

## THE CITY OF TAKOMA PARK, MARYLAND

## EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

August 14, 1972

City Officials Present

Mayor Roth	City Administrator Pridgen
Councilman Forshee	Asst. Corp. Counsel Culpepper
Councilman Nishimoto	City Treasurer Turner
Councilman Ricks	Fire Chief LaScola
Councilman Sidell	Police Chief Porter
Councilman Webb	Acting Dir. of Public Works Barile
	Director of Recreation Ziegler
Excused: Councilman Burgess	Code Enforcement Officer Olsen

The Takoma Park City Council met in executive session at 8:00 P.M., August 14, 1972 in the Council Chambers, Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance to the Flag, Mayor Roth called for a motion to dispense with the reading of the minutes of the previous meeting if there were no corrections or additions. A motion to approve the minutes as submitted was made by Councilman Forshee, seconded by Councilman Ricks and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Mayor and Common Council of Seat Pleasant, 54 Addison Road, Seat Pleasant, Maryland: Expression of sympathy upon Mayor Miller's death.
2. Mayor and City Council, City of Rockville, Maryland: Resolution expressing condolences on the death of Mayor Miller.
3. Mayor and City Council, City of College Park, Maryland, 4500 Knox Road: Resolution expressing sorrow at the demise of Mayor Miller.
4. Mr. Elisha C. Freeman, Chief Administrative Officer, Office of the County Executive, Montgomery County, Maryland: Transmittal of report relating to the work being done in the TESS area and request for comments and recommendations on how to deal with the problems of Code Enforcement. (Housing and Code Enforcement Comm)
5. Hon. William Sher, Vice President, Montgomery County Council: Transmittal of newly enacted Landlord-Tenant Bill and suggestion that municipalities consider similar provisions. (Housing and Code Enforcement Comm.) Mayor Roth noted that the Montgomery County Bill will be considered along with the Prince George's County provisions prior to adopting something similar in the City.
6. Hon. William Sher, Vice President, Montgomery County Council: Acknowledgement of letter regarding RAP facility and notation that it is a Board of Appeals decision. (Council Files)
7. M's Marguerite S. Gulli, Administrator, Prince Georg's County, Hyattsville, Maryland: Letter regarding application and denial of Silver Gardens Restaurant for alcoholic beverage license. (Planning and Zoning Comm.)
8. Mr. S. Michael Derato, 413 Lincoln Avenue, Takoma Park, Maryland: Letter requesting feasibility study prior to the retention of building at #8 Columbia Avenue by the City for civic use. (Special Committee chaired by Councilman Forshee)

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9. Mrs. Margaret Holmes, President, Chapter 838, Takoma Park AARP, Inc., 10 Pine Avenue, Takoma Park, Maryland: Letter requesting a push button traffic light at the Takoma Tower Apartments for the elderly to facilitate their crossing Carroll Avenue. (Law Enforcement)
10. M's Tressa C. Johnson, 7409 Aspen Avenue, Takoma Park, Maryland: Letter regarding undesirable conditions on Aspen Avenue. (Housing and Code Enforcement Comm.)
11. Kenneth A. Lechter, Hoyert, Diemer, Yoho, Hooten and McBride Law Offices, 8901 Annapolis Road, Lanham, Maryland: Final decree regarding abandonment of part of Hannon Street (outside City limits but abutting city line). (Council Files)
12. Resolution from TESS Commission regarding expansion of Montgomery College into Block 69 and request for suspension of plans pending evaluation of new data. (Planning & Zoning)
13. Gene O. Stowell, President, Block 69 Committee; Joseph Ferrier, President, Save Takoma Park Committee; James A. Welu, President, Takoma Limited Committee; Roderic Davis, President, North Takoma Civic Association: Letter requesting that question of Block 69 be reopened and support given to the other alternatives for expansion of the College. (Planning & Zoning)
14. Mr. Phil Vogel, Secretary, Takoma Park Independence Day Committee, Inc.: Request to officially designate the Municipal Building as the "George M. Miller Municipal Building" (Council as a Whole)
15. Mrs. George Richardson, 112 Sheridan Avenue, Takoma Park, Maryland: Letter with petition containing 50 signatures requesting that Municipal Building be named in honor of the memory of Mayor Miller. (Council as a Whole)
16. Petition containing 112 signatures from various parts of the City requesting that name of Municipal Building be changed to the "George M. Miller Municipal Building of Takoma Park" as a memorial to the late Mayor. (Council as a Whole)

FINANCIAL STATEMENT: City Treasurer Turner reporting.

See following page

Mayor Roth welcomed those present to the second meeting in the new Council Chambers and noted that a story will be in the Newsletter soon announcing the dedication ceremony for the building to be held on October 1st. Mayor Roth stated that a new format is being used at this meeting for the agenda and observed that this may not meet all of the desires of the citizens or the Councilmen. He stated that things have been listed under each of the Committees which are open for discussion and things on which the Committee Chairman plans to take action. He noted the difficulty which may be encountered in preparation of the new format and mailing to interested parties on Friday prior to the Council meeting on Monday as the Public Works Committee does not meet until Thursday preceding each meeting. Mayor Roth further noted that copies (or at least one) will be available in the Library on Friday afternoon or evening and also the City Offices on Friday afternoon. He stated that the old format agenda will be published quarterly or semi-annually and stated that things will not be placed on the action agenda until the Committee is ready to take action. Mayor Roth inquired of the Council if any matters had come up after the agenda was prepared. Councilman Ricks and Councilman Nishimoto both indicated in the affirmative. Councilman Nishimoto stated that he would like comments on two things prior to his Committee report. He spoke regarding a request made by Mr. Sokolof for a meeting with the Police Chief and himself. He stated that the meeting has been set for August 29, 7:30 P.M. and is open to the public for an informal, give and take type, discussion. Councilman Nishimoto remarked about the publication being distributed by the Police Department "Partners - Police and Public" and stated that the Department hopes to use it in school programs to better inform youth and parents on drugs.

FINANCIAL STATEMENT OF BANK BALANCES AS OF JULY 31, 1972: City Treasurer Turner reportingSUBURBAN TRUST COMPANY - GENERAL FUNDS

Balance as of June 30, 1972	144,312.40	
July receipts	<u>56,502.42</u>	200,814.82
July Disbursements		<u>128,666.60</u>
Balance as of July 31, 1972		<u><u>72,148.22</u></u>

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of June 30, 1972	16,350.35	
July Transfers from General Funds	<u>85,604.43</u>	101,954.78
July Disbursements		<u>98,279.85</u>
Balance as of July 31, 1972		<u><u>3,674.93</u></u>

CITIZENS BANK OF MARYLAND - GENERAL FUNDS

Balance as of June 30, 1972	800.14	
No transactions during July	<u>-0-</u>	800.14
Balance as of July 31, 1972		<u><u>800.14</u></u>

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENT FUND

Balance as of June 30, 1972	780.31	
No transactions during July	<u>-0-</u>	780.31
Balance as of July 31, 1972		<u><u>780.31</u></u>

CITIZENS BANK OF MARYLAND - PUBLIC IMPROVEMENT FUND

Balance as of June 30, 1972	112,188.10	
Receipts - July	<u>-0-</u>	112,188.10
July Disbursements		<u>19,740.40</u>
Balance as of July 31, 1972		<u><u>92,447.70</u></u>

CITIZENS BANK OF MARYLAND - SAVING ACCOUNT-TP63

Balance as of June 30, 1972	159.82	
No transactions during July	<u>-0-</u>	159.82
Balance as of July 31, 1972		<u><u>159.82</u></u>

AMERICAN NATIONAL BANK-GENERAL FUNDS

Balance as of June 30, 1972	500.00	
No Transactions during July	<u>-0-</u>	500.00
Balance as of July 31, 1972		<u><u>500.00</u></u>

## PETTY CASH

200.00PUBLIC PARTICIPATION:

1. Mr. LeMay, 704 Philadelphia Avenue, Takoma Park, Maryland: Stated that his address is in the City of Takoma Park (Zip Code 20012) and not Washington, D.C. as indicated on the Newsletter he receives each month. Requested that this be changed once and for all times. City Administrator Pridgen stated that the mailing of the Newsletter is handled by Advertising Distributors of Washington (ADW) which has been proven to be the least expensive method. He noted that he has plans to go to their offices to speak with them regarding several matters, one of them being the correction of some mailing addresses. Mr. LeMay also spoke regarding the masthead of the City Services Newsletter noting that it contains several symbols of the past and expressed a desire to have current things such as the new Municipal Building and the Library pictures on the publication.

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2. Mr. Joseph Ferrier, 7413 Maple Avenue, Takoma Park, Maryland: Welcomed the new Mayor and noted that he has observed the Mayor and Council move their meeting place several times and is happy to see them meeting in the "Athens of Takoma Park". Mr. Ferrier noted that Mr. Ricks has invited him to serve on the Animal Control Committee and he will be looking forward to making whatever contributions to the study he may be able to. Mr. Ferrier spoke also regarding the expansion of Montgomery College into Block 69 and stated that while visiting a Dr. O'Connell in Parole, Md. last week, he observed a map or progress report on the Block 69 area which indicated a large parking area for 300-350 cars. He noted that Mayor Roth has previously stated that none of Block 69 would be used for parking, and inquired as to whether Mayor Roth's information could be more current than that shown on the map.

Mayor Roth stated that his impression is that the College plans to build on the basis of the property that has been acquired or under option. If at some future date they should require more parking, consideration would be given at that time. If no more property is acquired, then more parking would not be planned.

3. Mr. Walter Smith, 7902 Wildwood Drive, Takoma Park, Maryland: Referred to Newsletter article regarding loose dogs and stated his complaint about approximately 20 cats that are permitted to roam with one or two staying close to his residence and creating a disturbance during the night. Inquired as to why an Ordinance can't be passed to control cats. Councilman Ricks replied that he can sympathize with him as he just lost 6 goldfish to a neighborhood cat. Mayor Roth noted that Councilman Ricks is in the process of setting up a committee to study animal control and noted that it will not be easy to find an answer to this problem. Mayor Roth stated that he would suppose the committee will take a look at the nuisance ordinance. Councilman Ricks stated that he would check into the nuisance ordinance as a possible immediate solution to Mr. Smith's problem. Mr. Smith noted the address of one particular cat as being 7905 Cole Avenue.

Mr. Smith further inquired of the Council as to the Over-Age 65 Tax Exemption to be granted by the City this year and noted that Prince George's County now permits a person to have \$7,500. income rather than the previous \$5,000. which is now the City limit. Upon inquiry, Mr. Turner noted that Montgomery County now allows \$6,500. income. Mr. Smith noted a recent reappraisal of his property and inquired as to whether Montgomery County property is reappraised the same as Prince George's County. Mayor Roth stated that the reappraisals usually occur about every three years and not necessarily at the same time in both counties. Mr. Smith stated that he has been told that the reason for high taxes in the City is due to the lack of room for expansion and observed that he understands the City has lost some possible annexation areas due to the high taxes.

Mr. Ferrier offered a suggestion to Mr. Smith for keeping the cat from under the neighbors car thereby eliminating the howling and noted that cats have a dislike for the odor of orange peel and if Mr. Smith could grate up some and place it under the car, the cat would go away. Mr. Smith stated that the car is on his neighbor's property and therefore he can't do this.

4. Mrs. Delores Stowell, 7704 Takoma Avenue, Takoma Park, Maryland: Stated that she is at the meeting to state that she has never and will never accept the widening of Route 410. Regarding Block 69, Mrs. Stowell stated that she has a book which states that they are going to have parking on every phase, as needed and one parking space for each full-time student for a total of approximately 1,500. She noted that she is referring to plans that were sent upon inquiry, two or three weeks ago. She further noted that she cannot understand why more property is needed as the College has space that is not being utilized,

5. Mrs. Rita Marth, 7308 Cedar Avenue, Takoma Park, Maryland: Stated that the City is setting a poor example by having a soft drink dispenser in the Police Department entrance lobby which dispenses cans rather than returnable bottles. Stated that her daughter and some friends recently undertook a clean-up campaign and found mostly soft drink cans and

no returnable bottles. Requested that the City give consideration to the installation of a machine which dispenses returnable containers.

6. Mrs. Etta Mae Davis, 703 New York Avenue, Takoma Park, Maryland: Mrs. Davis noted that there has only been one woman on the Council and she was very active in Recreation affairs. Requested that consideration be given to naming the building #8 Columbia Avenue after her. Stated that August 27th is Montgomery County Day and they are having "An Afternoon with Victoriana" at their home and invited the Mayor and Council to attend and noted that personal invitations would be given after the meeting. The official program is to begin at 5:30 P.M.

7. Mrs. Kathryn T. Simpson, 7300 Cedar Avenue, Takoma Park, Maryland: Noted her concurrence with the suggestion for naming the new Municipal Building in the memory of Mayor Miller. Mrs. Simpson stated that she was at the TESS meeting when the Resolution read during the correspondence portion of the meeting was adopted. She noted that Mr. Ferrier had presented the Resolution at a regular meeting and time did not permit adoption of same, therefore it was placed on a special agenda for a special meeting. She further noted that the Resolution was not presented until 11:45 P.M. and after unsuccessfully requesting that it be postponed it was finally adopted and the meeting adjourned at 1:15 A.M. Mrs. Simpson also noted that the Resolution was not the same one presented at the regular meeting in July as the objection to the original resolution was that no new information had been provided but the subsequent resolution stated that "in view of new data to be presented." She added however, that no new data was presented that night.

