience.

Councilman Nishimoto reported on a meeting of the Montgomery County Council with Montgomery College Board of Trustees, on November 19, at which various plans for the College's expansion were reviewed. Plans reviewed included Mr. Duckett's Scheme X, the Skidmore, Owings & Merrill synthesis model, a Park and Planning Commission staff plan, and Councilman Potter's proposal. Councilman Nishimoto described Mr. Duckett's proposal as a high-rise type of building with a three-level garage attached, which attempted to stay within the confines of the present location as much as possible. The Skidmore plan provided for classroom space so that school could continue during the construction period, while the Duckett plan did not. The Skidmore plan contained some student body input and, through the use of compatible type of architecture, retention of trees, etc., attempts to maintain the present residential character of the neighborhood. Dr. Nishimoto noted that this group had the advantage of a considerable time period in which to develop their plans, while Mr. Duckett's had to be drawn up hurriedly. Councilman Potter's proposal focussed on altering the Skidmore plan in such a way as to utilize only those lots in Block 69 which are either owned by, or will be made available to, the College. The Park and Planning Commission presented a plan utilizing the present campus site. Councilman Nishimoto said he came away with the feeling that some rapprochement is near. He noted that he had been reassured on two points: two of the Trustees expressed strong feelings against condemnation of properties in Block 69 and expressed a desire for retention of the school in Takoma Park. Councilman Movsepan also indicated the school would not expand beyond Block 69, stating Council would be firmly opposed to such a move. Councilman Hutmirer inquired if the question of State financing of some of the features of Mr. Duckett's plan was discussed, to which Councilman Nishimoto replied that this had not been spoken to by the Trustees, but that the College architect did go into the complexities of air rights.

Councilman Nishimoto also reported on a recent Maryland Municipal League meeting which presented a legislative program designed to deal positively with some of the problems with which municipalities must cope, particularly those which involve encroachment of state and

county governments into the municipal arena, under the guise of efficiency of operation. He noted that large organizations are sometimes more efficient, but usually less responsive to citizens. The MML legislative proposals--which they hope the Legislature will consider--include: revenue sharing; property tax differential; codification of tax exempt properties; amusement tax; annexation; uniform municipal election date; access of cities and town to state purchasing; elimination of municipal enclaves..The proposals are considered to be of an equal level of priority.

COMMITTEE REPORTS:

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Appointment of Code Enforcement Officer. Councilman Hutmire moved for approval of the appointment of Theodore W. Socha to the position of Code Enforcement Officer, Grade Two, effective November 29, for one year. He explained that he is being employed under the Public Employment Program (formerly known as the Emergency Employment Act of 1971), and that his salary will be paid by Montgomery County from funds allocated under this federal program. In response to Councilman Nishimoto's question, Councilman Roth stated that the program is designed to provide employment for Vietnam veterans, the unemployed and disadvantaged, by funding needed positions over and above current tables of organization; that funds have been appropriated through the Labor Department for this fiscal year, with a second year's funding dependent on the level of unemployment. In response to Mrs. Simpson's query as to whether a third Code Enforcement Officer is still being sought, Councilman Hutmire said the position is budgeted and the Committee is considering applicants for the vacancy. Councilman Forshee questioned the need for an additional position, saying that some parts of the City are undergoing a second round of inspections. Councilman Hutmire pointed out that many areas require more than one inspection and said that he felt the quality of life in Takoma Park is dependent on the quality of its housing. Mr. Vogel cited recommendations for accelerated code enforcement in Takoma Park, which have been made in numerous county reports, saying that he is in agreement, and pointing out such places as the Winchester-Takoma, where several inspections may be necessary. He felt that a third, and perhaps a fourth, Code Enforcement Officer is needed. Councilman Hutmire stated it was his clear understanding that the door has not been closed to filling the position which has been vacant since January. Councilman Hutmire's motion for approval of the appointment of Mr. Socha was seconded by Councilman Nishimoto, and carried.

2. Housing authority. Councilman Hutmire noted that the Community Improvement Board has submitted a report on their study of this topic, and asked that the Council give it serious study. He thanked Mrs. Simpson for the efforts of the Community Improvement Board.

3. 1111 Sligo Creek Parkway. Upon question by Councilman Hutmire as to the status of this item, Mr. Barile stated that the County had ordered Mr. Roberts, the operator of the store, to get rid of some vans and to place others on permanent footing. Mr. Roberts asked to be permitted to submit his intentions in writing by November 19, to which the County inspector agreed. Mr. Henry Preston, 1001 Sligo Creek Parkway, reported that Mr. Roberts is now displaying furniture around the creek bank, which is in clear violation of the court order. Mr. Hutmire requested Mr. Barile to report this to the County, since they have the only real jurisdiction in the case of commercial properties, and noted that Mr. Gingerich agrees that this should be done prior to notifying the court of the violation.

