

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

October 9, 1972

City Officials Present

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

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

Excused: Councilman Forshee

The Mayor and City Council met in executive session at 8:04 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, Mayor Roth called for a motion to approve the minutes, if there were no corrections. Mr. Joseph Ferrier noted that there had been no mention of the removal of a member of the audience from the last Council meeting. Mayor Roth replied that the purpose of the minutes is to record matters for further consideration by the Council. Councilman Burgess proposed a motion, duly seconded and without objection, to approve the minutes as submitted and dispense with the reading.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting

- 1. David B. Weisman, Secretary, North Takoma Citizens Association, 703 New York Avenue. Request that 8 Columbia Avenue not be sold for commercial purposes (Finance Committee); request for 4-way stop signs at Buffalo and Albany Avenues, and 3-way stop signs at Buffalo and New York Avenues (Law Enforcement Committee)
2. Neal Bozarth, 7326 Willow Avenue. Request for reconsideration of policy on Block 69; request for City to adopt a policy of public hearings on matters relating to possible condemnation, or other threats to the community, followed by a referendum to determine policy. (Planning and Zoning Committee)
3. Catherine C. Wakelyn, 7419 Maple Avenue. Suggested public meeting on Block 69 issue as a first step toward reestablishing communications between Council and citizens. (Planning and Zoning Committee)
4. Stephen S. Hiten, Chairman, Citizens for Sound Government. Letter commending police force for its efficiency and handling a recent bank robbery. (Law Enforcement Committee; Police Department files). Mayor Roth, on behalf of Council, also commended the Department.
5. Prince George's County Municipal Association. Notice of meeting 8:00 PM, October 19, Takoma Park Municipal Building.
6. Montgomery County Chapter, Maryland Municipal League. Announcement of meeting, 8:00 PM, October 26, Takoma Park Municipal Building

FINANCIAL STATEMENT OF BANK BALANCES AS OF SEPTEMBER 30, 1972: City Treasurer Turner report

SUBURBAN TRUST COMPANY--GENERAL FUNDS			
Balance as of August 31, 1972	116,498.41		
September receipts	<u>596,232.49</u>	712,730.90	
September disbursements*		<u>535,824.89</u>	
Balance as of September 30, 1972			<u>176,906.01</u>
*Includes purchase of four \$100,000 Treasury bills.			
SUBURBAN TRUST COMPANY--PAYROLL ACCOUNT			
Balance as of August 31, 1972	14,114.80		
September transfers from General Funds	<u>89,618.37</u>	103,733.17	
September disbursements		<u>87,997.84</u>	
Balance as of September 30, 1972			<u>15,735.33</u>
CITIZENS BANK OF MARYLAND--GENERAL FUNDS			
Balance as of August 31, 1972	7,438.64		
September receipts	<u>3,911.15</u>	11,349.79	
No September disbursements		--	
Balance as of September 30, 1972			<u>11,349.79</u>
CITIZENS BANK OF MARYLAND--SPECIAL ASSESSMENT FUND			
Balance as of August 31, 1972	780.31		
No September transactions	--		<u>780.31</u>
Balance as of September 30, 1972			<u>780.31</u>
CITIZENS BANK OF MARYLAND--PUBLIC IMPROVEMENT FUND			
Balance as of August 31, 1972	40,965.04		
September receipts	--	40,965.04	
September disbursements		<u>946.25</u>	
Balance as of September 30, 1972			<u>40,018.79</u>
CITIZENS BANK OF MARYLAND--SAVINGS A/C TP-63			
Balance as of August 31, 1972	159.82		
Interest for 3rd quarter 1972	<u>1.79</u>	161.61	
Balance as of September 30, 1972			<u>161.61</u>
AMERICAN NATIONAL BANK--GENERAL FUNDS			
Balance as of August 31, 1972	688.48		
September receipts	<u>1,638.38</u>	2,326.86	
No September disbursements		--	
Balance as of September 30, 1972			<u>2,326.86</u>
PETTY CASH			
			<u>200.00</u>

U.S. TREASURY BILLS

Purchased:	9-12-72	Maturity:	6-30-73	Cost:	95,973.33	Value:	100,000.00
	9-21-72		5-31-73		96,410.00		100,000.00
	9-28-72		4-30-73		96,953.61		100,000.00
	9-28-72		3-29-73		<u>97,406.33</u>		<u>100,000.00</u>
					<u>386,743.27</u>		<u>400,000.00</u>

MAYOR'S COMMENTS:

Mayor Roth announced that a memorial service would be held at 2:00 PM on Veterans Day, October 23, in Memorial Park, and that the regularly scheduled Council meeting would not be held on this national holiday. He spoke of a newspaper report which indicated the House Public Works Committee has ordered the District to proceed with the North Central Freeway, saying that even

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though a spokesman for the Senate Public Works Committee has said the report doesn't mean anything those who have been involved in the struggle for some ten years cannot afford to take such an announcement lightly. He said that a letter over his own signature has already been sent to the Senate Committee, urging them to persuade their counterparts in the House to retreat from their stated position, and asked that citizens groups appoint committees to devise ways of combatting this threat. He suggested that, among others, the Maryland Department of Transportation might be contacted.

