

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

February 12, 1973

City Officials Present

Mayor Roth	Corporation Counsel Gingerich
Councilman Burgess	Fire Chief LaScola
Councilman Faulkner	Deputy Fire Chief Fickes
Councilman Nishimoto	Police Chief Porter
Councilman Ricks	Director of Public Works Barile
Councilman Sidell	Director of Recreation Ziegler
Councilman Webb	Code Enforcement Officer Olsen
	Deputy City Clerk Pusti

Excused: Councilman Forshee

The Mayor and City Council met in Executive Session at 8:05 P.M., February 12, 1973 in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Mayor Roth led in the Pledge of Allegiance. A motion to approve the Minutes and dispense with the reading was made by Councilman Nishimoto, seconded by Councilman Ricks and carried unanimously.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Honorable John J. Garrity, Chairman, Prince George's County Council: Letter regarding widening of Route 410 and indication that State Highway Administration may reflect changes proposed by the City in new five-year program. Council Files.
2. Ms. Jean M. Schmuhl, Clerk, County Council Office, Prince George's County: Notice of Oral Argument scheduled re: Petition No. A-8646 (Hang Ju Chon & Yuam Sup Chon - Wednesday, February 21, 1973, 1:30 p.m., County Council Hearing Room, Courthouse, Upper Marlboro, Maryland. Planning and Zoning Committee.
3. Mr. E. C. Woodburn, Supervisor, Zoning Application and Information Office, Park and Planning Commission, 6600 Kenilworth Avenue, Riverdale, Maryland 20840. Request for recommendations re: Special Exception Application No. 2765 - School or studio for artistic or technical instruction (driver education - classroom phase). Location outside City limits in Hot Shoppe-Langley Theatre quadrant. Planning and Zoning.
4. David H. Goldsmith, Chairman, Prince George's County Municipal Association: Notice of two sessions-1) Public Hearing on CATV, Thursday, Feb. 15, Laurel Sr. High, and 2) General Business Meeting - Thursday, February 22, Bladensburg Town Hall. Council Files.
5. Honorable Jordan L. Harding, Mayor, City of New Carrollton, 8511 Legation Road: Expression of condolence on death of City Treasurer, Edwin S. Turner. Council Files
6. Chief David B. Gratz, Silver Spring Fire Department: Letter of congratulations on recently received upgraded insurance classification from the Insurance Services Office of Maryland. Fire Protection Committee
7. Edward W. Hutmire, Takoma Park Recreation Council: Letter suggesting: development of site at northern end of Hancock Avenue at Sheridan Avenue for tree nursery and nature park; construction of a retaining wall at ball-field in Spring Park and John Nevins Andrews School; improvement of hard-tops at basketball playing areas in several parks.

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additional janitorial service for Heffner Park and 8 Sherman Avenue and the permanent construction of restroom facilities at Jequie, Forest and Spring Parks. Public Works and Finance Committees.

8. Robert H. Moore, Chairman, Safety Committee, Takoma Park Elementary School P.T.A.: Request for pedestrian-all direction signal at Maple & Phila. Aves.: Law Enforcement

9. Catherine Wakelyn, Secretary, Old Takoma Park Citizens Association: Inquiry and offer of assistance regarding preparation of handbook for Takoma Park. City Admin:

10. Ann B. Vogel, Secretary, Takoma Limited Committee: Recommendation of Mr. Clarence B. Smith as individual to be considered for membership on a legislative advisory comm. Mayor.

11. Rita Marth, 1895 Jackson Street, San Francisco, Calif.: Letter expressing: pleasure that tree seedling nursery is being considered; details on Christmas Tree Program in San Francisco; recommendations for Revenue Sharing funds; request that complete agenda be published more frequently. Copies to Council and will determine if we wish to respond further.

12. Mr. Paul E. Arkebauer, 4401 Chestnut Lane, Rockville, Maryland: Request for waiver of ceiling height requirements for properties at 317 and 318 Lincoln Avenue. Housing and Code Enforcement Committee

STATEMENT OF BANK BALANCES AS OF JANUARY 31, 1973: City Administrator Pridgen reporting

SUBURBAN TRUST COMPANY - GENERAL FUNDS

Balance as of December 31, 1972	52,347.71	
*January Receipts	<u>275,683.27</u>	328,030.98
January Disbursements		<u>154,303.89</u>
Balance as of January 31, 1973		<u>173,727.09</u>
*Includes matured Treasury Bill - \$100,000.00		

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of December 31, 1972	17,309.97	
January transfers from General Fund	<u>83,742.34</u>	101,052.31
January Disbursements		<u>86,161.82</u>
Balance as of January 31, 1973		<u>14,890.49</u>

CITIZENS BANK OF MARYLAND - GENERAL FUNDS

Balance as of December 31, 1972	500.00	
No Transactions during January	<u>-0-</u>	<u>500.00</u>
		500.00

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENT FUND

Balance as of December 31, 1972	4,613.10	
January Receipts	<u>100.00</u>	4,713.10
No January Disbursements		<u>-0-</u>
Balance as of January 31, 1973		<u>4,713.10</u>

CITIZENS BANK OF MARYLAND - PUBLIC IMPROVEMENT FUND

Balance as of December 31, 1972	4,339.50	
No January Transactions	<u>-0-</u>	<u>4,339.50</u>
Balance as of January 31, 1973		<u>4,339.50</u>

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CITIZENS BANK OF MARYLAND - SAVINGS ACCOUNT TP-63

Balance as of December 31, 1972	163.42	
No January Transactions	-0-	<u>163.42</u>
Balance as of January 31, 1972		<u>163.42</u>

AMERICAN NATIONAL BANK - GENERAL FUNDS

Balance as of December 31, 1972	2,508.96	
No January Transactions	-0-	<u>2,508.96</u>
		<u>2,508.96</u>

PETTY CASH

200.00

U. S. TREASURY BILLS

Purchased:	Maturity:	Cost:	Value:
9-12-72	6-30-73	95,973.33	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	97,406.33	100,000.00
10-18-72	2-28-73	98,204.72	100,000.00
		<u>484,947.99</u>	<u>500,000.00</u>

FEDERAL FUNDS - REVENUE SHARING

Received - December	75,019.00
" - January	71,988.00
	<u>147,007.00</u>

City Administrator Pridgen commented that the City does all possible to keep idle money working for the taxpayer.

MAYOR'S COMMENTS:

Mayor Roth commented on a book by Vance Packard, Nation of Strangers, which deals with the fact that most of the population is very mobile. The book looks at the problems created by this transiency as related to citizen participation in local government, school and recreation programs, etc. Mayor Roth stated that he was impressed by the fact that Takoma Park does not seem to have this problem, but rather is fortunate in having residents who take a keen interest in all departments and facets of the City operation.

Councilman Nishimoto stated that it is the "in" thing to provide and ask for citizen participation in Takoma Park and that citizens are very responsive.