4. Turnkey Three program. Councilman Hutmire moved for approval of the modifications to the Resolution of Intent (adopted on 10-25-71) which have been made to accommodate HUD requirements. The amended resolution was unanimously approved, after having been seconded by Councilman Eppes, and includes the following changes:

The fourth paragraph changed to read:

WHEREAS, it is the understanding of the Mayor and Council that the Turnkey Three program is one designed to encourage and stimulate home ownership among low-income families, whereby the Housing Authority will purchase homes for leasing to applicants who satisfy program requirements, with the understanding that houses will become available for sale to lessees as soon as they qualify for loans to finance the purchase, AND

Item 2, of the final resolution changed to read:

2. That, insofar as it is possible within the HUD-approved selection plan of the Housing Authority, Takoma Park residents be given first consideration in the family placement procedure.

All references to "lease-purchase program" were changed to "Turnkey Three Program."

PUBLIC WORKS COMMITTEE: Councilman Sidell reporting

Municipal Building--additional fire protection. Councilman Sidell referred to the last Council meeting at which it was agreed that an estimate on a sprinkler system be obtained for the first and second floors of the building, noting that this was an alternative way of meeting County fire code requirements (see minutes of 11-8-71 for details). He moved that the following ordinance be adopted to authorize the installation of a sprinkler system, noting that the Committee feels this to be the best solution:

ORDINANCE NO. 2183

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

SECTION 1. THAT it has been determined that the Municipal Building must be more adequately protected against fire, AND

SECTION 2. THAT the building architect, Philip W. Mason, has offered several options to accomplish this, AND

SECTION 3. THAT the Mayor and Council have agreed that a total sprinkler system is both economically and esthetically preferable to other alternatives, AND

SECTION 4. THAT the building contractors, Martin Brothers, Inc., have agreed to install an automatic sprinkler system in those areas of the first and second floors not included in the initial contract, awarded on 3-22-71, for the additional sum of \$12,020.

SECTION 5. THEREFORE THAT Martin Brothers, Inc., is hereby authorized to install the aforementioned sprinkler system for the sum of TWELVE THOUSAND, TWENTY DOLLARS (\$12,020).

SECTION 6. FURTHER THAT the cost of this work shall be charged to the Public Improvement Fund account.

Motion to adopt the ordinance was seconded by Councilman Eppes and the ordinance adopted by roll call vote recorded as follows: Aye: Councilman Eppes, Forshee, Hutmire, Nishimoto, Roth Sidell and Webb. Nay: none. Excused: none. Upon question, Chief LaScola stated that the

sprinkler system will provide 24-hour fire protection, while the alternative methods would only act as fire retardants. Councilman Sidell noted that savings in insurance would pay for the additional cost of the sprinkler system in ten to twelve years. Upon question by Councilman Roth, Councilman Forshee stated that there is money to cover the expenditure, but that funds for furnishings may have to be reduced.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Home alarm system for volunteer firemen. Councilman Eppes referred to remarks at the last Council meeting, which concerned the need for this type of system to alert firemen who live outside the range of the siren. He moved that Council approve the trial rental of eight alarms from Motorola Communications, for a total of \$66 per month, to be charged to A/C 212C with funds transferred from the Reserve Fund. It was also noted that rental may be applied toward purchase (\$250/unit). The motion was seconded by Councilman Nishimoto and carried.

2. Code compliance check--1021 University Boulevard (Special Exception 2599) Councilman Eppes stated that an inspection had been made by the Fire Department, and that no fire code violations were found. Chief LaScola indicated the basement has been used as a medical office for about fifteen years.

3. Prince George's County Fire Tax. Councilman Eppes reported that he had received verbal confirmation from County Budget Officer, Mr. Galt, that \$50,000 has been budgeted for return to Takoma Park, though nothing in writing has yet been received. He stated that action would be held in abeyance until the City Administrator returns, as he is familiar with the mechanics for proper distribution of the funds.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Special Exception 2599, 1021 University Boulevard, medical office. Councilman Sidell reported that this is the renewal of an existing use which has been in effect for some years, and moved that the County be notified that Council finds no objection to the continued use as a medical office. He stated that the owners had failed to furnish some required information to the County, and that Special Exceptions do have a set time limit. Councilman Sidell's motion was seconded and carried.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

Councilman Webb congratulated Mrs. Ziegler and Mrs. McGuire on the success of the Teen Theater's production, "The Ghost of Furstenburg Castle."

