

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL
 March 13, 1972

City Officials Present

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

Excused: Councilman Lutmire

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

The Mayor and City Council met in executive session at 8:02 PM, March 13, 1972, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. Mayor Miller proposed a motion, duly seconded and unanimously approved, to issue a proclamation naming March 12-19, as INTERNATIONAL DEMOLAY WEEK in the City. Following a reading of the proclamation, he presented it to several members of the organization. Mayor Miller called for a motion to waive the reading of the minutes of the last meeting, if there were no corrections or additions. A motion to approve the minutes as submitted and dispense with the reading was made by Councilman Eppes, seconded by Councilman Forshee, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Philip R. Hogue, Chairman, Park and Planning Commission, 6600 Kenilworth Avenue, Riverdale. Proposed solutions to the problem of access to Langley Professional Building parking lot. [Public Works committee]
2. Jennifer Magnus, Secretary, Takoma Park Recreation Council, 8 Sherman Ave., City. Recommendation that the building at 8 Columbia Avenue be held available for use by the Recreation Department and civic groups. [Parks & Recreation and Finance Committees]
3. Paul O. Davis, Treasurer, T.P. Volunteer Fire Dept., Inc. Proposed FY-73 budget. [Finance Committee]
4. Ronald B. Edlavitch, Attorney for L. Granat and E. Korth, owners of 8204 Flower Ave. Request for hearing on City order to cease rental of two basement apartments. [Housing and Code Enforcement Committee]
5. Mary Roth, Secretary, Citizens for Sound Government, 7608 Hammond Avenue, City. Request to use sound truck in connection with City elections on March 26-28. [Parks and Recreation Committee; Law Enforcement Committee]
6. Mr. & Mrs. J. D. Minyard, 1413 Ruatan St., Hyattsville. Letter commending the Fire Department for their baby sitters' classes. [Fire Protection Committee]

The City Administrator announced that the Annexation Bill (Md. HB-417) was killed in committee on March 3.

FINANCIAL STATEMENT OF BANK BALANCES AS OF 2-29-72: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS

Balance as of January 31, 1972	55,930.93	
February receipts	<u>189,490.98</u>	245,421.91
February disbursements		<u>115,973.61</u>
Balance as of February 29, 1972		<u>129,448.30</u>

SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT

Balance as of January 31, 1972	7,287.90	
February transfers from Gen. Funds	<u>84,816.62</u>	92,104.52
February disbursements		<u>74,585.15</u>
Balance as of February 29, 1972		<u>17,519.37</u>

CITIZENS BANK OF MARYLAND--GENERAL FUNDS

Balance as of January 31, 1972	800.14	
No transactions during February	<u>--</u>	800.14
Balance as of February 29, 1972		<u>800.14</u>

CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND

Balance as of January 31, 1972	780.31	
No transactions during February	<u>--</u>	780.31
Balance as of February 29, 1972		<u>780.31</u>

CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENTS

Balance as of January 31, 1972	217,816.91	
February receipts	<u>--</u>	217,816.91
February disbursements		<u>46,316.70</u>
Balance as of February 29, 1972		<u>171,500.21</u>

CITIZENS BANK OF MARYLAND--SAVINGS A/C TP63

Balance as of January 31, 1972	156.28	
No transactions during February	<u>--</u>	156.28
Balance as of February 29, 1972		<u>156.28</u>

AMERICAN NATIONAL BANK--GENERAL FUNDS

Balance as of January 31, 1972	500.00	
No transactions during February	<u>--</u>	500.00
Balance as of February 29, 1972		<u>500.00</u>

PETTY CASH

	5
	<u>200.00</u>

U.S. TREASURY BILLS

Purchased:	10-1-71	Maturity:	3-30-72	Cost:	97,551.39	Value:	100,000.00
	10-8-71		3-9-72		98,102.50		100,000.00
	10-1-71		4-30-72		97,158.89		100,000.00
	10-1-71		5-31-72		96,640.00		100,000.00

MAYOR MILLER COMMENTS:

Mayor Miller welcomed the audience and announced that the next Council meeting would be held on March 27, at 8:00 PM. He also announced that the City Caucus will be held on Tuesday, March 14, also at 8:00, in the Gymnasium. Mayor Miller read the following statement, noting that it had been advertised in the papers, announced over the radio, and circulated in the schools:

NOTICE TO REGISTERED VOTERS IN THE CITY OF TAKOMA PARK, MARYLAND:

The United States District Court for the District of Maryland has declared the property ownership requirement to hold public office in the City of Takoma Park as unconstitutional. Therefore, all persons who meet other requirements of the City Charter of Takoma Park for holding public office are eligible to be nominated for the office of Mayor or City Council Members at the Public Caucus, to be held at 8:00 P.M., Tuesday, March 14, 1972, in the Municipal Gymnasium at the Fire House, 7201 Carroll Avenue, Takoma Park, Maryland.

By direction: George M. Miller, Mayor

Attest: Haynes M. Pridgen, City Administrator

PUBLIC PARTICIPATION:

Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier stated he had noted with sorrow and interest the funeral of Officer Robertson of Silver Spring, and had been pleased to see that members of both the City Police and Fire Departments had been present. He also stated he wished to publicly thank the City Administrator for calling him and others in the community to inform them of the Court's ruling on the property ownership requirement. Mr. Ferrier went on to say he had done some political canvassing in the area of Mr. Ian Burgess' home, and commented on the number of cats and dogs he had observed. He expressed appreciation for the removal of the cat item from the agenda, as he had earlier requested.

2. Mrs. Evelyn Ferry, 24 Hickory Avenue, City. Mrs. Ferry stated she wished to thank the Fire Department and commend them on the professional job in extinguishing a fire at 22 Hickory Avenue last week.

3. Joseph Cangialosi, 7001 Poplar Avenue, City. Mr. Cangialosi referred to two items he had introduced at the last Council meeting: the adequacy of the Middle School athletic facilities [see page 7]; and the proposed auxiliary facilities of Takoma Tower, requesting further clarification on the latter. Councilman Sidell reported as follows: Certain options were taken on some properties in the area of Westmoreland Avenue, one of which has expired. The Sentinel report was not factual in its inference that concrete plans were well under way. Neither the Revenue Authority nor the County has passed on anything. Mr. Ernest Wolfe has been interested in such a project for some time, and organized a meeting attended by some Council members, the Committee on Aging, and others; however, there was no full agreement on the project. In response to Mr. Cangialosi's question, Mayor Miller and Councilman Sidell stated that a contract has been prepared in which four per cent of Takoma Tower's gross receipts would be remitted to the City in lieu of taxes. Mayor Miller indicated that this is among the first HUD-approved arrangements of this type.

4. James Welu, 7330 Piney Branch Road, City. Mr. Welu reported that, according to a conversation he had with a chief planning officer of Group Health, plans for the above-mentioned project are much further along than Mr. Sidell's comments would indicate. He proposed some sort of public forum, at which the interested parties and citizens could discuss the issue. He also suggested an investigation of the attitudes of the residents of Takoma Tower vis-a-vis living in the building; he further suggested looking into the feasibility of other types of projects. Mrs. Ferry stated she had spoken to someone in Group Health's main office and had been told that the New Hampshire Avenue facility has no intention of moving to the proposed location. Mr. Ferrier reported on his knowledge of the matter as follows: He had discussed it with Mr. Wolfe, who stated the Mayor and Council have taken no stand on the issue, nor participated in the planning but, rather, have been interested observers. The senior citizens group has expressed an interest in the proposed congregate housing and, though many of them prefer to live in houses, some do enjoy life as apartment dwellers. The buildings would be from three-four stories high and would accommodate those of fairly low income with minor

physical disabilities, though they must be ambulatory. The project would serve a need. At the meeting described by Councilman Sidell, drawings were shown which were tentative, and did not show exact placement of buildings. Mr. Ferrier stated the plans were not so firm as the Sentinel article indicated. He also expressed a desire for a public hearing on the proposal.

5. Paul O. Davis, 12 Grant Avenue, City. Mr. Davis referred to Friday's ruling declaring the property ownership requirement for holding public office to be unconstitutional, and stated that a similar ruling could be made under the terms of the 14th Amendment on the age and residency requirements of the City Code. He requested that these items be added to the agenda for Council investigation.