8. Mr. Phil Vogel, 7117 Garland Avenue, Takoma Park, Maryland: Mr. Vogel stated that if the Public Works Committee cannot meet earlier in the week to facilitate the mailing of the new format agenda on Friday preceeding the Council meeting, he feels that having them available in the Library on Friday afternoon and evening would be sufficient. Stated that he feels the new format is ideal, however, he would like to see the regular agenda published twice a month. He noted that it is difficult for citizens to know what is being placed on the agenda when it is only printed every three months and feel that it would create a breakdown in communications.

Relating to other matters, Mr. Vogel stated that he would like to see something done about the land immediately behind the curbs, particularly on Philadelphia Avenue from Carroll Avenue to Piney Branch Road where there is no grass planted. He noted that this is City property and should be maintained. He further pointed out the problem of curbing along Ethan Allen Avenue where the road surface is nearly level with the curb and is easily run over and broken off.

On the subject of Animal Control, Mr. Vogel stated that he is happy to see that a Committee is being set up, however, he would like to see some sort of committee set up to make a recommendation regarding the construction of more of Route I-95. He noted that he has brought this up before and understands that Mayor Roth is on a Committee to help decide if it should be built. Stated that he feels there should be a study group to evaluate the feelings of the citizens in order that he may report this back to the larger committee. Mayor Roth stated that he is a member of a steering committee numbering about 85 persons representing various citizens organizations, businesses and elected officials. He noted that one meeting has been held with another scheduled shortly which the public may attend and if any residents wish to offer suggestions, he will be happy to pass them on. He noted that the State Highway Administration has approximately \$500,000. to spend for a traffic study to determine alternatives for the north/south corridor in Western Prince George's County. Mayor Roth further reiterated that he would be happy to receive any input from citizens regarding Route I-95 but that he didn't know what to ask for at this point in time. Mr. Vogel noted that if I-95 follows Northwest Branch, it will come within one mile of the City boundary and development would follow in its wake. Mayor Roth stated that he would be happy to discuss this with Mr. Vogel as soon as there was something to discuss. Mr. Vogel requested that the matter be placed on the Agenda.

9. Mrs. Leslie Agro, 7306 Willow Avenue, Takoma Park, Maryland: Mrs. Agro commended Mrs. Simpson for her report on the adoption of the Resolution at TESS and agreed that the hour was very late, however, it was felt that the vote was necessary as the Board of Public Works was going to decide the issue of Block 69 this week. She noted that it is always the job of the group representing the people to reconsider when presented information they may have overlooked and hopes that the Council will learn more before they take another vote.

10. Mr. James Jeffas, 7600 Hammond Avenue, Takoma Park, Maryland: Stated that he would like to see some sort of central listing of citizens organizations as there seems to be great number of people representing groups that have never been heard of before on committees such as the I-95 Committee.

Mr. Jeffas read an article from a recent local newspaper as follows: "License to Read - The Metropolitan Washington Council of Governments' universal library card system has been extended to include Prince William County. The system devised by COG's librarians' committee now gives reciprocal library privileges to residents of Falls Church, Fairfax, Montgomery and Prince George's Counties. Book borrowers, in addition, can return books borrowed in another participating jurisdiction to a convenient library in their own area, rather than driving all the way back to outermost Upper Marlboro and farthest Herndon. Ten public library systems and several universities already participate in the Metropolitan Area Interlibrary Loan System (MAILS) arranged by the COG librarians' committee in 1969". Mr. Jeffas stated that he feels this might be the proper time for the City to look into this.

11. Mrs. Kathryn T. Simpson, 7300 Cedar Avenue, Takoma Park, Maryland: Mrs. Simpson stated that it is not her intention to give the impression that she is against the property owners in Block 69, but rather, she just wants the College to remain in the City. She further stated that she is under the impression that there is a definite move underfoot to get the College to move its present location to another outside the City.

COMMITTEE REPORTS:

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Item #

5. Etching Machines: Councilman Nishimoto stated that in view of the many comments that have been raised regarding the use of the etching machines for marking personal property, the Committee feels that a Public Hearing should be held and a notice placed in the Newsletter. He stated that the Hearing is scheduled for September 25th, 8:00 P.M. in the Council Chamber at 7500 Maple Avenue. He noted that the Committee would like to hear pros and cons regarding "Project-Theft Guard" as it is named.

Item #

8. Study by Traffic Safety Engineer: Councilman Nishimoto stated that he wished more of the public had been present for the meeting with the traffic engineer. He stated that he was under the impression that the engineer felt that if the State made a recommendation, the City should accept it with no questions. His approach was that we are a community on the edge of the District with a great deal of traffic, therefore, we should be interested in facilitating the flow of traffic as it contributes to safety. Councilman Nishimoto stated that in view of his comments, he wishes to leave this study for the moment to be looked into further as the engineer was talking in terms of widening streets, etc.

Item #

1. Traffic and Parking - Municipal Building: Councilman Nishimoto noted that the first reading of the proposed Ordinance was presented at the previous meeting. He moved the adoption of the Ordinance with the motion being seconded by Councilman Ricks. Councilman Sidell recommended several changes in the wording of the Ordinance and the motion was changed accordingly. The Ordinance was adopted by a Roll Call vote recorded as follows: Aye: Councilmen, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: None. Excused: Councilman Burgess. (See Ordinance No. 2227 - next page)

ORDINANCE NO. 2227

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

SECTION 1. WHEREAS the new Municipal Building is now occupied, it becomes necessary to regulate motor vehicle traffic and parking.

SECTION 2. THEREFORE THAT the driveways and parking facilities at the Municipal Center consisting of the Municipal Building located at 7500 Maple Avenue and the City Library located at 101 Philadelphia Avenue in Takoma Park, Maryland, shall be governed by the following regulations:

- a. Vehicular traffic is hereby prohibited from one public street to another through the Library- Municipal Building parking lot area.
- b. The parking spaces on the Grant Avenue side of the Municipal Building are hereby reserved for Police Department employee parking only.
- c. The parking spaces directly adjacent to the Municipal Building on the Grant Avenue side are hereby reserved for loading and unloading purposes only.
- d. The parking spaces directly to the rear of the Municipal Building nearest the entrance to the Police Department are hereby reserved for public parking for a period not in excess of one hour at all times.
- e. The parking spaces at the extreme rear of the Municipal Building lying between the motorcycle garage and Grant Avenue are hereby reserved for police cruiser parking only.
- f. The first four parking spaces on the west side of the motorcycle garage at the extreme rear of the Municipal Building are hereby reserved for the City Administrator, City Treasurer, Recreation Director and Chief of Police.
- g. The parking spaces on the west side and parallel to the Municipal Building (old Park Avenue) are hereby reserved for public parking for a period of not in excess of one hour at all times.
- h. The parking spaces at the extreme front of the Municipal Building parallel to and headed toward Maple Avenue are hereby reserved for public parking for a period of not in excess of one hour between 9:00 AM and 5:00 PM.
- i. The area directly in front of the Municipal Building main entrance is hereby restricted from parking except for the purpose of immediate loading and unloading parallel to curb only.
- j. The parking spaces lined shall be limited to one vehicle only and vehicles shall not straddle lines.
- k. No vehicle, other than City-owned vehicles or those of City employees on continuous duty, shall be permitted to remain parked on the Municipal Building-Library complex for a period in excess of twenty-four hours.
- l. The driveway lying between the Municipal Building and the Library (old Park Avenue) is hereby designated for one-way traffic north. Southbound traffic in the aforesaid driveway area is hereby prohibited.

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- m. The driveway from Grant Avenue and lying directly in front of the Municipal Building is hereby designated for one-way travelling west. Eastbound traffic in the aforesaid driveway area is hereby prohibited.
- n. The parking of vehicles is hereby prohibited at all times on the driveway area (old Park Avenue) directly parallel to the Library building.
- o. Vehicles, including bicycles, skates or any wheeled object, whether self-propelled or by engine, shall be controlled at a speed not to exceed ten miles per hour.
- p. Vehicles shall not be parked on the otherwise unrestricted areas of the public parking portion of the complex for periods in excess of two hours except those driven by city employees or persons transacting business in one of the City buildings. The parking of vehicles for commuting purposes is hereby prohibited.

SECTION 3. THAT the acting Director of Public Works is hereby authorized and directed to erect signs at appropriate locations in accordance with the regulations as denoted in Section 2 of this Ordinance, AND

SECTION 4. THAT the penalty for violation of this Ordinance shall be the same as prescribed by the Municipal Code (1961) governing traffic violations in the City of Takoma Park, Maryland, AND

SECTION 5. FURTHER THAT all prior ordinances governing traffic and parking in the area of the Public Library are hereby repealed.

Item # 2. Stop Signs: Councilman Nishimoto moved the adoption of the following:

ORDINANCE NO. 2228

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

SECTION 1. THAT in the interest of public safety, motor vehicles shall be brought to a complete stop before entering the intersection of Ritchie Avenue, Oswego Avenue and Geneva Avenue as follows.

- (a) When travelling southward on Ritchie Avenue at Oswego Avenue.
- (b) When travelling eastward on Oswego Avenue at Ritchie Avenue.
- (c) When travelling westward on Geneva Avenue at Ritchie Avenue. AND,

SECTION 2. THAT the acting Director of Public Works be hereby authorized and directed to erect signs at appropriate locations in accordance with Section 1 of this Ordinance, AND

SECTION 3. THAT this Ordinance shall become effective upon erection of signs.

SECTION 4. THAT the penalty for violation of this Ordinance shall be the same as prescribed by the Municipal Code (1961) governing traffic violations in the City of Takoma Park, Maryland.

Councilman Ricks seconded the motion and the Ordinances were adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: None. Excused: Councilman Burgess.



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Item # 4. Trailer parking: Councilman Nishimoto read an excerpt from a current Ordinance governing the parking of trailers and stated that this should answer the question regarding same and noted that the originator of the request for information has been sent a copy of the Ordinance.

Item # 6. Request for left turn arrow or delayed green light at New Hampshire and Sligo Creek Parkway: Councilman Nishimoto requested that a letter be directed to the State Highway Administration requesting some signalization as this is under the jurisdiction of the State Highway Administration and not the City. Mayor Roth directed that such a letter be written.

Item # 7. Request for additional signs at Maple and Tulip Aves.: Councilman Nishimoto noted that a request had been made for "STOP AHEAD" to be painted on the roadway on Maple Avenue to warn motorists. He noted that the committee has discussed this matter and it is felt that no additional signing is necessary and request that this be removed from the agenda.

Administrative Actions:

Councilman Nishimoto proposed a motion authorizing the six-month probationary appointment of Miss Sandra Lynn Myers as Clerk/Dispatcher in the Police Department; annual salary of \$5,880. effective August 25, 1972. Miss Meyers lives at 606 Elm Avenue, Takoma Park. The motion was seconded by Councilman Sidell and duly carried.

A motion was proposed by Councilman Nishimoto for the one year probationary appointment of William Edward Allen, 5425 Blair Road, N.E., Washington, D.C. at an annual salary of \$8,835.00 to be effective August 19, 1972, in the Police Department.

A motion was presented by Councilman Nishimoto for the one year probationary appointment of Harold Alonza Spearman, 7610 Maple Avenue, Takoma Park, Maryland at an annual salary of \$8,835.00 to be effective August 19, 1972, in the Police Department.

Councilman Nishimoto pointed out that Mr. Allen is a third year student at Howard University and presently employed by the Social Services Department in Prince George's County. He further noted that Mr. Spearman is presently employed by the Fingerprint Section of the F.B.I. Councilman Nishimoto commented that this will bring the total of black officers on the force to 3. Councilman Ricks seconded the motion and it was unanimously carried.

Councilman Nishimoto moved for the acceptance of the resignation submitted by Officer James E. Holmberg to be effective July 29, 1972. The motion was seconded by Councilman Ricks and duly carried.

Councilman Nishimoto moved the permanent appointment of Officer Paul C. Leibe as he has completed an additional one-year probationary period as of August 1, 1972. The motion was seconded and unanimously carried.

Councilman Nishimoto moved the approval of the purchase of an Olympia Typewriter from Silver Spring Business Machines, \$459.00 charged to a/c 11.113.D2, with \$59.00 transferred from the Reserve Fund. The motion was seconded by Councilman Forshee and carried.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

Councilman Ricks congratulated Chief Porter on the appointment of the two new officers to the Police Department and stated that he is doing a fine job of integrating the dept.

Councilman Ricks stated that he would like to request a Fire Department inspection of the property at 609 New York Avenue scheduled for demolition on September 9th. and see that property is immediately brought into fire code compliance.

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Item #11. Request for fencing of properties in Block 69 scheduled for demolition: Councilman Ricks requested comments from the Council regarding the feasibility of fencing these properties and stated that he doesn't think that fencing would add to the esthetics of the neighborhood or keep vermin out as stated. As there were no comments from the Council, Councilman Ricks requested that the item be removed from the agenda. In addition he requested that the Code Enforcement Officers keep track of property as it is vacated, see that it is not destroyed and that it complies with the esthetic values and codes of the City.

Item #13. Animal Control: Councilman Ricks stated that he would like to appoint the following persons to serve on the committee to study all facets of Animal control and noted that the committee will meet shortly.

Mr. James Jeffas  
Mr. John Hammond

Mr. Eugene Griffith  
Mr. Joseph Ferrier

Mrs. Grace Cangialosi  
Mrs. Barbara Hommel  
Mr. George Holmes

PUBLIC WORKS COMMITTEE: Councilman Forshee, Vice Chairman reporting.