Upon motion, duly seconded, the following resolution was adopted by Council:

RESOLUTION

WHEREAS, Captain Russell B. Jones, Retired, United States Navy, served the City of Takoma Park as a City Councilman from April 1960 to April 1970, AND

WHEREAS, Colonel Russell B. Jones, Jr., Retired, United States Army, the elder son of Captain and Mrs. Jones, passed from this life on October 3, 1972, after a long period of illness, AND

WHEREAS, Colonel Russell B. Jones, Jr. had distinguished himself in service to his beloved county, having devoted his life to his military career, AND

WHEREAS, Colonel Russell B. Jones, Jr. had served his last post in command of the Army Security Agency's Kagnew Station in Asmara, Ethiopia, AND

WHEREAS, Colonel Russell B. Jones, Jr.'s decorations include the Legion of Merit with Oak Leaf Cluster, the Meritorious Service Medal, the Joint Service Commendation Medal and the Cross of Gantry.

NOW, THEREFORE, BE IT RESOLVED, THAT the Mayor and City Council hereby express sympathy and condolences to the bereaved family on behalf of their many friends and the citizens of Takoma Park, Maryland, upon the untimely demise of Colonel Russell B. Jones, Jr., and that a suitable copy of this resolution be presented to the grieved parents, Captain and Mrs. Russell B. Jones.

At Mayor Roth's request, City Administrator Pridgen read the following statement of the Council:

Citizens have asked for information about the expansion of Montgomery College. The following is to clarify some points of misunderstanding:

1. The Takoma Park Campus of Montgomery College is an important asset to the educational facilities in the City. It would be a serious mistake to move it out of the City, as some have proposed.
2. The buildings are old and in poor shape and need to be replaced at the earliest possible time. There is an urgent question as to how long they can be used in their present condition.
3. The College has purchased nine lots on Block 69. None of these were taken by condemnation. Other owners in the block are believed to be willing to sell their property to the College at a negotiated price.
4. The building that was dismantled on September 22 was the property of the College. It had been evaluated as a fire hazard.

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5. The College has recognized citizens' objection to the original plan for parking lots; it is sensitive to the problem and is working for alternative solutions.
6. The College has planned a program for modern buildings on the property it now owns, including some of the nine lots in Block 69. This does not require condemnation.
7. The College should proceed with the desperately needed improvement in the educational facilities for the young people of the City and County.
8. A law suit against the College by four families on Block 69 is now pending.
9. When the law suit is settled, or earlier if possible, we hope to arrange some dialogue between the College and the homeowners on the block to see if we can minimize the disagreements and search for ways that each can use their own property, and reconcile differences wherever possible.
10. We have been asked to hold a public hearing on the College's plans. The College held a public hearing on May 4, 1971, on the alternatives it was considering. The residents of Block 69 testified. A decision was made. On May 24, 1971, a lengthy presentation was made to the City Council opposing College expansion. After considering all of the information presented, the City Council voted to support the College on June 14, 1971. On October 11, 1971, the City Council heard a lengthy presentation concerning four plans for the College developed by an architect for Block 69. The City Council advised that these plans should be for decision by the College.
11. Recently, on September 25, the City Council again heard opposition comments on the College for several hours.
12. There already has been a great deal of discussion. The College buildings are getting older and more decrepit. This is a disservice to the 2500 students. They are our future.

#### COMMITTEE AGENDA ITEMS:

91. Request for check on 7700 Takoma Avenue. Councilman Sidell said he would speak to this in order that citizens might comment prior to the business session. He reported that the building had been checked by Capt. West and found to be used for administrative offices, not classrooms; that this use had been approved by the County Fire Marshall; and, in view of this, he would ask that the item be removed from the agenda.

#### PUBLIC PARTICIPATION:

Mayor Roth said that the business session had been cancelled at the last meeting to permit full expression of views on Block 69, but that pending business precluded repeating that procedure. He stated that the meeting would open with remarks from citizens, but in order for Council to proceed with the business session, that portion of the meeting would be concluded at 9:30, except by unanimous expression to the contrary by Council; that each person would be asked to speak only once and to limit remarks to five minutes; those unable to speak, or wishing to give extended remarks, were asked to submit them in writing for distribution to Council between meetings, or, if Council expressed an interest, they could remain after the meeting.

Councilman Nishimoto suggested that the written remarks be made a part of the minutes, so they would not have to be read or spoken to at meetings, but would still become a part of the record. Mayor Roth said he felt a decision of that kind could not be made, saying that the

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minutes are already over long and the time involved in their preparation interferes with services to the citizens and the Council.

