

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

March 12, 1973

City Officials Present

Mayor Roth	City Administrator Pridgen
Councilman Burgess	Corporation Counsel Gingerich
Councilman Forshee	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 Olson
	Deputy City Clerk Pusti

Excused: Councilman Faulkner

The Mayor and City Council met in executive session at 8:00 PM, March 12, 1973, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance, a motion to approve the minutes as submitted and dispense with the reading was made, seconded and unanimously carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting:

1. James J. O'Donnell, Acting Highway Administrator, Maryland Department of Transportation. Letter regarding the State of Maryland Highway Safety Improvement Program and the Accident Location Identification system. Request designation of individual who could be responsible for analyzing and investigating accident locations for the determination of possible safety improvement projects. (Law Enforcement Committee, Police Department)
2. John D. Forrest, Regional Traffic Engineer, Maryland Department of Transportation. Letter regarding traffic signal installations or modifications at Md. 195 and Philadelphia Avenue, Md. 195 and Md. 410; Md. 410 and Maple Avenue. Described the difficulties that have delayed work on traffic signals and asked City Officials and residents to be patient until the work can be completed. (Law Enforcement Committee, Finance Committee, Public Works Committee)
3. Dollie H. Kyte, Clerk to the Board, County Board of Appeals for Montgomery County. Granting Special Exception to the Zoning Ordinance to permit a child care home for up to ten girls at 700 Hudson Avenue. Ten month suspension file, copies of petition to neighboring home owners. (Housing and Code Enforcement Committee) (Discussion among Council members and Mayor Roth to clarify the conditions under which the exception was granted. Councilman Nishimoto asked if the City would be expected to enforce the conditions of the grant or if this would be the responsibility of Montgomery County. He suggested that copies of the petition be sent to neighboring residents so they could help keep City Officials informed of the conditions there. Mr. Gingerich noted that almost all of the correspondence sent to the County in favor of locating the home in Takoma Park was from organizations and individuals outside the City.)
4. John J. Broda, Development Coordinator, Maryland-National Capital Park and Planning Commission. Letter regarding record plat for Lots 36 and 37, Block 61 on Geneva Avenue that was submitted to the Commission for consideration. (City Administrator Pridgen noted that there was a house on one of the lots.) (Planning and Zoning Committee)

March 12, 1973

5. Ross Whitney, President, Board of Trustees, Takoma Park Presbyterian Church. Letter requesting the reduction of the "No Parking" area at the corner of Maple and Tulip Avenues to the standard length. (Law Enforcement Committee, Chief Porter)

6. L. W. Wooten, Acting President, Takoma-Langley Taxi Association, Inc. Letter requesting permission to move cab stand from Lincoln and Maple Avenues to the southeast corner of intersection of Sligo Parkway and Maple Avenue. (Law Enforcement Committee)

7. Clarence Coombs, M.D., 831 University Blvd., East, Silver Spring, Maryland. Letter requesting the City to permit funding by the Montgomery County Housing Authority of additional welfare housing units within the City. (Housing and Code Enforcement Committee)

8. David B. Weisman, Secretary-Treasurer, North Takoma Citizens Association. Copy of Resolution supporting retention of Silver Spring Intermediate School and asking that funds be included in the Fiscal Year 1973-74 Budget for renovation of the school. (Planning and Zoning Committee)

9. (a) Oretha T. Cole, Director, Modern Day Nursery School. Letter commending Officer H. Spearman for his assistance in helping to locate a lost child. (Law Enforcement Committee)

(b) Carole Ehrlich, Family Service of Montgomery County, Inc. Letter commending Officer Scott for his concern and assistance in helping to locate her son. (Law Enforcement Committee) (Mayor Roth asked that copies of these letters be placed in the personnel files of the Officers, and that Chief Porter convey to them the compliments of the Council on a job well done.)