Mayor Roth commented regarding Chief LaScola's Chairmanship of the Fire Chief's Committee through the Council of Governments and noted that he has been instrumental in obtaining a region-wide mutual aid agreement between all the Counties in Maryland, Virginia and the District of Columbia area which formalizes mutual aid for the various fire departments. This was noted to be a highly desirable step forward and Chief LaScola's participation in this is to be commended.

Mayor Roth noted that he has been participating in meetings of a committee in the interest of studying transportation corridors in Prince George's County - particularly the extension of I-95 into the City. He noted that the last two meetings he attended, particular study was given to five transportation alternatives with attention centered around the maximum use of the commuter rail down the B & O tracks; bus-ways down the Baltimore-Washington Parkway, Kenilwoth Ave. and Route One; Metro use as far as the Beltway and finally the proposal of widening the Baltimore-Washington Parkway for 6 or more lanes to carry I-95 traffic into the District. Mayor Roth noted that all

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of the proposals will be presented to the Maryland Department of Transportation and then to the Governor who will decide which of the alternatives merit further study by Consultants. The entire matter will then be returned to the I-95 Committee which is composed of citizens of Prince George's County for further consideration.

Regarding the letter from Mr. John Garrity, Chairman, Prince George's County Council, Mayor Roth said that he and Councilman Faulkner had appeared before the State Roads Commission on January 5th, and spoke about the widening of Route 410 to Delegate Ann Hull and Senator Emanuel and as many others as possible for the purpose of obtaining support for not widening Route 410 within the City Limits. He noted that the letter from John Garrity concurs with this recommendation and feels he also has the support of residents of the City. Mayor Roth stated that he believes there will still be a Public Hearing on the Five Year Plan and members of the City Council will plan to appear and urged citizens to do so also. He noted that the Proposed widening plan now appears to include only that area of Route 410 up to New Hampshire Avenue where rights of way have already been obtained and not into the City of Takoma Park where it would necessitate the taking of approximately 50 homes. He further noted that City testimony included the fact that traffic appears to be decreasing on Route 410 and stated that he had requested the Public Works Department to take a traffic count at Jackson Avenue and Route 410 which indicated a traffic flow of 9,000 automobiles rather than the 12,000 counted by the State Highway Administration a couple of years ago.

Councilman Nishimoto stated that he had spoken with Martin Becker, Montgomery County Delegate and immediately dissuaded him from the idea of recommending widening of the Montgomery County portion of Route 410. He further noted that the City must be very vigilant as action will take place at a State level and Delegates must be apprised of the City's position. Councilman Nishimoto further noted that he would like to see a traffic count taken in the Montgomery County portion of the City in order to enable speakers to back up statements that traffic is slowly decreasing on Route 410.

At this time, Councilman Sidell, presiding as Mayor Pro-tem stated that he wished to make a presentation to the Mayor as follows:

RESOLUTION

WHEREAS, it was with sorrow that the City Council learned of the passing on February 3, 1973, of John D. Roth, father of Mayor John D. Roth.

NOW, THEREFORE, BE IT RESOLVED THAT members of the Takoma Park City Council and employees of the City do hereby extend to Mayor Roth and his family our heartfelt condolences.

BE IT FURTHER RESOLVED THAT this Resolution be spread upon the permanent records of the City and a copy be prepared for Mayor Roth.

Councilman Sidell moved for adoption of the Resolution which was seconded and duly carried. Mayor Roth expressed his appreciation for the Resolution and noted that his father was 85 years old and although death may be sometimes anticipated, it is a great sorrow.

PUBLIC PARTICIPATION:

1. Joseph Cangialosi, 7001 Poplar Avenue. Mr. Cangialosi noted that the property at Carroll and Westmoreland Avenues is greatly improved and thanked those responsible.

Mr. Cangialosi spoke regarding the proposed increase in salaries for City Councilmen and stated that although he knows members of the Council work very hard, perhaps some of the burden could be relieved by expanding the size of the Council to 9 members. He noted the population ratio between Montgomery and Prince George's Counties and stated that 3 members from Prince George's County and 6 from the Montgomery County portion would be equitable.

Mr. Cangialosi further noted that a newspaper article of February 6th referred to the drug rehabilitation facilities proposed for the North Takoma area and elaborated on County Executive Gleason's support for the project. He stated that the City Council should correspond with Mr. Gleason as he probably has this included in his budget.

Mayor Roth noted that the Council has opposed this. Councilman Nishimoto stated that Chevy Chase Village is having the same problem and the Maryland Municipal League is somewhat concerned about Mr. Gleason's going ahead and assuming that he has the support of the County Council. Mayor Roth stated that Councilman Faulkner will probably report on this later.

2. Mr. Joseph Mihuc, 8101 Hammond Avenue: Inquired as to what position the Council will take on the Petition No. A-8646 which is scheduled for oral argument on February 21st. Mayor Roth stated that the City has opposed the proposal for commercial use of those buildings (heavy Commercial). He further noted that the County proposal that the buildings be continued for use as office buildings has been approved. Mayor Roth asked that Councilman Faulkner suggest attendance by someone during his committee report.

3. Walter C. Smith, 7902 Wildwood Drive: Mr. Smith inquired into the possibility of the City increasing the amount of allowable income for the Over-Age 65 Tax Credit, noting that Montgomery County now allows \$6,500 and Prince George's County allows \$7,500. He stated that perhaps a median figure of \$7,000. would be feasible. Mayor Roth noted that the matter of allowing Railroad Retirement Income for credit was recently granted and requested that the City Administrator add this request to the agenda of the Finance Committee.

Mr. Smith spoke further regarding his problem with cats in the neighborhood and the extent of damage being done to shrubbery in his yard. He inquired as to the applicability of the trespassing law as related to cats. Councilman Ricks noted that this falls into a legal category and upon inquiry, Corporation Counsel Gingerich stated that he would not be in position to elaborate on this without some research. Mr. Smith further inquired as to what he would be permitted to do to the cats if caught on his property. Councilman Ricks stated that he probably couldn't do anything other than hold the cat and call the Humane Society or the Animal Warden for the City. Councilman Ricks requested that the City Administrator send a letter to the Corporation Counsel requesting information that may be passed on to Mr. Smith regarding what can be legally done about the problem. Mayor Roth noted that this is a difficult and widespread problem and suggested that Mr. Smith identify the property in order that a letter may be written to the owner of the cat. Councilman Nishimoto noted that the Montgomery County Council is attempting to pass an Ordinance relating to this, particularly on the nuisance angle, and stated that we can watch and see what they do and if they are successful in enacting something that can be enforced, then perhaps the City can follow suit.