Councilman Forshee moved the adoption of the following Ordinance:

ORDINANCE NO. 2229

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

SECTION 1. THAT in the interest of public welfare, sealed bids were solicited and advertised for a new street sweeper, and on August 8, 1972 the two sealed bids received were opened,

SECTION 2. THEREFORE THAT the contract be awarded to the low bidder, The McLung Logan Company, Baltimore, Maryland for one new Wayne Model 1-984 Street Sweeper with R.H. Gutter Broom for the sum of ELEVEN THOUSAND, SIX HUNDRED, FORTY NINE DOLLARS (\$11,649.00).

SECTION 3. THAT the purchase be charged to a/c 12.203B as previously provided in the current Capital Outlay Budget.

The motion was seconded by Councilman Webb and the Ordinance adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: None Excused: Councilman Burgess.

Bids for Street resurfacing: Councilman Forshee stated that this has been an on-going program each year and the City has been able to keep most of the streets in good condition. Councilman Forshee presented a motion for the authorization of advertising for bids for resurfacing of approximately 18,750 square yards of street. The motion was seconded and duly carried.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting,

Administrative Actions:

Councilman Sidell moved the probationary one year appointments of the following two men as fire fighters in the Fire Department at the annual salary of \$8,835.00 to become effective August 26, 1972. Alfred Perry Murray, 11322 Cherry Hill Rd., Beltsville, age 21 and married. He has been a member of the Beltsville Fire Dept. for four years. Richard Reed, 1402 Langley Way, Chillum, age 21 and married. He has been a member of the Chillum-Adelphi Fire Department for two years. These men were the two top applicants for the two positions open in the Department. The motion was seconded by Councilman Forshee and duly carried.

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Councilman Sidell moved the permanent appointment of ~~Barry~~ Tyler Huntington, retro-active to August 1, 1972. He noted that Private Huntington's overall rating for the four quarters of probationary appointment was 95% which is outstanding. The motion was seconded and carried.

FINANCE COMMITTEE: Councilman Forshee reporting.

Item #33. Use of #8 Columbia Avenue: Councilman Forshee noted that a Public Hearing has been held on the proposed uses of the building and some organizations were interested in using it for various purposes. He noted that some vandalism has already occurred and something must be done. Councilman Forshee stated that he has information that indicates the building was constructed in 1903 or 1904 and is a frame structure with a brick veneer and has had very hard use first as a school and finally as a Municipal Building. He stated that it would cost a considerable sum to renovate the building and also leaves the question as to who would operate the building and be responsible for its maintenance and daily upkeep. In view of the foregoing, Councilman Forshee moved that the City Administrator be authorized to advertise for bids for the property, to be opened September 27th with the provision that the Council can reject any or all bids and bids must be accompanied by 5% of the amount. Councilman Nishimoto raised the point that this does not foreclose the possibility of the Council further reviewing the situation if a reasonable bid is not received. Councilman Forshee stated that the motion would include the two lots directly across the street from #8 Columbia Avenue which can be bid on separately or together.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

Councilman Webb congratulated Councilman Sidell for his ideas in the development of the new format of the agenda.

Councilman Webb noted that all of the playgrounds with the exception of Spring Park have concluded their summer programs with a total of 797 youngsters enrolled. He noted that some of the special events were a trip to Wolf Trap Farm to see "Peter and the Wolf", tour of the Police Department, demonstrations by the Fire Department, as well as free rides at the Recreation Festival, talent contest (1st prize "Freedom Ensemble" from Spring Park - 2nd prize "Wayout" from Forest Park), basketball clinic with Coach Joe Harrington and Len Elmore from Maryland University, puppet shows, ballet, County Olympics, bicycle clinic, Indian Pow Wow (County-wide) and Beat the Leader Bowling Tournament.

He further noted that concerts will be held on Wednesday, Aug. 16, Rockville Concert Band; Wednesday, August 23, Thomas Cozzoli Chorale Group and September 10, 4:00 p.m. the Metropolitan Police Boys Club Band. All of the concerts are held in Jeque Park.

COUNCIL AS A WHOLE: Mayor Roth reporting.

Item #38. Proposal to name #8 Columbia Avenue in memory of Mayor Miller: Mayor Roth stated that this is under discussion and will depend on the outcome of the bids.

Item #39. Suggested possibility of imposing property tax on trailers. Mayor Roth stated that this possibility would only apply to trailers parked in Trailer Courts not travel trailers.

Councilman Ricks read a memo from the acting Director of Public Works regarding the purchase and rehabilitation of some properties in Takoma Park which have been in very bad condition - 25 Holt Place, 35 Fremont Avenue and 124 Grant Avenue. He noted that you can see that people are moving into the City with the idea of rehabilitation.

There being no further business to come before the Council, the meeting was adjourned at 10:00 upon the motion by Councilman Webb and the second by Councilman Forshee, with the unanimous vote of the Council.

ATTEST: Haynes M. Ridgen

APPROVED John D. Roth

Mayor

## THE CITY OF TAKOMA PARK, MARYLAND

## REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

August 28, 1972

City Officials Present

Mayor Roth  
 Councilman Burgess  
 Councilman Forshee  
 Councilman Nishimoto  
 Councilman Ricks  
 Councilman Sidell

Excused: Councilman Webb

City Administrator Pridgen  
 Corporation Counsel Gingerich  
 City Treasurer Turner  
 Fire Chief LaScola  
 Fire Captain West  
 Police Chief Porter  
 Director of Public Works Barile  
 Director of Recreation Ziegler  
 Code Enforcement Officer Olson

The Mayor and City Council met in regular session at 8:07 PM, August 28, 1972, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, the invocation was given by Rev. Harold F. Trehey of Our Lady of Sorrows Catholic Church, after which Mayor Roth requested a motion to waive the reading of the minutes of the last meeting, if there were no corrections. Councilman Nishimoto requested that the date of the hearing on use of etching machines be corrected to read September 27; and that the administrative item on page 9 dealing with the number of Black officers on the Police force should read "four of a total of 31 officers." Upon motion by Councilman Sidell, duly seconded, the minutes were approved as corrected and the reading dispensed with.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Elizabeth M. Willey, Town Clerk, Easton, Maryland. Resolution adopted by the Council expressing respect and affection for Mayor Miller. (Council files)
2. James P. Gleason, Montgomery County Executive, Rockville. Letter and action plan for CATV in Montgomery County; request for comments on plan. (Council as a Whole; Hsg. & Code Enf.)
3. Kathryn T. Simpson, Chairman, Community Improvement Board. Letter calling attention to Sentinel editorial on work of recycling centers; request for City to press for government (via COG) to assume this responsibility. (Public Works Committee)
4. Roderic Davis, President, North Takoma Citizens Association. Resolution adopted by Association re expansion of Montgomery College into Block 69 and letter calling for officials to help force Montgomery College to abandon this plan. (Planning and Zoning Committee)
5. Nancy M. Moore, 7314 Willow Avenue. Request for attention to oak trees on Willow Avenue. (Public Works Committee)
6. Nancy M. Moore. Request for Newsletter publicity re proper time for placing trash on curb for special pick-up. (Public Works Committee) The Mayor requested the Public Works Department to prepare an appropriate notice for the Newsletter.
7. L. J. Sheridan, 502 Lincoln Avenue. Request for consideration of stop signs at Elm and Lincoln and correction of drainage problem at Elm and Lincoln. (Public Works and Law Enforcement Committees)

8. Harrington J. Bryce, 207 Baden Street, Silver Spring. Letter commending members of the Police and Fire Departments for their helpfulness after an automobile accident. (Police and Fire Department files; personnel files)

MAYOR ROTH'S COMMENTS:

Mayor Roth announced that a number of persons had been recommended to fill the vacant Council seat, four of whom declined to be considered. He said that five persons whose names had been suggested had been interviewed and there had been some support for each; that after careful consideration of the qualifications of each, one of this group had been agreed upon. He moved that Council appoint Joseph A. Faulkner, 1007 Sligo Creek Parkway, to fill his unexpired term as Councilman. Councilman Forshee seconded the motion and assumed the role of chairman of the meeting to permit Mayor Roth to speak to the motion. After he noted that Mr. Faulkner resides in Ward 7, Prince George's County, living in the area south of Sligo Creek Parkway, the Mayor said he wished to summarize the qualifications with which Council had been particularly impressed: Mr. Faulkner has been active in the J. Enos Ray PTA, having served as president several times; Mr. and Mrs. Austin Brown were particularly instrumental in praising his accomplishments in this connection. He has been active in both the Cub and Boy Scouts, with a commendation having been received for his work from Mr. Clifford Waldron. He is a member of Grace Methodist Church and has served as director of the Sunday School for some time and recently completed a term as superintendent of the Sunday School; the minister and members of the congregation have praised his performance here. The fact that he is younger than most of the other Council members also operated in his favor. Following the above comments, a vote was taken on the motion to appoint Mr. Faulkner, with all Councilman voting Aye. Mayor Roth then administered the oath of office and invited Councilman Faulkner to sit at the Council table.

ADDITIONAL COMMITTEE AGENDA ITEMS:

Councilman Sidell stated he would submit a resignation from the Fire Department, ask for Council approval of the Chief's attendance at a convention and the purchase of a washer-dryer.

PUBLIC PARTICIPATION:

1. Moses Karkenny, 9 Pine Avenue. Mr. Karkenny asked for help with a problem which he described as follows: He is the owner of ten lots in the area of Sheridan and Hancock Avenues (formerly known as the Robbins property) and has experienced difficulty with young people congregating there who deposit a great deal of litter, including tires, and engage in activities not to his liking. He received complaints from the Code Enforcement Division and has cleaned up the property several times, but to no avail. When he attempted to dispose of the collection of tires, Montgomery County refused to accept them unless they were cut into four pieces; he was finally able to dispose of them in Howard County. When he has made attempts to get the children to leave, they have made fun of him and, if they left at all, returned as soon as he was gone. He has considered building a fence, but there is the problem of Sheridan Avenue running through his property. He had discussed some other possibilities with Mayor Miller, but those seem unlikely now. Councilman Ricks said that he and Mr. Olson are aware of what is happening there and, during an inspection, had had to break up a situation of the type described. He asked Mr. Olson to continue surveillance of the property. Mayor Roth requested the Public Works, Housing and Code Enforcement and Law Enforcement Committees to work with Mr. Karkenny in seeking a solution to his problem.

2. Ann Vogel, 7117 Garland Avenue. Mrs. Vogel inquired if any decision has been made on how often the complete agenda will be published, saying her husband had requested that it be done twice monthly. She indicated publication once a month would be adequate, after Mayor Roth pointed out that the request would be a return to the old agenda system and noted that Council

had responded to Mr. Vogel's earlier request for a new agenda by preparing one practically according to his specifications; that they had been taken aback by his comments at the last meeting and had not had a chance to consider them. Mrs. Vogel requested a copy of the letter and report from the Montgomery County Executive's office, which was read at the last Council meeting, and was told one would be made available. In response to her request, Mayor Roth agreed that a letter be sent to the Post commending them on their article of August 17, which dealt with the recycling and conservation efforts of Mrs. Catherine Wakelyn of 7419 Maple Avenue. A request was then made by Mrs. Vogel that Council communicate its opposition to the widening of Route 410 to the Prince George's County government. Mayor Roth indicated that it was his understanding such a communication had been made, but if not, a letter would be sent.

3. Ellen Marsh, 7405 Maple Avenue. Mrs. Marsh read an article in Preservation News, a publication of the National Trust for Historic Preservation, which dealt with efforts of Block 69 residents to prevent the destruction of their 19th century homes. In response to Councilman Nishimoto's questions as to the aims of this organization, Mrs. Marsh said it is a national organization with headquarters on Jackson Place, N.W., and they are interested in the preservation of all things representative of a particular period in history, and that their interest extends to contemporary homes as well as historical ones.

4. Michael Derato, 413 Lincoln Avenue. Mr. Derato requested that Lincoln Avenue be designated as a one-way street, asking that parking be permitted on both sides, since parking on one side only would not accommodate the cars. He indicated he had submitted a similar request some years ago, but had run into opposition from a neighbor. He spoke of the narrowness of the street and the poor visibility at the crest of the hill where he lives and the near accidents which have occurred, saying that drivers speed and don't see each other until they meet. He also told of a speeding car skidding 63 feet in trying to avoid a crash, and said also that his own car had been scratched and dented a few weeks ago. Mr. Derato indicated that the problem exists primarily during the evening hours and on weekends. Mayor Roth assigned this to the Law Enforcement Committee, after noting that there have been problems in the past with one-way streets. He suggested that Mr. Derato consult with the Law Enforcement Committee.

5. Nancy Moore, 7314 Willow Avenue. With reference to her letter (Correspondence, #5), Mrs. Moore said that Pepco is responsible for the trees on the East side of Willow, therefore her request for attention would apply to those on the West side.

6. Etta Davis, 703 New York Avenue. Mrs. Davis thanked the Mayor and Council for their help in Sunday's "Afternoon with Victoriana," saying that it wouldn't have been a success without the contributions made by the City. She said that Councilman Sidell, who acted as master of ceremonies, was good enough to command a fee. Councilman Sidell said that it had been his pleasure and that it had been a thoroughly enjoyable afternoon, with many entertaining and informed people present. He noted that Mr. Joseph Ferrier had been present as Mayor B.F. Gilbert.