1. Nathaniel White, 7515 Alfred Drive. Mr. White, after commenting on the repaving of streets in various parts of the City, asked that Alfred Drive, and possibly Ray Drive, be paved and sidewalks laid. He requested that the dual City-County jurisdiction not be used as an excuse, as it has in the past, saying he felt it to be Council's responsibility to cut through the red tape. He also noted that the Department of Public Works doesn't always abide by its regulations requiring bundling of limbs, etc., into four-foot parcels, since he had observed them at Columbia Union College picking up unbundled limbs of the type one would have after a windstorm or pruning. (Public Works Committee)

2. Fred R. Joseph, Attorney for Police and Firemen's Association. Mr. Joseph said that for a number of months he has represented the Association in their efforts to effect some changes in the merit plan which would bring their pay and other benefits closer to that of surrounding jurisdictions. He said he had quickly scanned a proposed amendment to the merit plan which would be introduced later in the meeting; that he felt it to be a step forward; and that the Association, after further study, would avail themselves of the opportunity to make constructive comments prior to adoption of the proposed changes. He said that, although members of the group have oftentimes felt they have not been listened to, they do not wish to create problems, but merely to be treated equitably for their services to the community.

3. Marie Long, 7620 Maple Avenue. Mrs. Long read a statement, signed by herself, Mrs. Jane Hatcherson, and Mr. Lewis D. Cross, which commended Councilman Ricks for having had a speaker removed from the Council Chamber at the last meeting after his use of a racial epithet, and for his remarks to another speaker who objected to persons with dirty clothes and African bushes passing in front of her home. The statement went on to point out that these are not isolated incidents; that racist attitudes are not uncommon in Takoma Park, and though private attitudes are of little interest to members of minority groups, their public expression is a matter of considerable concern and will not be borne in silence. The statement concluded by asking Council to consider these questions: has Council and those concerned with law enforcement, devised a method for handling situations such as those described? does Council accept statements of the type referred to as being so ordinary as to not warrant comment? Mayor Roth said that the presentation of ideas is much more effective without the use of offensive language and that he would hope no one would feel it necessary to use derogatory terms. Councilman Nishimoto said that racial epithets are not entirely unfamiliar to him and he could understand the strong feelings expressed. He said that the Police Chief is very sensitive to this type of thing and noted his immediate response after the remarks were made. He said that there is a very strong feeling against the use of these terms within the Department and that the increased number of Black officers has contributed greatly to their sensitivity to such problems.

4. Joseph G. Ferrier, 7413 Maple Avenue. Prior to Mr. Ferrier's remarks, Mayor Roth said it had been agreed that the material covered at the last meeting would not be spoken to again. After voicing some objections, Mr. Ferrier commented as follows: He expressed pleasure that the Senate Public Works Committee had been contacted in connection with the North Central Freeway; pointed out that some 150 persons had, about a year ago, supported increased pay and an improved merit system for the police and firemen; said that, both individually and collectively, he has always found the Mayor and Council to be reasonable and intelligent men, however, after their election, he had expected them to continue to grow in understanding and skill, and not treat their election as an end in itself. Mr. Ferrier also objected to the presence of armed plain-clothes policemen at Council meetings, saying that this smacks of fear and force. He also offered to help with the sound system in the Council chamber, if Council felt it necessary.

5. Frances Phipps, 7210 Holly Avenue. Mrs. Phipps commended the Fire Department for their prompt response to her home earlier that day. With reference to her interest in the preservation of trees, Mrs. Phipps suggested a two-pronged approach: (1) a means of prohibiting indiscriminate cutting of trees and (2) replacing damaged or dead trees. In connection with the first, she requested that information be obtained from Fairfax city, which is considering an ordinance, and that investigations be made of a California law mentioned by Mr. Hutmire in September 1970,

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and various types of ordinances reported in the 5-12-70 Parade. She reported that the president of the Horticultural Club has expressed an interest in starting a nursery for supplying trees to the City, either free or at cost, if the City would provide a plot of land, and eventually turning the operation over to the City. He had spoken to Mr. Carl Hahn of Brookside Gardens, who might be able to supply good seedlings for such a project. A forrester who resides in the City, Mr. Ralph Maloney, has suggested the possibility of securing trees from the State at no cost. Mrs. Phipps stated that the Horticultural Club has taken no formal action on their president's proposal as yet.

6. Max Feinsilber, 316 Ethan Allen Avenue. Mr. Feinsilber requested a cross-walk in front of Takoma Tower to assist residents in crossing Carroll Avenue to the grocery store. Councilman Nishimoto stated that he would later in the meeting report on a pushbutton traffic device which is being considered for that location.