FINANCIAL STATEMENT OF BANK BALANCES AS OF FEBRUARY 28, 1973: City Treasurer Pridgen reporting

SUBURBAN TRUST COMPANY-GENERAL FUNDS

Balance as of January 31, 1973	\$173,727.09	
*February receipts	<u>145,941.71</u>	\$319,668.80
February Disbursements		<u>121,504.84</u>
Balance as of February 28, 1973		<u>198,163.96</u>

*Includes matured Treasury Bill - \$100,000.00

SUBURBAN TRUST COMPANY-PAYROLL ACCOUNT

Balance as of January 31, 1973	14,890.39	
February transfers from General Funds	<u>82,843.51</u>	97,733.90
February Disbursements		<u>86,406.65</u>
Balance as of February 28, 1973		<u>11,327.25</u>

CITIZENS BANK OF MARYLAND-GENERAL FUNDS

Balance as of January 31, 1973	500.00	
No transactions during February	<u>- 0 -</u>	500.00
Balance as of February 28, 1973		<u>500.00</u>

CITIZENS BANK OF MARYLAND-SPECIAL ASSESSMENTS FUND

Balance as of January 31, 1973	4,713.10	
No transactions during February	<u>- 0 -</u>	4,713.10
Balance as of February 28, 1973		<u>4,713.10</u>

March 12, 1973

CITIZENS BANK OF MARYLAND-PUBLIC IMPROVEMENT FUND

Balance as of January 31, 1973	\$ 4,339.50	
No February receipts	- 0 -	\$ 4,339.50
February Disbursements		372.68
Balance as of February 28, 1973		<u>3,966.82</u>

CITIZENS BANK OF MARYLAND-SAVINGS ACCOUNT TP-63

Balance as of January 31, 1973	163.42	
No February transactions	- 0 -	163.42
Balance as February 28, 1973		<u>163.42</u>

AMERICAN NATIONAL BANK-GENERAL FUNDS

Balance as of January 31, 1973	2,508.96	
No February transactions	- 0 -	2,508.96
Balance as of February 28, 1973		<u>2,508.96</u>

PETTY CASH200.00U.S. TREASURY BILLS

		COST	MATURITY VALUE
Purchased 9/12/72	Due to Mature 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
		<u>\$386,743.27</u>	<u>\$400,000.00</u>

MAYOR'S COMMENTS:

Mayor Roth presented the following to Mike Reardon and John Loeb of the Cornerstone Chapter of DeMolay:

A Proclamation commemorating 1973 as the 54th anniversary of DeMolay, and naming March 11 - 18, 1973 as International DeMolay Week in Takoma Park, Maryland.

For the information of all those who read the City Council Minutes, the Mayor made the following comments about a recent decision of the Montgomery Council to release the funds for the renovation of the Takoma Park Campus of Montgomery College. Mayor Roth stated that while all residents on Block 69 may not feel that they benefited much from the prolonged discussions regarding the College's expansion, they may be comforted by the fact that the release of funds was conditioned on a proviso that the College will not use condemnation powers to acquire any more property than it already has, and that parking will be located somewhere other than on Block 69.

The Mayor stated that he was present at the County Council meeting and Council members indicated that they did intend to work for another campus in the Southern portion of the County.

The County Council advised the College that: (1) no additional homes shall be taken without the willing consent of the owners, (2) the College will minimize the impact of redevelopment on the remaining structures. Councilman Nishimoto requested, that since the City Council felt very strongly about the use of condemnation for acquiring property on Block 69, the City Council go on record as backing the proposal against condemnation proceedings. Mayor Roth so moved; the motion was seconded and duly carried. Councilman Burgess suggested that a letter be drafted to the Board of Education withdrawing the Council's previous reluctant endorsement of the use of condemnation. Mayor Roth stated that the effect of this motion will withdraw the City's previous endorsement.

PUBLIC PARTICIPATION:

1. Frances Phipps, 7210 Holly Avenue. Mrs. Phipps asked the Council to clarify what they meant by condemnation, and referred to an article in the Washington Post with William

March 12, 1973

Sher, President of the Montgomery County Council, saying that those who remain will simply have to have the College built up around them. Mrs. Phipps called this type of action "marketplace condemnation", and said that the County Council had not taken a negative stand, nor did they reaffirm the positive stand, which is to say they took no action at all. Mrs. Phipps then asked the Council for a voice vote on their attitudes toward the use of condemnation. The Mayor stated that the Council as a whole had decided to maintain its position; and that the purpose of public participation during the meetings was for citizens to present their viewpoints and that it was the responsibility of the Council to listen.