7. James Welu, 7330 Piney Branch Road. With reference to earlier requests to have the mounds of dirt on the property just south of 7400 Piney Branch Road levelled and sodded, Mr. Welu said that no action has been taken; that there is now a crop of weeds atop the dirt, which eliminates the erosion problem but compounds the ugliness. Later in the meeting, Mayor Roth reported that the owner of the property has agreed to level the dirt and remove the weeds by September 30. Councilman Ricks noted that he had also been in touch with Mr. Olson in connection with this problem.

Mr. Welu requested that Council express their opposition to the widening of Phila. and Piney Branch Road to the East Silver Spring Citizens Association, noting that citizens have taken the lead in such expressions to other bodies. In connection with Mayor Roth's offer to pass on citizen comments to the steering committee studying transportation alternatives to I-95 in Prince George's County, Mr. Welu stated that he and others would like to see this portion developed for mass transit, believing that rail and bus lines provide more transportation at less

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cost to citizens. He pointed out that this road would have a direct effect on Montgomery County and would also enable the D.C. Highway Department to bootleg off it.

With reference to a report in the last Council meeting minutes that 609 New York Avenue is scheduled for demolition on September 9, Mr. Welu asked for the source of this information, saying it was his understanding that the State Department of Public Works would withhold needed funds until after the Block 69 appeal is heard. Councilman Ricks said that the date was in error, that he had reported that the College would assume responsibility for the property on September 1, and had asked for a Fire Department inspection. Mayor Roth speculated that the confusion stemmed from the fact that the Supplee's were permitted to sell items from their house on New York Avenue until the first of September, with this date somehow being taken as the demolition date. He requested that the minutes be corrected to remove any reference to demolition dates.

In connection with the August 9 meeting of the Law Enforcement Committee, at which a State traffic engineer had been present, Mr. Welu said that Mr. Toomey had indicated to him that the engineer did not state as strongly as reported in the August 14 minutes that the City would be expected to follow their recommendations. Councilman Nishimoto and Mayor Roth disagreed, saying that he had in effect said that if the State funded the study, they would be most anxious to see their recommendations carried out. Councilman Nishimoto pointed out that Mr. Soccoccio, the State representative, had also expressed an interest in widening Maple Ave. to accommodate traffic originating outside the City and destined for D.C. In response to Councilman Nishimoto's question on what Mr. Toomey's concern was, Mr. Welu said he wished to correct an impression.

Mr. Welu spoke of the fact that residents of the western end of Takoma Park have few occasions to meet persons residing in the Prince George's section, saying that for this reason and others, it would have been good if Council had made known the names of those persons being considered for the Council vacancy; that he hoped Council would make such actions more open and public as a means of creating closer ties in the community. Mayor Roth explained that Mr. Welu had made this request earlier; that he had been reluctant to reveal the names without first checking with the persons involved, but that he had received their permission in the interim. He said that all persons recommended by more than two sources had been interviewed with the exception of three persons who had not been interested (Messrs. William Shewell, Charles Johnson and Jack Hammond). Those interviewed were: Mrs. Virginia Gallagher, Mrs. Margaret Brady, Messrs. Phil Vogel, Michael Derato and Joseph Faulkner.

8. Delores Stowell, 7704 Takoma Avenue. Mrs. Stowell requested that efforts be made to check the speeding on Philadelphia Avenue between Takoma and Chicago, where the grass strip alongside the road is very narrow, making it quite dangerous for Silver Spring Intermediate school children. Mayor Roth assigned this to the Law Enforcement Committee.

Mrs. Stowell said it was gratifying to learn that the Block 69 struggle has become so well known that it has been backed by the National Trust for Historical Preservation. She thanked Councilman Ricks for his concern and action on the property at 609 New York Avenue. Mrs. Stowell stated that, contrary to a report in the minutes, there has never been a movement to have Montgomery College leave Takoma Park; that the residents of Block 69 have always tried to find alternatives which would permit both the College and the homes in Block 69 to remain.

9. Aurel LeMay, 704 Philadelphia Avenue. With reference to Mrs. Stowell's request, Mr. LeMay said he fears an accident from cars speeding across the large bump in front of his home-- a situation with which the Public Works Department is familiar and has promised several times to correct. Mr. LeMay said that Councilman Ricks makes a fine MC for recreation functions but for the elderly, Councilman Sidell is the man.

10. Rita Marth, 7308 Cedar Avenue. Mrs. Marth commented on the Post article cited by Mrs. Vogel and suggested that Council take some of the suggestions it contained to heart, requesting that they begin by setting their own house in order--i.e., use returnable soft drink

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bottles in the coin machines located in the Municipal Building. There followed some discussion the practicability of this because of breakage.

Mrs. Marth inquired about the status of agenda item #40 (establishment of special Council environmental protection committee) and was told that it has been discussed with no conclusion reached; however, the idea has not been rejected. Mrs. Marth offered another suggestion and requested that some action be taken: the alternative possibility of setting up a citizens group to review issues affecting the environment, along the lines of the Community Improvement Board.

11. Evelyne Ferry, 24 Hickory Avenue. Mrs. Ferry suggested the use of radar to curb the speeding on Philadelphia Avenue. She also requested that Council consider making Montgomery Avenue a one-way street, explaining that it is very narrow with parking permitted on one side, making it almost impossible for cars to pass. Mayor Roth referred this to the Law Enforcement Committee, but suggested that requests such as this and the one made by Mr. Derato are very difficult for Council unless the residents of the streets are in agreement with the planned change.

12. Councilman Nishimoto said that because of the nature of the agenda format, with its prescribed times for speaking to specific items, he finds it difficult to make impromptu statements. He announced that a public Law Enforcement meeting would be held the following evening at 7:30 PM, in the Council Chamber, where the Police Chief, along with the three shift commanders and the Committee members, would be present to listen to comments, complaints, answer questions, etc., in an unstructured setting. Councilman Nishimoto said that the last Law Enforcement Committee meeting had been quite productive, noting that Mrs. Simpson had attended and raised a problem of mud drainage from private property into the street, with a satisfactory solution having been worked out. He went on to speak of the work Mrs. Simpson has accomplished behalf of the City, despite the handicaps with which she has been faced, saying that in his opinion, she is one of the most constructive and active members of the community.

#### COMMITTEE REPORTS:

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

3.<sup>\*/</sup> Alleviation of traffic situation at Ritchie and Piney Branch Road. The Committee views the visibility problem here as quite serious, Councilman Nishimoto said, and requested that the Mayor contact the State Highway Administration and ask if a traffic signal can be erected at that intersection.

8. Proposed study of traffic problems by traffic safety engineer. Councilman Nishimoto requested that this item be placed on the Committee working agenda.

53. Request for pushbutton traffic device on Carroll at Takoma Tower. This situation warrants a thorough study, Councilman Nishimoto said, and the Committee will continue to investigate the possibility suggested.

##### Administrative Action:

Personnel. Councilman Nishimoto read the letter below and said he had discussed it with Mr. Kania and believes that the reason cited is correct--that he really no longer wishes to be a police officer. Upon his motion, duly seconded, Council accepted the resignation of Officer Phillip M. Kania, as noted in the following:

\* Numbered items under Committee reports refer to permanent numbers assigned to items at the time of their addition to the agenda.



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[Memo to Chief Porter:] This is to officially advise you of my resignation as police officer for the City of Takoma Park on August 26, 1972. . . . I am resigning my position because I am unhappy with my job and no longer have the desire to be employed as a police officer. I would like to take this time to thank the Mayor, the City Council, and yourself for giving me the opportunity to serve the citizens of Takoma Park. The past two years have been a rewarding experience.

Removal of merchandise from street, 7000 block of Carroll Avenue. Mayor Roth requested that the Department have the merchandise across the street from Takoma Tower removed from the sidewalk, suggesting that the Chief consult with the City Administrator on the appropriate means.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting

54. Request for comments/recommendations on code enforcement in TESS area. This is under discussion with Montgomery County personnel, Councilman Ricks reported.

55. Complaint of unkempt conditions in area of 7400 block of Aspen Avenue. Councilman Ricks stated that Mr. Olson has been in touch with the County zoning office in connection with one aspect of this situation and is satisfied with the progress on the remaining complaints. He requested that the item be removed from the agenda.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting

56. Request for maintenance (incl. seeding) of public right-of-way on Philadelphia between Carroll and Piney Branch Road; 57. Curb height on Ethan Allen Avenue. Councilman Burgess reported on these items as follows: Item 56: Much of the curb on Route 410 is sloped rather than set at a 90° angle and it is quite easy to ride over the curb; the road has been resurfaced so many times that there is no effective curb or gutter; these two factors in combination created a serious erosion problem which has been corrected by paving a portion of the public right of way. Item 57: To raise the curb would be impracticable and would create a safety hazard and cause run-off from rain. To lower the road would be too great an expense for the City to bear. Some sections of the road are under State control, and it would be very risky to ask their help, since undoubtedly they would view it as an opportunity to once again press for widening Route 410.

58. Resurfacing City streets. Councilman Burgess reported that the Committee had decided against acceptance of the low bid received because of dissatisfaction with the company's poor workmanship on the parking lot at the Municipal Building, and other unfavorable reports received from nearby counties. He indicated that the second lowest bidder, with whom the City has dealt before, had been decided upon. Upon his motion, duly seconded by Councilman Forshee, the ordinance below was adopted, with the roll call vote being recorded as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell. Nay: none. Excused: Councilman Webb.

ORDINANCE NO. 2230

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

SECTION 1. THAT upon being advertised and specifications distributed, three bids were received and opened on August 18, 1972, for resurfacing certain streets, AND

SECTION 2. THAT the contract be hereby awarded to A.H. Smith for resurfacing streets in accordance with Schedule (1-A) contained in specifications for Public Works Job #72-4 at the price quoted of 33¢ per gallon tack coat AE-4, bituminous concrete

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resurfacing course P.C. average 1-1/2" thick, \$11.44 per ton, in an amount not to exceed TWENTY-FIVE THOUSAND DOLLARS (\$25,000) to be charged to A/C 12.203A, as provided in the current fiscal budget.

Administrative Actions:

Following Councilman Burgess' proposed adoption of the ordinance below, duly seconded by Councilman Ricks, it was adopted by roll call vote recorded as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell. Nay: none. Excused: Councilman Webb.

ORDINANCE NO. 2231

- SECTION 1. THAT proposals were received from a number of suppliers on one AC/DC Arc Welder, with Bel Welding Supply Co., Inc. submitting the low estimate.
- SECTION 2. THEREFORE THAT a contract for the purchase of one 1- 900-468 Miller Aead 200 LE AC-DC Welder Generator is hereby awarded to Bel Welding Supply Co., Inc. for the sum of \$1,098 (ONE THOUSAND NINETY-EIGHT DOLLARS).
- SECTION 3. FURTHER THAT the sum stated in Section 3 above shall be charged to A/C 12.903B.

Purchase of truck washer. Upon motion by Councilman Burgess, seconded by Councilman Forshee, an ordinance authorizing this purchase was adopted by roll call vote, recorded as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks and Sidell. Nay: none. Excused: Councilman Webb.

ORDINANCE NO. 2232

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

- SECTION 1. THAT proposals were received from a number of suppliers on a high pressure truck washer, with Hydro Sales and Service Co., Inc., Hyattsville, submitting the low estimate.
- SECTION 2. THEREFORE THAT a contract for the purchase of one Model 660 Grime Fighter Electro-Magic Truck Washer is hereby awarded to Hydro Sales and Service Co., Inc. for the sum of \$1,000 (ONE THOUSAND DOLLARS).
- SECTION 3. FURTHER THAT funds to cover this purchase shall be handled as follows: \$800 from A/C 12.903D; \$200 from the Reserve Fund to be transferred to A/C 12.903D.

Appointment of Public Works Director. Councilman Burgess moved for adoption of the ordinance below appointing Mr. Barile as the Director of Public Works. The motion was seconded by Councilman Ricks. Councilman Forshee also seconded the motion, after which he moved that the designation of a salary be omitted from the ordinance with a recommendation to be made at the next meeting of the Council. He explained that his reason for making this request was because of a question about the relationship of this salary to others. His motion failed for want of a second. A roll call vote was taken on the original motion, as follows: Aye: Councilmen Burgess, Faulkner, Nishimoto, Ricks, Sidell. Nay: Councilman Forshee. Excused: Councilman Webb.

ORDINANCE NO. 2233

- SECTION 1. *THAT WHEREAS* Antheny A. Barile has been serving as Acting Director of Public Works and Inspections since July 1, 1972, upon the retirement of Captain Earl K. Rhodes.
- SECTION 2. *THEREFORE THAT* Antheny A. Barile be hereby officially appointed as Director of Public Works and Inspections, effective as of this date, August 28, 1972, AND
- SECTION 3. *THAT* the salary for Mr. Barile as Director shall be \$14,160 per annum, and such salary shall be retroactive to August 1, 1972, AND
- SECTION 4. *THAT* sufficient funds be transferred from the Mayor and Council Appropriations Fund to provide a sufficient amount in Budget A/C 12.101 to cover the increase in salary.

Authorization to attend Public Works convention. Councilman Burgess requested approval for the Director of Public Works to attend the annual convention in Minneapolis scheduled for September 23-27, noting that funds are provided in the budget. The motion was seconded by Councilman Forshee and carried. Councilman Nishimoto inquired about the policy on attendance at such meetings and was told by Councilman Forshee and Mayor Roth that attendance of department heads is not a standard policy, but as a rule funds are provided in the budget unless the cost is prohibitive. Councilman Nishimoto requested that funds be provided in next year's Police Department budget, since the Chief has not heretofore attended conferences in his field.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting

59. Request for Fire Department inspection of 609 New York Avenue. Councilman Sidell reported that the inspection revealed that many hazardous conditions existed at this property, and an order has been issued by the Asst. Fire Marshal to board and secure the property, to which the College has agreed. He said the property appears to have been boarded up, but that many things are still scattered about.