1. Proposed use of Hodges Field for parking and bus pickup. Councilman Webb stated that, as a result of Mrs. Combs letter (correspondence item #6), discussions have been held and a reply is being prepared. He spoke of the Committee's efforts to maintain Hodges Field as a ball field and not a parking lot, and noted that the County school system has been aware of this for some time. Councilman Hutmire stated that the request would be responded to over the Mayor's signature, and Mrs. Combs apprised of other parking areas, such as the Library lot and the Recreation Center. Chief LaScola requested that some provision be made for the fire trucks to enter the field, since it is their main access to the school.

FINANCE COMMITTEE: Councilman Forshee, Chairman

No report.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Complaint and suggestion re parking restrictions, 7500 block Jackson Avenue. Councilman Nishimoto stated a suggested alternative to the parking restriction had been received-- to make it a one-way street in that block. He indicated that Captain Porter had considered this prior to making the change, but felt the parking restriction to be a more feasible approach.

2. Request for comments on Prince George's County Human Relations Committee's police community relations program goals. This request has been complied with, Councilman Nishimoto said, and noted that the appointment of a liaison person to work with the committee is pending.

3. Speed control on Maple Avenue. Councilman Nishimoto spoke of the unsuccessful efforts of the Police Department to curb speeding on Maple, using such methods as selective enforcement, intensified patrol, as well as radar. He cited a Department survey of accidents (see report below), which cited Maple Avenue as being one of the six most accident-prone streets in the City, and stressed the urgency of finding a workable solution. Councilman Nishimoto then proposed an ordinance which would erect stop signs on Maple Avenue at Tulip, and moved for its adoption, with Councilman Hutmire seconding the motion. There followed a lengthy discussion on the merits of the use of stop signs to curb speeding: the choice of Tulip instead of another location; possible inadequate use of the radar system. In response to Councilman Forshee's question on the latter, Chief Porter stated that 28 warnings had been issued recently-- that summonses could not be given because the Department has no properly certified operator-- a process requiring a 5-months training period. He indicated that three men are needed to operate the radar system, and at least two men on each shift would be necessary to effectively patrol the area without the use of radar. Following further discussion, Councilman Forshee moved that the motion for stop signs be tabled. The motion was seconded by Councilman Sidel and carried by majority vote. Councilman Nishimoto stated that the Committee had also considered making Maple Avenue one way, but the suggestion had been turned down by the Police Department staff. He indicated that the use of stop signs was to have been a test for effectiveness on that particular street, and said the Committee will entertain any alternative solutions.

4. Request for control of speeding on Willow. Councilman Nishimoto reported that, by order of the Police Chief, an intensive patrol of this area has been put into effect, with some success.

The Police Department report on accidents for the period July 1-November 10, 1971, included the following:

Total accidents	211
Persons injured	80
Fatalities	1
Property damage	\$87,845

Most accident-prone streets:

New Hampshire Avenue	42 accidents	Maple Avenue	21 accidents
East West Highway	41	Sligo Creek Parkway	19
Carroll Avenue	25		

Major causes of accidents:

Failing to yield right-of-way	34%	Unsafe backing	16%
Excessive speed	17%	Inattention	10%

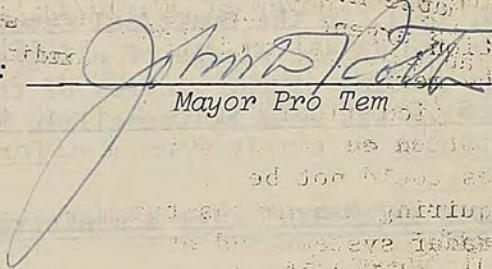
SPECIAL LIBRARY COMMITTEE: Councilman Forshee, Chairman

No report.

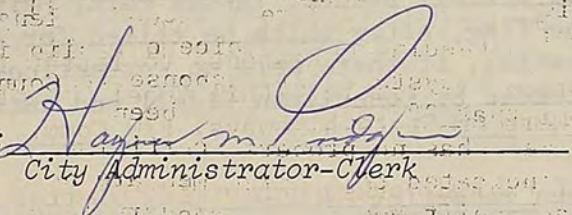
Mr. Ferrier asked when a report on items 3.a and b on the Council as a Whole agenda would be made. Mr. Gingerich, after explaining that both items pertain to Supreme Court rulings, stated he would prepare a report prior to the next Council meeting. Councilman Sidell asked, and Mr. Gingerich confirmed, that they would necessitate changes in the Charter.

There being no further business to come before the Mayor and Council, Mayor Pro Tem Roth called for a motion to adjourn. Motion was made and seconded, and the meeting adjourned at 10:25 PM, to reconvene at 8:00 PM, December 13, 1971, in the Municipal Gymnasium.