6. James Jeffas, 7600 Hammond Avenue, City. With reference to item 5 in the Correspondence section, Mr. Jeffas asked if requests for permits should not be assigned to the Police Department, rather than the Parks and Recreation Committee. Mayor Miller replied that such permits are issued by one or both Departments, with the Mayor and Council giving final authorization. Mr. Jeffas felt this to be an infringement on his freedom of speech. In response to Mayor Miller's question, Mr. Gingerich stated the Code is not always specific on Committee assignments; the City Treasurer cited Article 23.2 as covering the matter. Mayor Miller subsequently assigned the request to both the Law Enforcement and Parks and Recreation Committees. In response to Mr. Jeffas' request that flyers telling of the property ownership ruling be distributed to all schools serving Takoma Park, the City Administrator stated he could not promise because of the time element; however, he said that several thousand copies have been circulated in all City schools and to Carole Highlands, as well as to apartment buildings.

7. Rita Marth, 7308 Cedar Avenue, City. In response to Mrs. Marth's question on agenda item, "request to work for legislation banning sale of throwaway containers," Councilman Sidell stated that Council has been watching the Bowie situation, which is now before an appeal board. Mrs. Marth requested that Council support SB-348, noting that a hearing is scheduled in Annapolis on March 16. She described the bill as one which requires a 5¢ deposit and has the effect of banning the sale of such containers. She stated that the Montgomery County Recycling Association centers cannot handle significant amounts of solid waste, though each center has been asked to handle not less than one per cent. Mrs. Marth also requested that Council prepare written testimony or send someone to testify at Montgomery County's hearing on trash collection proposals on March 16.

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

1. Water leak near 7216 Willow Avenue. Councilman Roth reported that this has been corrected by WSSC, and asked that it be removed from the agenda.

2. Erosion and pollution--Sligo Creek. A letter has been prepared referring the correspondent to the Park & Planning Commission and WSSC, who are jurisdictionally responsible for the problems raised, Councilman Roth reported.

3. Request for ordinance to require packaging of trash and garbage. Councilman Roth stated that the use of plastic bags has been under consideration for some time, and possibly may come to fruition when more storage space becomes available at the new building.

4. Request to reopen north end of Hammond Avenue. Councilman Roth described the events leading up to the present situation, as follows: For a number of years, at the corner of Kirklyn, New Hampshire and Hammond Avenues, there were two acres of undeveloped land, one-third of which was zoned for single family homes and two-thirds for garden apartments. Over a period of eight to ten years, the property was the subject of numerous rezoning proposals, including a motel (in 1954), a high rise, a gas station, another high rise, all of which were successfully opposed by Councilman Roth and his neighbors. However, there remained a constant

threat that a commercial rezoning application would be successful. Later on, a group of local doctors proposed building a medical center on the site. Mr. Roth and his neighbors met to discuss this possibility and concluded that in the interest of the over-all welfare of area residents, and with a view to additional tax revenue, they would support this proposal, with certain provisos. They subsequently worked out some covenants to accompany the zoning application which, in sum, included the following: agreement to maintain the integrity of the residential neighborhood by screening and providing buffer strips; a stipulation that the building would be no more than four stories high, with occupancy restricted to medical doctors, dentists, and . . . other professional uses including, but not limited to, insurance agencies, banks and trust companies, ethical pharmacy, offices for attorneys and other professional tenants . . ."; a provision that there would be no access to or from the property from Hammond Avenue; consent to abandon a portion of Hammond Avenue between Jackson and Kirklyn, if abandonment were instituted by an authorized person. Councilman Roth stated that at the time the City Council entered into the agreement, there was a clear intention to support abandonment, if requested, to prevent increased commercial traffic and maintain the residential character of the neighborhood. He stated that when he moved to the area, that end of Hammond had not been improved and was covered with grass until someone cut a path with his car, and others followed suit. He also noted that no request has ever been made for improvement of that portion of the street.

Councilman Roth moved that Council initiate abandonment proceedings via a public hearing on the first Monday in April, saying he would abide by the decision reached. Upon requests by several Councilmen for clarification, the motion was restated essentially as follows: a motion to set a public hearing for the first Monday in April to explore the possibility of abandonment of the north end of Hammond Avenue. Following Councilman Eppes seconding of the motion, Mr. Jeffas raised these points as being pertinent to the issue: the fact that Hammond Avenue is a City street and should be available for use; Mr. Roth's proposal is based on the fact that an entrance at the rear of the Professional Building would be placed in front of his residence. Councilman Roth stated that Mr. Jeffas was not speaking to the issue on latter. Mr. Vogel asked if the proposed abandonment would force traffic onto Wildwood Drive. Councilman Roth stated that the residents of the area entered into the covenant in good faith: that they had agreed to put up with a professional building, feeling that this was preferable to further attempted rezonings. Mr. Jeffas pointed out that he had also participated in those discussions, and noted that the petition to abandon Hammond Avenue had been signed by only ten persons. Mr. Robert Mulligan, 7309 Cedar Avenue, and Mr. Vogel raised other issues: does the covenant restrict use of the building to medical practitioners, or does it extend to such operations as Carpetland? When was the store opened? Was permission to open the rug store applied for? Does the City Code prohibit such a tenancy (Carpetland)? If so, has any action been taken? Councilman Roth stated that he did not know when the store was put in operation and that no action has been taken as yet. Following further discussion, the motion to go to public hearing was unanimously approved.

5. Improvement of Hodges Field. Councilman Roth stated that the Department plans to do some grading and resodding of the field, as needed.

6. Proposed cul-de-sac on Maple Avenue at D. C. line. Councilman Roth stated that, in view of some of the comments just heard, he would request that this item be removed from the agenda.

7. Improvement of access to Langley Professional Building parking lot. A report from the Park & Planning Commission has been received [Correspondence item #1] and their proposals will be studied, Councilman Roth said.

8. Storm drain overflow near 1402 Erskine Avenue. Hopefully, this work will have been completed by the next Council meeting, Councilman Roth said.

9. Personnel. Councilman Roth moved for acceptance of the resignation of Mrs. Connie Baker on March 31, with regrets. The motion carried, after having been duly seconded.

March 13, 1972

11. Sidewalk on Maple Avenue. Councilman Roth proposed a motion authorizing the Public Works Department to construct a six-foot sidewalk along Maple Avenue in front of the Municipal Building. The motion was seconded by Councilman Nishimoto, who commended the Public Works Committee on this action, and carried.

12. Protective fence on Philadelphia Avenue at Takoma Elementary. There has been a delay in completing the fence because of some problems in filling the order, Councilman Roth said; however, agreement has been reached on the placement of the fence with Mr. Moore and Rev. Harp, and the fence may be installed during the week.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Fire code violations at the Winchester-Takoma. Councilman Eppes reported on an inspection made of the premises on March 7, as follows: two out of eight previously cited violations had been corrected and three additional ones were found. A reinspection is scheduled for March 14. In response to Mr. James Welu's (7330 Piney Branch Road) question, Mayor Miller stated that the meeting with the owner would be reported on later in the meeting.

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

1. RAP, Inc. Councilman Sidell reported that a contract for RAP's purchase of the properties on Albany and Buffalo Avenues has been signed. He also reported that Council has not been notified of application for a special exception, which would be required for a RAP facility.

2. Zoning Appeal #3138 (operation of print shop at 960 Davis Avenue). This case is being held open to allow the petitioner time to submit supporting documents.

3. Hearing on Year 2000 Plan. The public meeting will be held on April 18, at 8:00 PM, in the Gym, Councilman Sidell said, noting that there would be as much advance publicity as possible.

4. 1111 Sligo Creek Parkway. Councilman Sidell reported that the situation here has shown marked improvement, though it will continue to be observed.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Election Officials. Councilman Forshee moved that the ordinance naming the Election Officials be amended as indicated below:

ORDINANCE NO. 2197

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

SECTION 1. THAT Ordinance No. 2195, adopted February 28, 1972, be amended by deleting the name of John W. Coffman (7412 Birch Avenue) and by adding the name Thelma R. Russell (7402 Carroll Avenue) as an Election Official.