Administrative Action:

Purchase of washer-dryer for Department. Upon motion by Councilman Sidell, duly seconded, Council authorized the purchase of a washer-dryer, with funds from A/C 11.213F.

Official leave, Fire Chief. Following Councilman Sidell's motion, seconded by Councilman Forshee, Council granted official leave to Chief LaScola to attend the annual meetings in Minneapolis of the International Association of Fire Chiefs, of which he is a member of the Board of Directors, for the period September 9-15.

Personnel. Upon Councilman Sidell's motion, duly seconded, Council accepted the resignation of Pvt. Walter C. Wilkinson, effective September 8.

[Councilman Forshee in the chair:]

PLANNING AND ZONING COMMITTEE: Mayor Roth reporting

I-95 Steering Committee meeting. Mayor Roth reported that he had attended the meeting held the previous week and was pleased to note that Mr. Vogel was also present. He said that the some 50-80 members of the Committee had been divided into three work groups to suggest alternatives for the staff to study; however, the alternatives proposed were not sufficiently

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well defined to permit the staff to begin study. He announced that the next meeting would be held on September 7 at 8:00 PM, Parkdale High School, 6001 Good Luck Road, with the public invited.

27. Retail store operation Langley Professional Building. Mayor Roth asked that this item be removed from the agenda, since the Carpetland store has moved as a result of City/County efforts.

60. Consideration of Citizens Advisory Council resolution. Mayor Roth requested that the resolution be returned to the Advisory Council, saying that this group was set up to advise the TESS Commission, and that he believed the resolution had been submitted to Council incorrectly. His motion was seconded by Councilman Burgess. Councilman Nishimoto said he concurred with the intent of the motion, but asked if the resolution may have been sent to the City Council as an informational copy only, which would not be a deviation from protocol. Mayor Roth disagreed, saying the resolution had been submitted to Council as an original piece of information. His motion carried.

61. Letter of July 26, 1972 from Mr. Stowell. The request contained in this letter is under consideration, Mayor Roth said.

65. Proposed Silver Spring "Advocate" plan. Mayor Roth commented on this plan as follows: It was developed by the East Silver Spring Citizens Assoc., and pertains to development in the area North and South of Sligo Avenue. Two items contained in the plan provide for widening of Piney Branch Road and Philadelphia Avenue. Council's position in this matter is well known, having been taken some time ago. He pointed out that the plan would become a segment of the TESS master plan and said he felt steps should be taken to prevent acceptance of the road widening proposals. He suggested that citizen organizations in Takoma Park which are represented on the TESS Citizens Advisory Council take some direct action here by introducing a resolution to the Advisory Council opposing the widenings, saying he would communicate with the groups to ask them to do so. Councilman Nishimoto suggested that they also communicate directly with the group who drew up the Advocate plan and ask them to withdraw the road widening proposals, saying he understood the Block 69 Committee had already done so. Mr. Robert Moore, 7314 Willow Avenue, said that a resolution had been passed by the Citizens Advisory Council in which the objections were stated, and that several organizations had appeared before the East Silver Spring Citizens Association to express opposition. Mayor Roth requested a copy of the CAC resolution.

[Mayor Roth in the chair:]

FINANCE COMMITTEE: Councilman Forshee reporting

Approval of expenditures. Upon motion by Councilman Forshee, duly seconded by Councilman Ricks, the following expenditures received Council approval: March, \$125,924.10; April, \$116,487.35; May, \$128,346.54; June, \$269,439.31.

Councilman Forshee said that considerable progress has been made on the agenda item dealing with the merit plan, with a couple of problem areas delaying the process.

PARKS AND RECREATION COMMITTEE: Councilman Ricks, Vice-Chairman, reporting

Councilman Ricks announced that the Metropolitan Police Boys Club would appear in concert on September 10, 4:00 PM, in Jequie Park, noting that the band is composed of boys from 6-16 years, and is sponsored by the Metropolitan Police Department and others. He also announced that

Mr. Basil L. Kalandros has been appointed coordinator of the Takoma Park Community School to succeed Mrs. Effie Jones, who has resigned to accept a vice-principalship at the Junior High.

SPECIAL LIBRARY COMMITTEE: Mayor Roth reporting

63. Possible City participation in Metropolitan Area Interlibrary Loan System. Mayor Roth said that this matter had been discussed by the Committee several years ago, with the decision made that there was nothing to be gained for the City by participating in this arrangement. He asked that the item be removed from the agenda.

COUNCIL AS A WHOLE COMMITTEE: Mayor Roth reporting

Mayor Roth requested the City Administrator to initiate a series of visits (twice monthly) to municipalities in the state who operate under the city administrator or city manager system. He suggested that Mr. Pridgen spend half a day exploring such things as the raising and expending of funds; housing; how his counterparts in other cities relate to their city councils and department heads; etc. Mayor Roth said that his motivation here is to seek better ways of doing things in the City; that perhaps nothing will be gained, but there would then be the assurance of knowing that the City is doing as well as others similar to it. He requested that a two-page memo be prepared after each visit.

There being no further business to come before the Mayor and Council, the meeting adjourned at 10:18 PM by unanimous consent of the Council, to reconvene at 8:00 PM, September 11, 1972, in the Council Chamber of the Municipal Building.

ATTEST: *Harold M. Pridgen*  
City Administrator

APPROVED: *John P. Roth*  
Mayor

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## THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL  
September 11, 1972City Officials Present

Mayor Roth  
 Councilman Burgess  
 Councilman Faulkner  
 Councilman Forshee  
 Councilman Nishimoto  
 Councilman Ricks  
 Councilman Webb

City Administrator Pridgen  
 Corporation Counsel Gingerich  
 Asst. Corp. Counsel Culpepper  
 City Treasurer Turner  
 Deputy Fire Chief Fickes  
 Police Chief Porter  
 Director of Public Works Barile  
 Code Enforcement Officer Olson  
 Director of Recreation Ziegler

Excused: Councilman Sidell

The Mayor and City Council met in executive session at 8:05 PM, September 11, 1972, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, Mayor Roth asked for a motion to approve the minutes as submitted and dispense with the reading, if there were no corrections. Councilman Burgess made such a motion, with Councilman Ricks seconding. Councilman Forshee then read the following statement, after which the motion carried:

To the best of my knowledge the minutes are in order. I could wish this were not so. At the previous meeting, the Council appointed a director of Public Works. At the time the motion was made I asked that a part of the ordinance be referred back for further study. It was my thinking there were other factors which should be studied in connection with the motion. The Council did not see light in the suggestion. Because of this, I voted "No" on the motion as a whole. I believe this was a mistake. Perhaps there are better ways of giving attention to possible inequities.

I would like for Mr. Barile and all of you to know I did, and do, favor his appointment as Director of Public Works. I would like the record to so show. My apologies to you, Tony. Please accept them with my sincere good wishes. Success to you in your many and varied responsibilities.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. Dollie H. Kyte, Cler, Montgomery County Board of Appeals, 100 S. Perry St., Rockville. Notice of public hearing 1:00 PM, 11-30-72, Council Hearing Room, County Office Building, on Special Exception S-165 (eleemosynary and philanthropic institution--youth care, girls--700 Hudson Avenue). (Planning and Zoning Committee) Mayor Roth requested comments on this to assist Council in making a recommendation. He also requested the City Administrator to obtain more information, including the number of children to be housed.
2. Stuart H. Sweeney, President, Takoma Lions Club. Proposal that all or part of the Municipal Building be named as a memorial to Mayor Miller. (Council as a Whole)
3. Kathryn T. Simpson, Chairman, Community Improvement Board, 7300 Cedar Avenue. Request Council to submit nominees to the TESS Citizens Advisory Council for consideration as members of a TESS Planning Advisory Committee which will advise the Planning Board on the TESS area master plan. (Mayor) Mayor Roth invited Council members and citizens to make suggestions.

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FINANCIAL STATEMENT OF BANK BALANCES AS OF AUGUST 31, 1972: City Treasurer Turner reporting

SUBURBAN TRUST COMPANY--GENERAL FUNDS		
Balance as of July 31, 1972	72,148.22	
August receipts	<u>178,309.75</u>	250,457.97
August disbursements		<u>133,959.56</u>
Balance as of August 31, 1972		<u>116,498.41</u>
SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT		
Balance as of July 31, 1972	3,674.93	
August transfers from General Funds	<u>82,135.08</u>	85,810.01
August disbursements		<u>71,695.21</u>
Balance as of August 31, 1972		<u>14,214.80</u>
CITIZENS BANK OF MARYLAND--GENERAL FUNDS		
Balance as of July 31, 1972	800.14	
August receipts	<u>6,638.50</u>	7,438.64
No August disbursements		--
Balance as of August 31, 1972		<u>7,438.64</u>
CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENTS FUND		
Balance as of July 31, 1972	780.31	
No transactions during August	--	780.31
Balance as of August 31, 1972		<u>780.31</u>
CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND		
Balance as of July 31, 1972	92,447.70	
August receipts	--	92,447.70
August disbursements		<u>51,482.66</u>
Balance as of August 31, 1972		<u>40,965.04</u>
CITIZENS BANK OF MARYLAND--SAVINGS A/C TP-63		
Balance as of July 31, 1972	159.82	
No transactions during August	--	159.82
Balance as of August 31, 1972		<u>159.82</u>
AMERICAN NATIONAL BANK--General Funds		
Balance as of July 31, 1972	500.00	
August receipts	<u>188.48</u>	688.48
No August disbursements		--
Balance as of August 31, 1972		<u>688.48</u>
PETTY CASH		<u>200.00</u>

MAYOR ROTH'S COMMENTS:

Mayor Roth announced that the Municipal Building dedication ceremony would be held on October 1, at 3:30 PM, saying the program would also include guest speaker Lt. Governor Blair Lee. He also announced that the Montgomery and Prince George's County Chapters of the Maryland Municipal League would meet in the building on October 26 and 19, respectively. Mayor Roth reported that the City Administrator has already begun his visits with other city managers having met that day with Mr. Giese of Greenbelt. He announced that Councilman Faulkner has been assigned as Chairman of the Planning and Zoning Committee and Member of the Public Works Committee, with the third committee assignment to be made at a later date. Mayor Roth commended

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the principal and staff of the Junior High for their innovative use of students' time when it was necessary to delay the opening of school. He asked for suggestions for an appointment to the Library Board to fill the vacancy created by Councilman Ricks' resignation, asking that suggestions be accompanied by some indication of proposed nominee's interests and qualifications.

#### ADDITIONAL COMMITTEE AGENDA ITEMS:

Councilman Forshee indicated he would introduce an ordinance adopting the new City Charter and Municipal Code; Councilman Faulkner said he would report on Special Exception S-123; Councilman Webb said he had an announcement to make concerning a hearing on swimming pools in Prince George's County; Councilman Ricks stated he would comment on the Prince George's County landlord-tenant bill; and Councilman Nishimoto said he would report on a non-agenda item.

#### PUBLIC PARTICIPATION:

1. Nathaniel White, 7515 Alfred Drive. Mr. White related an incident which occurred on August 17, in which he was followed and later stopped by a policeman who for some time refused to give a reason for holding him. He said the officer chastised him several times for his bad attitude and, after consultation with a person who arrived in a dark-colored car, told him that a prowler had been reported in the Alfred-Ray Drive area (his own neighborhood), with the inference that he was suspect. Mr. White gave a description of the officer, identified the police car by number, and asked that the man in question be identified and required to submit a written apology. Councilman Nishimoto assured him the incident would be investigated and offered his own apology on behalf of the Police Department.

2. Bernice Myers, 7412 Cedar Avenue. Mrs. Myers expressed appreciation for Mayor Roth's request to the Save Takoma Park Committee for help in getting some recommendations of the "Advocate" plan scrapped (widening of Piney Branch and Philadelphia Avenue), and for the encouragement of citizen participation in City affairs generally. She clarified her involvement with several citizen groups and noted that her public statements have always been made as an individual rather than as a representative of a group.

3. Roderic Davis, 703 New York Avenue. Mr. Davis read a letter from Gene O. Stowell, President, Block 69 Committee, which cited a Sentinel article reporting that the Montgomery College Board of Trustees has asked the County Council to fund a parking garage for the Takoma Park campus as a responsive gesture to Block 69 residents. Mr. Stowell felt this move confirmed the opinion of the Committee that most of the block had been planned for parking and, in light of this, asked that the issue be reopened. (Planning and Zoning Committee)

4. Shirlee Hutmire, 21 Columbia Avenue. Mrs. Hutmire requested that the outdoor lights at 8 Columbia Avenue be lit at night, saying that persons in the neighborhood would feel much safer if this were done. (Public Works Committee)

5. Joseph Cangialosi, 7001 Poplar Avenue. In response to Mr. Cangialosi's inquiry, Mayor Roth stated that action is being taken to have the merchandise removed from the sidewalk across from Takoma Tower. Mr. Cangialosi reported a problem with speeding minibikes in the Spring Park area and in the Park itself, suggesting as possible solutions, the licensing of minibikes and permitting parking on both or alternating sides of the street in the long blocks. (Law Enforcement and Parks and Recreation Committees) Councilman Nishimoto suggested that things of this nature would be appropriate subject matter for the Law Enforcement Committee open forums. Mr. Cangialosi also commented on the need for a traffic control device at Takoma Tower; suggested that Council investigate Arlington's permit parking system as an answer to anticipated problems in the Metro area, and that the City's good stock of sturdy old housing be advertised. In connection with the latter, Councilman Ricks said the word is getting around, citing three recent purchases of condemned houses for renovation (on Grant, Hancock and Allegheny) as examples.