4. Joseph Ferrier, 7413 Maple Avenue: Mr. Ferrier noted that a person is responsible for the acts of his pet the same as for himself, his children or agents and a liability exists when an offense has been committed, particularly after a person has been previously informed. As related to the holding of an animal on your property, Mr. Ferrier noted that animals, both wild and domesticated, are protected by the law, and you may only trap them harmlessly. Mr. Ferrier elaborated on the limited range of cats and suggested that identification is simplified as a result of this. Another suggestion for keeping

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cats away was made by Mr. Ferrier - that of placing orange or banana peels around the bushes as this repels them. Moth balls were also pointed out to be effective, however, it was noted that nothing is very effective after a period of 24 hours.

Mr. Ferrier expressed his sympathy to the Mayor and that of others on the death of his father. He also stated that he had read Nation of Strangers by Vance Packard and the lack of kinship and community spirit and said that the people of Block 69 would like to have this spirit and urged the members of the Council to change their minds regarding their position on the expansion of the College. He further expressed his pleasure that the money collected by the City is being put in interest bearing accounts, etc. rather than being left idle. Mr. Ferrier then brought up the question of the use of the Municipal Building by various local organizations and groups. He stated that he understands there is a certain amount of reluctance on the part of the Mayor and Council to allow certain groups to use the facilities and urged them to reconsider their present position and permit the facilities to be used by legitimate organizations when possible.

5. Frances Phipps, 7210 Holly Avenue: Mrs. Phipps congratulated the Mayor on his suggestions for use of the Revenue Sharing funds and noted that she found them to be very "creative and imaginative", especially the one proposing that the City buy and renovate boarded up houses. She further stated that she would like to see some of the money set aside for a tree nursery for a possible city-wide planting program. She also stated that she finds the deliberative attitude of the Council very refreshing and noted that this is more informative and interesting than in the past. Mrs. Phipps remarked on the recent action of the State Treasurer wherein the funds for the expansion of Montgomery College were impounded for a period of thirty days and noted that the State has been consistently opposed to this expansion into Block 69. Mrs. Phipps made a formal request to the Mayor and Council to review their past decision in light of the reluctance of the State to fund this expansion and secondly, that a careful look be made at the wording "we will withhold funding for this expansion for a period of thirty days barring reconsideration by the County Council" and stated that the words "County Council" is what disturbs her. She noted her concern that the City Council was not asked to review their policy and feels there is an erosion of policy making power. She expressed her jealousy over the limited power the City has over what happens in the City. Mrs. Phipps also stated that there are two major problems facing the City 1.) the expansion of the college into a residential area (stated that she personally feels that a positive statement of opposition would change the possibility of the expansion and the retention of the college as a medical facility) whereas if the City does nothing, the entire facility may be moved. The second matter to be concerned about as stated by Mrs. Phipps, is the Metro and just how much of the policy making is done outside the City.

6. Ellen Marsh, 7405 Maple Avenue: Reiterated some of Mrs. Phipps comments concerning "Operation Facelift!" Mrs. Marsh further offered her services in weeding the flower garden at the Kass Parking Lot. She stated that she would be glad to donate some kind of flowers that would grow there. Mrs. Marsh further commented on the practice of the Exxon Station at Tulip and Carroll Avenues of parking cars on the sidewalk and noted that you cannot get by and grease and oil is accumulating. Councilman Nishimoto stated that the Police Department would be happy to look into this. Councilman Ricks requested that the Code Enforcement Division also take a look at the situation. Mayor Roth stated that he certainly appreciates the offer for assistance at the Kass lot and if it cannot be handled by the Azalea Committee, her offer may be accepted.

7. Ann Vogel, 7117 Garland Avenue: Mrs. Vogel stated that she is concerned about automobiles parking on the curbs on Philadelphia Avenue between Maple Avenue and Piney Branch Road and also on Sherman Avenue. Mrs. Vogel requested that the Police Department keep an eye on this and issue tickets to violators.

8. Mrs. Delores Stowell, 7704 Takoma Avenue: Mrs. Stowell stated that she read in the Sentinel that the Montgomery County Council is not in favor of widening the Montgomery County portion of Route 410 through the City but rather is considering the widening of Burlington Avenue between Fenton Street and Georgia Avenue which she feels will increase the need for widening Route 410.

Regarding the suggestion by Mr. Robert Moore for a walk-don't walk sign at Maple and Philadelphia, Mrs. Stowell stated that this type signal is greatly needed at the intersection of Piney Branch Road and Philadelphia Avenue, particularly if Silver Spring Intermediate School is closed and the children are transferred to Takoma Elementary. Regarding the proposed closing of SSI, Mrs. Lerner stated that she felt some input from the Council requesting that it remain open may be helpful. She noted that the School Board was supposed to discuss this matter today, however, it did not come up.

Councilman Nishimoto stated that he will have the State Highway Administration make a study of the intersection at Piney Branch Road and Philadelphia Avenue for consideration of the signalization requested.

COMMITTEE REPORTS

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

1. Activities: Councilman Webb commented that the Recreation Committee is scheduled to meet on February 27, 8:00 P.M. and plans are being made for summer programs while a very active winter schedule is being maintained. He noted that a movie will be shown on Friday, February 16, 7:30 p.m. in the gymnasium - "Sword of Sherwood Forest" starring Robin Hood. Councilman Webb encouraged everyone to plan to participate in the Independence Day Comm. preparation for the celebration with the theme "This Land Is our Land - In Trust For Tomorrow". Councilman Webb noted that the Azalea Committee has plans under-way for a memorial garden for Mrs. Geib.
2. Revenue Sharing Funds: Councilman Webb stated that the Director of Recreation has made some suggestions for possible uses of the Revenue Sharing Funds such as sturdy outdoor bathrooms for several of the parks, etc.
3. Ordinance for purchase of equipment: Councilman Webb noted that estimates were received from all companies involved and the lowest prices accepted with the exception of the tether ball pole in which case the more expensive one is specified due to the weight of the pole.

ORDINANCE NO. 2248

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

SECTION 1. THAT it has been determined that the Recreation Department is in need of the following gym and playground equipment for the approximate total sum of FOUR HUNDRED FORTY EIGHT DOLLARS (\$448.00), plus freight:

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|---------------------------------|-------|
| 1 portable Tetherball pole..... | 60.00 |
| Jayfro Corp., Montville, Conn. | |
| 1 Set (10) Game Cones..... | 55.00 |
| Jayfro Corp., Montville, Conn. | |
| 1 Indoor Hockey Goal..... | 60.00 |
| Cosom Corp., Minneapolis, Minn. | |

continued

Ordinance No. 2248, cont.

- 1 Portable High Parallel Bars.....110.00
Gametime, Inc., Litchfield, Mich.
- 1 Jr. Whirl (Colby Tot Lot).....163.00
Gametime, Inc., Litchfield, Michigan

SECTION 2. THAT estimates have been received from at least 3 manufacturers, and the above companies have met the specification requirements and in every instance was the low bid except for the Tetherball pole where there was a difference of \$11.00 but the weight of the Jayfro Pole far exceeded the others.