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

2. Purchase of office machine. Councilman Forshee requested Council approval of the purchase of a printing calculator for use in the Treasurer's Office by adoption of the following ordinance:

March 13, 1972

ORDINANCE NO. 2198

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

- SECTION 1. THAT it has been determined that the calculator used by the Office of the Treasurer is beyond economical repair, AND
- SECTION 2. THAT estimates have been obtained from a number of manufacturers, with Wheaton Typewriter Company's Sanyo 14-digit electronic printing calculator being the most appropriate for the needs of that office.
- SECTION 3. THEREFORE THAT a contract for the purchase of one Sanyo 14-digit electronic printing calculator is hereby awarded to the Wheaton Typewriter Company at the total net price of \$595.00 (FIVE HUNDRED NINETY-FIVE DOLLARS).
- SECTION 4. FURTHER THAT funds for this purchase shall be charged as follows: \$337 transferred from A/C 10.421 to Capital Outlay A/C 10.443, and \$258 refund from Pitney Bowes (Unappropriated Surplus) providing the balance.

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

PARKS AND RECREATION COMMITTEE, Councilman Webb reporting

1. Activities. Councilman Webb announced the following forthcoming activities: a movie March 17, "Tarzan and the Leopard Woman." April 15, 10:30 AM, Our Lady of Sorrows Auditorium, "The Wizard of Oz," presented by the Pickwick Players. April 4, 8:00 PM, Junior High Auditorium, band concert by Colonel Gray High School Band, of Prince Edward Island, Canada.
2. Park at Allegheny Avenue and Kansas Lane. Councilman Webb reported on a new park which is to be developed by the Park and Planning Commission at this location: approximately 37,000 sq. ft. are to be used for a park with play equipment, with most of the land remaining in its natural wooded state. Another 30,000 sq. ft. will be available at a later date for use as a nature center with a full-time resident custodian.
3. Hodges field improvement. Members of the Public Works and Recreation Departments will meet with representatives of the Boys Club after the Club has submitted its recommendations to the Council, Mr. Webb said.
4. Adequacy of Middle School athletic facilities. Following Councilman Webb's statement that the facilities are considered to be adequate, Mr. Cangialosi stated that his question had been: are they in compliance with State standards? Councilmen Webb and Sidell replied that they weren't familiar with State requirements, but that the Park and Planning Commission's Takoma Rec. Center grounds was designated as the recreation area at the time the plans were drawn up; that the school gym and swimming pool are on the same level as, and facing, the Recreation Center. Mr. Cangialosi suggested that Council investigate and determine whether or not the facilities meet State requirements. Councilman Roth replied that he felt this to be a matter to be taken up with the Board of Education by Mr. Cangialosi himself, since the City has no authority over schools. He noted that the Board had worked out the land use and the arrangement with Park & Planning to meet their own specifications, and there is little the City can do one way or the other.

Councilman Webb commented on a conversation he had with an FBI agent from Silver Spring which was highly complimentary of Takoma Park's Police Department, noting that this had occurred at the scene of an arrest.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Councilman Nishimoto stated that the Police Department has tried to establish a reputation of being highly efficient, as a deterrent to would-be bank robbers, but for some reason, little publicity has been given to the Department's activities in this area.

1. Clarification of Code Enforcement and Police Department functions. Councilman Nishimoto requested the Police Chief and the Code Enforcement Director to prepare a standard operating procedure in which the duties of each would be clearly delineated.

2. Relocation of bus stop sign on Ethan Allen near Sycamore; Philadelphia Ave. traffic build-up near Maple Ave. stoplight; crosswalk on Carroll at Anne; traffic hazard at Piney Branch, Eastern and Takoma Aves. These problems were the subject of discussion at a March 2 meeting with the State Highway Administration and, hopefully, a report will be forthcoming soon, Councilman Nishimoto said. With reference to the crosswalks, it was their feeling that this arrangement is somewhat dangerous in that pedestrians tend to feel that cars will stop and are thus lulled into a false sense of security. In response to Mr. Ferrier's question on what alternative solutions had been offered, Chief Porter stated that it was suggested that pedestrians exercise caution at the intersection in question.

3. Speed control on Maple Avenue. Councilman Nishimoto gave the following report on tickets issued for traffic violations since the last report: Moving violations, 11; standing violations, 56; repair orders, 3; written warnings, 10.

4. Stop sign on Maple at Tulip Avenue. Councilman Nishimoto moved, with Councilman Eppes seconding, for adoption of the ordinance below:

ORDINANCE NO. 2199

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

SECTION 1. THAT all traffic shall come to a complete stop on Maple Avenue at its intersection with Tulip Avenue, AND

SECTION 2. THAT the Director of Public Works is hereby authorized to erect appropriate signs at the above-designated intersection, AND

SECTION 3. THAT the penalty for violation of this ordinance shall be the same as that prescribed in Article 10 of the Municipal Code (1961) entitled Traffic Regulations.

SECTION 4. FURTHER THAT, after a period of 90 days, an evaluation of the speed-deterrent value of the stop sign shall be made by the Chief of Police and the City Council.

Following the motion, there ensued a lengthy discussion on the merits of a stop sign at this particular intersection, the number of accidents at this location, the effectiveness of radar control (which Chief Porter reported to be out of order), etc. Councilman Forshee questioned the wisdom of using this device to deter speeding. The ordinance was subsequently adopted by roll call vote, recorded as follows: Aye: Councilmen Eppes, Nishimoto, Roth, Sidell, Webb. Nay: Councilman Forshee. Excused: Councilman Hutmire

5. Use of sound truck. Councilman Nishimoto referred to Correspondence item #5, and moved that permission be granted to use the sound truck as requested. The motion was seconded by Councilman Webb, after which Councilman Sidell proposed that the dates be changed to

exclude both Saturday and Sunday, in deference to all Takoma Park's churches. Mr. Vogel asked how Council could arbitrarily alter the dates of a request, to which Mr. Sidell replied that the initiators could either accept, or reapply, if unacceptable for their purposes. The motion was restated, as amended, and unanimously approved. Mr. Michael Derato, 413 Lincoln Avenue, expressed concern about the many interruptions Council had permitted from members of the audience. Mrs. Ferry commended Councilman Sidell for his amendment to the above motion.

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

1. Housing code violations at Winchester-Takoma. A meeting was held with one of the owners of the building on March 7; Councilman Sidell reported, at which he agreed to correct the citations made in December. In view of this, it was agreed to extend the deadline to March 20. Councilman Sidell indicated that some cleaning up, repairing and painting had begun prior to the meeting, and that a daily inspection is being made by the Division.

2. Clarification of Code Enforcement and Police Department functions. Councilman Sidell referred to the discussion of this at the last Council meeting and to Councilman Nishimoto's earlier request, stating that the incident referred to--an abandoned washing machine--was actually a police action, since it was in the public right of way; however, the actual removal of the machine was done by the Public Works Department. He indicated that the two departments often work together to take care of such complaints.

3. Dog complaint. Councilman Sidell reported that a written complaint of dog problems at 7125 Carroll Avenue has been referred to the animal warden for action.

4. Hearing on variance of housing code--8204 Flower Avenue. With reference to correspondence item #4, Councilman Sidell moved that a hearing be set up, as requested, on March 30, 7:30 PM, in the Public Works office, with the required legal steps to be handled by the City Administrator. The motion was seconded by Councilman Roth and carried.

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 by unanimous vote at 9:30 PM, to reconvene at 8:00 PM, March 27, 1972, in the Municipal Gym.

Approved: George M. Miller
Mayor

ATTEST: Haynes M. Pridgen
City Administrator-Clerk

CAUCUS

March 14, 1972

A City Caucus for the purpose of nominating candidates for Mayor and seven Councilmen was held on March 14, 1972, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. The meeting was called to order at 8:00 PM, with Haynes M. Pridgen, City Clerk-Administrator, presiding. After explaining the rules governing the meeting, as set forth in the City Charter, and the procedure to be followed, Mr. Pridgen called for the nomination of a Secretary for the meeting, explaining that the Charter stipulates that a member of the audience must be selected for this duty. Mr. S. Michael Derato was nominated, and following a seconding of the nomination, was duly elected Secretary.

