

THE CITY OF TAKOMA PARK, MARYLAND  
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
January 10, 1972

City Officials Present

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

The Mayor and City Council of Takoma Park, Maryland, met in regular session at 8:02 PM, January 10, 1972, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland, with Mayor Pro Tem Roth in the Chair. The pledge of allegiance to the flag was given, after which 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. Motion was made, seconded, and carried. It was noted that Mayor Miller would be delayed because of a funeral service.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

- Family of Stephen Jarboe. Note of appreciation for expression of sympathy. Council Files.
- Mrs. Laura French, City. Letter thanking Council for remembrance at Christmas and for the ten months leave of absence granted her. Council Files.
- Alfred P. Vogel, 7117 Garland Avenue, City. Request to clean up Maple Avenue between Philadelphia and Sligo Creek Parkway. Public Works Committee
- Alfred P. Vogel, City, to President Hovsepian, Montgomery County Council. Statement of opposition to some aspects of the SHA's five year plan, particularly as it pertains to road widening in Takoma Park. Public Works Committee
- Robert H. Moore, 7314 Willow Avenue, City. Request for Mayor and Council to take a stand in opposition to proposed widening of Piney Branch Road and Philadelphia Avenue. Public Works Committee

FINANCIAL STATEMENT OF BANK BALANCES AS OF 12-31-71: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUND		
Balance as of November 30,	81,442.13	
December receipts	<u>103,245.25</u>	184,687.38
December disbursements		<u>177,095.50</u>
Balance as of December 31, 1971		<u>7,591.88</u>

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT			
Balance as of November 30, 1971	6,090.08		
December transfers from General Funds	<u>92,809.06</u>	98,899.14	
December disbursements		<u>92,094.12</u>	
Balance as of December 31, 1971			<u>6,805.02</u>
CITIZENS BANK OF MARYLAND--GENERAL FUNDS			
Balance as of November 30, 1971	679.14		
No transactions in December	<u>--</u>	679.14	
Balance as of December 31, 1971			<u>679.14</u>
CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND			
Balance as of November 30, 1971	780.31		
No transactions in December	<u>--</u>	780.31	
Balance as of December 31, 1971			<u>780.31</u>
CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND			
Balance as of November 30, 1971	9,187.61		
December receipts	<u>455,250.00</u>	464,437.61	
December disbursements		<u>201,330.90</u>	
Balance as of December 31, 1971			<u>263,106.71</u>
CITIZENS BANK OF MARYLAND--SAVINGS A/C TP-63			
Balance as of November 30, 1971	154.55		
Interest for 4th quarter, 1971	<u>1.73</u>	156.28	
Balance as of December 31, 1971			<u>156.28</u>
AMERICAN NATIONAL BANK--GENERAL FUNDS			
Balance as of November 30, 1971	500.00		
No transactions during December	<u>--</u>	500.00	
Balance as of December 31, 1971			<u>500.00</u>
PETTY CASH			
			<u>200.00</u>

U.S. Treasury Bills

Purchased:	10-1-70	Due to mature:	3-30-72	Cost:	97,551.39	Value:	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, Citizens Bank of Maryland 363,106.71

PUBLIC PARTICIPATION:

1. Joseph Cangiolosi, 7001 Poplar Avenue, City. Mr. Cangiolosi requested the Mayor and Council to formally protest Capitol Transit's proposed fare increase, stating that he felt it would reduce ridership at a time when increasing it as a means of discouraging the use of automobiles should be the goal. He also requested that Council oppose the proposed dropping of the reduced fare for the elderly. Upon question by Councilman Nishimoto, Mr. Cangiolosi stated he understood the proposed increase is 5-10¢ in D.C., with a similar adjustment in suburban fares. Councilman Hutmire felt the latter was of special concern to the

Council and City residents, particularly the new residents of Takoma Tower. Mayor Pro Tem Rohn assigned this to the Council as a Whole, and stated that the Public Works Committee would take the lead. Mr. Cangiolosi suggested that it be acted on quickly, since there is a deadline.

Mr. Cangiolosi then inquired about the status of agenda item, "Constitutionality of ward elections of councilmen-at-large," noting that he had been promised a report some two years ago. Councilman Roth assured him that a report would be available prior to the election. [See Councilman Nishimoto's report, page 8. ]

2. Robert H. Moore, 7314 Willow Avenue, City. Mr. Moore reiterated the statements contained in his letter [Correspondence item 5] and requested that Council take a position against the proposed widening of Piney Branch Road and Philadelphia Avenue. He spoke of the strong opposition voiced by many citizens during the meetings on the transit impact area, and urged a very strong negative response to the proposal by Council.

Mr. Moore, in his role as a member of the PTA Safety Committee, spoke of the problems being encountered at Takoma Elementary because the single exit for children is on Philadelphia Avenue, pointing out the potentially dangerous situation in which several hundred children spill out of school onto the very narrow sidewalk. He requested that consideration be given to erecting a guard rail at the edge of the sidewalk. He also requested that Council consider building a pathway from the east side of the school to Grant Avenue, thus providing an alternate route for children. Mr. Moore stated that children also use the new Library parking lot as a short cut to Maple Avenue, and pointed out the dangers inherent in this situation. Councilman Hutmire stated he saw real merit in Mr. Moore's proposal for a path. Councilman Nishimoto requested that Officer Sherman prepare a recommendation on both proposals. He also expressed concern about a sidewalk in front of the new Municipal Building. Mr. Moore stated he would be available to help work out a solution, and again stressed the urgency of the problem, and noted that it would be exacerbated with the completion of the Middle School and the Municipal Building.

3. Bernice Meyers, 7212 Cedar Avenue, City. Mrs. Meyers read two letters signed by herself and Mr. Meyers, the first of which was addressed to the Chief of Police and contained an expression of appreciation for diligent attention given to their home during a recent absence. The letter also thanked the Department for courteous and prompt attention to some very late phone calls. Councilman Nishimoto thanked Mrs. Meyers on behalf of the Department. The second letter, addressed to the Mayor and Council, cited the recent announcement of the proposed widening of streets in Montgomery County, including some Takoma Park streets. It requested Council to "absolutely and unequivocally and publicly oppose any widening of any street, avenue or road in your jurisdiction." The letter went on to point out that better highway facilities tends to encourage the use of automobiles and results in greater levels of pollution.