SECTION 3. THEREFORE THAT, the Director of Recreation is hereby authorized to purchase the above equipment.

SECTION 3. FURTHER THAT the funds for this purchase shall be charged to Capital Outlay a/c 19.203B.

Councilman Webb moved that the Director of Recreation be authorized to make the above purchases. The motion was seconded by Councilman Ricks and unanimously carried by a Roll Call vote recorded as follows: Aye: Councilmen Burgess, Faulkner, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: Councilman Forshee.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

127. Prohibition of parking at Grant Avenue cul-de-sac (200 block). Councilman Nishimoto noted that a first reading of the following Ordinance was made at the previous Council meeting and as no objections have been raised, he moved the adoption as follows:

ORDINANCE NO. 2249

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

SECTION 1. THAT all parking shall be prohibited in the cul-de-sac in the 200 block of Grant Avenue, AND

SECTION 2. THAT all parking shall be prohibited at the barricade on Grant Avenue designated as dead end, AND

SECTION 3. THAT the Director of Public Works is authorized to erect appropriate signs to effect the above directive, AND

SECTION 4. THAT the penalty for violation of this Ordinance shall be as prescribed in Section 1-17 of the City of Takoma Park Code, 1972.

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

Personnel: Councilman Nishimoto moved the acceptance of the resignation submitted by Private William E. Allen effective January 26, 1973 to enable him to further his education having received an award from the Veterans Administration. The motion was seconded and duly carried.

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Insurance Claim: Councilman Nishimoto moved that permission be granted to the counsel for the City to raise the defense of governmental immunity on behalf of the City of Takoma Park. Councilman Nishimoto commented that this deals with the Grindle case (1951 DeSoto) and noted that if the City is declared immune, two individuals will still be sued, however, they are protected by an insurance policy covering all City employees.

Decrease in Crime: Councilman Nishimoto stated that serious Class I offenses have been reduced in 1972. He noted that during 1971 there were 1,203 Class I offenses committed in the City of Takoma Park. During 1972 this figure was reduced by 11.7% to 1,062. These serious crimes include homicide, rape, robbery, assault, burglary, larceny and auto theft. Councilman Nishimoto stated that this reduction is attributed to the implementation of the Crime Control Team and the recent reorganization of the Police Department. He also noted that 53 persons were arrested in a recent 6 month period by the Crime Control Team by a concentration of surveillance in the areas of probable occurrence. He further noted that the Crime Control Team played a significant part in the sharp decrease in auto theft (21.5%) during 1972. Councilman Nishimoto congratulated Chief Porter for this impressive report, and requested that the entire Department be congratulated also for him.

Councilman Ricks inquired as to the citizen response to "Project Theftguard" and if it has proved successful and possibly contributed to the above statistics. Councilman Nishimoto replied that response has been very good but it is too early to tell if it is actually eliminating some of the Breaking and Entering cases.

Councilman Ricks further inquired as to whether the Police Department is able to obtain fast response from PEPCO for replacement of a burned-out street light. Chief Porter stated that the Police Department goes through the same channels as a private citizen in making such reports and requests.

Councilman Sidell stated that the Council has been asked to institute a study of the parking situation around the Municipal Building. Councilman Nishimoto requested that Chief Porter begin on this project and determine the problem areas.

Mayor Roth requested that Chief Porter and Mr. Barile confer on the purchase of a sign stating "No Thru Traffic" and "10 m.p.h." for the parking area around the Municipal Building as there is a good deal of by-pass traffic cutting through. Mr. Barile stated that he has two such signs on order at the present time. Councilman Ricks noted that perhaps a "No Left Turn - 4:00 to 6:30 p.m." at the entrance to the parking lot off Philadelphia Avenue would prove helpful. Councilman Nishimoto stated that any suggestions are welcome and would be helpful.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

119. Code Violations at 239 Park Avenue: Councilman Ricks commented that this may be removed from the agenda, however, the Code Enforcement Division will continue to keep it on the working agenda until all violations have been corrected.

"Ride-Around" survey: Councilman Ricks noted that the Community Improvement Board is currently engaged in their "Ride Around" survey of the entire City and he noted his intention to participate when possible.

CATV Public Hearing: Councilman Ricks stated that a Public Hearing is being held at the Laurel Sr. High School on February 15th regarding Cable Television which he plans to attend. He stated that this is being conducted by the Prince George's County Municipal Association.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

Purchase of air compressor: Councilman Burgess stated that a request has been made for the next fiscal year for the purchase of an air compressor at an estimated \$8,000. After preparation of the budget, information was received that the City may be able to purchase a truck mounted air compressor for only \$800.00 from the state agency for surplus property. Councilman Burgess moved the adoption of the following Ordinance.

ORDINANCE NO. 2250

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

SECTION 1. THAT the Director of Public Works is hereby authorized to purchase one (1) used truck mounted air compressor unit from the Maryland State Agency for Surplus Property for the sum of \$800.00 (eight hundred dollars), AND

SECTION 2. FURTHER THAT funds for the purchase of this unit shall be transferred from the Reserve Fund to Capital Outlay Account No. 12.203.

Councilman Burgess expressed his appreciation to Mr. Barile for locating such a money-saving unit. The motion for the ordinance was seconded by Councilman Sidell and adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Burgess, Faulkner, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: Councilman Forshee.

Purchase of Burlap Bags: Councilman Burgess moved the adoption of the following Ordinance for the purchase of bags for use by the Sanitation Division:

ORDINANCE NO. 2251

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

SECTION 1. THAT it has been determined that the Sanitation Division is in need of burlap squares, AND

SECTION 2. THAT bids have been received from three manufacturers, with Bemis Co., Inc. submitting the low bid of \$1,369.00 for 1500 sheets of 10 oz. burlap in 80" squares.

SECTION 3. THEREFORE THAT the contract for the above mentioned burlap squares is hereby awarded to Bemis Co., Inc. for a total cost of **Thirteen** Hundred Sixty Nine Dollars (\$1,369.00).

SECTION 4. FURTHER THAT the total cost of the above shall be charged to A/C 13.402B.

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

Councilman Burgess stated that approximately 125 feet of 15 inch storm drain was laid on Elson Avenue during the last few weeks. He noted that this replaced the original drain put in by the developer which had caused surface water on 3 or 4 lawns due to clogging. He further noted that the same length of drain is being laid on Devonshire Road but in 12 inch width.

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both.

Councilman Nishimoto inquired as to the responsibility for maintenance of sidewalks in the City. Mr. Barile stated that once the sidewalk is laid by the City and the property owner assessed, the maintenance for same is the responsibility of the Public Works Dept. and is completed on a scheduled basis.