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6. Leo J. Sheehy, 310 Ethan Allen Avenue. Mr. Sheehy reiterated an earlier request that his railroad retirement income be treated in the same fashion as Social Security benefits in computing City taxes, as is done in the Counties. He said that his income is only \$200 above the over-age 65 tax break. (Finance Committee)
7. Kathryn Simpson, Chairman, Community Improvement Board, 7300 Cedar Avenue. Mrs. Simpson expressed some reservations about the use of Project Theftguard stickers, but was asked to bring them up at the September 27 meeting. With reference to her letter (correspondence item #3), she urged Council to encourage all organizations to be represented on the TESS Planning Advisory Committee so that representation will be broad based.
8. Frances Phipps, 7210 Holly Avenue. Mrs. Phipps raised a question on the relatively high WSSC tax levied in Takoma Park, and was responded to by Councilman Forshee. She then proposed that Council consider a law which would prohibit the cutting of trees over a prescribed size.
9. Ellen Marsh, 7405 Maple Avenue. Mrs. Marsh concurred with the above, saying she had had a similar proposal rejected. She noted that she and her husband have collected information on how this problem is handled in other cities. Councilman Ricks expressed his concern over the number of large trees which are dying. Mayor Roth assigned the above matters to the Public Works Committee, suggesting that they seek advice from the Corporation Counsel.
10. Joseph G. Ferrier, President, Save Takoma Park Committee, 7413 Maple Avenue. Mr. Ferrier read a letter on behalf of the Committee which reiterated some previous statements and called attention to a report that Rockville's government opposes additional parking for that city's campus. Two requests were also made: that the Council schedule public hearings on the College's proposed expansion into Block 69, and, if a meeting is to be held between Council and the Board of Trustees, that residents of Block 69 be included. Mayor Roth agreed to take this under consideration, but pointed out that the issue has been discussed many times over a long period of time, with ample opportunities for everyone to make their views known.
11. Delores Stowell, 7704 Takoma Avenue. In connection with speeding on Philadelphia Avenue, Mrs. Stowell said it has been suggested that stop signs be erected near the SSI school, since cars ignore both the posted speed limit and the school lights. She stated that the State Department of Public Works had referred to the Montgomery College Takoma campus as a special one with a different limited curriculum, and suggested bussing students to Rockville for more liberal studies. She also recalled an earlier statement of Mayor Roth's in which he used the anticipated widening of Philadelphia Avenue as a reason for Council approval of the acquisition of Block 69 by the College.
12. Phil Vogel, 7117 Garland Avenue. Mr. Vogel commended Councilman Nishimoto and the Department for trying to improve an already well-functioning department by holding open forums, suggesting that Councilmen Burgess and Ricks might consider similar meetings. He also commended Councilman Ricks on the apparent improvement at the Winchester-Takoma and suggested that Code Enforcement give some attention to Allegheny Avenue. After considerable discussion and upon Mr. Vogel's request, Councilman Burgess agreed to return item #56 to the working agenda and seek ways of improving the public rights of way on Ethan Allen Avenue. Mr. Vogel apologized for the apparent misunderstanding in connection with publication of the complete agenda, saying he had meant to suggest publication monthly. In response to his request, Mayor Roth consented to send a second letter expressing Council's opposition to the widening of Route 410 in Prince George's County. There followed a lengthy discussion on the feasibility of immediate full enforcement of zoning codes as they apply to multi-family dwellings, with Mr. Vogel advocating such a course and suggesting the hiring of a third Code Enforcement Officer to implement a program, and Mayor Roth pointing out the complexities of the situation and the ramifications if such a course were pursued without proper planning (evictions, displacement of low-income families with no housing for relocation, problems which would arise if a coordinated policy is not adopted for the entire TESS area). Mr. Vogel suggested a hearing to permit the airing of divergent points of view. Councilman Ricks pointed out the legal requirements which must be met prior to reconversion of multi-family units to single-family status.

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13. James Welu, 7330 Piney Branch Road. Mr. Welu said he does not favor evictions, and suggested that illegal use and "maintenance" nonconforming statuses be identified and reversals sought. He spoke of a report that a Code Enforcement Officer had encouraged continued payment of the fee to maintain the multi-family status. Mr. Barile took exception with this, saying that the officers explain how the status can be maintained, but do not encourage it. Councilman Ricks said that the Code Enforcement Officers attempt to make a determination on the legality of multi-family use during the course of their regular inspections of rental housing; if a violation is found, it is referred to the Corporation Counsel. He indicated that this is one of the reasons the Committee meetings cannot be public. Mayor Roth cited the some one hundred reversals which have been obtained in this fashion. Mr. Welu also commended Mayor Roth for seeking the help of community groups in connection with the Advocate plan, saying he hoped Council TESS Commission members would also favor this approach.

14. Donald Ramsey, 8300 Flower Avenue. Mr. Ramsey suggested a tax on removal of trees as an alternative to the proposed ordinance. In connection with enforcement of multi-family use codes, he said that the process of attrition could solve the problem of evictions, and suggested requiring real estate agents to fully inform buyers of all aspects of the codes. Mayor Roth said that the 100 reversals previously mentioned indicates the City is moving in the right direction and noted that, during his tenure as Councilman, violators have been actively sought and additional nonconforming use opposed.

15. Roderic Davis, 703 New York Avenue. Mr. Davis said there is a dead tree in the parking area by Montgomery College, between New York and Albany Avenues. He asked if Council could clarify the jurisdictional responsibility for parking control in the Juniper Street bridge area, saying the County apparently does not accept responsibility there and there are many violations on both sides of the bridge.

COMMITTEE REPORTS:

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

Report on activities. Councilman Webb announced that fall classes will begin during the first weeks of October and include courses in art, baton, beaded flowers, cake decorating, drawing and painting, leaded stained glass, slimnastics, guitar, children's dancing and roller skating, flower drying and arranging, upholstering, and a Christmas workshop. He also announced the following: an antique show and sale, September 24, 12-6:00 PM, on the Library grounds; also on September 24, at 4:30 PM, a rock band concert (the Jig Saws) in Jequie Park; on September 26, 8:00 PM, the Recreation Council will meet at 8 Sherman Avenue.

Meetings on proposed sites for permanent swimming pools in Prince George's County.

Councilman Webb stated that two public meetings have been set up to give the public an opportunity to express opinions on the report of the Swimming Pool Task Force, which was established by the Prince George's County Planning Board to make recommendations. They are scheduled as follows: September 20, 8:00 PM, 1771 Tucker Road, Oxon Hill; September 21, 8:00 PM, 6600 Kenilworth Avenue. He suggested that interested citizens might attend and speak for the location of one of the six pools in the City, possibility in the J. Enos Ray school area.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Law Enforcement Committee public forum. Councilman Nishimoto reported on some aspects of this meeting which was attended by the Committee, the Police Chief and the three watch commanders, as well as a number of citizens who came to air their complaints, make suggestions, or request help with problems. One suggestion has already been acted on: a citizen can now

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get information on his complaint from the dispatcher, some 20 minutes after it has been made. Another meeting will be held on October 10, at which some of the dispatchers will be present to hear public reaction to their performance.

53.\*/ Request for pushbutton traffic device on Carroll at Takoma Tower. Councilman Nishimoto reported that assistance has been requested from the State Highway Administration in connection with this situation.

66. & 67. Proposed designation of Lincoln (#66) and Montgomery (#67) Avenues as one-way streets. These proposals will be discussed at the October 10 open forum, Councilman Nishimoto said. He requested the City Administrator to notify all persons who would be affected by the proposed changes of that meeting, using a procedure by which receipt can be acknowledged.

68. Speed control on Philadelphia Avenue. Councilman Nishimoto reported that radar is being used in this area three days a week and the Chief expects this will alleviate the problem.

69. Request for 4-way stop signs at Elm and Larch Avenues. It was the consensus of the Committee that the stop signs on Larch at Elm are adequate, with stop signs on Elm serving no useful purpose, Councilman Nishimoto reported.

70. Mr. Karkenny's request for help w/problems at Sheridan Avenue property. The Department is aware of the problem of children using minibikes on the property and will continue to enforce the law against violators, Councilman Nishimoto said.

#### Administrative Action:

Personnel. Upon motion by Councilman Nishimoto, duly seconded, Council authorized the following promotions, all effective September 15: Privates Henry M. Wortman, Jr. and Steven W. Carter to the rank of Private First Class; Private First Class John R. Gowin to the rank of Corporal.

Councilman Ricks requested that the situation around the Elementary School be investigated, saying that the traffic is congested around 3:00 PM to such a degree that, in the event an emergency vehicle had to get through, cars would have to move onto the sidewalk.

#### HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting

Prince George's County's proposed landlord-tenant bill. Councilman Ricks requested that a letter be sent to the Prince George's County Council, asking that Takoma Park be excluded from the provisions of this bill. He noted that the Corporation Counsel is already reviewing its Montgomery County counterpart with a view to its application to the City. (Hearings on the P.G. County bill will be held on September 12 and 13, 7:30 PM, at the Community College and the County Court House, respectively.)

Appointment to the Community Improvement Board. Following Councilman Ricks' motion, seconded by Councilman Webb, Council approved the appointment of Mr. Duncan Wall as Vice-Chairman of the CIB.

Appointment to TESS Citizens Advisory Council. Following Councilman Ricks' proposal, with no objections voiced, Mr. Edward Hutmire was appointed first delegate to the Council, with Mrs. Simpson to serve as alternate delegate.

\* Numbered items under Committee reports refer to permanent numbers assigned to items at the time of their addition to the agenda.

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13. Animal Control Committee. Councilman Ricks announced a meeting of this group would be held on September 20, 7:30 PM, in the second floor meeting room of the Municipal Building.

54. Request for comments on CATV plan for Montgomery County. Councilman Ricks asked that this item be moved to the Committee working agenda for further study.

70. Mr. Karkenny's request for help with problems at Sheridan Avenue property. Councilman Ricks requested that this be removed from the agenda, saying that the Division will do all it can to help Mr. Karkenny resolve his problems. Mayor Roth agreed to this, with the understanding that Mr. Olson would contact Mr. Karkenny and counsel him as needed.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting

70. Mr. Karkenny's request for help with problems at Sheridan Avenue property. Councilman Burgess reported that Mr. Olson has been requested to contact Mr. Karkenny about barricading the dedicated right of way running through his property, and asked that the item be moved to the working agenda. Mayor Roth asked Mr. Barile and Mr. Olson to meet with Mr. Karkenny jointly.

72. Drainage problem on Lincoln at Elm. Councilman Burgess requested that this be held in abeyance and moved to the working agenda until the Department can determine the exact cause of the drainage problem, suggesting that such a determination might be made following the next rainfall.

73. Request for attention to Oak trees on West side of Willow Avenue. Councilman Burgess reported that Pepco had been contacted and, some weeks ago, an estimate obtained on pruning the trees for which the City is responsible. Upon his motion, seconded by Councilman Forshee, the ordinance below was adopted authorizing the work, with the roll call vote recorded as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks and Webb. Nay: none. Excused: Councilman Sidell.

ORDINANCE NO. 2234

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

*SECTION 1. THAT a contract for removal of dead limbs from the trees on the West side of the 7200 and 7300 blocks of Willow Avenue is hereby awarded to Rogers Tree Company, at the estimated cost of \$680 (SIX HUNDRED EIGHTY DOLLARS); AND*

*SECTION 2. THAT the sum stated in Section 1 above shall be charged to A/C 12.202F.*

Interconnection of Municipal Building sound system. Upon motion by Councilman Burgess, duly seconded, Council authorized the expenditure of an amount not to exceed \$210 to interconnect the PA systems in the Council Chamber and the second floor meeting rooms. It was explained that this would help to accommodate crowds too large for the Council Chamber, such as that expected for the dedication. Prior to the authorization, there was a discussion on ways of improving the sound on the Chamber podium, where it is difficult to hear the audience. Councilman Ricks suggested a jack and earphone for the secretary, and Mr. Ferrier suggested that the sound boxes be moved inside the podium enclosure. Mayor Roth requested that an expert be consulted, suggesting that funds be taken from appropriate City Office and Public Works accounts.

PERSONNEL PROTECTION COMMITTEE: Councilman Burgess, Vice-Chairman, reporting

Personnel. Following Councilman Burgess' motion, duly seconded, Council accepted the resignation of Pvt. Alfred P. Murraray, effective August 30. In response to Mayor Roth's query

as to whether it is necessary to bring action of this type before the Council, the Corporation Counsel said that, in his opinion, it is, since personnel appointments are made by Council.

PLANNING AND ZONING COMMITTEE: Councilman Faulkner reporting

30. Zoning Appeal #3138 (print shop, 906 Davis Avenue, Albert Cole). Councilman Faulkner reported that this appeal had been denied and requested that it be deleted from the agenda, with a check on compliance with the terms of the denial in July 1973.

Special Exception S-123, operation of beauty shop at 7320 Piney Branch Road. Councilman Faulkner reported that this application has also been denied.

In response to Councilman Nishimoto's inquiry about the status of the RAP application, Mayor Roth said that nothing has been heard.