4. Ellen Marsh, 7405 Maple Avenue, City. Mrs. Marsh also urged the Council to oppose widening of roads and noted that County Council President Novsepian had requested citizen response by January 13. She also said that Mrs. Dorothy Porter, of Maple Avenue, had asked her to inquire about a master plan being worked on by a TESS group, saying she had the impression that the plan had received City Council approval. Councilman Poth replied that it is not true. Councilman Hutmire explained that TESS has a broad-based citizens group which, with the help of some professionals, is eliciting and organizing citizen input. Councilman Nishimoto stated that the group referred to is the TESS Citizens Advisory Council, that it has no official standing in any governmental structure, and that no plan has official status until it has been acted on by the City and County Councils.

5. Mrs. Richard Schaefer, 7314 Maple Avenue, City. Mrs. Schaefer inquired about Maple Avenue--whether or not it is a County road with a number--saying she had been told this, but

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It has been unable to confirm it. Mr. Rhodes stated that for all practical purposes, Maple Avenue is a City road; that it is maintained, policed, etc., by the City. He explained that the portion between Philadelphia and Sligo Creek Parkway was constructed with federal funds and subsequently assigned a State route number, that this portion, as well as the section between Philadelphia and the D. C. line, is under the jurisdiction of the City.

[Mayor Miller arrived at this point.]

Mrs. Meyers said that she was a member of a group who, some time ago, requested that a cul-de-sac be established on Maple Avenue at the D. C. line, and asked that the Mayor and Council give this consideration. She pointed out that two children have been seriously injured on this street which, though supposedly residential, is used as a high-speed thoroughfare. Mayor Miller assigned this to the Public Works Committee.

Councilman Roth stated that at the last Council meeting, a citizen had said that the Doxiadis report indicated that high rise apartments are a financial loss to the government. Councilman Roth recognized Doxiadis as an internationally known planner and checked into the statement. After some exploration, he found that Doxiadis had made a report on housing in Prince George's County. Mr. Roth stated that the report does not support the statement made by the citizen; that actually it states that high rise apartments show an average of \$100 surplus annually per unit, that, on the other hand, garden type apartments show an average annual loss of \$120, and one and two family homes show an average loss of \$134 annually. Mr. Phil Vogel, 7117 Garland Avenue, stated that the report pertains to a county, not a city, and includes school expenditures in the computation, whereas Takoma Park has no such expense. He felt that if the City had earned a profit from the Maple Avenue apartments, some of it might be put to work to clean up Maple Avenue itself.

With reference to the question of widening Piney Branch Road, Councilman Roth offered the following for consideration as a possible alternative: that Piney Branch Road be made one way (possibly to Flower Avenue) during rush hours, in an alternating fashion such as that presently used on 13th Street from Georgia Avenue to downtown. He noted that Mr. Jesse McNight had made a similar proposal--a 3:1 lane set-up--at one of the impact workshops. Councilman Roth indicated that one-way streets have their own problems, but felt that it should be given some thought.

Councilman Roth reported that Montgomery County Council and the Planning Board have recommended to WMATA that the Takoma Park and Silver Spring stations be put into operation at the same time, thus sparing the City the burden of extra traffic and parking. He felt the City should support this recommendation. Councilman Nishimoto agreed, saying that everyone had been concerned about the possibility of having Metro riders from all over the County coming into Takoma Park, and that perhaps this new proposal would reduce the need for parking at the Takoma station. He went on to say that, even though the lot will be in D. C., he is much opposed to acres of asphalt. Mr. Moore said that many persons would support Councilman Nishimoto's statement re parking lots, and voiced the hope that he could persuade others to view the situation in the same light. Upon question by Mrs. Schaefer, Councilman Roth said that at present there is no plan for a parking area at the Silver Spring Metro station because of the wealth of paid parking already available.

Mrs. Meyers pointed out that a great many citizens expressed their opposition to parking areas in either Maryland or D. C., and inquired if the Mayor and Council have come to any conclusion on this issue. Councilman Nishimoto stated he has some question as to how much influence the City Council could exert one way or the other, since the District government has indicated it will do what it wishes in any case. Mrs. Meyers said she has been told by the County Council that the City government carries great weight with them; that many people have appealed to the Mayor and Council for support of their position, and restated her previous query

on Council's reaction to their appeal. Mayor Miller responded by saying the Council met with members of the Save Takoma Park Committee and responded to their proposals; however, they have not met to discuss this issue since that time; that the Council is now awaiting the outcome of the workshop sessions; that the Park & Planning Commission is in the process of setting up a citizens advisory group, composed of members of community organizations, and will likely ask Council for input as a new plan begins to develop.

Mrs. Schaefer inquired about the possibility of laying a sidewalk on Grant Avenue, pointing out the fact that Junior High School students have always had to walk in the street. Councilman Hutmire stated that some years ago, Council had tried to persuade the residents of that street to put in a sidewalk, but they weren't willing to absorb the cost; that the present cul-de-sac at Grant and Maple was an alternative solution; and that sometime in the future there will be a permanent terminus of Grant at Maple Avenue.

COMMITTEE REPORTS:

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Refinishing gymnasium walls. Councilman Webb said that some study has been given to this and, since paint does not adhere to the walls, it has been decided to refinish it as needed as a routine maintenance job.
2. Winter program. Registration for the Department's winter classes is now in progress, Councilman Webb said, and includes the following: Baton, Dance (children, Children's drawing and painting; Guitar I & II; Roller Skating (children and adults); Slimastics; afternoon and Saturday gym programs. There is also a children's movie scheduled for January 21, 7:30 in the Gym.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Request for cross-walk on Carroll at Anne Street. This is being considered by the State Highway Administration, and a favorable response is hoped for, Councilman Nishimoto said.
2. Appointment of liaison to work with Prince George's Human Relations Committee. Councilman Nishimoto moved for Council approval of the appointment of Mr. Michael M. Hewson, 508 Elm Avenue, to this post. Motion was seconded by Councilman Eppes and unanimously approved.
3. Speed control on Maple Avenue. The area is still being heavily patrolled, and hopefully some permanent solution can be found, Councilman Nishimoto said.
4. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. Councilman Nishimoto reported that the Mayor has written to the State Highway Administration, urging them to complete the work at this intersection.
5. Personnel. Councilman Nishimoto moved for Council approval of the promotion of Private R. D. Fuller to the rank of Corporal, effective January 16, noting that Pvt. Fuller's performance has been exemplary. Motion was seconded by Councilman Forshee and carried.
6. Personnel. Councilman Nishimoto requested approval of the appointment of Mr. Rub Garcia, 1311 Elson Court, to Special Police Officer, effective January 15. Motion was seconded by Councilman Eppes and unanimously approved.
7. School safety. Councilman Nishimoto stated that the Silver Spring Intermediate School principal has requested help with two problems: when the Middle School is in operation,