Approved:


Mayor Pro Tem

ATTEST:


City Administrator-Clerk

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101

Administrative

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EXHIBIT

SHIRAZ

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

December 13, 1971

City Officials Present

Mayor Miller	City Administrator Pridgen
Councilman Eppes	Corporation Counsel Gingerich
Councilman Forshee	Fire Chief LaScola
Councilman Hutmire	Fire Captain West
Councilman Nishimoto	Police Chief Porter
Councilman Roth	Dir. of Public Works Rhodes
Councilman Sidell	Dep. Dir. Public Works Barile
Councilman Webb	Mrs. Hutmire, Recreation Dept.

The Mayor and City Council of Takoma Park, Maryland met in regular session at 8:00 PM, December 13, 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 of additions. Motion was made by Councilman Eppes, seconded by Councilman Sidell and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Gov. Marvin Mandel, Annapolis. Acknowledgement of letter from Mayor Miller re the Maryland Arts Council budget. Parks & Recreation Committee
2. Davis H. Fisher, State Highway Administration, Baltimore. Notice of meetings on the 1971 edition of "Manual on Uniform Traffic Control Devices." Law Enf.; Public Works Comm.
Response to letter from
3. M. S. Caltrider, State Highway Administration, Baltimore. /Phil Vogel, expressing willingness to comply w/request for City markers on State highways. P/W Comm.
4. Robert S. Mangum, Montgomery Co. Dept. of Public Works, Rockville. Letter to Mrs. Rita Marth outlining procedure for County's assistance to recycling centers. P/W Comm.
5. Dale L. Rothrock, 7409 Cedar Avenue, City. Letter to Montgomery County Planning Board stating his views on the proposed Transit Impact Plan. Planning & Zoning Committee
6. Alfred P. Vogel, 7117 Garland Avenue, City. Letter to David Dantzler, Park & Planning Commission, requesting that steps be taken immediately to formulate another plan for area around Takoma Metro stop. Planning and Zoning Committee
7. Edward Holt, Chairman, Winchester-Takoma Tenants Committee, 7620 Maple Avenue, City. Letter requesting assistance in getting owner of building to properly maintain it: enclosed list of some 120 separate complaints. Housing & Code Enf. Comm.; Corporation Counsel

FINANCIAL STATEMENT OF BANK BALANCES AS OF 11-30-71: City Administrator Pridgen reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS:

Balance as of October 31, 1971	48,721.29	
November receipts	164,623.67	213,344.96
November disbursements		131,902.83
Balance as of November 30, 1971		<u>81,442.13</u>

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT:

Balance as of October 31, 1971	12,701.41	
November transfers from general funds	<u>84,194.31</u>	96,895.72
November disbursements		<u>90,805.64</u>
Balance as of November 30, 1971		6,090.08

CITIZENS BANK OF MARYLAND--GENERAL FUND

Balance as of October 31, 1971	12,915.00	
November receipts	<u>179.14</u>	13,094.14
Transfer to Suburban Trust Gen. Funds		<u>12,415.00</u>
Balance as of November 30, 1971		679.14

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENTS FUND

Balance as of October 31, 1971	780.31	
No transactions during November	<u>--</u>	780.31
Balance as of November 30, 1971		<u>780.31</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENTS FUND

Balance as of October 31, 1971	24,564.01	
November receipts	<u>100,500.00</u>	125,064.01
November disbursements		<u>115,876.40</u>
Balance as of November 30, 1971		9,187.61

CITIZENS BANK OF MARYLAND--SAVINGS ACCOUNT TP463

Balance as of October 31, 1971	154.55	
No November transactions	<u>--</u>	154.55
Balance as of November 30, 1971		<u>154.55</u>

AMERICAN NATIONAL BANK--GENERAL FUNDS

Balance as of October 31, 1971	31,630.69	
No November receipts	<u>--</u>	31,630.69
November transfer to Suburban Trust Gen Fund		<u>31,130.69</u>
Balance as of November 30, 1971		500.00

PETTY CASH

	<u>200.00</u>
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U. S. Treasury Bills

Purchased	Due to Mature:	Cost:	Value:
10-1-70	3/30/72	97,551.39	100,000.00
10-1-70	4-30-72	97,158.89	100,000.00
10-1-70	5-31-72	96,640.00	100,000.00
10-8-70	3-9-72	98,102.50	100,000.00
10-12-70	2-24-72	49,191.25	50,000.00
10-12-70	2-10-72	<u>49,278.75</u>	<u>50,000.00</u>
		<u>487,922.78</u>	<u>500,000.00</u>

PUBLIC IMPROVEMENT FUND

Certificates of Deposit @ 5-1/4%, due to mature 12-4-72	<u>400,000.00</u>
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City Administrator Pridgen at this point presented Mayor Miller with a certificate of honorary membership in the Prince George's County Municipal Association, issued by officers of that body. The certificate noted that Mayor Miller had served as past President of the Maryland Municipal League and past Chairman of the Association.