Councilman Ricks inquired as to the status of the black-top discussed for the sidewalks in the 100 block of Lee Avenue. Councilman Burgess stated that this is being held on the working agenda as Councilman Forshee had requested that we poll the abutting property owners to determine interest and stated that there does not seem to be much interest in being assessed.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

128. Proposal to upgrade emergency rescue service: Councilman Sidell requested that this item be removed to the working agenda.

Personnel: Councilman Sidell read a letter of resignation submitted by Volunteer Sgt. Frank Bell, Jr. and also a letter from Chief LaScola commending him for his past performance and expressing regret upon his resignation. Councilman Sidell moved the acceptance of his resignation with regret. The motion was seconded and accepted unanimously.

Councilman Sidell noted that the 10 portable radios for use by the Volunteers have been received and all but one issued.

Position of Training Officer: Councilman Sidell requested that this item be placed on the action agenda as the Committee feels they have made a determination on this. He stated that it had previously been thought that the position had to be tied in with rank, however, it has been determined that the position of training officer may be assigned to any firefighter regardless of rank. Councilman Sidell stated that the Department has all of the rank it should have. Councilman Ricks inquired if the additional pay would boost the training officer to the pay of another rank. Councilman Sidell noted that additional pay will be received only while the individual is actually performing as training officer at which time he is considered Assistant Fire Chief.

Councilman Sidell further requested that the item relating to providing ambulance service to the District of Columbia and the acquisition of another ambulance be placed on the action agenda again and noted that the Committee thinking is basically the same as when the matter was previously considered.

PLANNING AND ZONING COMMITTEE: Councilman Faulkner reporting.

116. Special Exception No. 2749 (Salvation Army): Councilman Faulkner stated that the Planning and Zoning Committee held an open meeting on January 30 for the purpose of hearing citizen views on the proposed use of the property at New Hampshire and East West Highway. He noted that approximately 190 persons attended and of the number speaking, only 2 persons spoke in favor of the proposed use. Councilman Faulkner noted that the Salvation Army representative was not prepared and requested a delay in our recommendation to the County until the end of February by which time they should have a complete presentation. Councilman Nishimoto inquired as to whether the City was committed to holding a Public Hearing for the presentation. Councilman Faulkner stated that the only commitment he made was for the Committee to look at what the Salvation Army had to present and then decide what additional meetings, if any, should be held.

117. Car repair operation on lots at Carroll and Westmoreland Avenues: Councilman Faulkner noted that the lot appears to have been sufficiently cleaned and the item may be removed from the agenda.

ZAP No. A-8646 - University Boulevard: Councilman Faulkner requested that the Corporation Counsel represent the City at the scheduled Hearing on February 21, 1:00 p.m. in the County Council Hearing Room, Upper Marlboro, Maryland.

R.A.P. property: Councilman Faulkner referred to a newspaper article of February 6th and noted that the City has gone on record as opposing the use of the property at Albany and Buffalo Avenues by RAP for a drug treatment facility. Councilman Faulkner requested that a letter be written to Mr. Gleason and inform him of our continuing opposition to such use. Councilman Faulkner stated that we should also oppose a zoning amendment which is proposed by County Executive Gleason to allow this type center in a residential area without a Special Exception. Mayor Roth suggested that the Council take a closer look at what exactly is proposed before making any recommendation on the amendment. Councilman Nishimoto reiterated the concern of the Montgomery County Chapter of the Maryland Municipal League over the proposed amendment and stated that the Executive Committee of the Chapter intends to meet and discuss what action should be taken. Mayor Roth also suggested that the North Takoma Citizens Association write a letter to Mr. Gleason to reinforce their original position on the RAP facility. Councilman Nishimoto requested that he be provided a copy of the letter to take to the Municipal League meeting, and noted that individual citizens could also write.

Asher Property: Councilman Faulkner referred to property located on New Hampshire Ave. south of the BP gasoline station which the City has been interested in for some time, and noted that he understands, unofficially, that the Park and Planning Commission is negotiating to purchase the property.

FINANCE COMMITTEE: Councilman Webb reporting. Councilman Webb stated that in the absence of the Chairman, he would refrain from reporting on discussion items.

Columbia Avenue property: Councilman Webb proposed adoption of the following:

ORDINANCE NO. 2252

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

SECTION 1. THAT on November 27, 1972, the Mayor and City Council, by the enactment of Ordinance No. 2238, accepted the bid of Mr. Ellsworth Lewis for the purchase of Lots 15 and 16, Block 18, B. F. Gilbert's Subdivision (Liber 1641, Folio 172), Takoma Park, Maryland, for the sum of \$10,000.; AND

SECTION 2. THAT the Mayor is hereby authorized to execute the necessary documents at the settlement scheduled for February 14, 1973, to complete the sale and transfer of title of the above mentioned property.

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

Sale of property at #8 Columbia Avenue: In view of problems encountered by the Takoma Park Seventh Day Adventist Church regarding their proposed uses of the property which have been prohibited by the Montgomery County Fire Inspectors, Councilman Webb moved adoption of the following Ordinance:

ORDINANCE NO. 2253

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

SECTION 1. THAT WHEREAS Ordinance No. 2239, adopted November 27, 1972, accepted the offer of \$12,000. made by the Takoma Park Seventh-day Adventist Church for the purchase of the property known as #8 Columbia Avenue

Ordinance No. 2253, cont.

(Lot 1, Block 19, B. F. Gilbert's Subdivision, Liber 628, Folio 385): AND

SECTION 2. THAT WHEREAS it has been determined by Church officials that the building may not be utilized as planned for youth and community group activities except by extensive and expensive alterations to meet the requirements of the Montgomery County fire regulations; AND

SECTION 3. THAT as a result, Church officials have requested that the Church be relieved of any obligation that may have been incurred in connection with the attempt to purchase the property; AND

SECTION 4. THAT the Mayor and City Council have considered all aspects of this situation and it is hereby ordained that the Takoma Park Seventh-day Adventist Church be relieved of any obligation in connection with #8 Columbia Avenue and the City Treasurer is hereby directed to refund all monies held in escrow due to the Church; AND

SECTION 5. THAT the City Administrator, with the advice of the Corporation Counsel, is hereby directed to proceed with advertisements and invitations to bids for the purchase of the property at #8 Columbia Avenue, with the stipulation contained in any such information that the Mayor and City Council will not support any change in zoning from its present classification as R-60, single-family residential.

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

The was discussion raised by Councilman Ricks regarding the feasibility of charging a penalty for the paper-work involved in the transaction, perhaps in the amount of \$500.00. Councilman Webb stated that he has been informed that the Church has had an offer of \$13,500. for the property and he felt certain that if such a penalty were charged, the Church would accept the offer and make a profit. However, the Church has written a letter stating that in the interests of the City, they did not feel justified in selling the property for a profit. Councilman Burgess questioned whether \$500. in paper work was actually done on this particular piece of property as the work done also resulted in the sale of the two properties across the street. Councilman Sidell stated that the City stipulated a particular use of the building, therefore we are a party to it and shouldn't withhold part of the deposit since they are unable to comply.