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Over Spring Intermediate will have children only up through grade 4 and will have no school safety patrol, since this begins with grade 5. Councilman Nishimoto said the Committee will be giving this some thought and the Safety Patrol Officer will work with the principal. The other problem concerned the route children will take from North Takoma to the new school--one which will be hazardous because of the lack of sidewalks. Councilman Nishimoto proposed that the next budget include the paving of portions of the South side of Philadelphia Avenue. He stated he wished this to be included in the record for future action.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Hutmire reporting

1. 7411 Aspen Avenue. The owner has indicated he does not intend to comply with the County's request to obtain a permit, Councilman Hutmire reported, and a summons must be obtained. He estimated that this process will take from two to ten weeks.

2. Code violations at Winchester-Takoma. Councilman Hutmire gave a detailed report on the situation at this building, which included a letter to the owner, Mr. Shapiro, and ten pages of citations, each of which enumerated specific violations and deadlines for correction. A report has also been sent to Mr. Holt, chairman of the tenants' committee, he said. Councilman Hutmire said that if corrections are not forthcoming, a legal technique will be employed in which specific apartments will be declared unfit for human habitation. Since this will involve relocation, it will be done gradually, he said.

3. 1111 Sligo Creek Parkway. Councilman Hutmire stated that the operator of the furniture store had been cited for operating a trucking business in a C-1 zone by the County Zoning Office, who gave him until January 15 to cease the illegal use. Mr. Preston, of 1001 Sligo Creek Parkway, stated he had been asked by the County office to keep a record of vehicles operating out of the 1111 premises, and that, among other things, he found that two vehicles carried the same license tag number. He said this had been reported to the police around December 22, but that no action has been taken. Captain Porter stated that his men had investigated, but the trucks were not on the premises, adding that it will be checked further.

4. CATV system. Councilman Hutmire reported that the long-awaited Sloan Foundation report has been received and that it contains much valuable information. He requested that additional copies be obtained for use by other members of the Council. In response to Councilman Nishimoto's query about the moratorium imposed by COG, Councilman Hutmire stated that only two months of the period remain.

5. Summary of activities: Code Enforcement Division. Councilman Hutmire reported that during October and November the following inspections were made: structures--136, dwellings--376, total--512, with 85 per cent of the inspections resulting in citations. He noted that as of December 31, Mr. Socha had closed out 31 reports under Ordinance 1946.

Councilman Hutmire stated that all the other items on the agenda are either under study by the Committee, or being considered for possible legal action.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Recycling. Councilman Roth said the Recycling Center continues its successful operation, with some support being given by both the City and the County.

2. Langley Professional Building parking lot and access. Councilman Roth asked the City Administrator to request the Prince George's County Planning Board to assign a person skilled in such matters to look at this situation, since it appears doubtful that the building management will do so.

3. Storm drain overflow near 1402 Erskine Avenue. Construction has not yet begun, Councilman Roth stated, and expressed the hope that, weather permitting, it would begin at an early date.

4. Chairs for Municipal Building auditorium. Councilman Roth stated that several recommendations on the type of chair have been received, and stated that all members of the Council would participate in the selection.

5. Equipment. Councilman Roth moved for approval of the purchase of an Olivetti U-600 calculator to replace an ancient Remington which is beyond economical repair. The purchase price (including trade-in and discount) is \$250; funds to be transferred from A/C 10.811 to A/C 12.103. Motion was seconded by Councilmen Sidell and Forshee and carried.

6. Uniform traffic control devices. Two members of the Department attended a SHA briefing session, Councilman Roth said, and have reported that the City will be required to conform to the new policy, but will be able to replace signs over a period of years. He indicated the cost should be pro rated at about \$1,000 per year.

7. Complaint of debris and mud on Maple Avenue. Councilman Roth reported that the Department has cleaned the street several times and, with the cooperation of the Police Department, arranged for the building contractors to sweep the street. However, within a few hours after each cleaning, the situation is the same. He attributed it to the construction, and felt it would be a continuing problem until the work is completed. Mr. Rhodes also pointed out that the job cannot be properly done because of the parking on Maple Avenue.

8. Items of interest. Councilman Roth stated that the Department continues to have problems with the refuse trucks, but managed to pick up the heavy volume after Christmas without incident. He reported that the second round of leaf collections has been completed and that Christmas trees are now being collected. Mr. Rhodes said that the Department will continue to pick up leaves on request.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Results of bids on vehicle. This will be reported on at the next Council meeting, Councilman Eppes said, noting that the Committee has not yet met to discuss it.

2. Fire code violations at Winchester-Takoma. Upon request by Councilman Eppes, Chief LaScola stated that some violations had been corrected, but that some minor ones remain, and indicated that a reinspection is scheduled for January 15.

3. Prince George's County Fire Tax. Councilman Eppes reported that \$50,000 has been received from the County, and asked that the item be removed from the agenda.

4. Parking space for Fire Chief. Councilman Eppes moved for adoption of the following ordinance, which is self-explanatory:

ORDINANCE NO. 2188

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

SECTION 1. THAT in the interest of efficiency, an official parking space shall be set aside for the Municipal Fire Chief at his residence on Maple Avenue, AND

SECTION 2. THAT the Public Works Department is hereby authorized to erect a sign reading "OFFICIAL PARKING--MUNICIPAL FIRE CHIEF ONLY" at a point beginning at the northwest side of the main entrance to 7520 Maple Avenue and extending for a distance of 25 feet in a northeasterly direction.