Nominations for candidates for elective offices stated above were made, as follows:

NOMINATIONS FOR MAYOR:

Sidney W. Tymeson, 8118 Flower Avenue, Takoma Park, Md., nominated:
 GEORGE M. MILLER, 7505 Hancock Avenue, Takoma Park, Md.*

The following seconds were made:

Evenyne Ferry, 24 Hickory Avenue
 Henry Bison, 709 New York Avenue
 Arthur Phipps, 209 Spring Avenue
 A. F. Monitor, 511 Elm Avenue
 Christopher Hutmire, 21 Columbia Avenue
 John Mitton, 501 Philadelphia Avenue
 John B. Cook, 7400 Glenside Drive
 Douglas Ziegler, 109 Sheridan Avenue
 Michael Derato, 413 Lincoln Avenue
 Beryl E. Holmes, 10 Pine Avenue

Walter Prichard, 32 Lee Avenue, nominated:
 RODERIC F. DAVIS, 703 New York Avenue

The following seconds were made:

Elmer Davies, 7116 Cedar Avenue
 Allen Marsh, 7405 Maple Avenue
 Donald Ramsey, 8300 Flower Avenue
 Joseph Ferrier, 7413 Maple Avenue
 Harry Wickline, 7812 Takoma Avenue

NOMINATIONS FOR TWO COUNCILMEN FROM THE FIRST AND SECOND WARDS:

Bernarr W. Shannon, 708 Philadelphia Avenue, nominated:
 GENE O. STOWELL, 7704 Takoma Avenue

The following seconds were made:

Joseph Ferrier, 7413 Maple Avenue
 David Weisman, 7701 Takoma Avenue

Margaret Pfanstiehl, 7514 Dundalk Road, nominated:
 RALPH F. SIDELL, 606 Boston Avenue

The following seconds were made:

Walter W. Swett, 7212 Maple Avenue
 Eula Walker, 712 Philadelphia Avenue

* All addresses are Takoma Park, Md.

Kathryn Simpson, 7300 Cedar Avenue, nominated:
KENICHI NISHIMOTO, 7409 Holly Avenue

The following seconds were made:

Beverly Quattlebaum, 8000 Maple Avenue
Michael Bray, 7216 Holly Avenue
Henry Daniels, 19 Sherman Avenue
William Shewell, 311 Elm Avenue
Vincent P. Russo, 106 Philadelphia Avenue

Richard Harp, 7402 Holly Avenue, nominated:
ROBERT H. MOORE, 7314 Willow Avenue

The following seconds were made:

Leslie Agrow, 7306 Willow Avenue
Bobby C. Justus, 7120 Woodland Avenue
James Minor Sachlis, 3 Valley View Avenue

NOMINATIONS FOR TWO COUNCILMEN FROM THE THIRD AND FOURTH WARDS:

Robert Morrison, 7300 Willow Avenue, nominated:
JOSEPH S. CANGIALOSI, 7001 Poplar Avenue

The following seconds were made:

Clarence Smith, 61 Walnut Avenue
Carol J. Blake, 30 Columbia Avenue

Harold Williams, 131 Ritchie Avenue, nominated:
VERNON H. RICKS, JR.

The following seconds were made:

Jack Hammond, 831 Hayward Avenue
Clarence M. Boatman, 133 Ritchie Avenue
Opal Daniels, 19 Sherman Avenue
Henry Daniels, 19 Sherman Avenue
Edward W. Hutmire, 21 Columbia Avenue

George Besenyei, 256 N. Manor Circle, nominated:
PAUL O. DAVIS, 12 Grant Avenue

The following seconds were made:

Wayne S. Godwin, 8202 Flower Avenue
Etta Besenyei, 256 N. Manor Circle
Donald Ramsey, 8300 Flower Avenue

William Shewell, 311 Elm Avenue, nominated:
JOSEPH H. WEBB, 7412 Jackson Avenue

The following seconds were made:

Robert Reed, 7501 Central Avenue
Daniel P. Froelich, 7205 Willow Avenue

Thomas Clark, 105 Grant Avenue, nominated:
KURT H. STERN, 103 Grant Avenue

The following seconds were made:

Paul Richards, 18 Grant Avenue
Mary Keegan, 129 Grant Avenue

NOMINATIONS FOR ONE COUNCILMAN FROM THE FIFTH WARD:

Robert Osborn, 806 Jackson Avenue, nominated:
CLAYTON D. FORSHEE

The following seconds were made:

Robert Reed, 7501 Central Avenue
Kathryn Simpson, 7300 Cedar Avenue
Evelyne Ferry, 24 Hickory Avenue
Douglas Ziegler, 109 Sheridan Avenue
Daniel P. Froelich, 7205 Willow Avenue

Etta M. Davis, 703 New York Avenue, nominated:
BEVERLE G. THOMAS, 8116 Flower Avenue

The following seconds were made:

John A. Thomas, 8116 Flower Avenue
Joseph Ferrier, 7413 Maple Avenue
Donald Ramsey, 8300 Flower Avenue
Ellen Marsh, 7405 Maple Avenue
Leslie Agrow, 7306 Willow Avenue

NOMINATIONS FOR TWO COUNCILMEN FROM THE SIXTH AND SEVENTH WARDS:

Charles Johnson, 100 Kingwood Drive, nominated:
JOHN D. ROTH, 7608 Hammond Avenue

The following seconds were made:

George Kennedy, 7715 Takoma Avenue
Adelaide Fraser, 7200 Holly Avenue
Evelyne Ferry, 24 Hickory Avenue
Vincent P. Russo, 106 Philadelphia Avenue
Robert Mandel, 7003 Woodland Avenue
Henry Eppes, 7408 Aspen Avenue
Samuel Zark, 1113 Jackson Avenue
Ellery Denison, 7207 13th Place
Michael Derato, 413 Lincoln Avenue

James Jeffas, 7600 Hammond Avenue, nominated:
ALFRED P. VOGEL, 7117 Garland Avenue

The following seconds were made:

William Kiremelmeyer, 7306 Hilton Avenue
James DiLuigi, 7106 - 13th Avenue
J. A. LeMay, 704 Philadelphia Avenue

Michael J. Blew, 7407 Wildwood Drive, nominated:
IAN K. BURGESS, 7405 Wildwood Drive

The following seconds were made:

Robert Hurd, 1116 Lancaster Road
Thomas Dorsey, 1114 Lancaster Road

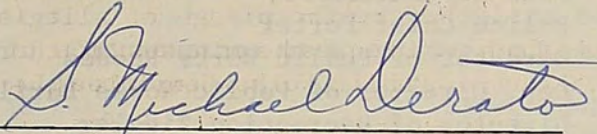
Donald Schaefer, 907 Sligo Creek Parkway, nominated
FREDERICK H. LEVENSON, 900 Heather Avenue

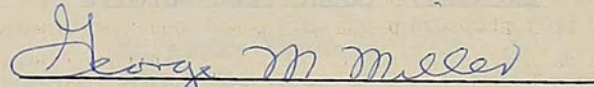
Seconds were made by the following:

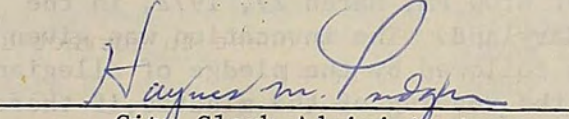
- Gary K. Lisz, 1009 Sligo Creek Parkway
- Evelyn Putnam, 1016 Elm Avenue
- James Welu, 7330 Piney Branch Road
- Rita Marth, 7308 Cedar Avenue

All nominations having been made, a motion to close the nominations was made, duly seconded and carried.

There being no further business to come before the meeting, the Caucus adjourned at 10:33 PM.