7. Robert H. Moore, 7314 Willow Avenue. Mr. Moore reported that he has assumed responsibility for the activities formerly carried out by Mrs. Rita Marth at the Recycling Center. He then urged Council to follow the example of Arlington, who has sponsored enabling state legislation which would permit local jurisdictions to regulate parking on city streets by issuing permits, etc., in anticipation of the Metro. When Mayor Roth suggested that such legislation is not yet needed in Takoma Park, Mr. Moore said that it takes time to get such legislation passed and, even though it may later be declared unconstitutional, at least an effort would have been made. He said he was precluding the Metro parking lot in anticipating problems the City might have. Mayor Roth and Councilman Nishimoto assured Mr. Moore they were aware of the problem and Councilman Nishimoto asked if he would give him further details after the meeting. In response to Mr. Moore's question as to when the trees on Willow Avenue would be trimmed, Mr. Barile said that the contractor has been unavailable, but has promised to do the work within a few days. Mr. Moore then spoke of the limits imposed on public participation, and said he hoped a precedent had not been set, and that expulsion of citizens for expressing themselves freely, even in perhaps unfortunate terms, would not become common practice. Mayor Roth expressed the hope that citizens would in the future express themselves in such a way as to be effective but not inflammatory. Mr. Moore said that the lengthy discussion on Block 69 at the previous meeting should indicate the need for a formal hearing; that the discussion was not considered to be such a hearing.

8. Delores Stowell, 7704 Takoma Avenue. Mrs. Stowell said that two important points she had made at the last meeting had been omitted from the minutes. The complete correction follows: In connection with the Mayor's remarks about the movement to relocate Montgomery College's Takoma campus in Four Corners, Mrs. Stowell had called attention to the fact that she had received a copy of a memo from Mrs. Garrot in which she recommended that a more adequate, larger campus be built at Four Corners, retaining the present campus for paramedical courses which it now offers. Following Mayor Roth's statement that Block 69 was needed for more educational facilities, Mrs. Stowell had reminded him that on May 17, 1971, Dr. Strasser recommended adoption of Plan 5, which used much of the block for buildings; on June 14, when the Board of Trustees could not agree on condemnation of the entire block, the plans were changed so as to take only eight homes; by July 19, when none of the buildings had been sold to the school, they voted to condemn the buildings, but have placed those condemnations as pending business before the Board of Trustees. As of May 1, 1972, plans show use of only four of the 8 homesites as actual college buildings, so that they are not going to use the majority of Block 69 for educational facilities, but are going to use a good deal of the block for the parking they want. In connection with Council's statement read earlier in the meeting, Mrs. Stowell said the College's May 4, 1971 public hearing dealt with the feasibility studies and not the acquisition of land on Block 69; the money had already been obtained and the plans drawn up; it was not a hearing where objections could be made to the use of Block 69, since it was already too late. Mrs. Stowell inquired about the origin of agenda item #91 (7700 Takoma Avenue), and was told that the inspection had been made at Mrs. Foley's request. Mrs. Stowell said she believed Mrs. Foley had referred to a building on the campus, not on Block 69. Prior to Mrs. Stowell's comments, Mayor Roth said that a statement he had made at the last Council meeting in response to Mrs. Marsh's letter had not been included in the record: In response to her charge that persons who are not friends of the Council

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re not listened to, he had said that she had been listened to, as evidenced by the stop signs directed on Maple Avenue and the fence at Takoma Elementary.

9. Etta M. Davis, 703 New York Avenue. In response to Mrs. Davis' question as to why some, but not all, persons had been handcuffed on September 22, Councilman Nishimoto invited her to attend the next Law Enforcement Committee meeting, on November 8, when this would be discussed. Mrs. Davis addressed the following to Councilman Ricks and was responded to as indicated: After he confirmed that 609 New York Avenue had been brought up to fire code requirements, Mrs. Davis asked why it was considered a danger to the community. Councilman Ricks said the Fire Department inspectors had judged it to be, saying there were structural parts missing from the interior. Mrs. Davis indicated she had not received the list of boarded up houses, requested at the last Council meeting, and asked that the dates of boarding up be included. When Councilman Ricks asked why she felt the need for this listing, she said that those engaged in code enforcement should take into consideration that some houses in the City have been boarded up four or five years and are probably less structurally sound than the Supplee house, which had to be demolished.

10. James Welu, 7330 Piney Branch Road. With reference to Mr. Semas' remarks at the last Council meeting, Mr. Welu said he had not intended to offend any racial group, but rather had been talking about the Council, accusing them of acting like racist slave masters. He said he had asked some persons at 15th and U Streets if they found the statement, taken in context, to be offensive to them as members of the Black race, and they had not considered it derogatory. Councilman Ricks replied that this was not relevant to the situation; that what people at 15th and U feel has no bearing on remarks made at a Takoma Park City Council meeting; nor were citizens interested in hearing their opinions. Mayor Roth said that the language was needlessly offensive and that giving offense is not what Council is promoting, suggesting that Council could be insulted without the use of racial slurs.