SECTION 3. FURTHER THAT the penalties for violation of this ordinance shall be the same as prescribed in Article 10 of the Municipal Code (1961), under Traffic Regulations.

The motion was seconded by Councilman Roth 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.

Councilman Nishimoto asked for, and received, permission to respond to Mr. Cangiolosi's request for a report on the constitutionality of ward election of councilmen-at-large. He read the following from an opinion submitted by Corporation Counsel Gingerich:

The City Charter provides: (1) the Mayor and councilmen shall be elected at large. (2) one councilman shall be elected from the Fifth Ward, two councilmen from the First and Second Ward; and two councilmen from the Third and Fourth Ward, all within the 13th Election District of Montgomery County, and two Councilmen from the Sixth and Seventh Ward lying within the 17th Election District of Prince George's County.

The election of councilmen at large as presently provided by the Charter, in my opinion, does not violate the "one man, one vote" principal. One of the most recent cases on point decided by the Supreme Court was Handly v. Junior College District of Metropolitan Kansas City, Mo., 90 S Ct. 791, 397, U.S. 50, 25 LE & 2d 45 (1970). In that case the Court held that an election scheme which requires that candidates be residents of certain districts which do not contain equal numbers of people does not violate the "one man, one vote" principal if all officials are elected at large. In my judgment the present procedure used by the City of Takoma Park is constitutional.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. 1111 Sligo Creek Parkway. Councilman Sidell reviewed correspondence between Mr. Roberts and County zoning officials, in which he was directed to remove vans being used for storage sheds or apply for a building permit. Mr. Roberts responded by stating the vans were used in connection with his business, and requested reconsideration of the removal order. The Zoning Inspector refused this request, citing ways in which Mr. Roberts is in violation of the Zoning Ordinance, and giving him 30 days to bring the operation into compliance or apply for industrial zoning.

FINANCE COMMITTEE: Councilman Forshee reporting

1. City membership in International Union of Local Authorities. Councilman Forshee stated it was the consensus of the Council that the Maryland Municipal League fulfills City's needs adequately. He asked that the item be removed from the agenda.

2. Merit plan. One item pertaining to the merit plan was removed from the agenda some weeks ago, Councilman Forshee said, since it was felt it was adequately covered by the present agenda item. He indicated that considerable work has been done on some proposed revisions which will be presented to the full Council in due course.

3. Municipal election. Councilman Forshee moved for adoption of the ordinance below which sets in motion processes necessary to the election. The motion was seconded by Councilman Nishimoto and adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Hutmire, Nishimoto, Roth, Sidell, Webb. Nay: none. Excused: none.



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## ORDINANCE NO. 2189

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

- SECTION 1. THAT the City Clerk-Administrator shall call a meeting of the citizens for the nominations for Mayor and Councilmen at 8:00 PM, Tuesday, March 14, 1972, at the Municipal Gymnasium in the Fire House at the corner of Philadelphia and Carroll Avenues. The said meeting shall be conducted as prescribed in the City Charter, AND
- SECTION 2. THAT there shall be a City Election to elect a Mayor and seven Councilmen at the Fire House between the Hours of 7:00 AM and 7:00 PM, Tuesday, March 28, 1972. The said elections shall be conducted by means of voting machines, and as nearly as practicable all laws and regulations governing the use of voting machines in the elections in Montgomery County shall apply to the use of Voting Machines in the said City Election, AND
- SECTION 3. THAT the City Clerk-Administrator shall make arrangements with the Board of Election Supervisors of Montgomery County for the use of six voting machines at the said City Election, and shall arrange to have placed on each voting machine the names of all candidates nominated at the Citizens Meeting on March 14, except any who may within three days thereafter have filed with the City Clerk-Administrator his/her refusal to have his/her name so placed, AND
- SECTION 4. THAT the City Clerk-Administrator shall cause a notice of the citizens' meeting and the City Election to be inserted in the Suburban Record and the Prince George's Post the last week in February and the first week in March. He shall also cause the insertion in the Suburban Record and the Prince George's Post, the third week in March, of a facsimile of the arrangement of the names and words on the Voting Machine, AND
- SECTION 5. THAT the City Clerk-Administrator shall prepare cards bearing the names and addresses of all voters certified by the Board of Election Supervisors of Montgomery and Prince George's Counties, and shall furnish such cards to the judges and clerks of Election, AND
- SECTION 6. THAT the City Clerk-Administrator shall recommend to the Council the names of eighteen persons for designation by the Council as judges and clerks of Election, AND
- SECTION 7. THAT the City Clerk-Administrator, with the assistance of the Chief of Police, shall see that the City Election is conducted in accordance with the provisions of this Ordinance and the City Charter, AND
- SECTION 8. THAT the Judges of Election shall meet in the City Meeting Room, #8 Columbia Avenue, as a Board of Election, at 10:00 AM, Wednesday, March 29, 1972, and shall determine and certify the results of the Election, as provided in the City Charter. The Council shall meet in Special Session to receive the Certification from the Judges at 8:00 PM, Wednesday, March 29, 1972.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee, Chairman

No report.

Mayor Miller read a resolution commemorating the fiftieth wedding anniversary of Mr. and Mrs. Robert L. Norton, 6410 - 4th Avenue, Takoma Park, and moved for its adoption. Councilmen Forshee and Roth seconded the motion and the resolution was adopted by unanimous vote.

Councilman Hutmire moved for approval of the appointment of Mr. Michael Bray, 7216 Holly Avenue, to the Community Improvement Board. The motion was seconded by Councilman Nishimoto, who stated he felt Mr. Bray was an excellent choice and strongly recommended his appointment. The motion was approved unanimously.

There being no further business to come before the Mayor and Council, Mayor Miller called for a motion to adjourn. Motion was made, duly seconded, and the meeting adjourned by unanimous vote at 10:00 PM, to reconvene in the Municipal Gymnasium at 8:00 PM, Monday, January 24, 1972.