2. Joseph Cangialosi, 7001 Poplar Avenue. Mr. Cangialosi stated that he was generally pleased with the Council Minutes and felt that they were usually accurate, but the last Minutes neglected to include a summary of the conclusions of a survey conducted by Mrs. Dorothy Porter of the "Save Takoma Park Committee". Mayor Roth said the summary would be inserted in the Minutes of this meeting. Mr. Cangialosi also asked about his suggestion at a previous meeting that the number of councilmen be increased, and noted that this item had been dropped from the Council as a Whole Agenda. City Administrator Pridgen said that this item had been put on the working agenda. About the Mayor's comments: Mr. Cangialosi asked if the Mayor had considered having a campus of Prince George's Community College in the Prince George's section of the City. The Mayor wondered if this was a sincere question, and stated that in view of the kind of City we have and with the number of low-income residents in the City he considered it reprehensible that anyone would even consider abandoning the Takoma Park Campus. (see page 12 for summary of survey)

3. George Adams, 7620 Maple Avenue. Mr. Adams stated he was speaking on behalf of his neighbors at the Winchester-Takoma Apartments. He inquired if the Montgomery County Rent Control Bill affected residents in the City of Takoma Park, and stated that he had received a rent increase as of March 1, 1973. Councilman Ricks said that City residents are exempt from this bill, but that the Council had drafted a resolution asking landlords in the City to voluntarily comply with the guidelines set down by the County bill. He said that there was also a bill in the State Legislature, and if this bill is passed, it will give State control over rent increases and will include all cities and municipalities. Councilman Ricks also said that the County bill was not being strictly enforced, pending decision of the Court. Mr. Adams wanted to know if the City, since it did not plan to enforce the County legislation, was going to draft its own legislation. Councilman Ricks replied that no such legislation had been planned at this time. Mr. Adams stated that the residents of the Winchester-Takoma would like stricter law enforcement in their area, and cited numerous break-ins of mailboxes and apartments in the building, and other incidents. He said the residents of Winchester-Takoma resent the "aspersions" cast on them by other residents of the City, citing the letter from the Takoma-Langley Taxi Association as a good example of the attitudes of many citizens toward the Winchester-Takoma residents. Mr. Adams then requested a meeting with Councilman Nishimoto to see if there was not some way to strengthen communications between the residents of the Winchester-Takoma and the City Officials. Councilman Nishimoto suggested that Mr. Adams list some of the problems facing residents and present them at a meeting with him and the Law Enforcement Committee on March 21. Mr. Adams said at this time he would like to personally commend the Fire Chief for his response to a call about trash piled up in the hallways. Councilman Ricks requested to circulate a pad among the audience to help determine the rent increases that have taken place within the City; he asked residents to list their names, addresses and landlords. He noted that Code Enforcement Officers conduct almost weekly inspections of the Winchester-Takoma and are keeping a close record of the violations found; he stated that the City had been trying to get a court date for some time. Councilman Ricks had accompanied the Code Enforcement Officers on some of their inspections and was aware of some of the problems facing the residents in that building. He said that the Police and Fire Departments had given the owners of the property numerous citations for violations and dates by which they must be corrected. He asked the residents to notify the Police or Fire Department whenever they saw any violations of the Housing Code, and that they

March 12, 1973

would try to cooperate for better maintenance of the building.

At this time, numerous citizens in the audience who were not identified by name, but who were residents of the Winchester-Takoma, participated in a discussion with Councilman Ricks and other members of the Council. These residents will be referred to as "Citizens" in the following notes.

Citizen. It would be a lot easier to keep the building in better shape if the management would hire more custodial help; he stated that there were only three janitors for the building, and it was impossible for them to effectively handle the building. Councilman Ricks noted that a lot of the complaints that the Council was now hearing had been documented by previous inspections, and one of the reasons the City was trying to get a court date was to see what could legally be done to enforce the Housing Code.