11. Cicero Satterfield, President, Spring Park Resident Action Committee, 6801 Allegheny Avenue. Mr. Satterfield voiced SPRAC's affirmation of Mrs. Long's statement, and commended her on her presentation, as well as Council for their response to the situation. He then requested that the street sweeper come more frequently to Allegheny Avenue, saying that it had been there only once during the year and then, only after he requested it. (Pub. Works Comm.)

12. Phil Vogel, 7117 Garland Avenue. Mr. Vogel inquired about a letter concerning the Newsletter committee he had addressed to the Mayor and Council, asking if it were not customary to read correspondence so addressed at public meetings. Mayor Roth said it had been received and forwarded to the chairman of the committee, and indicated he felt there was no need to include the letter in the correspondence in this instance. Mr. Vogel reported that the petition opposing the widening of Route 410 in Prince George's County would be presented at the next meeting. He spoke of the new agenda format and said that, taken separately, many would prefer the old type because of the infrequency of publication of the complete agenda. (The City Administrator indicated the working agenda would come out prior to the next Council meeting.) Mr. Vogel requested the Police Department to make a check on furniture in front of 7308 Flower Avenue and inquired about some similar pieces in front of the Deauville, on which he had made a complaint. He was told by Capt. Porter that the furniture was placed there on an eviction case; that the Department had been unable to contact the owners, though they had removed much of what was originally there, and that Public Works would remove the remainder the following day. He indicated that in such instances, personal property can be removed from public space, with anything of value being impounded by the Police Department if the owner can't be contacted. Mr. Vogel also expressed opposition to the setting of a time limit on public participation, suggesting that the time may continue to be reduced until the public is prohibited from speaking altogether. Councilman Nishimoto assured him that this was not the intent and said that, although he had not attended the meeting where the decision was made and preferred that citizens be permitted to speak as long as possible, he agreed in principal that if the majority of Council felt a prolonged discussion was not making any contribution, it should be terminated.

COMMITTEE REPORTS:FINANCE COMMITTEE: Vice-Chairman Webb reporting

35. Merit plan: first reading of an ordinance. The ordinance below was read as a proposed revision of Article 5 of the City Code. Following its reading, Councilman Nishimoto asked if requests for changes would be permitted prior to its adoption, saying he had some questions about the longevity provisions, and possibly citizens may also wish to comment. Mayor Roth said that the intent of the first reading is to provide this opportunity. He requested that Messrs. Turner or Pridgen summarize the specific changes being proposed.

FIRST READING OF AN ORDINANCE

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

SECTION 1. THAT Article 5, Sections 2-51; 2-55; 2-56; 2-57; 2-58; 2-61; 2-68; 2-69; and 2-71 of the Code of Takoma Park, Maryland, be amended as follows, AND

SECTION 2. THAT a new section to be identified as Section 2-61A, entitled Funeral Leave, be added, to follow immediately after Section 2-61.

Article 5, PersonnelSECTION 2-51. *Classification of Employees*

(a) Permanent or regular employees are those appointed by the Council to fill a ~~full-time~~ position in a department of the City Government  
[Full time eliminated. No change in balance of 2-51.]

SECTION 2-55. *Holidays, Compensatory Time; Alternative Days*

(d) Permanent or regular, probationary, or temporary employees required to be on duty on any of the foregoing holidays shall receive compensatory time off. An hourly employee required to be on duty on any of the foregoing holidays shall receive time and one-half pay for the hours worked in accordance with his hourly rate.  
[Wording adjusted; no change.]

(e) When a regular routine tour of duty continues through more than one calendar day, the shift beginning within the holiday shall be considered the holiday shift.

[New addition to section.]

[Remainder of section unchanged.]

SECTION 2-56. *Leave of Absence*

(a) Each permanent, probationary and/or regular part-time employee of the City shall be entitled to the following amounts of annual leave at full pay, during each calendar year:

- (1) During the first 5 years of employment, the number of days equivalent to 2 work weeks.
- (2) Beginning with the 6th year and continuing through the 10th year, the number of days equivalent to 3 work weeks.
- (3) Employees on the payroll continuously for ten years or more, the number of days equivalent to 4 work weeks.

(b) New employees will begin earning annual leave upon employment, but will be credited with leave only after having completed 90 of continuous employment.

(c) Earned leave will be credited at the end of each calendar month at the rate of 1/12 the total authorized for the year. No leave shall be credited when an appointment is made effective after the first day of the month. An employee whose separation from service



is made effective before the last day of the month shall receive no leave credit for the service performed during that month.

(d) Annual leave not used during any calendar year may be carried forward in an amount not exceeding four (4) work weeks of previously earned annual leave.

(e) Leave year means the period beginning January 1 and ending December 31.  
[Entire section rewritten.]

SECTOPM 2-57. Vacation Leave Approval

(a) All vacation leave shall be taken at the times as may be approved by the department head.