Approved: George M. Meel  
Mayor

Attest: [Signature]  
City Administrator/Clerk

## THE CITY OF TAKOMA PARK, MARYLAND

## REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

January 24, 1972

City Officials Present

Councilman Forshee, Acting Mayor	Assistant Corp. Counsel Culpepper
Councilman Eppes	City Treasurer Turner
Councilman Nishimoto	Fire Chief LaScola
Councilman Sidell	Police Chief Porter
Councilman Webb	Director of Public Works Rhodes
	Deputy Dir. of Public Works Barile
Excused: Mayor Miller	Director of Recreation Ziegler
Councilman Hutmire	
Councilman Roth	

The City Council of Takoma Park, Maryland met in regular session at 8:00 PM, January 24, 1972, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland, with Councilman Forshee in the Chair. The invocation was given by Rev. Theron Snyder, Trinity United Church of Christ, and was followed by the pledge of allegiance to the flag. Acting Mayor Forshee stated that both Mayor Miller and the City Administrator were ill, that Councilman Hutmire was tending members of his family who were ill, and that Councilman Roth was attending his daughter's college graduation exercises. He called for a motion to waive the reading of the minutes, if there were no corrections or additions. Motion was made by Councilman Eppes to approve the minutes as recorded and dispense with the reading. The motion was seconded by Councilman Webb and carried.

CORRESPONDENCE RECEIVED: City Treasurer Turner reporting

1. Vilani Maia Lima, Jequeie, Brazil. Letter thanking Mayor and Council for hospitality during her stay as a Sister City exchange student. Council Files
2. Robert E. Brennan, Vice-Chairman, Montgomery County Planning Board, Silver Spring. Request to name City government spokesman to serve on the Citizens Advisory Committee to the Board in connection with the Master Plan revision. Mayor
3. Brian R. Jessor, 7800 Cole Avenue, City. Letter of appreciation for house checks made by the Police Department. Police Department files
4. Trustees, Takoma Park Elementary School, City. Request for increased budget and improved communications system for animal warden's activities; also a public awareness campaign. Housing and Code Enforcement Committee

MAYOR'S COMMENTS:

Acting Mayor Forshee read a proclamation which named the week of February 3, 1972, as International Clergy Week in the City of Takoma Park, an annual event sponsored by the Civil Club of Silver Spring. He acknowledged the presence of Messrs. Davis Luck and William S. Mitchell of the Club, and indicated that the Mayor would make a formal presentation of the proclamation at a later meeting.

Acting Mayor Forshee read the following, and stated that Councilman Roth had asked that it be included in the minutes:

Memorandum for Mayor Miller:

In the Washington Post Saturday morning, January 22, there was an interesting article by John M. King, an architect, planner and research director for the National Association of Housing's Research Foundation. The article deals mainly with better methods of planning streets in new towns to be constructed in the future; however, the following paragraph is related to his expert view of planning for transit stations. In speaking of the traffic problem at transit stops he says:

" . . . . If it were not for the daily commute, the problem would not exist. But, even with rapid transit, it is unlikely that large numbers of riders will take to their legs or bicycles for the half mile trip to the station. Officials hope that feeder bus lines through suburban areas may take some of the pressure off station parking . . . ."

This statement indicates clearly that it would be wrong to plan for a transit station to serve only pedestrians and bicyclists.

His article contains other viewpoints that we can examine to determine if a majority of residents of any particular area might wish to support them, so I ask that a copy of the article be supplied to each Councilman.

John D. Roth, Councilman

Mr. Phil Vogel, 7117 Garland Avenue, asked if Council would support widening of Takoma Park roads at the January 28 public hearing. Acting Mayor Forshee replied that he did not know, but that a representative would attend the meeting.

PUBLIC PARTICIPATION:

1. Robert H. Moore, 7314 Willow Avenue, City, Chairman, Takoma Elementary PTA Safety Committee. Mr. Moore read a letter from the school Trustees and himself requesting (a) installation of a guard rail along Philadelphia in front of the school entrance and the Library and (b) a sidewalk system from Maple Avenue, between the Middle School and the Municipal Building, to the back of the Elementary School, to provide an alternate route to the school. He urged prompt attention and offered the services of his committee, if needed.

Mr. Moore stated that the Montgomery County delegation to the State Legislature would hold a hearing on the State Highway Administration's Five Year Action Plan on Friday, January 28, at 8:00 PM, in the County Council hearing room, Rockville. He urged that Council be represented; Acting Mayor Forshee agreed that a representative should appear and stated he would make a note of it.

2. Edward Holt, Chairman, Winchester-Takoma Tenants Committee, 7620 Maple Avenue, City. Mr. Holt thanked the Council for their prompt attention to his earlier plea for help with the problems at the Winchester-Takoma, noting, however, that with the exception of repair of blowers and the replacement of some broken windows, the situation remains almost the same. He recalled that minimal compliance with code regulations had been achieved on previous occasions after considerable pressure, only to lapse back into its previous unkempt condition as soon as there was a relaxation of pressure. He pointed out that the Code Enforcement Officers have been in the building almost every day, yet the halls haven't been swept for a month.

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He asked if some stiffer form of sanctions could not be applied. Acting Mayor Forshee requested that the Code Enforcement Division give some particular attention to the halls. Mr. Rhodes reported that daily inspections are being made, that the Division is aware that the halls are not being kept clean, and expressed the desire of the Department to work with Mr. Holt and his group. Mr. Holt stated he would be on call to assist and could be reached in Apartment #614, or on 270-2682. Mr. Rhodes went on to say that daily inspections are being made and a log is being kept; he indicated that the deadline for compliance is almost at hand and that the next step--court action--is a slow process.

#### Sidell

With reference to the above, Councilman/gave the following report in Councilman Hutmire's absence: The Corporation Counsel's advice has been sought on securing a warrant; he has advised that up-dated code enforcement and fire inspection logs should be compiled for use in this connection. Councilman Sidell stated that Mr. Shapiro, the owner of the building, may be invited to meet with Council prior to employing more stringent methods.

Councilman Eppes reported that Mr. Shapiro has indicated he has no intention of complying with the three remaining fire code citations and that the Fire Chief has recommended legal action without further attempts at persuasion.