 Secretary of the Caucus


 Mayor


 City Clerk-Administrator

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

March 27, 1972

City Officials Present

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

Excused: Councilman Hutmire

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

The Mayor and City Council met in regular session at 8:00 PM, March 27, 1972, in the Municipal Gymnasium, 7201 Carroll Avenue, Takoma Park, Maryland. The invocation was given by Rev. F. Bailey Phelps, Grace Methodist Church, which was followed by the pledge of allegiance to the flag. Mayor Miller called for a motion to waive the reading of the minutes, if there were no corrections or additions. A motion to approve the minutes and dispense with the reading was made, seconded, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Thomas H. Farrow, FBI, Baltimore. Letter commending Sgt. Johnny Walter for his assistance in apprehending a bank robbery suspect. [Law Enforcement Committee; Personnel Files]
2. James T. Sturgis, President, Maryland Municipal League, Annapolis. Request for contribution to League building fund. [Finance Committee]
3. William B. McKinney, Exec. Dir., Montgomery County Revenue Authority, Rockville. Request to remit full City tax or 4% gross rental income in lieu of taxes, whichever is less, on Takoma Tower apartments. [Finance Committee]
4. Takoma Fuel Co., Box 4559, Washington, D. C. Request to discuss possible use of #8 Columbia Avenue by that organization. [Finance Committee; Planning & Zoning Committee]
5. Richard Selleh, Bloodmobile Chairman, Cornerstone Lodge #224, City. Request for azaleas for doners. [Parks & Recreation Committee; Azalea Committee]
6. Helen L. Rosenberger, 7108 Sycamore Avenue, City. Suggested changes in street parking regulations; complaint of trucks and unsightly vehicles parked on streets. [Law Enforcement Com.]
7. Alfred P. Vogel, 7117 Garland Ave., City. Complaint re failure to receive copy of requested letter. [Planning & Zoning Committee; Public Works Committee]
8. Kenneth A. Lechter, Esq., 8901 Annapolis Road, Lanham. Request for execution of petition for abandonment of portion of Hannon Street, P.G. Co. [Public Works Committee]
9. S. Michael Derato, 413 Lincoln Ave., City. Complaint of disruptions during business session of Council meetings. [Council Files]
10. Harold L. Williams, Secretary, Takoma Park Boys Club, City. Request to correct deficiencies on Hodges Field athletic area. [Parks & Recreation Committee]

MAYOR MILLER'S COMMENTS:

Mayor Miller announced that the next meeting of the Council would be held on April 10, invited all to attend. He also urged everyone to participate in the election on March 28, expressing the hope that a large number of voters would turn out to vote for the candidates of their choice.

At this point, Mayor Miller introduced Mr. Raymond McGuire of the Antique Club, who presented a volume entitled History of American Houses (American Heritage series) to Councilman Forshee for placement in the Library. Mr. McGuire stated that the gift was in appreciation of the cooperation given by the Library staff for the annual antique sale.

Mayor Miller, in company with Fire Lt. Jarboe, who directs the Department's baby sitters program, presented certificates to 17 girls and boys who have completed the course, noting that this group brings the total number of graduates to 507. Instructors and curriculum include: Mrs. Nancy Hartung, RN, and Mrs. Joan Menedis, RN (Infant and Child Care; Medical Aspects of Baby Sitting); Cpl. Gary Sherman (Police Protection); and Lt. James Jarboe (Fire Safety Precaution). Certificates were awarded to the following:

Tina Baker	Janet Edwards	Margarie Monahan
Linda Clements	Tammy Fiske	Donna Reese
Janis Christ	Edna Kemp	Smalls Lavator
Lea Dalrymple	Michelle Letourneau	Maritza Vasquez
Rick Dalrymple	Susan Locker	Dana West
Laura Delaney	Cindy Minyard	

Mr. Arthur Phipps of the Police and Firemen's Association awarded plaques, savings bonds and citations to the following persons in commemoration of the events stated: Fireman Douglas Marino, for saving the life of a child on September 18, 1971; Cpl. Gary Sherman and Officer John C. Goetz, for apprehension of a suspect in connection with the robbery of Suburban Trust on January 27; Miss Joni C. Walter, for her accurate description of a suspected robber of Takoma Market on January 28; Sgt. Johnny Walter, Cpl. Gary L. Sherman and Officer Phil Kania, for the apprehension of that suspect; Cpl. Gary L. Sherman for the apprehension of the suspected perpetrator of the Castleberg Jewellery robbery on February 15.

PUBLIC PARTICIPATION:

1. Joseph Cangialosi, 7001 Poplar Avenue, City. Mr. Cangialosi requested that Council intercede with the Revenue Authority on behalf of a Takoma Tower resident who has made complaints to him concerning the recent \$5 per month parking fee (with no provision for reserved space) and the required \$60 per month fee for food. Mayor Miller assigned this to the Housing and Code Enforcement Committee. Mr. Cangialosi also suggested that information be sought on the satisfaction of residents of the building prior to considering additional similar facilities.

2. Joseph Ferrier, 7413 Maple Avenue, City. Mr. Ferrier noted that an acquaintance who travels Maple Avenue has found the stop sign at Tulip to improve the situation, even though it could cause difficulties in icy weather. He then commented on the Saturday night meeting at which all candidates were to have appeared, expressing disappointment because the Mayor and Council were unable to be there. He noted that when a show of hands on how many persons knew the Mayor and Council was called for, only about half the audience responded. He spoke of Mr. Douglas Ziegler who, as the sole opposition spokesman, made the evening more interesting than it would have otherwise been.

3. Henry Preston, 1001 Sligo Creek Parkway, City. Mr. Preston referred to the situation at 1111 Sligo Creek Parkway, noting that five cars--four of which have no tags--have been on the premises for over 60 days; that there is also a refrigerator there; that both are in violation of the court order. He said he had requested help from the Police Department, but to no avail. Sgt. Walter, upon request by Capt. Porter, stated that there is one car without tags

displayed, but the owner has obtained new tags. Mr. Preston stated that three cars without tags are parked in front of the BP gas station. Mayor Miller referred this to the Police Dept.

4. Ellen Marsh, 7405 Maple Avenue, City. Mrs. Marsh thanked Council for putting up the stop signs on Maple at Tulip Avenue, stating she would like to see them remain permanently whether or not they solve the speeding problem, since they would tend to discourage commuter traffic. She also suggested that permitting parking on both sides of Maple would tend to deter speeding. Councilman Nishimoto stated a hearing would be held on the stop sign in about 90 days, and requested that Mrs. Marsh speak at that time. Mrs. Marsh referred to an article in the April issue of Smithsonian magazine, which gives an account of how citizens in the area on their own initiative successfully fought the proposed North Central Freeway, a project which had been supported by most official bodies in the early days. She expressed the hope that the City government would be at least as receptive to citizens' desires as County officials in such matters. Councilman Roth pointed out that the City Council had opposed the North Central Freeway from the start.

5. Opal Daniels, 19 Sherman Avenue, City. Mrs. Daniels commented on practicing conservation of resources and ways in which the City government could help, noting that recycled paper is already being used for reproduction of the minutes, and suggesting that the City really support the efforts of the Recycling Center, and initiate others; e.g., by arranging to pick up all recyclable materials (paper, cans, glass), more people would participate. She felt the City should not await area-wide decisions, but lead the way. Mrs. Rith Marth, 7308 Cedar Avenue, thanked Mrs. Daniels for her comments.

6. Bernice Meyers, 7212 Cedar Avenue, City. Mrs. Meyers referred to a campaign speech in which a statement was made to the effect that Takoma Park police and firemen receive some \$3000 less than men of equal rank on the Silver Spring forces. She requested that this be corrected, if it is the case. Mrs. Meyers protested against the procedure used for selection of election officials, noting that though she is an eleven-year resident, she has never been asked to serve. She suggested the use of a questionnaire in the future. After having been told by Councilman Roth that the proposed cul-de-sac at Maple and the D.C. line had been decided against, Mrs. Meyers requested that a communication be prepared for her spelling out the reasons for the rejection. Mrs. Meyers also made the following requests: (1) That a public hearing be held on the proposed RAP, Inc. facility on Albany and Buffalo Avenues, and that the Mayor and Council seek a different location. Mrs. Meyers stated she favors half-way houses, but does not feel it should be located in North Takoma. (2) That a second ambulance be purchased and that services be expanded so that the hospital providing the best facilities for patients' needs might be utilized. She stated that she had recently requested that her husband be taken to George Washington, but was refused on the grounds that the ambulance does not go into D.C.; she noted, however, that she has since learned that it does go to Walter Reed.

7. James Welu, 7330 Piney Branch Road, City. Mr. Welu referred to agenda item, "Request for Council to oppose proposed Montgomery County Urban Development Corp.," and cited an item from the March 26 Star which indicated that this proposed constitutional amendment [HB-1264] is on the floor of the House of Delegates. He stated he would be interested in knowing Council's reaction to the proposal, and expressed concern that it may be passed through the House prior to action by the Council.