(b) Vacation leave of the department head shall be taken at a time as may be approved by the Chairman of the Council Committee having jurisdiction with respect to that department, after consultation with the Mayor.

SECTION 2-58. Sick Leave: Amount and Accumulation

(a) Each permanent, probationary and/or regular part-time employee of the City shall, in addition to annual leave, be entitled to earn sick leave at the rate of fifteen (15) work days per calendar year.

- (1) Earned sick leave will be credited at the rate of one and one-fourth (1-1/4) work days per month. Credit shall be entered at the end of each calendar month.
- (2) Earned sick leave not used within the calendar year may be accumulated to a maximum of forty-five (45) work days over and above the fifteen (15) work days granted annually. Employees may not be credited at the beginning of a calendar year with more than forty-five (45) work days of previously accumulated earned sick leave.
- (3) No sick leave shall be credited when an appointment is made effective after the first day of the month. An employee whose separation from service is made effective before the last day of the month, shall receive no sick leave credit for the service performed during that month.

ss[Entire section rewritten.]

SECTION 2-61. Sick Leave for Hourly and Temporary Employees

(a) Hourly and temporary employees may be granted sick leave at the discretion of the department head, subject to the following provisions:

[No change in provisions. Original Section 2-61 includes Probationary Employees; they are now covered under 2-58.]

SECTION 2-61A. Funeral Leave

(a) Each permanent employee may be granted by the Department Head time off with pay, not to exceed three work days in the event of a death in his or her immediate family. Funeral leave shall not be charged to annual leave, compensatory leave, or sick leave.

(1) The term "Immediate family" includes only father or mother, wife or husband, brother or sister, son or daughter of the employee. If living under the same roof of the employee at the time of death, other relatives or relatives by marriage shall also be considered as the immediate family of the employee.

[New section.]

SECTION 2-68. Longevity Pay Plan

(a) When recommended by the Department Head and approved by the City Administrator, each career employee shall be eligible to a one-step longevity service increment beginning with the first pay period after the completion of nine, twelve, and fifteen years of eligible continuous service in the same department.

(b) Each longevity service increment shall be equal to three (3) per cent, to be computed only on the employee's base salary.

(c) Should the Department Head fail to recommend for a longevity increase, the employ shall be so advised and the reasons noted.

[Entire section rewritten.]

*SECTION 2-69. Employee Changing Position; Pay Scale*

(a) When an employee is promoted, transferred, or demoted to a new class of position, his rate of pay shall be determined as follows:

(1) If his rate of pay in his previous position was less than the minimum for the new position, his rate of pay shall be increased to the minimum for the new position or to the next step in excess of the rate being paid in the previous position. Longevity increments shall not be considered in determining the rate being paid in the previous position.

[No change in part 2.]

*SECTION 2-71. Volunteer Fireman Pay*

[Entire section deleted.]

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting

Takoma Women's Club project at Heffner Recreation Center. Upon Councilman Webb's motion, duly seconded by Councilman Ricks, Council approved the Club's proposal to use funds won last year for their work with two City projects (Colby Tot Lot, Home Study Nursery School) to refurbish the interior of the Recreation Center and do some landscaping, with the assistance of the Azalea Committee and the Boy Scouts.

Activities. Councilman Webb announced the following: a public celebration of Sister City Day will be held October 22, 7:00 PM, meeting room, 7500 Maple Avenue, at which Brazilian entertainment and refreshments will be offered. The Boys Club banquet will be held October 21, 6:30 PM, at the Junior High, for which tickets are available for \$2.00. The annual Halloween party will be held October 29, 2-4 PM, in the Gym.

76. Minibike problem in Spring Park area. At Councilman Nishimoto's request, Councilman Webb deleted this item from the Committee agenda, with the understanding that it would be handled by the Law Enforcement Committee.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting

Councilman Nishimoto reminded Mrs. Davis that there would be a discussion of the use of handcuffs on September 22 at the November 8 Law Enforcement Committee meeting, which is open to the public. He then read a letter from the Laurel Chief of Police which commended Captain Porter and the fifteen Takoma officers who assisted in the search for Amy Morrison, and asked that it be made a part of the Chief's and the Department's record. Mayor Roth said he wished to publicly thank Chief Porter and the officers who participated.

53. Request for pushbutton traffic device on Carroll at Takoma Tower. Councilman Nishimoto reported that the Chief has contacted the State Highway Administration and a meeting will be held in the near future.

66. & 67. Proposed designation of Lincoln and Montgomery Avenues as one-way streets. These will be considered at the October 10 Open Forum, Councilman Nishimoto said, along with any other Police matters the public may wish to bring up.

68. Speed control on Philadelphia Avenue between Chicago and Takoma Avenues. Councilman Nishimoto said that radar is being used in this area three times weekly in an effort to curb speeding.