3. Kathryn T. Simpson, Chairman, Community Improvement Board, City. Mrs. Simpson read a letter addressed to the Mayor and Council, which contained the following: (a) notice of the nomination by the CIB of Mrs. Simpson and Mr. Phil Vogel as representatives to Montgomery County Planning Board's Citizens Advisory Committee--a committee set up to work with the staff in formulating an amendment to the Master Plan; (b) a request that three agenda items, initiated by the Board, be given prompt attention: hardsurface parking requirement for multi-family units, requirement of hardsurface parking at commercial places, and the request to fill the vacancy in the Code Enforcement Division. In connection with the latter, she noted that the Board had concurred in Mrs. Holmes recommendation of last August, and requested Council to review that recommendation, also noting that it is the consensus of the group that a third code enforcement officer is needed. The letter referred to a statement by Chairman Hahn of the D.C. City Council, in which he spoke of an earlier desire for a recycling plant instead of a fifth incinerator in D.C., and indicated that it might yet be developed into a recycling operation. The CIB urged the Mayor and Council to encourage this development through COG, and consider financial support of a metropolitan area recycling plant. Acting Mayor Forshee expressed appreciation to the Board for their interest and efforts.

4. Rita Marth, 7308 Cedar Avenue, City, Takoma Park Recycling Center. Mrs. Marth stated that she supports Mrs. Simpson's suggestion, noting that Mr. Hahn has been quoted as saying that the incinerator will not be allowed to operate: that, if operation is attempted, a suit will be brought against those responsible. She pointed out that D.C. residents were strongly opposed to the construction of this incinerator for environmental reasons, and noted that increased pollution in D.C. also affects pollution levels in Maryland. Upon question by Acting Mayor Forshee, Mrs. Marth said the incinerator in Silver Spring has been used recently as a recycling station by a volunteer group.

5. Vernon Ricks, 5 Lee Avenue, City. Mr. Ricks inquired if any members of the Council have personally investigated the situation at the Winchester-Takoma. Acting Mayor Forshee replied that, since the first of the year, he has visited almost every apartment on the fourth floor, having spent over half a day with the inspectors on one occasion.

6. H. Richard Harp, President, Takoma Elementary PTA. Rev. Harp read a letter addressed to Mayor Miller, expressing approval of the barricading of the entrance to Hodoes Field, but indicating some concern about a recent statement by Chief LaScola which dealt with the resulting inaccessibility of the school in case of fire. The letter made the following suggestions: unlock chain for easy removal; install a breakaway device; post a notice that violation of the

parking prohibition will result in cars being towed away. The letter also requested that attention be given to the playing field. Acting Mayor Forshee assigned this to the Parks and Recreation Committee. Chief LaScola stated that a brittle shank lock might be used--a type which can be easily broken in an emergency situation.

7. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier referred to the numerous awards and citations given by the Mayor and Council, and suggested they consider something similar for Mrs. Simpson, Mr. Vogel and Mr. Herbert Smith, all of whom make it a practice to pick up debris from the streets, thus performing a public service.

In connection with the Winchester-Takoma apartments, Mr. Ferrier noted that other apartment buildings on Maple are well kept, and stated he felt to maintain the Winchester-Takoma in similar condition shouldn't present unsurmountable problems.

With reference to the agenda item on control of cats, Mr. Ferrier reported that the Montgomery County Humane Society can arrange to have cats spayed at a reduced rate: for a \$15 check, they will give the name of a veterinarian who will perform the operation for that amount, instead of the usual \$40 fee. Mr. Ferrier stated that the opening of the Middle School is imminent, and that he wished to remind Council of his request of a year ago for a crosswalk on Maple near the school, noting that action had been deferred until the school is opened. Councilman Nishimoto assured Mr. Ferrier that this matter will be reviewed.

Mr. Ferrier spoke of a Committee [Citizens Advisory Committee to Study Zoning in Central Business Districts and Transit Station Areas, Montgomery County Council] headed by Dr. Royce Hanson, which has proposed legislation to permit the County to acquire parcels of land for subsequent sale to developers. He indicated they would be empowered to exercise the right of eminent domain, and urged the City Council to uphold the citizens' wishes and oppose this legislation. In connection with the Citizens Advisory Committee to the Montgomery County Planning Board [see item 2, Correspondence section], Mr. Ferrier reminded Council of the opposition voiced against the proposed amendment to the Master Plan, and urged them to reflect those views in recommendations made to the Committee. Acting Mayor Forshee assured him Council is aware of the feelings of citizens.

8. Joseph Cangialosi, 7001 Poplar Avenue, City. Mr. Cangialosi referred to the Sentinel's listing of meetings and events, and suggested that the City arrange to have local meetings included. The Acting Mayor stated he felt this to be a good suggestion and that it would be checked into.

Mr. Cangialosi then inquired about the status of agenda item, "Constitutionality of property ownership requirement for candidacy." Acting Mayor Forshee replied that it has been discussed at various times and that State legislation has been introduced which would clarify it. Councilman Eppes cited a recent opinion of the State Attorney General which held that the so-called "Freeholder Requirement" was constitutional, and a statute to be used at the discretion of individual jurisdictions. It was also noted that the Corporation Counsel had brought this issue up for discussion at a preliminary meeting, but had had to leave almost immediately to represent the Council at a zoning hearing. Mr. Cangialosi requested that the initiator of the item be informed.

9. James Jeffas, 7600 Hammond Avenue, City. Mr. Jeffas said that last year a request had been made to remove the barrier at the north end of Hammond Avenue. He indicated that a commitment had been made to nearby residents that it would be removed as soon as the construction of the Langley Professional Building was completed. However, he said, it had been whitewashed and the item removed from the agenda, with no action being taken. He requested that it be reinstated and a removal order issued while Council is deciding what to do.

He referred to an incident involving the police at Hammond and Holton on Friday last, at approximately 8:30 PM, and asked for a report on whether or not the police were detained at the barricade when responding to the call. Acting Mayor Forshee stated that the Park and Planning Commission has been requested to study the problem, to which Mr. Jeffas replied that this matter is something apart from the parking lot problem.