MAYOR MILLER'S COMMENTS:

Mayor Miller welcomed the audience and announced that there would be no second meeting of the Council in December, saying it has been traditional for Council to cancel that meeting, and noting that the Charter requires only one meeting a month, though it usually meets twice. He stated that the work of the Council would continue as usual during this interim period. Mayor Miller wished all a happy Christmas and prosperity in the new year.

Mayor Miller spoke of the passing of Councilman Forshee's mother and noted that only last year the Council adopted a resolution honoring her 95th birthday.

The Mayor stated that Mr. Vincent T. Powell, a retired employee of the Public Works Department, died on December 12, at the age of 73. Mayor Miller spoke of his long years of service to the City, beginning in 1949 until his retirement as Parks Supervisor in 1968, noting that he continued to help out in the Department after his retirement, when he was physically able. Mr. Powell was a resident of Takoma Park, having lived at 114 Geneva Avenue for many years. Mayor Miller stated that his funeral is to be at Snowdens Funeral Home in Rockville on December 16. He moved that a resolution of condolence be adopted and presented to the family of Mr. Powell. The motion was seconded by Councilman Roth and unanimously approved.

Mr. Arthur Phipps of the Police and Firemen's Association, in company with Mayor Miller and Councilman Nishimoto, awarded a plaque, a \$25 bond, and a resolution to Cpl. Gary Sherman, in recognition of his outstanding performance in the apprehension of four suspects of the November 5 robbery of the National Permanent Federal Savings & Loan Assoc. The resolution recounted the incident, noting that Cpl. Sherman had disarmed the suspects at the bank and recovered a large sum of money.

Mr. Mohler, Vice President of the NPF Savings & Loan Association, presented the Police and Firemen's Association with a donation, stating he and members of his staff wished to publicly express their appreciation to the Police Department. He said he heartily endorsed the awards made to Cpl. Sherman, noting that the last robbery was the second this year and that, on both occasions, the suspects had been apprehended on the scene. He spoke of fact that bank employees must work under constant fear of an armed robbery, saying that the good work of the Police Department has helped allay this somewhat.

Councilman Nishimoto read a letter from J. Edgar Hoover which commended Cpl. Sherman and Officer Stephen Carter for their "courageous apprehension of individuals charged with the robbery of the National Permanent Federal Savings and Loan Association."

PUBLIC PARTICIPATION:

1. Edward Holt, 7620 Maple Avenue, Chairman Winchester-Takoma Tenants Committee. Mr. Holt referred to his letter (item 7, Correspondence), saying he wished to urge Council to take immediate steps to bring the building into conformance with the housing code. He stated that a ghetto is in the process of formation right down the street from the new, \$750,000 municipal building and noted that once a ghetto exists, it is too late to look into the reasons it came about. Mr. Holt said that conditions are so bad that desirable prospective tenants look elsewhere for housing and that, sooner or later, only the derelicts will come. He went on to say that the Mayor and Council are the only ones the tenants have to turn to for help and urged them to take action before the situation becomes a community problem. He noted that this is the third time he has come before the Council and that some of the complaints enumerated in his letter are those which were to have been remedied in response to an earlier complaint. He requested that code enforcement efforts be made more stringent,

December 13, 1971

and suggested that the Code Enforcement Officers might get a better look at the true, every-day situation if they conducted inspections without an appointment, thus depriving the operators of the chance to do a superficial clean-up job.

Mayor Miller assured Mr. Holt that the situation would have top priority and that every effort would be made by the Housing and Code Enforcement Committee, as well as the Corporation Counsel, to see that the conditions are corrected. He said he felt that the owners have simply bled this once beautiful place--taking the rents, but putting nothing back. Councilman Hutmire said that an inspection has been rescheduled for December 21, and that one had been conducted in April of this year, with some conditions being corrected; however, he said, there seems to have been a recurrence of a situation which existed some two years ago--one which brought about the formation of Mr. Holt's committee. He urged the Corporation Counsel to explore new and more vigorous approaches to bringing Mr. Shapiro to book. He noted that, although the building is up for sale and this may contribute to the landlord's attitude of indifference, this should not deter City action. Mr. Holt stated he would encounter some difficulty in finding a buyer for the building in its present state.

Councilman Eppes reported on an inspection of the Winchester-Takoma this date, in which 31 separate violations of fire safety regulations were found. He stated that the resident manager, property manager, and one of the attorneys present were notified they had ten days in which to correct the violations. Fire Chief LaScola stated that his office has requested a complete inspection by Montgomery County electrical inspectors and the Health Department.

2. Phil Vogel, 7117 Garland Avenue, City. Citing his letter to the State Highway Administration, Mr. Vogel stated he had requested that signs reading "Takoma Park" be placed at all portals of the City, and that he assumed there would be no objection by Council.