SPECIAL LIBRARY COMMITTEE: Councilman Webb reporting.

Personnel: Councilman Webb moved the appointment of Mrs. Ellen Spottswood, 508 Albany Avenue, Takoma Park, Maryland to the position of Associate Librarian at an annual salary of \$7,496. retroactive to February 1, 1973. The motion was seconded and duly carried. Councilman Webb noted that Mrs. Spottswood received her MA in Library Science from the University of Maryland in January and has had extensive and useful Library experience for a number of years. He noted further that this fills the vacancy created when Mrs. Barclay was appointed Municipal Librarian.

There being no further business to come before the Mayor and Council at this time, the meeting was adjourned at 10:37 p.m. to reconvene on February 26 at 8:00 p.m.

ATTEST

Haynes M. [Signature]
City Administrator

APPROVED

John M. [Signature]
Mayor

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
February 26, 1973

CITY OFFICIALS PRESENT

Mayor Roth	City Administrator Pridgen
Councilman Burgess	Corporation Counsel Gingerich
Councilman Forshee	Asst. Corporation Counsel Culpepper
Councilman Nishimoto	Fire Chief LaScola
Councilman Ricks	Deputy Fire Chief Fickes
Councilman Sidell	Police Chief Porter
Councilman Webb	Director of Public Works Barile
	Director of Recreation Ziegler
Excused:	Code Enforcement Officer Olson
Councilman Faulkner	Deputy City Clerk Pusti

The Mayor and City Council met in Regular Session at 8:06 p.m., February 26, 1973, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. The Invocation was given by Reverend John Paterson of the Takoma Park Presbyterian Church, and was followed by the pledge of allegiance. A motion to approve the minutes and dispense with the reading was made, seconded and unanimously carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Nicholas J. Roll, Director, Office of Real Estate, Washington Metropolitan Area Transit Authority. Request for additional slope easement in connection with realignment of Juniper Street Bridge. Public Works Committee
2. William W. Gullett, County Executive, Prince George's County: Letter regarding request for change in location of hearing on Special Exception 2749. Planning & Zoning.
3. Dollie H. Kyte, Clerk to the Board, County Board of Appeals for Montgomery County; Petition of Washington Adventist Hospital to permit an addition increasing bed capacity to 375. Planning and Zoning Committee.
4. Dollie H. Kyte, Clerk to the Board, County Board of Appeals for Montgomery County: Petition of Washington Adventist Hospital to permit use of property at 716 Maplewood Avenue to be used as a boarding house. Planning and Zoning Committee.
5. Philip R. Hogue, Chairman, Prince George's County Planning Board, Park and Planning Commission: Letter regarding request for change in location of hearing on Special Exception 2749. Planning and Zoning Committee.
6. Edwin A. Karlow, Acting Chairman, Math and Physics Dept., Columbia Union College: Invitation to Mayor and Council to attend open house on March 7, 7:30-10:00 p.m. at the Campus Center. Mayor and Council.
7. S. S. Hiten, President, B. F. Gilbert Citizens Association: Request that Council not put property at #8 Columbia up for bid at this time. Finance Committee.
8. Helen R. Smith, Takoma Park, Maryland: Request that property at #8 Columbia Ave. be held. Finance Committee.

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9. James R. Gallagher, 38 Hickory Avenue: Letter requesting that City retain property at #8 Columbia Avenue. Finance Committee.
10. Petition of residents of Glenside Drive: Request for ways to curb accidents on Glenside Drive near Jackson Avenue intersection. Law Enforcement Committee.
11. Margaret E. Holmes, 10 Pine Avenue: Commendation of City Services Newsletter. Council Files.

PRESENTATION OF AWARDS: Arthur Phipps of the Police and Firemen's Association requested the Mayor to present the following awards. Placques were presented to Det./Cpl. Gary Sherman, Cpl. Richard D. Fuller, PFC. Jack Goetz and Dispatcher Ronald Bart as follows: "For outstanding performance of duty in the apprehension of three armed suspects wanted for armed robbery of a bank in Cloverly, Maryland on November 17, 1972." In the case of the Dispatcher, Ronald Bart, the award was for "outstanding alertness and communications to all units in the apprehension of three suspects wanted for armed robbery of a bank in Cloverly, Maryland on November 17, 1972." Mayor Roth made the presentations and extended congratulations to the officers for their outstanding performance.

Mayor Roth introduced Cpl. Werner Winkler, Maryland President of the American Federation of Police who noted that too often police officers are criticized with very little said about his achievements and accomplishments. Cpl. Winkler presented each of the men with citations and ribbons for their uniforms. Mayor Roth commended Chief Porter also for his part in the selection and training of these men.

Councilman Burgess requested that two items be added to his agenda for discussion as follows: Consideration of an Ordinance regarding cutting of trees and the proposal for the bagging of trash.

PUBLIC PARTICIPATION:

1. Dorothy Porter, 7305 Maple Avenue: Mrs. Porter presented copies of a survey questionnaire, a copy of the results, copy of written comments and copies of a petition signed by 371 persons living in the Takoma Park Metro Impact Area. She noted that the survey was conducted by the Save Takoma Park Committee in an area within a one-half mile radius of the Metro Station location.
2. Robert Moore, 7314 Willow Avenue: On behalf of the Takoma Park Elementary School PTA, Mr. Moore requested that the fence along the front of the school beside Philadelphia Avenue be extended all of the way to Maple Avenue in front of the Library.* Mr. Moore addressed Councilman Ricks regarding the Montgomery County Landlord-tenant Ordinance and noted that he has spoken with a number of people who are concerned about rent increases. Mr. Moore referred to a booklet published by the Air Quality Planning Committee of the Council of Governments and noted that a number of things must be complied with by 1975 in order to assure better air quality. He further stated that planning for the future must take into consideration these standards set for 1975. He stated that he finds it hard to understand how the Council can oppose street widenings and not oppose the proposed parking garage, and zoning which would require this additional parking. Mayor Roth stated that no member of the Council has spoken in favor of the 1100 car parking garage. Mr. Moore stated that he was aware of this, however, he expressed his alarm that no one has spoken against it either. Mayor Roth stated that he would be happy to speak against it, however, he was under the impression that the parking garage was conditional to whatever development takes place on Carroll and Laurel Avenues (proposed commercial).

* Mr. Moore stated that the erection of the requested fence is more desirable than the originally requested walkway behind the school and suggested that the walkway be removed from the Law Enforcement Committee Agenda.

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3. Ellen Marsh, 7405 Maple Avenue. Stated that she had been asked by Mrs. Phipps to determine what action was taken on her request that the Mayor and Council review their position on the expansion of Montgomery College. Mayor Roth noted that her formal request as made at the last meeting, had been placed on the agenda.