5. Proposal to supply engraving machines. Upon motion by Councilman Nishimoto, seconded by Councilman Ricks, Council approved the initiation of Project Theft Guard in the City, with funds of \$150 allocated for the purchase of six engraving machines and stickers. Beginning November 1, the machines will be available to citizens from the Police and Fire Departments for approximately three days. Stickers will be provided to denote participation in the program. Councilman Nishimoto indicated that there were few citizens present at the hearing set up on this project, and the only point of disagreement had been on the size of the stickers, which some may consider esthetically unacceptable. Councilman Nishimoto also reported on the program in Monterey, California, a city of some 11,000 homeowners, of which 4,000 have participated in the project. During the past nine years only 23 breaking and enterings have been reported by those participating. Among the 7,000 nonparticipants, there have been 2,000 instances of B&Es. He stressed the importance of publicizing participation in the project and said City employees would be asked to help with this by using bumper stickers. Mayor Roth spoke of the success Prince George's County has had with its program, noting that the Junior Chamber of Commerce would eventually take it over.

75. Mr. White's request re incident with policeman. Councilman Nishimoto said the Chief has been unable to reach Mr. White to discuss this unfortunate situation, but would do so, at which time he felt it would be resolved to Mr. White's satisfaction.

76. Minibike problem in Spring Park area. Councilman Nishimoto said that the City code has regulatory powers over every type of motor-driven vehicle except minibikes, and reported that he has asked Chief Porter to draft an ordinance which would prohibit their use on either public or private property.

84. Request for roadway stripe dividing north- and south-bound traffic on Maple between Philadelphia and Carroll Street. The Chief has recommended, and the Committee concurs, that this suggestion be carried out, Councilman Nishimoto said. He requested that Public Works proceed with the work, leaving the question of a double or single stripe to their discretion, after consultation with the Chief of Police.

85. Complaint re trailer parked near 7667 Maple Avenue. The parking of a trailer on City streets is not in violation of any City ordinance as long as it does not remain in one location more than 18 hours, Councilman Nishimoto said. He indicated the Department would keep the situation under surveillance for possible violation of the 18 hour ordinance.

86. Suggestions for speed control in Spring Park area (Elm & Poplar). Councilman Nishimoto said that patrols have been instructed to exercise diligence in this area, with a view to controlling speed.

Personnel. Upon motion by Councilman Nishimoto, duly seconded, Council accepted the resignation of Officer Harry E. Ohe, effective September 22.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting

13. Animal control. Councilman Ricks reported on two meetings of the Animal Control Committee and announced that another would be held October 11, inviting any interested persons to attend. He said that Chief Porter had met with them and the Corporation Counsel would be present at the next meeting, and that arrangements are being made to have other resource persons attend. He indicated that the Committee has run into some problems and said suggestions would be welcomed.

87. Condition of rear yards at 334 and 336 Boyd Avenue. Councilman Ricks reported that the yards have been cleaned up, but that periodic inspections would be required.

71. Requests for comments on CATV plan for Montgomery County. Councilman Ricks said he hopes to set up a citizens committee to study this proposal, along with a Columbia Union College request, and other proposals.

12. 1111 Sligo Creek Parkway. Councilman Ricks reported that the building has been vacated and the trucks emptied, though there is some debris scattered about which will require some attention.

Ward lots near 7400 Piney Branch Road. This property has been levelled with a bulldozer, Councilman Ricks reported, saying that it is hoped it will be seeded to prevent erosion.

Items of interest. Councilman Ricks commented on the properties at 124 Grant and 123 Sherman Avenues, saying that they have been completely renovated and are now a real asset to the community.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting

24. Request to improve access to Langley Professional Building. Councilman Burgess said the State Highway Administration has promised a report on the feasibility of some proposed plans by the middle of October, after which the Committee will be able to make a decision on how to handle the problem.

72. Drainage problem on Lincoln at Elm. Councilman Burgess referred to his previous report on the problem, and said that the rainfall has not been sufficiently large to make a judgment on the Department's analysis of the problem.

78. Proposed ordinance or tax on cutting trees. Councilman Burgess said that these proposals have been discussed and, though no legal opinion was sought, it was the consensus of the Committee that to impose such stringent measures would be a rather serious intrusion on citizens' rights as property owners; that, while he personally was in sympathy with those working to preserve the City's trees, there are citizens who prefer gardens, flowers, or lawns to trees. However, in view of Mrs. Phipps' comments, he invited her to meet with him after the meeting and suggested that she, Mrs. Marsh, and any other persons with ideas or information on the preservation and replacement of trees, attend the Public Works Committee meeting on November 2 (7:30, Public Works Department), where alternative approaches could be discussed. He requested that those interested call Mr. Barile on November 1, so that a time for the discussion could be blocked out.