8. Vernon Ricks, 5 Lee Avenue, City. Mr. Ricks stated he wished to clarify a statement of his taken out of context which was used by a member of the Takoma Limited Committee on a radio broadcast the previous night. He read from a letter addressed to that Committee, dated February 5, in which he stated he had decided not to run on the Committee's slate and enumerated the factors involved in his decision: ". . . in sorting out my own goals I find my priorities to be somewhat different. My first priority is to be elected--without achieving that, other goals become simply rhetoric. [Mr. Ricks stated that 'My first priority is to be elected' was used in a denunciatory manner; that the remainder of the sentence was omitted.] I find too, that I am reluctant to support a status quo position. There are many different

concerns and interests in our small community that I believe would be best served by thoughtful, honest, individual consideration. Finally, I believe my second priority, to represent those groups that have not felt a fair representation, would best be achieved through other avenues.

9. Robert Moore, 7314 Willow Avenue, City. Mr. Moore inquired as to whether the Recreation Department has plans for the acquisition of a strip of land behind 7316 Willow Avenue, to which Councilman Webb replied that some inquiries have been made, but no formal action has come before the Council. Mrs. Jewell Turner, 226 Grant Avenue, stated that the property belongs to Mrs. Jane Austin.

10. Evelyn Ferry, 24 Hickory Avenue, City. The acquisition of this property for a playground was considered a few years ago, Mrs. Ferry said, adding that it could probably be had, if the City is willing to meet the price. Mrs. Ferry also stated that she believed she was the only one to support increasing the police and firemen's salaries, even if it meant higher taxes, noting that most people favor higher salaries, but back off when confronted with the possibility of a tax increase.

11. Christopher Forden, 7402 Glenside Drive, City. Mr. Forden asked if Council still supports the widening of Route 410, to which Mayor Miller replied that Council has never favored the proposal; that the City Council in 1949 opposed it; that in the early 1960s, he had stopped at each house along Philadelphia Avenue, in an effort to dispel the fears of the residents on this subject. Mr. LeMay, 704 Philadelphia Avenue, later noted that his house had not been included in that tour. Mr. Forden then spoke of Council's endorsement of the Metro area plan, after which Mayor Miller explained that Council did not and, in fact, cannot endorse a plan prior to a public hearing. Mrs. Meyers reviewed events which culminated in the four Park and Planning workshop sessions, and pointed out that citizens had been told at Commission headquarters shortly after the proposed plan was put in distribution, that it had been drawn up in cooperation with the Mayor and Council; and that the Council itself had requested the plan. Mayor Miller responded by saying that Council had requested the Commission to come up with an amendment to the master plan for public hearing, which would take into consideration the planned Metro stop. This was done, he said, with the realization that the stop would bring change, and in the belief that such change should be controlled by the people. He pointed out that, had no plan been asked for, speculators could have bought up a good deal of the available land under the high density zoning of the 1963 plan. He emphasized the fact that no plan can be adopted without a public hearing for citizen input.

12. Robert Mulligan, 7309 Cedar Avenue, City. Upon inquiry by Mr. Mulligan as to Council's position on the State Highway Administration's proposed widening of Route 410 in the Prince George's sector of the City, Councilman Roth stated that he planned to put a motion on the floor later in the meeting.

13. Kathryn T. Simpson, 7300 Cedar Avenue, City. Mrs. Simpson stated that in the six years she has been involved with the problems of the City and its government, she has always found the Mayor and Council the first to be aware and the first to respond to problems which have arisen.

14. Michael Derato, 413 Lincoln Avenue, City. Mr. Derato reiterated the request made in his letter [correspondence section], and requested that persons who wished to address themselves to items on the agenda, do so prior to the beginning of the business session of the Council. He requested that comments and questions from the floor not be permitted during that portion of the meeting. Mrs. Marth said she had always understood that members of the audience were free to speak at any time during a meeting. Mayor Miller stated that he attempts to give everyone who so desires an opportunity to speak.

15. Mrs. Opal Daniels stated that Takoma Park was the first city in the area to make a study of anticipated change around the Metro stop; that other areas appeared to be unconcerned about possible problems; that she does not believe Council to be unaware of what is going on; that perhaps this is the reason the City does not have a large commercial development and tall buildings unsuited to the area, and that she appreciated this very much.

16. James Jeffas, 7600 Hammond Avenue, City. Mr. Jeffas stated he felt that interruptions during the Council business sessions are necessary for clarification of misunderstandings. He cited a statement to the effect that no request had been made to improve the north end of Hammond Avenue, which was made by Councilman Roth at the last Council meeting, and said that some time ago he had requested that gravel be put there. Councilman Roth stated that this is a matter of semantics, and explained that the term "improved" is commonly used in connection with roads to indicate paving. Mayor Miller requested that further discussion of this matter be postponed until the public hearing. Mr. Jeffas suggested that a notice be placed in the Newsletter stating that minutes of Council meetings are available upon request. Mayor Miller requested that this be done.

In response to Mr. Jeffas' inquiry, Councilman Roth said that the Park and Planning Commission had recalled their proposals for solving the problem of access to the Langley Professional Building parking lot; that he did not know why, unless it was because of the report he made at the last Council meeting. The City Administrator, in response to Mr. Jeffas' query, stated that in the case of a public hearing on the proposed abandonment of a City street, notices are not posted at the site; instead, a notice is published for two consecutive weeks in an appropriate local newspaper. Mr. Jeffas asked that the record show that 46 persons had signed the petition to reopen Hammond Avenue. He also asked for the cost of construction of the Maple Avenue sidewalk by City forces as compared with a private contractor. Mr. Welu stated that notice of the above-mentioned public hearing could have appeared in the Newsletter, pointing out that a report on the Caucus, held after the public hearing was set up, did appear.

17. Mrs. Meyers stated that she has never questioned the integrity, neighborliness, or honesty of the Mayor and Council, but rather has objected to their lack of responsiveness to citizens' desires, and failure to involve citizens in such matters as early planning for the Metro area, or the selection of election officials.

18. Mrs. Etta Mae Davis, 703 New York Avenue, City. Mrs. Davis referred to a radio broadcast in which it was stated that matters concerning charter changes, public hearings, etc., are published in newspapers, and asked why such things are not also published in the Newsletter. In response to Mr. Jeffas' question, the City Administrator stated that notices of the Hammond Avenue hearing had been published in the Prince George's Post. Mr. Jeffas felt the circulation of this paper to be sparse and suggested that the Sentinel be used instead.

* COMMITTEE REPORTS:

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilmen Nishimoto and Sidell reporting

1. Renewal of animal warden contract. Councilman Nishimoto moved for adoption of the following ordinance:

ORDINANCE NO. 2200

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 No. 2117, to enforce control over dogs, as provided in Ordinance 2113, AND
- SECTION 2. WHEREAS his appointment has been limited to quarterly periods, and it has been determined that his services have been effective and need to be continued.
- SECTION 3. THEREFORE THAT the provisions of Section 1, 2, 3, and 4 of Ordinance 2117 be extended for an additional three months, through June 30, 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 April 1, 1972.

The motion was seconded by Councilman Eppes, and the ordinance adopted by roll call vote, recorded as follows: Aye: Councilmen Eppes, Forshee, Nishimoto, Roth, Sidell and Webb. Nay: e. Excused: Councilman Hutmire.

2. Public hearing on 8204 Flower Avenue. Councilman Sidell reported that this hearing, scheduled for March 30, has been indefinitely postponed at the request of the owner. Following Councilman Sidell's request to remove the item from the agenda, Mr. Ramsey, 8300 Flower Avenue, requested that it remain, whereupon Councilman Sidell stated that the hearing had been set up at the owner's request, and that the apartment in question cannot be rented until it is brought into compliance with the code.

3. Clarification of Code Enforcement and Police Department functions. Councilman Sidell requested that this item be removed from the agenda, explaining that a memorandum of understanding has been exchanged between the two departments to clarify their sometimes overlapping duties.

4. Housing Code violations at Winchester-Takoma. A final inspection was made on March 20, Councilman Sidell said, and the progress found to be most unsatisfactory. He stated that another extension of time was requested, but denied, and asked that the Corporation Counsel proceed with necessary legal steps to ensure that the place is brought into compliance with the code.

5. 1111 Sligo Creek Parkway. Councilman Sidell stated that the Division is aware of the presence of the automobiles reported by Mr. Preston, and have notified County officials. Capt. Porter stated that one of his men had been unable to locate the refrigerator mentioned earlier. Later in the meeting, Mr. Preston reported that he had just come from 1111 Sligo Creek Parkway and the refrigerator and cars were on the premises.