He spoke of the poor condition of Maple Avenue, where the roadway between Philadelphia and Sligo Creek Parkway is littered with paper and mud, noting that the latter constitutes a hazard on a major thoroughfare. Mayor Miller requested Mr. Rhodes to look into this.

With reference to the Winchester-Takoma, Mr. Vogel said he has lost count of the number of times he has mentioned the generally poor conditions there; and on almost every occasion had been assured by Mr. Barile or Mr. Olson that things were going well there. He indicated that Mr. Holt had stated the case much better.

Mr. Vogel stated he had called the Prince George's County zoning office in connection with the obvious violations of court directives at 1111 Sligo Creek Parkway, but found them quite unresponsive when he called attention to the fact that automobiles are being repaired in the driveway. Councilman Hutmire said that, to the contrary, the County is actively engaged in this problem at present: when they recently ordered the operator of the store to remove some inoperable vehicles from the property, he responded by saying they are accoutrements of a transportation system he is operating. The transportation system is a greater violation of codes, Mr. Hutmire said, since it would require a different type of zoning. He went on to explain that the City has no real authority in matters involving commercial properties. Councilman Roth objected to Mr. Vogel's presumption that the City has made no attempt to correct this situation. Citing the long history of the case, and City's futile attempts to get County help, he stated that it finally had to take it to court before any concrete results were obtained. He indicated that the operator can now be cited for contempt of court.

3. Robert H. Moore, 7314 Willow Avenue, City. Mr. Moore stated that about ten days ago, a water main broke on Willow, causing serious flooding in the street. He noted that even though it has been repaired twice, the water remains, and asked that it be fixed. Mayor Miller referred this to Mr. Rhodes for follow-up.

4. Rita Marth, 7308 Cedar Avenue, City. With reference to item #4 in the correspondence section, Mrs. Marth reported that the County has begun regular pick-ups of cans and glass that, though it is to be on a 90-day trial basis, her group feels it will continue. She indicated that this is the first instance of a county in this area offering assistance on this level.

5. Kathryn B. Simpson, 7300 Cedar Avenue, City. Mrs. Simpson expressed the hope that Council would enjoy their day off and have a merry Christmas.

COMMITTEE REPORTS:

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Request for cross-walk on Carroll at Anne Street. Councilman Nishimoto stated that the State Highway Administration is being contacted about this, since Carroll Avenue is a State road, and a report will be made as soon as a response is received.

2. Complaint re incidents in connection with payment of towing fee. The procedures have been changed to avoid a recurrence of this type of incident, Councilman Nishimoto said, and funds are kept on hand for making change.

3. Notice of funds available under Safe Streets Act. Councilman Nishimoto asked that this be removed from the agenda, since it is simply a quarterly notice of available funds.

4. Appointment of liaison to work with Prince George's County Human Relations Committee. The Committee has a person in mind for this post and a report will be made at the next meeting, Councilman Nishimoto said.

5. Proposed NO TURN signs at Langley Professional Building. The Police Department, in cooperation with the Public Works Committee, developed some plans for this, Councilman Nishimoto stated; however, the Public Works Committee has met with some affiliates of the building who have indicated an interest in the matter. He asked that the item be removed from the agenda until a plan is submitted. Upon question by Councilman Forshee as to the advisability of seeking advice from the SHA, Dr. Nishimoto stated he understands the Professional Building people plan to hire a traffic engineer. Councilman Roth stated that, though they have expressed such an intention, they may not carry through with it.

6. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. Councilman Nishimoto requested that a letter be sent to the State Highway Administration over the Mayor's signature asking them to complete the work at this intersection.

Councilman Nishimoto read a letter from E. F. Blanchard, 1352 Holton Lane, commending the Police Department for their quick response to a burglar alarm, which he inadvertently set off.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. Fence and debris at 7411 Aspen Avenue. The Code Enforcement Division has obtained the help of two County departments (Health, Inspections & Permits) in this matter, Councilman Hutmire said, since violations of this type fall within their jurisdiction. As a result, the Health Department has requested that the debris be cleaned up, and the inspectors are to make a determination as to whether or not the wall is in violation of codes; there is also a possibility that persons responsible may be held in violation because of failure to secure the proper permits, Mr. Hutmire said.

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2 Car allowance for new Code Enforcement Officer. Councilman Hutmire moved for Council approval of the standard car allowance--\$40/month--for Code Enforcement Officer Socha, to begin on December 1. Motion was seconded by Councilman Sidell and carried.

3. Hardsurface parking at multi-family units; hardsurface parking and proper maintenance at commercial establishments. Councilman Hutmire stated that the last two items are in the same category as the 1111 Sligo Creek Parkway situation: that is to say, they are concerned with commercial operations over which the City has no authority. However, he said, the Corporation Counsel has been requested to draft an action to change the Code so as to give the City some control in this area. He stated that he hoped this would soon be available for consideration by the Council.