4. Phil Vogel, 7117 Garland Avenue. Mr. Vogel commended Mayor Roth for his prompt action and interest in requesting that the hearing for the proposed use of the property at New Hampshire Avenue and Ethan Allen Avenue by the Salvation Army be moved to the City. He noted that this is something he has been working for and is pleased to see the Council take a position before an issue is decided by the County.

Mr. Vogel commended the latest issues of the City Services Newsletter and stated that items of varied interest have been presented together with different viewpoints. He commended the City Administrator's Office for the preparation during the time the City has been without an Editor. Mr. Vogel further remarked about an article in the Montgomery County Community Tip Sheet published by the Department of Community and Economic Development entitled "How to Really Clean Up". He noted that this deals with a facility which is available off Gude Drive and recommended that mention of this be made in a future Newsletter.

Mr. Vogel spoke regarding his dissatisfaction with the present system of trash collection. Councilman Burgess noted that the matter is under discussion and that he is very much in favor of bagging proposals, either paper or plastic. He further noted that animals have been getting into plastic bags which residents have voluntarily been using and stated that if Councilman Rick's Animal Control Committee can control the dogs, the Public Works Committee will do something about the trash.

COMMITTEE REPORTS:

FINANCE COMMITTEE: Councilman Forshee reporting.

128. Proposal to upgrade emergency rescue service. Councilman Forshee requested that this item be removed from his agenda until such time as the Fire Protection Committee may wish to make suggestions and recommendations.

105. and 134. Revenue sharing funds: Proposed uses and proposed hearing; and Request to increase over-age 65 tax credit: Councilman Forshee stated that both of these items more or less tie in with the new budget which is under consideration at this time. He noted that the Council has met with the various Department Heads to consider their requests and are trying to draw figures together and will decide something in the not too distant future when a Public Hearing is held on the Budget.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

Councilman Webb reported on two new playgrounds just outside the City limits. One is to be located on the Schmidt property at Allegheny and Kansas Avenue where 37,000 sq. feet will be developed as a park with play equipment but clearing only what is necessary. He noted that the Schmidts have retained a life interest in the remaining 30,000 which will be developed in Phase 2 into a nature area.

The second park being developed is located on a 4.1 acre piece of land located on Sligo Avenue and bordered by Mississippi Avenue, Piney Branch Road and Valley Street. The property has been acquired by the Park and Planning Commission and facilities will include a 12 car parking area, 2 shuffleboard courts, 2 horse-shoe courts, 1 lighted tennis court, $\frac{1}{2}$ multi-use court, 1 paddle tennis court, playground equipment, sitting area and renovation of the existing building.

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Councilman Webb further commented that beaded flower classes will be held on Mondays beginning March 12 from 7:30 to 9:30 p.m. Leaded stained glass will be held on Thursdays 7:30 to 9:30 p.m. beginning March 29.

Councilman Forshee commented regarding the Revenue Sharing Funds which have been received were not reported on in great detail due to the fact that no final decisions have been made, however the money has been placed in interest bearing accounts for the time being. Councilman Nishimoto stated that he is under the impression that the City has a period of two years during which to expend the money.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

Councilman Nishimoto noted that the Maryland Municipal League (Montgomery County Chapter) met with County Executive Gleason on February 22 to discuss some matters of mutual interest. Among the items discussed was the location of RAP houses. He noted that Mr. Gleason came up with the idea of "permitted use" or that of permitting the use of any land taken over by the County for use by County programs. Councilman Nishimoto stated that the MML voiced their feelings in favor of having each case considered individually with the application for a Special Exception, thereby giving nearby residents and property owners an opportunity to speak. He stated that he is not certain what action will be taken, but he will follow the matter closely. Mayor Roth requested that Councilman Nishimoto make sure that other municipalities are also well informed and will support the City's position.

Councilman Nishimoto noted that the proposed repeal of the "Blue Laws" had also been discussed at the MML meeting and noted that MML backed supporters of retaining the present Blue Laws.

Councilman Nishimoto further stated that the MML requested also that Mr. Gleason consult with the individual municipalities when writing his road programs. He noted that Mr. Gleason had not consulted with the City in his recent programs, however, had recommended changes to the State Roads Commission in accordance with the desires of the Council.

Councilman Nishimoto stated that Legislative Bill No. 345 provides for retirement benefits for firemen of municipal corporations and permits them to retire after 20 years. He noted that this could adversely affect the City in the case of a fireman who may have left his City employment and gone to another City prior to retirement. He stated that he would keep a close watch on this through MML.

129. Request for pedestrian all-direction traffic signal at Phila. & Maple Avenues.

130. Request for pedestrian all-direction traffic signal at Phila. & Piney Branch Rd.

Councilman Nishimoto stated that these intersections are under discussion with the State Highway Administration for changes in the signalization and perhaps these requests can be included in these changes.

Purchase of Police Cruisers: Councilman Nishimoto moved that the City Administrator be authorized to advertise for bids for two police cruisers and the bid opening be scheduled for 2:00 p.m., March 20, 1973. He noted that these police cruisers are normally the ones that would be purchased after the first of July. He further noted that it could be expensive to continue operation of these present cruisers which have over 65,000 miles rather than replace them now. It was further pointed out that the City usually has problems purchasing cruisers after July as the model year is changing. Councilman Forshee recorded the motion which was duly carried.

Councilman Nishimoto stated that the Public Safety Committee of COG is sponsoring a public discussion on the proposed policing arrangements for METRO on March 8, 1973. Councilman Nishimoto stated that since the Metro will not actually be within the City limits, there is no need for the City to participate in the policing arrangements and noted that the "fresh pursuit agreement" would cover immediate chasing and apprehension.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

Councilman Ricks stated that he had participated in a ride around survey by members of the Community Improvement Board and was impressed with the number of properties which have been brought up to code standards. Mayor Roth noted that a great number of houses have been painted and in some areas the ratio may be as high as 1 out of 5. Councilman Nishimoto stated that he has noticed that the price of houses in Takoma Park is rising as a possible result of the increased interest in maintenance.

18. Montgomery County Landlord-tenant ordinance: Councilman Ricks stated that what is proposed by Mr. Gleason is an amendment to the Landlord-tenant bill and the City is in touch with the County on new developments regarding rent control. He stated that if the City appears to have need for rent control, it would have to be by the adoption of an Ordinance that would cover both parts of the City rather than what is adopted in one of the Counties. He noted that the matter of rent control is still under study and advisement.

132. Request for waiver of ceiling height violations, 317-318 Lincoln Avenue: Councilman Ricks stated that a request has been made for a Hearing, which when held, would be closed. A date for such hearing is now being determined.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

131. Suggested Christmas tree planting program: Councilman Burgess noted that the request had come from a former resident who now resides in the San Francisco Bay area where they have a program for selling live trees, presumably burlapped, and after the Christmas season, came around and picked them up for planting. Councilman Burgess stated that the Director of Public Works has stated that there will be no difficulty in picking up the trees or finding a place to plant them, however, the problem would be in finding an appropriate organization to promote and sell the trees. He stated that the matter would be left in the discussion stage and if anyone knows of any organization that would be interested, let the Committee know.