FINANCE COMMITTEE: Councilman Forshee reporting

Revised City Charter and Code. Councilman Forshee read the ordinance below, saying he would propose its adoption at a later meeting. He explained that the recodification was completed during the summer and it has been made available to Councilmen and department heads, as well as the Library, and indicated that the up-dating of the merit plan cannot go forward until the Code is adopted. Councilman Nishimoto asked that adoption not be rushed, and said that the Code in its present form does not cover all the things he would like to have included. Mayor Roth said the codification had been done by NIMLO, who reorganized the old code and charter, incorporating the many revisions and putting it in modern-day language. It is also bound in loose-leaf form to facilitate future amendments. He indicated that a thorough review should be undertaken by department heads and Councilmen prior to adoption.

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FIRST READING OF A PROPOSED ORDINANCE

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

SECTION 1. THAT all ordinances of a general governing nature of the City of Takoma Park, Maryland, previously adopted, have been reviewed, reorganized and revised into a codification under the supervision of the Corporation Counsel; AND

SECTION 2. THAT such codification is now published into a document to be known as "The City of Takoma Park Code, 1972."

SECTION 3. THEREFORE, BE IT HEREBY ORDAINED THAT "The City of Takoma Park Code, 1972" is hereby approved and adopted, and the same is hereby legalized and shall be deemed and taken in all courts of the State of Maryland, and by all public officials of the State to be evidence of the Local Laws and Ordinances of the City of Takoma Park, Maryland, in existence at the effective date.

SECTION 4. AND BE IT FURTHER ORDAINED THAT this ordinance shall take effect on October 1, 1972.

SECTION 5. PROVIDED FURTHER THAT the foregoing shall not in any way effect or repeal any Ordinance granting franchises or contracts, which franchises or contracts are hereby ratified, confirmed, and continued according to their provisions, terms, and conditions.

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COUNCIL AS A WHOLE COMMITTEE: Mayor Roth reporting

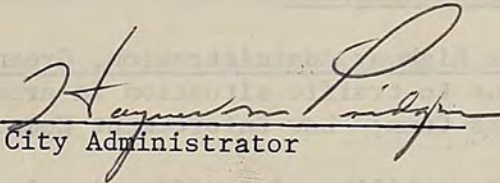
46. Proposed changes in Newsletter format and content. Mayor Roth announced he would set up a committee of five to seven citizens to advise Council on on this matter, and named the following persons as members, subject to their acceptance: Messrs. Phil Vogel, Arthur Catudal, Robert Mandel, James Suntum, and Edward Hutmire (chairman). He also requested names of other persons who might be particularly well qualified. He said the committee would be charged with providing input on how well the Newsletter is serving the citizens, and initiating a readership survey which he suggested conducting during October and November. Councilman Nishimoto suggested, with the Mayor concurring, that names of persons qualifying as editor might be included in the committee's tasks.

50. Recognition of individuals for debris collection efforts. Mayor Roth referred this item to the Public Works Committee on an operational basis, suggesting that if an appropriate opportunity presents itself, a recommendation may be made to Council.

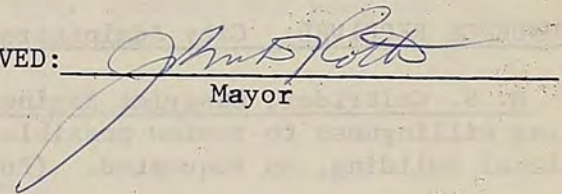
51. Community bulletin board. Mayor Roth removed this from the Council as a Whole agenda, requesting that the citizens committee working on the project prepare a report for the City Administrator's review and later submission to Council.

There being no further business to come before the Mayor and Council, the meeting adjourned at 10:21 PM, by unanimous consent, to reconvene at 8:00 PM, September 25, 1972, in the Council Chamber of the Municipal Building.

ATTEST:

  
City Administrator

APPROVED:

  
Mayor

## THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
September 25, 1972

City Officials Present

Mayor Roth  
Councilman Burgess  
Councilman Faulkner  
Councilman Forshee  
Councilman Nishimoto  
Councilman Ricks  
Councilman Sidell  
  
Excused: Councilman Webb

City Administrator Pridgen  
Corporation Counsel Gingerich  
Asst. Corp. Counsel Culpepper  
Fire Chief LaScola  
Fire Captain West  
Police Chief Porter  
Code Enforcement Officer Olson  
Director of Recreation Ziegler

The Mayor and City Council met in regular session at 8:00 PM, September 25, 1972, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. The invocation was given by Rev. Floyd W. Kester, Good Samaritan Baptist Fellowship, and was followed by the pledge of allegiance. A motion to approve the minutes as submitted and dispense with the reading was made by Councilman Nishimoto, seconded by Councilman Ricks, and carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

1. M. S. Caltrider, District Engineer, State Highway Administration, Greenbelt. Letter indicating willingness to review possible solutions to traffic situation in area of Langley Professional Building, as requested. (Public Works Comm; Law Enforcement Comm. for information)
2. M. S. Caltrider. Agreement to consider feasibility of traffic signal at intersection of Piney Branch and Ritchie Avenue. (Law Enforcement Committee)
3. Winfield M. Kelly, Jr., Chairman, Prince George's County Council. Response to request that City be excluded from provisions of landlord-tenant bill, indicating it would be forwarded to chief sponsor of bill. (Housing and Code Enforcement Committee)
4. Peter A. Menedis, President, Takoma Park Volunteer Fire Department, Inc. Request for reconsideration of an earlier proposal for remodeling a portion of Fire house for use by entire Fire Service. (Fire Protection Committee)
5. William S. Porte, 7515 Maple Avenue. Request for painted line dividing north- and south-bound traffic on Maple Avenue, between Philadelphia and Carroll St. (Law Enforcement Committee) Request for sidewalk on east side of Maple Avenue from Sligo bridge to Erie Avenue. (Public Works Committee)
6. Samuel Davidson, 7406 Jackson Avenue. Complaint of littered condition of yards behind 334 and 336 Boyd Avenue. (Housing and Code Enforcement Committee)
7. Mrs. E. Rollins, 7667 Maple Avenue. Complaint of house trailer parked near 7667 Maple Avenue, causing obstruction of vision. (Law Enforcement Committee)

MAYOR ROTH'S COMMENTS:

Mayor Roth said he wished to alert citizens to the fact that there are some persons living inside the City who would like to move Montgomery College's Takoma campus to a 40-acre site in Four Corners which has been zoned for apartments; presumably, they prefer a college to apartment buildings. He felt that Council could not agree to this move, and expressed the hope that citizens of Takoma Park are not a party to the plan. He said that, apart from its obvious role, the school serves to enhance the quality of life for citizens of the City. In connection with the events of the previous Friday [in which 10 persons attempted to prevent the demolition of a Montgomery College-owned property on Block 69, and were later arrested on a complaint filed by the school], Mayor Roth said he felt a kinship with Mrs. DAVIS by virtue of generation, and wished that he could have helped her, but that she had chosen to violate the trespass law and there was no way he could have done so. He went on to say that he felt the action she took was not right and neither he nor Council could support that action.

At this point, the City Administrator read a resolution, later presented to members of the CAR Ark and Dove Society, which

proclaimed October 12-19, 1972 as PATRIOTIC EDUCATION WEEK in Takoma Park, and urged all citizens to "use their franchise to vote and to make themselves knowledgeable of the workings of a republican type government in a democratic society."

He then presented the following proclamation to members of the Fire Protection Division:

A proclamation commemorating the anniversary of the Great Chicago fire and naming October 8-14, 1972 as FIRE PREVENTION WEEK, and urging citizens to participate in this annual campaign to help prevent the needless destruction of lives and property caused by fire.

The following resolutions were unanimously adopted by the Council:

R E S O L U T I O N

*WHEREAS, it was with sorrow that the Mayor and City Council of Takoma Park learned of the death of Alfred J. Jarboe on September 20, 1972; AND*

*WHEREAS, Mr. Jarboe was a native and life-long resident of Takoma Park, having resided most recently at 42 Columbia Avenue; AND*

*WHEREAS, Mr. Jarboe had been a member of the Takoma Park Volunteer Fire Department, Inc. since 1958, where he served as an inspiration to the younger members of the force; AND*

*WHEREAS, Mr. Jarboe, during his service with the Takoma Park Volunteer Fire Department, Inc., was among the top-ranking Volunteer Firemen in response to calls and training activities, having received letters of commendation for the latter, as well as for outstanding service during the 1968 riot fires.*

*NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Takoma Park, Maryland, on behalf of the officials and employees of the City of Takoma Park, as well as the citizens of this community, that we do hereby extend to the members of Mr. Jarboe's family this expression of heartfelt sympathy in the loss that they, in common with the community, have suffered through his death; AND*

*THAT this resolution be spread upon the permanent records of the City, and that a suitably engrossed copy be prepared and forwarded to Mrs. Alfred J. Jarboe.*



September 25, 1972

RESOLUTION

- WHEREAS, it was with great sorrow that the Mayor and City Council of Takoma Park learned of the passing, on September 23, 1972, of Walter H. McClenon in his 85th year; AND
- WHEREAS, Walter H. McClenon, a native of Oconto, Wisconsin, was a resident of Takoma Park for thirty-eight years, and served as City Councilman from June 1948 to November 1953; AND
- WHEREAS, Mr. McClenon, after his retirement from the City Council, maintained a lively interest in Council affairs and made himself available when sage advice was sought; AND
- WHEREAS, Mr. McClenon spent forty years in federal government service and was active in many civic organizations, including helping to organize the Takoma Park Sister City program and serving as trustee of the Takoma Park Presbyterian Church. He was twice awarded the Evening Star Outstanding Citizen of the Year trophy.
- NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Takoma Park, Maryland, on behalf of the officials and employees of the City of Takoma Park, as well as the citizens of this community, that we do hereby extend to the members of Mr. McClenon's family this expression of heartfelt sympathy in the loss that they, in common with the community, have suffered through his death; AND

THAT this resolution be spread upon the permanent records of the City, and that a suitably engrossed copy be prepared and forwarded to Mrs. Walter H. McClenon.

Councilman Ricks said he wished to clarify the appointments to the TESS Citizens Advisory Council made at the last Council meeting, in order that they not be misinterpreted as an administrative action: The appointments of Mr. Edward Hutmire as delegate and Mrs. Kathryn Simpson as alternate delegate were made at Mrs. Simpson's request.

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PUBLIC PARTICIPATION:

1. Evelyn Ferry, 24 Hickory Avenue. Mrs. Ferry read a petition signed by some 530 citizens living in, or adjacent to, the Southwest sector of the City, which requested immediate upgrading of the Carroll/Laurel Avenue shopping center and the provision of adequate shopping facilities for older citizens who have no transportation to the Langley stores. It proposed the use of funds under a HUD pilot project.
2. Etta M. Davis, 703 New York Avenue. Mrs. DAVIS spoke of the events of last Friday and expressed her anger at the Mayor and Council for having had the authorities take action against normally law-abiding citizens, and for valuing an institution over homes and families as demonstrated in their failure to support residents of Block 69. She requested action on the following: a public hearing on the Block 69 issue; a list by address of all boarded up houses in the City; screening the College parking lot and lowering the lights.
3. Catherine Wakelyn, 7419 Maple Avenue. Mrs. Wakelyn deplored the failure of the College to notify Block 69 residents of the planned razing of the Supplee house on Friday, saying that such underhanded methods elicit only bitterness and vindictiveness. She asked Council to place themselves in Mrs. Davis' position
4. Gene O. Stowell, 7704 Takoma Avenue. Mr. Stowell read a statement which held the Mayor and Council responsible for the planned destruction of Block 69 because of their explicit approval and for the demolition of the Supplee house on orders from a City department; charged them with forcing the drastic action taken by ten persons the previous Friday because of their indifference; commended the persons involved in the act of civil disobedience (Mrs. Stowell,

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Mrs. Etta Davis and son, Stephen; David Weisman and son, Bart; Mrs. Evelyn LeMay, Mrs. Eunice Foley, Mr. Joseph Ferrier, Dianne and Sue Ann Brown); protested the handcuffing of some of those arrested; and warned Council that such acts will become a way of life if the present course is pursued.

4. Harold Phipps, 7210 Holly Avenue. Mr. Phipps suggested that Council may have underestimated the determination to resist the taking of Block 69, and asked for a public hearing so that both sides of the story could be heard. He suggested also that the Community Improvement Board take a look at the College campus for code violations. In response to Mayor Roth's query as to whether he wished Montgomery College to remain in the City, Mr. Phipps replied in the affirmative. Mr. Phipps also urged action on the proposed ordinance prohibiting cutting of trees and commented on proposals for the Metro area. In connection with the latter, Mayor Roth asked that he reserve them for the Park and Planning Commission's public hearing and said that he, too, had some reservations on some aspects of the proposal, such as the parking garage.

5. Dorothy Porter, 7305 Maple Avenue. Mrs. Porter read a letter from nine citizens which expressed opposition to the destruction of Block 69, proposing vertical rather than horizontal expansion of the College. Mrs. Porter, in her own statement, cited figures on the acreage of other planned Montgomery College campuses and projections of populations they would serve, to illustrate her belief that taxpayers in this area of the County are getting an inequitable return for their money: Even with Block 69, the Takoma campus will have only 15 acres to serve 60% of the population of Montgomery County (357,000 projected for 1980), while the Germantown Campus will contain 240-340 acres and serve only 65,000 (1990 projection). She also asked for a public hearing and, in response to Mayor Roth's question, said she didn't care if the school moved to Four Corners, that she was only interested in the best possible college for her children.