6. Appointments to Community Improvement Board. Councilman Sidell moved for Council approval of the following persons to the Board, noting that they represent only a partial list of volunteers: Zone 1: Mrs. Frances Phipps; Zone 2: Mr. Duncan Wall, Mr. Michael Bray; Zone 3: Mrs. Margaret Holmes, Mrs. William Giese, Mr. Perry Schroeder; Zone 6: Mrs. Allen Thornton; Zone 7A: Mrs. Charles Riley, Mrs. Ann Grice; Zone 7B: Mrs. Julena Jones, Mr. Clifford Waldron. Councilman Forshee seconded the motion, after which both he and Councilman Roth commented on the work accomplished by this group of volunteers and commended them for their efforts. The motion to approve the appointments unanimously carried.

7. Reported miscellaneous housing code violations. Councilman Sidell reported on the following in response to Mr. Phil Vogel's request to Councilman Hutmire: 7300 Trescott Avenue is owned by a person who is ill and not in a position financially to bring the house into compliance with the code; the case of 7208 Flower Avenue was closed in June, after some difficulty; residents of Boyd Avenue west of Jackson have been directed to clean up their yards, etc.; 7512 Jackson is immaculate, as it has always been.

PUBLIC WORKS COMMITTEE: Councilman Roth reporting

Councilman Roth further commended the policemen and firemen who received awards, noting the dangers and hard work inherent in this type of work.

1. Route 410, Prince George's County. Councilman Roth moved that Council communicate with the Prince George's County Council to express opposition to the proposed widening of Route 410, with the letter to indicate that similar opposition has been voiced to the Montgomery County Council. He specifically asked that Councilman Francis White, an advocate of the widening, be contacted. The motion was seconded by Councilman Eppes and carried.

2. Request to improve access to Langley Prof. Bldg. parking lot. Councilman Roth reported that he and Mr. Rhodes have made some preliminary surveys, and that sketches are being prepared for possible use of the service drive in this connection. Councilmen Nishimoto and Forshee requested that this be coordinated with the Police Department and the State Highway Adm.

3. Recycling. Councilman Roth reported that the Department has picked up 5.5 tons of newspapers and magazines during the short period of the new operation. He requested that residents call the Department for this special Wednesday pick-up. He stated also that the Department is happy to cooperate with the Recycling Center and, in response to Mrs. Marth's question stated that Council does intend to support the proposal for County collection of newspapers.

4. Public hearing on abandonment of Hammond Avenue. Mr. Mulligan requested that the hearing be postponed and that dissemination of this type of information be worked out so as to reach more citizens than the method presently employed, asking that date be set to permit publication in the Newsletter. Mr. Welu suggested the use of flyers in this instance, and Councilman Forshee inquired if the boundaries of New Hampshire, Langley Shopping Center and Carroll Ave. to Long Branch Parkway would be acceptable as an area of distribution, to which Mr. Jeffas responded in the affirmative. Following further discussion, Councilman Forshee moved that the hearing be rescheduled for May 1. The motion was seconded by Councilman Eppes and carried, with Councilman Roth voting in the negative.

5. Storm drain overflow near 1402 Erskine Avenue. This project has been completed, Councilman Roth said, and requested the City Administrator to express Council's appreciation to the Prince George's County Executive. He gave details relative to the genesis of the situation and the many attendant problems, indicating it was finally resolved via an agreement with the County Department of Public Works in which they were to do the work and the City to pay for materials.

6. Fence on Philadelphia Avenue adjacent to Takoma Elementary. The work on the fence has been completed, Councilman Roth reported.

7. Personnel. Councilman Roth moved for the approval of the appointment of Mrs. Elizabeth Correal as Clerk-Typist in the Department at an annual salary of \$5680, effective April 1. The motion was seconded by Councilman Sidell and carried.

FIRE PROTECTION COMMITTEE: Councilman Eppes reporting

1. Fire code violations at Winchester-Takoma. Councilman Eppes reported that the eight violations has been reduced to one.

2. Sale of vehicle. Councilman Eppes moved for adoption of the ordinance below, which is self-explanatory:

ORDINANCE NO. 2201

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

SECTION 1. THAT WHEREAS Ordinance 2194, adopted February 28, 1972, authorized the transfer of 1965 Ford Custom 4-door sedan, Serial #5N54V169793, Fire Department Car No. 23, to Carl G. Fiske upon payment to the City Treasurer the sum of \$303, AND

SECTION 2. THAT whereas the vehicle was damaged by collision subsequent to the inspection and bid by Carl G. Fiske, the extent of damages being quoted by two repair firms in excess of \$100, AND

SECTION 3. THAT WHEREAS Carl G. Fiske agreed to accept the vehicle in its damaged condition for the sum of \$203.

SECTION 4. THEREFORE THAT Section 3 of Ordinance 2194 be amended to read as follows:
 Section 3. THEREFORE the high bid is hereby accepted and the City Administrator is authorized to transfer Title #D-989377 covering 1965 Ford Custom 4-door sedan, Serial #5N54V-169793 to Carl G. Fiske, upon payment to the City Treasurer the sum of TWO HUNDRED THREE DOLLARS (\$203).

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

PLANNING AND ZONING COMMITTEE: Councilman Sidell reporting

Councilman Sidell stated he felt the dates for the two proposed hearings on the agenda could be deferred for action by the new Council.

FINANCE COMMITTEE: Councilman Forshee reporting

1. Municipal building--purchase of carpeting. Councilman Forshee proposed an ordinance to authorize the substitution of carpeting for tile in the council chambers, as described below:

ORDINANCE NO. 2202

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

SECTION 1. THAT WHEREAS Ordinance 2152, adopted March 22, 1971, awarded the contract to Martin Bros., Inc. for construction of the Municipal Building at 7500 Maple Ave. AND

SECTION 2. THAT primarily due to the slope of the floor and for improved acoustics, appearance and maintenance, it is desirable that the Council Room floor be carpeted in lieu of vinyl asbestos tile.

SECTION 3. THEREFORE THAT the City Administrator is hereby authorized to execute Change Order #4 in the total sum of ONE THOUSAND, EIGHT HUNDRED FIFTY-SIX AND 10.100 DOLLARS (\$1,856.10) to omit the vinyl asbestos tile flooring and install in lieu thereof carpeting and pad, equal in quality and color to that specified in the other areas of the building, AND

SECTION 4. THAT the cost of the change be charged to the Special Building Fund account.

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

2. Expenditures--November thru February. Councilman Forshee moved for approval of the following expenditures, noting that the first payment on the bond issue and several insurance premiums are reflected by the deviation from the average monthly expenses of \$120-\$130,000: November, \$131,971.58; December, \$177,132.47; January, \$150,602.26; February, \$116,583.35. The motion for approval was seconded by Councilman Eppes and carried.

Councilman Forshee stated that other agenda items, plus some not on the agenda, should be held for consideration by the new Council.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

1. Equipment. Councilman Webb moved for approval of the purchase of the following items for use in the Department, with charges to be made against A/C 19.203B: one Daylight Picture King tripod from Embassy Camera Center @ \$125; one standard 3" lens for RCA Model 1600 projector from Wilson Gill, Inc. @ \$97.95. The motion to approve the purchase was seconded by Councilman Forshee and unanimously carried.

2. Hodges Field improvement. The recommendations of the Boys Club will be studied in connection with the work already planned, Councilman Webb said.

3. Activities. Events scheduled include the following, Councilman Webb stated: April 1, Easter egg hunt, Junior High; April 4, 8:00 PM, band concert, Junior High Auditorium; April 15, 10:30 AM, "Wizard of Oz," Our Lady of Sorrows Auditorium; Easter holiday gym program (as posted on Gym bulletin board).

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

1. Clarification of Police Department and Code Enforcement Div. functions. Councilman Nishimoto referred to Councilman Sidell's report on this and asked that the item be removed from the agenda.

2. Bus stop sign on Ethan Allen near Sycamore Ave.; Philadelphia and Maple Avenue traffic light adjustment; traffic hazard at Piney Branch, Eastern and Takoma Aves. Action on these items is awaiting a report from the State Highway Administration, Councilman Nishimoto said.

3. Crosswalk on Carroll at Anne Street. Councilman Nishimoto stated that the State Highway Administration has recommended against this crosswalk, and asked that a copy of their letter be sent to the initiator of the request.