10. Christopher Forden, 7402 Glenside Drive, City. Mr. Forden stated he is a student who temporarily resides outside the City, but would like to vote in the City election; however, he will be unable to exercise his newly acquired right unless some provision is made for the absentee ballot. He urged Council to take cognizance of this problem and provide the necessary means, saying it is in the interest of the city to assist voters in this way and would be in keeping with the spirit of the Constitutional Amendment. He expressed the opinion that, because of the lack of the absentee ballot, there is some discrimination against students in the 18-20 year bracket in that they are away from home in numbers disproportionate to other age categories of the population. Acting Mayor Forshee referred this to the Council as a Whole, but pointed out that it is unlikely action can be taken in time for the election.

11. Delores Stowell, 7704 Takoma Avenue, City. Mrs. Stowell spoke of the influence exerted by the June 14 Council statement on the issue of Montgomery College's expansion into Block 69, saying that it was used over and over by the Board of Trustees to obtain the backing of the County Council and the State Board of Public Works and carried a great deal of weight with those bodies. Acting Mayor Forshee stated this should behoove Council to use its powers with discretion.

COMMITTEE REPORTS:

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

Councilman Webb indicated that something would be done to ready Hodges Field for spring ball playing. He also noted that the Recreation Department has had excellent enrollment for its varied winter program.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Proposed guard rail at Takoma Elementary Philadelphia Avenue entrance. Councilman Nishimoto reported that both Chief Porter and the Safety Coordinator concur in this recommendation, and have obtained an estimate of \$274 for a 200 foot, 42" galvanized fence. He moved that the fence be installed as soon as possible, with the motion being seconded by Councilman Eppes. Councilman Sidell, speaking as a member of the Public Works Committee, suggested that the fence be erected a foot off the ground to permit easy access for cleaning and cutting grass. Mrs. Simpson requested that the fence be painted green, and it was agreed that this expenditure could be covered by the savings on height, if the fence is constructed as suggested by Councilman Sidell. After further discussion, Councilman Nishimoto's motion was unanimously approved.

2. Proposed pathway from Takoma Elementary to Grant Avenue. Some preliminary discussions on this have been held, Councilman Nishimoto said, but stated he wished to defer action until the Chief has submitted a report. It was also stated that the whole question of safety needs can better be examined after completion of the parking lots.

3. Request for cross-walk on Carroll at Anne Street. A tentative meeting has been set up with the State Highway Administration to discuss this proposal, Councilman Nishimoto said.

4. Speed control on Maple Avenue. Councilman Nishimoto said that he had placed this item on the agenda because of his interest in bringing the situation under control and reported that for some time, the Department has had it under heavy patrol, particularly during rush hours, yet the problem remains. He reported on the results of this effort for the period September 14 - January 14, as follows: 38 moving violations; 259 standing violations; 102 written warnings; 18 written repair orders. Councilman Nishimoto went on to say that, beginning January 31, radar will be used on the street; that, despite the man hours involved, it is considered necessary in this instance. Another recommendation has been made, he said, but will require further study. Mr. Allan Marsh, 7405 Maple Avenue, stated that the problem is not just speed control, but traffic control, noting that Maple Avenue is used as a short cut, and suggesting ways of discouraging its use as a thoroughfare, i.e., stop sign, speed bumps, etc. In response to Mrs. Marth's inquiry, Chief Porter said that a standing violation is simply a parking ticket and that illegal parking also constitutes a hazard. Mr. Vogel suggested that, with the success just reported, parking around the Metro stop may not constitute a problem great enough to justify a parking lot. A member of the audience stated that a contributing factor to the problem is the timing of the Philadelphia-Maple Avenue light, which favors Maple Avenue. Councilman Nishimoto stated that this light is scheduled for adjustment and will be synchronized with a light at Philadelphia and Carroll Avenue to slow Maple Avenue traffic.

5. Traffic hazard at Piney Branch, Eastern and Takoma Avenues. The State Highway Administration's District Engineer has requested the Traffic Safety Division to provide the appropriate signs and markings at this intersection, Councilman Nishimoto said.

6. Personnel. Councilman Nishimoto moved for approval of the permanent appointment of Officer Paul A. Wilson, effective January 22, 1972. The motion was seconded by Councilman Eppes and carried.

Councilman Nishimoto reported that, with one exception, all members of the police force have completed rookie school, stating that this has rarely happened. He also said there has been a sharp drop in resignations within the Department, with none having been made in almost a year, which is very unusual. Councilman Nishimoto felt this to be a reflection of the quality of the officers and the good work of the Chief in maintaining high morale. He reported that some twenty-one housebreaking cases in the Maple-Holly-Baltimore Avenue area have been solved with the recent arrest of a young gang.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Sidell, Vice Chairman, reporting

1. 1111 Sligo Creek Parkway. A hearing to consider Mr. Roberts' request for a period of grace is scheduled for January 31, Councilman Sidell said. He stated the City would be represented by the Corporation Counsel, who would speak against the appeal.

2. 7411 Aspen Avenue. After reviewing the background of this case, Councilman Sidell reported that the Sheriff is to serve a warrant for removal of the fence, since owners have indicated they will not obtain a building permit as requested by the County.

Mr. Forden asked how proposed FCC regulations on CATV would affect the City's franchise. Councilman Nishimoto stated it would have some impact. Councilman Sidell said the regulations are a set of guidelines setting forth some minimal performance and technical standards, as well as provisions for future growth and development. He stated that COC, some months ago, requested a six-months moratorium on awarding franchises, to permit completion of a study which focusses on methods of achieving regional compatibility of service. Mr. Forden stated he understood the FCC tends to favor corporate interests and inquired if the City has spoken in opposition to the regulations, to which Councilman Nishimoto replied that



FCC is apparently not soliciting comments. Mr. Forden felt a protest should be made against this also.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Purchase of vehicle. Councilman Eppes moved for adoption of the ordinance below which sets forth the terms of purchase for a replacement vehicle in the Fire Protection Division:

ORDINANCE NO. 2190

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

SECTION 1. THAT in accordance with the law, invitations to bid on a 1972 4-door sedan for use by the Fire Protection Division were duly advertised; AND

SECTION 2. THAT such bids were opened at 3:00 PM, December 15, 1971, with Palmer Ford, Inc. submitting the low net bid of THREE THOUSAND, ONE HUNDRED SEVENTY-NINE DOLLARS (\$3179) for a vehicle meeting all specification requirements.