88. Request for sidewalk on East side of Maple from Sligo bridge to Erie Avenue. In view of the pedestrian traffic in this area, the Committee is of the opinion that the request is well-founded, Councilman Burgess said, noting that it had not been initiated by the abutting property owner (Washington San.) and therefore would not be assessable, and the City must bear the cost. Since the cost of a full concrete walk would be prohibitive, the Committee has decided on an asphalt-type walk and, after looking into problems of drainage and easements, will proceed with the work.

70. Mr. Karkenny's request for help with problems at Sheridan Avenue property. Councilman Burgess reported on a visit with Mr. Karkenny by Messrs. Barile and Olson, where it was learned that his primary concern was the activities of teenagers who may get into trouble or hurt themselves, and the feeling that he may be subjected to criticism by parents or persons living nearby. Mr. Burgess said that it is now a Police Department matter and asked that it be removed from the agenda until such time that Mr. Karkenny may require the help of Public Works.

77. Request for outside lighting at 8 Columbia Avenue. Councilman Burgess indicated there have been no problems with vandalism as yet, and there is a reluctance to encourage it by lighting an area around an unattended building and providing play space for inquisitive children. He noted that a request has been put in to Pepco to replace a bad bulb in a nearby street light, which should be of some help.

89. Requests to screen, resurface and lower lights on Montgomery College parking lot. Councilman Burgess requested that the City make these requests of the College, saying he felt it would require very little effort to shade the lights, of which there are a dozen or so standing 20-30 feet in height. He said there are no ordinances governing lighting or surfacing material on parking lots, noting, however, that the Community Improvement Board has proposed an ordinance requiring the use of hardsurfacing material on parking lots.

Items of interest. Councilman Burgess reported the following: Public Works is in the process of transferring azaleas and dogwoods to the Municipal Building grounds. They have also resurfaced Fremont Avenue. He invited the public to look at the improvement in this area where, through the joint efforts of the home owners, Public Works and Code Enforcement, two formerly condemned houses have been fixed up and a new home built.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting

90. Request to remodel a portion of Fire House. Councilman Sidell said that this is being considered by the Committee, and explained the nature of the request--remodeling to provide space for a Volunteer Fire Department office and a study area. He noted that it had been temporarily removed from the agenda to await completion of other facilities and said that, prior to Mr. Benedis' request, the Committee had been reminded of it by the City Administrator.

91. Request to check 7700 Takoma Avenue. Councilman Sidell referred to his earlier report (page 4), and asked that the item be deleted from the agenda.

Personnel. Upon motion by Councilman Sidell, duly seconded, Council approved the appointment of the following firemen, effective October 16: Boyle Lee Kelly, 7201 Carroll Avenue, and Craig Duval Chalfant, 8050 Glendale Road, Chevy Chase.

Leasing of Motorola home radios. Councilman Sidell said that the previously approved contract had been found to contain some irregularities, and a new one would be proposed at the next Council meeting.

Panic bars for Municipal Building outside doors. At Councilman Ricks' suggestion, Mayor Roth requested the Fire Chief to determine whether these are required under the Fire Code.

PLANNING AND ZONING COMMITTEE: Councilman Faulkner reporting

79. Special Exception S-165: use of 700 Hudson Avenue as a youth care institution. Councilman Faulkner announced an open meeting of the Planning and Zoning Committee on October 25, 8:00 PM, in the Council Chamber, for the purpose of receiving citizen comments on the special exception petition. He noted that the property is presently zoned R-60. He requested that notices of the meeting be sent to citizens in the vicinity of 700 Hudson Avenue.

SPECIAL LIBRARY COMMITTEE: Councilman Webb, Chairman

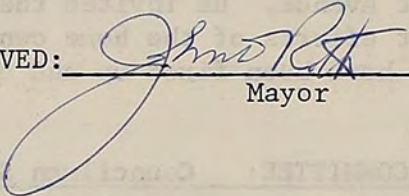
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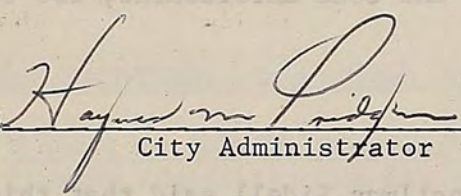
COUNCIL AS A WHOLE COMMITTEE: Mayor Roth reporting

64. Proposals that Municipal Building bear Mayor Miller's name. Mayor Roth asked that this be deleted from the agenda, since action was taken on October 1 to dedicate the Council Chamber to Mayor Miller.

83. City Administrator's visits to other cities. Mr. Pridgen said that he had spent some time with the city managers of Greenbelt and Rockville and a report to the Council would be made that week.

Mayor Roth thanked the audience for their patience, as Council had been patient with them at the previous meeting. He declared the meeting adjourned at 10:13 PM, to reconvene on November 13, at 8:00 PM, in the Council Chamber of the Municipal Building.

APPROVED:   
Mayor

ATTEST:   
City Administrator

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