Citizen. She mentioned the numerous rats and roaches, and the occasional lack of heat and hot water in the building; Councilman Ricks responded that a notice had been sent to the landlord to exterminate. He said that he was aware that so far the owners of the Winchester-Takoma have all but completely ignored the communications of the City. He noted that the violation of a Housing Ordinance was a misdemeanor, which is not a serious charge; however, if the Court instructs the owners to comply with the Housing Code, they will be in contempt of court if they do not, and this is a much more serious charge than violation of a City Ordinance - it could bring a jail sentence instead of just a fine. Councilman Ricks informed the audience that when a court date had been set, he would make the date public.

Mr. Brown, 7620 Maple Avenue. Mr. Brown noted that there was no security in the building and, at times, the residents were afraid to go outside. He claimed that the Police Department, while checking carefully on other residences in the neighborhood, gave only a cursory check to the Winchester-Takoma. A discussion then ensued between Councilman Nishimoto and Deputy Fire Chief Fickes as to the types of security doors that are permitted on apartment buildings. Mr. Brown asked for more Police patrols of the area and for better outside lighting. Mr. Ricks noted that the building superintendent had stated that as soon as he fixes the outside lights and doors someone breaks them again. Mr. Brown said the lights were quite high on the building and he felt it would require a lot of effort to get to one of these lights to break it. Councilman Ricks noted that the building had had numerous security guards, the most recent lasting only 24 hours before he quit. He also noted that the weekends were the worst times for problems in the building.

Citizen. She said she was afraid to walk outside of the building at night because of the shrubbery around the building and no lights; she stated that the lights were not broken, they were just turned off, and asked the Code Enforcement Officers to check this. Councilman Ricks said he did not know if there was a law making outside lighting compulsory but they would try to get the management to keep the lights on after dark; the Police Department could perhaps approach the owners about this. Mayor Roth referred to the meeting with Councilman Nishimoto on March 21 and said that he would confer with Chief Porter about enforcing existing laws, or perhaps enacting a City law pertaining to building security.

Councilman Nishimoto then asked Mr. Adams if there was still a formal Winchester-Takoma resident's organization. Mr. Adams said there was, but it was inactive because of the many disappointments they had experienced in the past. Mayor Roth said he greatly regretted that the residents felt "nothing had been done;" Mr. Adams replied that while there had been some improvements, there were still a lot of things to be done. A citizen noted that while the management would sometimes start repairs, they did not follow through. Mr. Adams said the most common response to his complaints about the building was "Why do you stay there?" He noted that he had been trying to get another apartment but had run into "sophisticated discrimination" in the form of limiting the number of children a resident could have, etc. Mayor Roth said the only thing that could be done at present

March 12, 1973

was to keep up the inspections and sending violation letters to the owners, and hope that a court date would soon be set.

4. Mr. Krakow, 8001 Wildwood. Mr. Krakow read a portion (Article 7, Section 13-64) of the City Code dealing with parking violations - specifically "over 18 hour" parking, and said that this particular Ordinance was being used by a neighbor to "get back" at him. Councilman Nishimoto said it was unfortunate when neighbors use a City Ordinance to harass one another, but since it is an Ordinance it must be enforced, especially when a complaint is lodged.

5. Kathryn T. Simpson, Community Improvement Board. There will be a C.I.B. meeting on March 15. Mrs. J. Simon from the Montgomery County Housing Authority will be the guest speaker; in view of tonight's discussions regarding rent control, the Council and any members of the audience who are interested can come and listen. Mrs. Simpson reported that the C.I.B. has completed its "ride-around" study and the majority of deficiencies were paint and minor repair orders. Mrs. Simpson noted that this was a great improvement and complimented the Mayor and Council and Code Enforcement Officers for continuing their support of this survey. She expressed concern about several properties which have not been corrected, and asked to meet with the Council to see what can be done about those few who will not comply.