4. Appropriation for Animal Warden. Councilman Hutmire moved for approval of the ordinance below, authorizing funds for the continued operation of the Animal Warden:

ORDINANCE NO. 2184

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 Sections 1, 2, 3 and 4 of Ordinance 2117 be extended for an additional three months, through March 31, 1972, AND

SECTION 4. THAT funds to provide for the quarterly period, in the amount of ONE THOUSAND THREE HUNDRED FIFTY DOLLARS (\$1350) be transferred from A/C 22.1 to A/C 11.911 (\$945), and A/C 11.912 (\$405), effective January 1, 1972.

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

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

Councilman Roth responded to comments made by Mr. Ferrier at the November 22 Council meeting, as follows: Contrary to Mr. Ferrier's contention, Councilman Roth found no proof that the Park Ritchie had been offered as a gift to the community. In connection with Mr. Ferrier's statements to the effect that high rise apartments do not provide an increased tax base, Councilman Roth gave the following illustration: On one 78,000 sq. ft. tract of land, R-60 zoning would permit 13 private dwellings and produce tax income of \$2600. Utilizing that land for an apartment building yields an income of \$12,550 in taxes. This building, according to available information, houses eight school-age children, while the number of children in 13 single-family homes might be greater. Mr. Ferrier had indicated that Councilman Roth had inferred that he, Mr. Ferrier, had been critical of the services of the various City departments. Councilman Roth stated he had not made such an inference but, instead, had said that Mr. Ferrier was speaking in favor of increased services which would have to be met by increased income. Councilman Roth said he felt the record should be set straight, since many people are being misled by statements such as this.

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and Mrs. Vogel said that the City does not fund the schools, and the question of numbers of school-age children occupying apartments or private dwellings is not germane to the issue; on the other hand, he said, the City would be concerned with the cost of additional services and police protection generated by high density dwellings, saying he would like to know what these additional services would amount to in monetary terms. He referred to a study done in Prince George's County--the Doxiadis Report--which indicated that tax revenue is not increased by increased density, and noted that this conclusion has been reached by other urban planners. Councilman Roth responded by saying that each is entitled to his own opinion on the subject; and that he had responded to Mr. Ferrier's contention that high-rise apartments do not contribute to an increased assessable base.

1. Request for improved street lighting on Boyd Avenue. Councilman Roth reported that Boyd Avenue has a high density street light on every other pole, which is consistent with present policy, and that departure from that policy cannot be justified at present. He asked that the item be removed from the agenda.

2. Street lighting on Lincoln Avenue. Councilman Roth moved for Council authorization for the Director of Public Works to request a PEPCO survey of Lincoln Avenue, between Aspen and Jackson, with a view to installing a light on PEPCO pole #726-477. Motion was seconded by Councilman Webb and carried.

3. Sediment Control ordinance. Councilman Roth moved for adoption of the ordinance below which would place the City in compliance with a State law requiring sediment and erosion control:

ORDINANCE NO. 2185

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

SECTION 1. THAT WHEREAS Chapter 245 of the Acts of 1970, the State Sediment Control Law in the substantive and remedial provisions of the act, requires each municipality to enact similar legislation, AND

SECTION 2. THAT WHEREAS both Montgomery County and Prince George's County have general jurisdiction in the issuance of permits for excavating, grading, filling and building construction on privately owned property within the City of Takoma Park, AND

SECTION 3. THAT WHEREAS both Montgomery County and Prince George's County have adopted ordinances relating to grading, drainage, and erosion control in conformance with the State Sediment Control Law.

SECTION 4. THEREFORE THAT it be ordained and adopted by the Mayor and Council of Takoma Park, Maryland, THAT the provisions of Chapter 83A, entitled "Excavation, Stripping, Grading and Fills" of the Montgomery County Code (1965) shall prevail in the Montgomery County portion of the City and be administered by the Montgomery County government, and THAT the provisions of Article 22, entitled "Grading, Drainage and Erosion Control" of Section 409, Article II, Chapter 4, of the Prince George's County Code of Ordinances and Resolutions (1967) shall prevail in the Prince George's portion of the City and be administered by the Prince George's County government, AND

SECTION 5. THAT the Director of Public Works of the City of Takoma Park shall determine that the provisions of the respective County Sediment Control Ordinances have been fully complied with in the excavation, grading, drainage, filling and construction on any public lands under the jurisdiction of the City, including, but not limited to, buildings, streets, alleys, parking lots or sidewalk construction and excavation of public lands for private driveways.