4. Crosswalk on Maple at Sherman; pathway from Maple/Grant Avenues to Takoma Elementary. These are under consideration by the Committee, Councilman Nishimoto reported.

5. Speed control on Maple Avenue. Councilman Nishimoto stated the patrols would be con-
ued, and requested that a record be kept for use at the meeting on the Maple-Tulip stop sign,
to be held some three months from now.

6. Personnel. Councilman Nishimoto moved for approval of the permanent appointment of
Pvt. Daniel N. Wortman, effective March 15. Motion was seconded by Councilman Eppes and
carried.

SPECIAL LIBRARY COMMITTEE: Councilman Forshee reporting

1. Purchase of typewriter. Councilman Forshee moved for authorization to purchase an
Olympia standard typewriter for use at the Library, with the cost of \$193.20 to be charged
to A/C 19.103D. Motion was seconded by Councilman Webb and carried.

There being no further business to come before the Council, Mayor Miller called for a
motion to adjourn. Motion was made and seconded, and the meeting adjourned by unanimous vote
at 10:12 PM, to reconvene in the Municipal Gymnasium on April 10, 1972, at 8:00 PM.

ATTEST: *Hayes M. Lidgren*
City Administrator-Clerk

Approved: *George M. Miller*
Mayor

COMMUNICATIONS SECTION
MAY 1 1972
CITY OF WASHINGTON
COMMUNICATIONS SECTION
MAY 1 1972
CITY OF WASHINGTON

THE CITY OF TAKOMA PARK, MARYLAND

SPECIAL MEETING OF THE MAYOR AND COUNCIL

March 29, 1972

Mayor Miller called the meeting to order at 8:06 PM. Those present were: Councilmen Roth, Webb, Hutmire, Nishimoto, Sidell, and Councilman-elect Ricks; City Administrator Pridgen; Election Officials George Friedrich, Alfred L. Lillie, Herbert D. Smith, Gibson S. McKenzie, Mary K. Gately, Mary Ann McGuire, Onna C. Thornton, Catherine Chaney.

Mayor Miller stated that the meeting had been called for the Election Officials to make an official presentation of the March 26 election results. Mr. George Friedrich, Chairman, made the following report:

Mayor and City Council
City of Takoma Park, Maryland

Mayor and Council Members:

The undersigned, duly appointed and qualified Judges of Election, have the honor to submit the following report of the City Election held the 28th day of March, 1972, in the Takoma Park Fire Department building:

The Board was organized with the appointment of George Friedrich, Chairman; Chatherine A. Chaney, Betty C. Cook, Mary K. Gately, Georgia B. Johnson, Claire B. Kozel, Alfred L. Lillie, Abby J. W. Mandel, Ellen R. Marsh, Mary Ann McGuire, Gibson E. McKenzie, Alice Helen Myers, Katherine W. Paterson, Dorothy M. Porter, Thelma R. Russell, Julia M. Russo, Herbert D. Smith, Onna C. Thornton, as Judges, after having taken the prescribed Oath of Office before the Mayor. The polls were opened at the legal hour of 7 o'clock AM and closed at the legal hour of 7 o'clock PM.

The following candidates for Mayor received the number of votes set opposite their names:

Roderic F. Davis	808
George M. Miller	1139

Candidates for Council Members received the following number of votes:

1ST AND 2ND WARDS, MONTGOMERY COUNTY:

Robert H. Moore	727
Kenichi Nishimoto	1217
Ralph F. Sidell	1056
Gene O. Stowell	665

3RD AND 4TH WARDS, MONTGOMERY COUNTY:

Joseph S. Cangialosi	747
Paul O. Davis	207
Vernon H. Ricks, Jr.	1057
Kurt H. Stern	620
Joseph H. Webb	998

5TH WARD, MONTGOMERY COUNTY:

Clayton D. Forshee	1087
Beverle G. Thomas	732

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY:

Ian K. Burgess	1030
Frederick H. Levenson	710
John D. Roth	1061
Alfred P. Vogel	762

The following candidate for Mayor received the highest number of votes, and was duly elected Mayor for a period of two years from the second Monday in April 1972:

George M. Miller

It appears from the ballots cast that the following candidates for Council Members received the largest number of votes in their respective wards and were duly elected Council Members for a period of two years from the second Monday in April 1972:

1ST AND 2ND WARDS, MONTGOMERY COUNTY:

Kenichi Nishimoto
Ralph F. Sidell

3RD AND 4TH WARDS, MONTGOMERY COUNTY:

Vernon H. Ricks, Jr.
Joseph H. Webb

5TH WARD, MONTGOMERY COUNTY:

Clayton D. Forshee

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY:

Ian K. Burgess
John D. Roth

The results of the election indicates that 1993 registered voters cast their votes. Mr. Pridgen, the City Clerk-Administrator, informs us that there were a total of 6785 certified registered voters, 4593 of which are registered in Montgomery County and 2192 in Prince George's County.

Certificates of Election in accordance with the results stated above have been prepared, and it is my pleasure to present them at this time.

Respectfully yours,

/s/ George Friedrich, Chairman

Councilman Nishimoto moved that the report be approved; the motion was seconded by Councilman Roth, and carried. Mayor Miller expressed appreciation to the Officials for their long hours of hard work. He noted that the present Council and the opposition slate had also worked hard, and commended both groups for their exemplary conduct at the polling place. Mr. Friedrich stated that the Election Officials had agreed that the minutes should reflect their appreciation to the Fire Department and the Volunteer Firemen for their assistance during the election hours.

The City Administrator stated he had received the following letter about 4:00 PM on March 27, and asked that it be incorporated into the minutes:

7214 Cedar Ave.
Takoma Park, Md.
March 27, 1972

City Administrator
City of Takoma Park
Takoma Park, Md. 20012

Dear Sir:

I am a registered voter in Montgomery County 13th District, 4th Precinct, and therefore a registered voter in Takoma Park. I am unable to be in town on March 28, 1972, and therefore wish to submit my ballot in writing to be case on the voting day for the City of Takoma Park elections.

Enclosed is a sealed envelope with my cast ballot. Please submit this ballot to the proper authorities on the voting day.

Thank you,

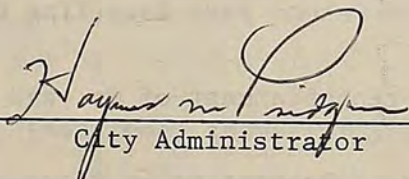
/s/ John J. Mecholsky, Jr.

Mr. Pridgen stated that the ballot is still in its sealed envelope; that, after verifying with the Corporation Counsel that the City Charter has no provision for casting an absentee ballot (also citing Article 33, Secs. 27-3 & 4, Annotated Code of Maryland), he had tried unsuccessfully to telephone Mr. Mecholsky on four occasions during the evening of March 27, to inform him of the situation; and that on the advice of Counsel, he will file the letter and ballot with the 1972 election records and notify Mr. Mecholsky by letter of the foregoing. Mr. Friedrich and Councilman Hutmire spoke of similar questions raised by other persons--someone who was bedridden in the first instance, and a member of the armed forces in the second. Both expressed a desire for providing for absentee balloting, with Mr. Hutmire pointing out that a whole new procedure will have to be devised because of the short span of time between the nomination of candidates and the election itself, and suggesting that the Corporation Counsel and City Administrator explore means of overcoming the present difficulties. Councilman Roth expressed agreement with the above. [Mayor Miller excused Councilman Roth at this time.] Mayor Miller suggested that a better time of the year, weather-wise, be explored also.

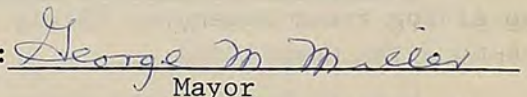
The City Administrator stated that there are many problems, the most immediate of which is the recent court decision on the residency requirement, which Counsel Gingerich believes can be interpreted to mean that legal residency is established almost immediately after moving to a new location. He indicated that some cut-off procedure will have to be built into the Charter. Mayor Miller requested that the City Administrator come up with a proposal which will provide the necessary legal machinery for accomplishing those things discussed above so as not to disenfranchise anyone. There was also discussion of the possibility of the City conducting its own voter registration and agreement to consider holding the next election in the Municipal Building.

There being no further business, Councilman Hutmire moved for adjournment. The motion was seconded and the meeting adjourned by unanimous vote at 8:28 PM.

Attest:


City Administrator

Approved:


Mayor