78. Proposed Ordinance or tax on cutting trees or alternative means of conserving; proposed tree seedling nursery; proposed citizens committee: Councilman Burgess stated that it has been requested within the Committee that a notice be placed in the Newsletter to determine the interest and concern over the trees in Takoma Park. Mayor Roth requested that an article be drafted by the Director of Public Works for the Newsletter. Councilman Burgess stated that the article should be written to determine if there really is a problem, how widespread the concern is and requested that the article be impartial.

124. Proposal to require bagging of trash: Councilman Burgess stated that the Committee would like to try bagging of trash for a six week trial period in selected areas of the City, perhaps three areas, to determine the desirability of such a requirement. He stated that this will require several hundred dollars for the purchase of bags for a trial period. Councilman Burgess stated that the Committee will request the funds at the next meeting and probably will have the areas for the trial period selected by that time.

102. Request for sidewalk on South side of Lee Avenue: Councilman Burgess stated that all of the property owners that would be assessed for the project object to the construction of the sidewalks with various objections being raised. Councilman Ricks raised the question as to whether any of the land is public property and noted that some of the cars

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parked at apartment buildings are parked in such a manner that the back end of the car extends over the walking area and the pedestrians must then walk in the street. He noted that morning and evenings are particularly hazardous with people going and coming from work and school children walking. Councilman Ricks stated that sometimes it is necessary for trash to be placed in the street for pick-up because there is no room on the curb line. Councilman Burgess requested that the Director of Public Works determine what the public right of way is along the street. There was considerable discussion as to the procedure for constructing such a sidewalk as regards the holding of a Public Hearing, assessment of abutting property owners, etc. Councilman Ricks requested that the matter be carried over to a subsequent meeting to allow time for residents of the area to express themselves, and permit the Public Works Director to determine the right-of-way.

Personnel: Councilman Burgess moved the appointment of Mr. Roy Meadows to Building Maintenance Supervisor, a position which he has been handling since June, 1971. He noted that Mr. Meadows has been employed by the City for fourteen years. The motion was seconded and duly carried for the appointment, to be effective February 23, 1973 at the annual salary of \$7,976.00.

120. Request to tar and gravel Wabash Avenue: Councilman Burgess stated that a request was made by one of the two property owners on the street who has since been informed that the cost would be approximately \$1,000. and an assessment would be made. Councilman Burgess stated that the property owners have not responded, however, the offer still stands but should be removed from the agenda.

Councilman Burgess noted that the Public Works Department is finishing the second major storm drain job on Devonshire Avenue and plan to begin the installation of a 12 or 15 inch drain from Columbia Avenue down Poplar Avenue to eliminate a water problem of long-standing. Councilman Burgess further noted that the WSSC has solved the water problem at 608 Boston Avenue with the connection of the old abandoned drain to the existing active one. Councilman Sidell expressed his appreciation.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

128. Proposal to upgrade emergency rescue service: Councilman Sidell noted that this item was referred to the Fire Protection Committee by Councilman Forshee, however, it is already on the Committee's working agenda. He noted that this request was made by the Volunteer Fire Department in order to accommodate and benefit from the paramedic training that three members have taken.

25. VFD resolution re: position of Fire Department Training Officer: Councilman Sidell elaborated on the duties of the Training Officer and noted that he also must coordinate the training of the paid men during the day in addition to that of the Volunteers. He further noted that rank does not affect the determination of such Training Coordinator. Councilman Sidell moved the approval of payment in the amount of \$400.00 per year to be paid to the person appointed to such position for the performance of these duties during off-duty hours. The motion was seconded and duly carried.

Councilman Sidell noted that Lt. Jarboe has handled these duties since April, 1971. He moved that Lt. Jarboe be paid the appropriate amount for his performance of these duties for the time period commencing July 1, 1972. The motion was seconded and carried.

121. Request for ambulance service into D.C.; Request for second ambulance: Councilman Sidell stated that the Committee has discussed this matter at length and decided to remain with the same policy as in the past regarding service into D.C. with patients being transported to Walter Reed when eligible and Children's Hospital when deemed necessary by the Washington Adventist Hospital. He added that employees of the City are provided additional service as somewhat of a fringe benefit of their employment.

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He stated that the ambulance is a piece of emergency equipment and not to be used for routine transporting of patients. He noted that Wheaton Rescue Squad performs some routine transports. Regarding the request for a second ambulance, Councilman Sidell stated that there are no facilities for the housing of a second ambulance nor the proper number of personnel to handle it. Councilman Sidell stated that unless there are objections from the Council, the Committee recommends that this information be related to the initiators of the requests. Chief LaScola commented regarding the transporting of patients and noted that as a general rule the ambulance does not go to Children's Hospital, however, the right to make this decision rests with the Department.

Councilman Sidell stated that a request has been received from the Montgomery County Fire Board for City participation in a retirement program for firemen who have served for a certain number of years and would collect \$100. per month retirement from his volunteer fire service. Councilman Sidell noted that there are five volunteer firemen who could be eligible and it may be possible for the City to come under the County's funding. He stated that it is important that it be determined if this can come under the County and if not, can the City afford this participation. He noted further that there are a number of things which will require considerable study.

PLANNING AND ZONING COMMITTEE: Councilman Nishimoto reporting: In Councilman Faulkner's absence, Councilman Nishimoto stated that there are no new developments to report on the Salvation Army.

Mayor Roth commented that there has been a long series of meetings in Prince George's County to study the question of transportation in the area particularly between the Beltway and the District Line. The Committee was composed of 60-61 persons working with the State Highway Administration and studying various alternatives. Secretary of Transportation Harry Hughes selected four of the alternatives and added one of his own, to be studied further. He stated that one of the alternatives was for a road on the PEPCO right of way down to Ray Road, however, he noted that this had no real support from the start. Consultants and experts will now study the matter which will eventually lead to a Public Hearing perhaps sometimes in May. He stated further that it is clear that everyone favors Metro and use of the B & O right of way for commuter rail.

Councilman Nishimoto requested that the City Administrator write to the Montgomery County Council regarding planning for the Metro busses and noted that if we want a viable system in the City, we had better get in on the beginning to make certain that we have the type busses that our streets can accomodate.

SPECIAL LIBRARY COMMITTEE: Councilman Webb reporting.

Councilman Webb stated that the Librarian has submitted her budget for the coming Fiscal Year with a very small Capital Outlay request. He further noted that the new Associate Librarian, Ms. Spottswood is proving to be very satisfactory.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:11 p.m. to reconvene at 8:00 p.m. on March 12, 1973.

ATTEST:

Haynes M. Ridgman
 City Administrator

APPROVED:

James D. Roth
 Mayor