6. Joseph G. Ferrier, 7413 Maple Avenue. Prior to his own remarks, Mr. Ferrier read a letter from Mrs. Ellen Marsh which expressed many previously-mentioned sentiments concerning Block 69 and urged Council to reconsider its position. She also expressed the opinion that residents are not personal friends of Council members are not really listened to. She chastized Council for unintentionally allying themselves with speculators who have allowed houses to deteriorate with the expectation of condemnation and eventual rezoning, instead of working to preserve homes, one of the City's most valuable assets. Mr. Ferrier related the incidents leading up to the arrests on Friday, saying that, even though none of the officials involved subjected the demonstrators to harrassment, he viewed the use of handcuffs as a tyrannical act, and was particularly incensed that Mrs. Foley with her six months old child was handcuffed. He said that the Mayor must have been aware of this action, but did nothing. Mr. Ferrier said he would prefer to have the College leave the City if it must continue to harrass the citizens.

Mayor Roth said he is the son of an immigrant, and spoke of the value he places on educating the young, and that he regards retention of the means for this as an important priority.

7. Frances Phipps, 7210 Holly Avenue. In connection with the issue of Block 69, Mrs. Phipps made the following observations and requests: The Mayor and Council are supporting one alternative of a false dilemma, since there are other options to having the College stay or go. There has been too much emphasis placed on the educational value of physical facilities; books, a good teacher and a willing student can accomplish the job. She requested reexamination of the issues involved with Montgomery College expansion by the present Council, the composition of which has changed by half since the initial decision was made. She also asked for the public expression of minority opinions at Council meetings, and requested a public hearing, for which a dozen neighbors had signed a petition.

8. Joseph Lerner, 7708 Takoma Avenue. Mr. Lerner requested that Council insist the College use none of Block 69 for parking; fence houses scheduled for demolition; help establish liaison between the school and Block 69 residents to assure preservation of the residential character of neighborhood; see that it is treated as a genuine residential area instead of one in transition; replace curbs; shield and resurface the parking lot; lower the lights. He also asked that something be done about Juniper Street bridge. Mr. Lerner stated that even if all the available land were used, it would not be sufficient for a full college, unless high-rise buildings were used

9. Duncan Wall, Vice-Chairman, Community Improvement Board. Mr. Wall reported on some of the activities of the Board, saying that 28 members, representing all zones, attended a meeting the previous week, at which Messrs. Gingerich and Olson had also been present. He commended the residents of Sycamore Avenue, where all properties in need of repair had received some attention during the summer. Mr. Olson had reported that 78 properties cited had been corrected since January. The proposed tree ordinance was also discussed, with the conclusion that more information was needed. Mr. Wall invited anyone interested to attend some special meetings which will include slide shows and lectures.

10. Mrs. Toomey, 7218 Maple Avenue. Mrs. Toomey said that, though she would like to see Montgomery College remain, she felt a commitment by Council to defend and protect residents of the City should have priority over that possibility and suggested that a college is of little use without a community. She also requested a public hearing and suggested the City police focus some attention on the thru trucks and speeding on Maple Avenue.

11. Nancy Webber, 9119 Silver Spring Avenue, Silver Spring. Mrs. Webber admonished the Mayor for referring to Montgomery College as "our college," pointing out that it is supposed to serve a 5-mile radius and over 50% of the County's population. Following some further comments on the type of campus envisioned for Takoma, Mayor Roth suggested that she speak to him after the meeting.

12. Evelyn L. LeMay, 704 Philadelphia Avenue. Mrs. LeMay read a letter from Mr. Lemay which asked: who made the decision to bulldoze 609 New York Avenue? was it demolished for safety reasons or was the Fire Marshall's directive used by College as a handy excuse? who made the decisions on the arrests? He suggested that City officials had been used by the College. Mayor Roth responded by saying that the Board of Trustees apparently made the decision to bulldoze; that the College made a complaint against the ten citizens and the Police Department did its duty. Mrs. LeMay, in her own statement, asked: by what right did Mayor and Council agree to destruction of citizens' property without having consulted them, and how many more blocks would Council permit the school to take? She suggested that if a subsequent request for land is refused, and they move, then Block 69 would have been sacrificed in vain. In response to the first question, Mayor Roth said that Mayor Miller, at last May's public hearing, supported the College's plan for acquisition of Block 69 properties only on a voluntary sale basis; that, in June, at a public meeting, the Council passed a motion not to oppose further efforts by the College to acquire the property. In answer to the second question, he said the College has indicated they do not intend to seek additional land; they don't intend to take the LeMay House; and do not plan to use Block 69 for a parking lot. Mrs. LeMay said she has information which shows using the full length of Philadelphia Avenue for parking.

13. Joseph Cangialosi, 7001 Poplar Avenue. With reference to his request at the last Council meeting, Mr. Cangialosi said he had been concerned with speeding cars, not speeding minibikes, as reported. He inquired about the speed with which action on 609 New York Avenue was taken as compared to the months it took to bring the Winchester-Takoma into compliance. Mayor Roth replied that the Fire Marshall is empowered to act according to his own best judgment. Mr. Cangialosi then requested that Council obtain from the College the number of City residents who are students, exclusive of those who reside here only because they are students.

14. Brenda Simonsen, 7713 Takoma Avenue. Mrs. Simonsen pointed out that school property is not taxable and said that she couldn't care less whether Montgomery College stays or leaves, but that she is concerned for her neighbors.

15. Mrs. John Corridon, 7805 Takoma Avenue. Mrs. Corridon asked how a college could expand into a residential area without going through the rezoning process. She expressed particular concern for the destruction of trees and air pollution from the increased number of cars.

16. Philip Semas, 7206 Maple Avenue. Mr. Semas requested a public hearing on Block 69 and said he felt an explanation was in order on why the people have been denied due process and why handcuffs were used on the previous Friday.

17. Leo J. Sheehy, 310 Ethan Allen Avenue. Mr. Sheehy asked if Council had made a decision on his request concerning railroad retirement and was told that it is a matter for the Treasurer and the Finance Committee to decide.

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18. James Welu, 7330 Piney Branch Road. Mr. Welu reprimanded the Mayor and Council for having made decisions with the college without consulting the citizens involved and for presuming to speak for them; for their seeming inability to deal with problems such as those raised by Mrs. Phipps; for chastizing citizens who may have associated themselves with the proposal to move the Takoma campus to Four Corners. He asked for a public hearing on the College issue as it relates not only to the City and Block 69, but to the County as a whole. Mr. Welu said he favors a move to an area like Four Corners, where there is space for a full community college, or reconsideration of some of the alternatives suggested for expansion of the Takoma campus. He also reiterated Mrs. Phipps' request for Council minority reports, asking that issues be discussed publicly rather than presenting ready made decisions to the public. Councilman Nishimoto agreed with the last two points, saying that a minority stance is oftentimes difficult.

At this point, the Council recessed for fifteen minutes; after reassembling at 10:30 PM, by unanimous consent of the Council the business session was dispensed with to permit all persons to speak.

19. Donald Ramsey,, 8300 Flower Avenue. Mr. Ramsey called on Council to exercise leadership in the Block 69 issue, and suggested a public hearing at which Council could fulfill its obligation to listen to the citizens. He said that, though he had no particular desire for the college to leave, the question was unimportant when compared to the loss of homes. He also questioned the validity of the contention that the school is a particular asset to the City, and pointed out later in the meeting that no citizen of Takoma Park would be deprived of an education for lack of nearby facilities or transportation.

20. Phil Vogel, 7117 Garland Avenue. Mr. Vogel inquired about the following: (1) Mr. Jeffas' request for a list of tax exempt properties; (2) the frequency of publication of the committee agenda; (3) whether or not a second letter had been sent to Prince George's County opposing widening of Route 410. Mayor Roth responded as follows: (1) Mr. Jeffas will be contacted; (2) the agenda will be published quarterly; (3) he requested that Mr. Vogel circulate a petition on behalf of the Mayor and Council to accompany the letter, to which Mr. Vogel agreed. Mr. Vogel also requested a public hearing on Block 69; again expressed concern about the curbing along East-West Highway and Philadelphia Avenue; called attention to the muddy condition of sidewalks on the North side of Philadelphia, between the school and Piney Branch; and said he thought it sad that the Mayor felt it necessary to suspend the Council business session. In connection with the latter, Mayor Roth asked that the record show that Mr. Vogel spoke at 10:43 PM.

21. Eunice Foley, 7714 Takoma Avenue. In connection with Block 69, Mrs. Foley suggested that Council may have based its decision on too few facts and have arbitrarily adhered to it; she asked that the groups concerned get together and somehow work something out. She spoke of the bulldozing as being designed to threaten and harass, and said the College Board of Trustees can assume the posture of a dictator, since it is not responsible to any elected group or official in the State; that, in connection with the availability and purchase of Block 69 homes, the Board's public statements have often been in disagreement with those made behind closed doors; that they will not permit FHA and VA appraisals, and property owners must come up with \$300 for this purpose. She said that property owners stand to lose a considerable amount of money, but the City Council has not followed through on requests for help. Mrs. Foley asked Council to investigate the method by which American University will build their new library underground rather than expand into the surrounding residential area; also asking for a report on why Montgomery College is permitted to use a partially boarded up, condemned piece of property on the other side of New York Avenue, while the Supplee house had to be demolished.

22. Michael Derato, 413 Lincoln Avenue. Mr. Derato responded to Mrs. Marsh's statement that his friends of Councilmen are listened to by saying he is a friend of many, but his requests are often turned down, and that he was also rejected as a candidate for the Council vacancy. He commented on Council's responsiveness to such requests as changes in the Newsletter, revision of the agenda, opposition to widening of Philadelphia Avenue (which he said ought to be widened). He expressed the opinion that some of the statements made during the meeting, labelled as facts, may have been stretched a bit.

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23. David Weisman, 7701 Takoma Avenue. In connection with Friday's incidents, Mr. Weisman complained of being handcuffed and shoved into a police car, saying he did not consider protection of one's neighborhood a crime. He said he favors having the College remain in the City; however, if it means the destruction of one more house or tree, he would prefer that it move to Four Corners.

24. Madeline Shannon, 708 Philadelphia Avenue. Miss Shannon read an editorial from the Bethesda-Chevy Chase Tribune which dealt with property rights, and contained a report on the problems connected with Block 69, and the failure of authorities to support an alternative site for expansion of the College. She spoke of the estimated two million condemnations across the country and asked for a reversal of the continued threat to Block 69 residents.

25. Delores Stowell, 7704 Takoma Avenue. Mrs. Stowell directed the following questions to the Mayor and Council and was responded to by Mayor Roth as indicated: Why do you want Block 69 taken? You support the College; therefore, you must desire that. (Mayor: The College reached certain decisions which they said necessitated acquisition of additional property if they were to continue to educate the 1500 full-time and 1100 part-time students. The Mayor and Council had to make a choice as to whether we favored or opposed the continuance of those educational and cultural services provided by the school. Not being educators and having no expertise, Council felt it necessary to leave decisions on how the expansion would be made to the experts. His own personal decision was based on those factors.) Why couldn't you support an alternative, e.g., a semi-high rise which would serve the same purpose? (Mayor: the Mayor and Council have wished the school could be talked into this; however, they have never felt themselves qualified to make that judgment and are not the body who should make the decision.) Why is the College such an asset to the City? (Mayor: Because of its value as an educational facility which serves Takoma Park and others.) Other points raised by Mrs. Stowell were: There is no evidence that the College has said it will move; however, there is the likelihood that the campus in its present form will move if it does not acquire even more space, leaving a vocationally-oriented institution in the City (The Mayor said he would never support any further expansion); there is documented evidence of plans for one parking space for each full-time student; the Board has a proclivity to revise their building plans; many untrue and misleading statements have been made by the Board; e.g., in 1966, when the Stowell's purchased their home, the College said they had no plans for Block 69 and, contrary to the College's contention that plans for Block 69 have been public knowledge for many years, the homeowners on that block were not contacted until 1970. Mrs. Stowell emphasized her belief that the Board of Trustees has used the Council's support as a major weapon for taking Block 69. She also cited a series of events which she said the school has used to intimidate Block 69 residents over the past two years, which included the two bulldozings without notifying residents, one of which took place at 5:00 in the afternoon; the threat of condemnation; activities such as surveying and the taking of aerial photographs and test borings, without explanation; circulation of information that Block 69 residents are only out for publicity and to cause trouble, when they are simply trying to retain their homes. Mrs. Stowell commented on the fact that Council gave tacit support to this kind of thing and has not been willing to even ask the College to look at other alternatives.

26. Emily Gray, 8721 Gary Road, Silver Spring. Miss Gray said she found it appalling that the homeowners on Block 69 had never been granted a public hearing by their own City Council, but instead had found it necessary to carry their problems to the County Council and State Board of Public Works. She suggested that such a hearing would place the whole problem in better perspective.

The remainder of the comments centered primarily around a plea by Mrs. Foley, Mr. LeMay, Mr. Welu, Mr. Ferrier and others, for Council to accommodate the residents of Block 69 by making some expression of opposition to the taking of Block 69. It was pointed out that Councilman Wilcox had said he would have pushed for the College to stay off Block 69 if just one City Councilman or the Mayor had expressed opposition; and that Louis Goldstein, who is a member of the State Board of Public Works, had indicated the Board's willingness to withhold funds if only a single elected City official had opposed the plan. Mr. Foley also requested that Council recommend underground parking and that the school confine construction to their present site.

The meeting adjourned at 12:05 AM, to reconvene at 8:00 PM, October 9, 1972.

ATTEST:

Hague M. Poljan  
City Administrator

APPROVED:

John Roth  
Mayor