SECTION 3. THEREFORE THAT the contract for purchase of one 1972 4-door Torino Ford, equipped as specified, is hereby awarded to Palmer Ford, Inc., Hyattsville, Md., for the sum of \$3179 (THREE THOUSAND, ONE HUNDRED SEVENTY-NINE DOLLARS), with funds to cover this purchase to be transferred from the Reserve Fund to A/C 11.213F, AND

SECTION 4. FURTHER THAT the City Administrator is hereby authorized to advertise for bids on Fire Department Vehicle #23, a 1965 Ford 4-door custom sedan, Serial number 5N54V169793, Title #L989377, with such advertisements stipulating a minimum acceptable bid of \$200, plus cost of advertising.

The motion was seconded by Councilman Nishimoto. In explanation of Section 4 of the above ordinance and in response to Mr. Ferrier's inquiry, Councilman Eppes stated that the Department has received several requests to bid on the car being replaced; that a trade-in allowance of \$200 had been offered; and that it would be advertised in County papers. The ordinance was adopted by roll call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Sidell, Nishimoto and Webb. Nay: none. Excused: Councilmen Hutmire and Roth.

2. Transfer of funds. Councilman Eppes moved for approval of the transfer of \$96 from A/C 11.212A2 to the FD travel account, to permit reimbursement for the use of a private car on official business, at the rate of 8¢ a mile. The motion was seconded by Councilman Sidell and carried.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. Request to host hearing on Year 2000 plan. Councilman Sidell requested that the City Administrator communicate with Mr. Charles Carter, COG's Director of Regional Planning, to determine how Council could best serve him in providing citizen input into the plan.

2. Zoning Appeal #3138, Albert E. Cole, 906 Davis Avenue, petitioner. Councilman Sidell reviewed the history of this appeal, notice of which had just been received, and noted that the denial of an application for non-conforming use [operation of a print shop in an R-55 zone] is being appealed, with the public hearing scheduled at the time of the Council meeting. He said the Corporation Counsel was present at the hearing to oppose the appeal. Upon question by Councilman Nishimoto, Mr. Sidell stated the print shop has been in operation since about 1933.

Councilman Sidell called attention to a newspaper item, brought in by Mr. Preston, which reported that Bowie's bottle deposit ordinance had been upheld in court; however, the decision will be appealed, he said.

Upon motion by Councilman Sidell, duly seconded, the following resolution was adopted by unanimous vote:

RESOLUTION NO. 1-1972

WHEREAS, the D. C. Transit System, Inc. has filed an application with the Washington Metropolitan Area Transit Commission for an increase in bus fares and elimination of reduced fares for elderly citizens, AND

WHEREAS, many residents of the City of Takoma Park, Maryland patronize the D. C. Transit System on a regular basis, AND

WHEREAS, the recently completed Takoma Tower is a federally assisted residence for a large number of senior citizens primarily dependent upon public transportation and such building is located on a local bus route, AND

WHEREAS, there are a large number of elderly persons residing within the City otherwise, AND

WHEREAS, the Federal Administration has attempted to hold down unwarranted price increases and has great interest in reducing inflationary pressures to a minimum.

THEREFORE, BE IT RESOLVED by the Mayor and City Council of Takoma Park, Maryland that a recommendation be forwarded to the Washington Metropolitan Area Transit Commission that all efforts be made to maintain existing fare schedules and continue special consideration for the elderly.

[Councilman Sidell in the Chair.]

PUBLIC WORKS COMMITTEE: Councilman Forshee, Vice Chairman, reporting

1. Street light: Lincoln Avenue, east of Jackson. Councilman Forshee moved for approval of the installation of one 4200 lumen, 100 watt mercury-vapor street light on PEPCO pole #726477, at an annual cost of \$33.07. Motion was seconded by Councilman Eppes, after which Mr. Forden inquired if Council had considered discontinuing the use of mercury lighting to avoid the danger of possible mercury emissions into the atmosphere. Mr. Rhodes replied that this type light is widely used throughout the country, particularly in large cities; that he didn't know about the dangers referred to, but would investigate the matter. Mr. Forshee's motion was unanimously approved.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Auditorium seating. Councilman Forshee reported that a number of seat samples have been inspected by members of the Council; that a chair manufactured by American Seating Co. was considered to be the best suited and the most serviceable. Mr. Rhodes described the chair as being solid color plastic, with padded seat and back. Councilman Forshee moved for approval of the purchase by adoption of the following ordinance:

ORDINANCE NO. 2191

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

SECTION 1. THAT bids for Municipal Building auditorium seats were solicited by Philip W. Mason, architect, AND

SECTION 2. THAT a contract is hereby awarded to the American Seating Company, Grand Rapids Michigan, for 200 No. 21-220 seats at the unit price of \$48.54 (FORTY EIGHT DOLLARS AND FIFTY FOUR CENTS), including installation and number plates, AND

SECTION 3. FURTHER THAT funds for this purchase shall be charged to the Public Improvement Fund.

The motion for adoption of the ordinance was seconded by Councilman Eppes, after which a member of the audience suggested construction of benches if there is a delay in delivery. Councilman Sidell replied that there is no problem with delivery, but that the order must be placed now to schedule delivery at the appropriate time. After further discussion, the ordinance was adopted by roll-call vote recorded as follows: Aye: Councilmen Eppes, Forshee, Sidell, Nishimoto and Webb. Nay: none. Excused: Councilmen Hutmire and Roth.

Mr. Ferrier, on behalf of citizens present, asked Acting Mayor Forshee what the position of Council's representative would be at the County Delegation hearing on the State Highway Administration's five year plan. The Acting Mayor replied that, if he were to be that representative, he would have to represent the City as he felt it wanted to be represented, pointing out that there are varied opinions on the matter. Mr. Ferrier said he believed the question was whether or not the Council will favor or oppose widening of roads. Councilman Forshee said he acknowledged the fact that there must be some change, and hoped a middle of the road stance might be achieved.

There being no further business to come before the Mayor and Council, a motion for adjournment was made and seconded, and the meeting adjourned at 9:45 PM, to reconvene in the Municipal Gymnasium at 8:00PM, February 14, 1972.

Approved: Clayton D. Forshee  
Acting Mayor

Attest: Hayes M. Pridgen  
City Administrator-Clerk

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