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

4. Authorization for survey and resubdivision plat at Municipal Building site. Councilman Roth stated that this work is necessary for proper recording in the land records, and moved for Council approval of the necessary expenditure as outlined in the ordinance below:

ORDINANCE NO. 2186

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

SECTION 1. THAT WHEREAS Ordinance No. 2167 was adopted July 26, 1971, authorizing the Corporation Counsel to initiate necessary legal proceedings to effectuate the abandonment of the stub of Park Avenue from Maple Avenue, northwestward to its terminus within City owned land and to file a subdivision plat among the Land Records of Montgomery County to designate the municipal complex now under construction, AND

SECTION 2. THAT it is necessary that a survey and descriptive work be performed in order to proceed further and quotations have been received from two registered land surveyors.

SECTION 3. THEREFORE THAT Wallace R. Amos and Associates, Ltd., be authorized to proceed with the necessary survey and descriptive work as outlined in his low bid dated October 12, 1971, for the sum of NINE HUNDRED DOLLARS (\$900), AND

SECTION 4. THAT the cost of this work per Section 3 of this Ordinance be charged to the Building Improvement Fund (Municipal Center).

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

5. Identification of City boundaries on State roads. The Committee discussed Mr. Vogel's proposal to erect signs at appropriate entrances to the City, and have agreed that it is a desirable suggestion, Councilman Roth said. He requested that the City Administrator contact the State Highway Administration and notify them of Council's concurrence.

6. Uniform traffic control devices. Councilman Roth referred to correspondence item #2, which deals with new standards for traffic control devices, and stated that a representative of the Public Works Department will attend a meeting set up to familiarize jurisdictions with the new requirements. He indicated the regulations will probably result in an expenditure of some \$4-5000. In response to Councilman Nishimoto's question, Mr. Roth stated that the regulations will eventually become mandatory.

7. Items of interest. Councilman Roth said the Department is well into its second round of leaf collections. He also spoke of the difficulties they are experiencing with trash truck breakdowns, noting that three out of six are presently out of service. The primary reason for this problem, he said, is the long haul to incinerators and landfills, involving travel on high-speed highways for which the trucks are not designed. The only solution in sight, he said, is the possibility of a coordinated metropolitan area effort which would provide something like intermediate pick-ups. Councilman Nishimoto inquired if others are experiencing the same problems, to which Councilman Roth replied that they are, with the private collectors having even more problems than the public ones. He said there are budgetary implications here, and noted that the Department is looking into the question of ways of unloading the present trucks into trucks more suitable for long and high speed travel. Councilman Roth also spoke of the real crisis faced by both D. C. and Montgomery County in that they don't know if they will have landfills after the next year or so.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Res ts of bids on vehicle. Councilman Eppes stated the bid opening is scheduled for December 15.

2. Prince George's County Fire Tax. An inquiry on the status of this item was sent out by Mr. Turner in Mr. Pridgen's absence, Councilman Eppes said, though a reply has not yet been received.

3. Use of Fire house as a polling place. A request has been received from the office of the Montgomery County Supervisor of Elections to use the Fire House for the May 16 primary and the November 7 general election, Councilman Eppes said. He moved that Council approve this request, as they have in the past, noting that Chief LaScola has no objection. Motion was seconded by Councilman Nishimoto and carried.

Councilman Eppes commended the Fire Department on their Christmas decorations. Mayor Miller stated that the Department is responsible for the exterior display, but that the Gym had been done by the Recreation Department. Councilman Nishimoto reminded those present that the Police and Firemen's Association have trees for sale in the Langley area.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Request to host hearing on Year 2000 Plan. This is being discussed in committee, Councilman Sidell said.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Amendment to Code--holiday schedule. Councilman Forshee read the ordinance below and moved for its adoption:

ORDINANCE NO. 2187

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

SECTION 1. THAT subsection (b) of Section 13 of Article 6, of the Municipal Code (1961) be amended to read as follows:

(b) Half-holidays shall be granted for Christmas Eve and New Year's Eve when December 24 and December 31 fall on Monday, Tuesday, Wednesday or Thursday.

SECTION 2. THAT this ordinance shall become effective upon adoption.

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

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

Councilman Webb stated that some 400 youngsters turned out Sunday for a visit with Santa Claus in the Firehouse Gym. In the evening a concert was presented by the Takoma Park Community Singers, who will give another presentation on December 18, 5:00 PM, at the Christmas Peace Pageant. He noted that Mrs. Ziegler was ill and wished her a speedy recovery. Councilman Hutmire spoke of the Mayor's visit to a family of sick children who were unable to attend the Christmas party.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee, Chairman

No 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 9:35 PM, to reconvene in the Municipal Gymnasium at 8:00, Monday, January 10, 1972.

Approved: George M. Miller
Mayor

ATTEST: Haynes P. ...
City Administrator-Clerk