6. Ellen Marsh, 7405 Maple Avenue. In response to Mrs. Marsh's request, the text of the Save Takoma Park Committee's survey will be included in the Minutes. Mrs. Marsh said, according to a real estate salesman she had talked with, "Takoma Park is on its way up, prices are on their way up, these old houses are an asset." Councilman Ricks suggested that an article about this be put in the Newsletter. Mrs. Marsh said that within the past six months two families have moved into the "transit impact" area; people are interested in living in the area that was slated for garden apartments. Councilman Nishimoto hoped that the high prices the homes were bringing would discourage developers. (see page 12)

7. Robert Moore, 7314 Willow Avenue. Mr. Moore spoke with Councilman Ricks concerning the distinction between a misdemeanor and contempt of court, and asked how legally binding the Council's Resolution was. Councilman Ricks said the Resolution stressed voluntary compliance, and was not legally enforceable. Mr. Moore suggested a public hearing and said he could "fill the Council Chambers" with people who would back a Council Ordinance on rent control. Councilman Ricks noted that there were not - with the exception of the residents of the Winchester-Takoma - many people in the audience, and that calls had just begun coming into the City Office. Mayor Roth stated that when the County bill had been under consideration, owners had said if the Council did not pass a bill, they would voluntarily keep the increases to the 6% level; we must wait and see whether the landlords will keep their words. Mr. Moore again asked for a public hearing, and Councilman Nishimoto suggested inviting the landlords to attend the meeting so they could see the concern of residents about rent control. Councilman Burgess noted that since the article had appeared in the newspaper some time before the County had made its decision, and since the City had not heard - up until this time - that people were concerned, they had assumed there was no real problem about this in the City. Mr. Moore noted that there were two groups present tonight, the Winchester-Takoma and Block 69; he said that now that the Council had passed a Motion declaring the Council opposed to condemnation, he hoped they would pass an ordinance about rent control.

8. Marilyn Gross, 8314 Garland Avenue. Ms. Gross spoke in reference to the points Mr. Moore had brought up, and gave her support to his ideas. She said that she couldn't believe that the Council did not know that most of the renters in the City were not aware that they were not covered by the County bill, and asked about the possibility of enacting a bill right here. Councilman Ricks stated that it could not be done tonight because of the legalities - the City is partially in Montgomery County and partially in Prince George's County, and a Montgomery County law cannot be enforced in Prince George's County. It was then determined by Police Chief Porter that Ms. Gross' address is not within the City

limits, so she is covered by the Montgomery County Rent Control Bill.

9. Nancy Now. Mrs. Now gave her support to the idea of a public hearing regarding a City rent control bill.

10. William Morgan, 603 Elm Avenue. Mr. Morgan said that if the City is unable to enforce the Montgomery County Rent Control Bill, the Housing Code should be strictly enforced so that residents would be protected against landlords who increase rent but do not fix up their apartments; he mentioned the possibility of a rent strike as a means to force landlords to comply with the Housing Code and the Rent Control Bill. In response to questions from Mr. Morgan, Councilman Ricks requested Code Enforcement Officer Olson to outline the procedure used for inspection of rental property. Mr. Olson said a letter requesting an appointment to inspect the property is sent to the owner; every effort is made to find a time suitable to either the owner or the resident manager. If an apartment is not open at the time of inspection, the officers make a note of it and return to that apartment later, but sometimes either the landlord or the resident refuses to admit the Code Enforcement Officers. Councilman Ricks noted that to the best of his knowledge, the Code Enforcement Officers did not "play favorites" with any landlords. It is the job of the officers to get into each dwelling and inspect it; they have even gone on inspections in the evenings if that was the only time the landlord could meet with them. Councilman Ricks said that during the day, complaints should be made to the Code Enforcement Office and at night they should be made to the Police or Fire Department.

11. Etta Mae Davis, 703 New York Avenue. Mrs. Davis asked how many Councilmen had seen the RAP in the Suburbs program she had appeared in on television. Councilman Nishimoto said he felt that the television people had taken advantage of Mrs. Davis' graciousness, and said that that was the kind of opposition we are going to come up against unless we are represented at the hearings. He expressed concern that people who live outside of Takoma Park will promote the location of RAP within the City. Councilman Nishimoto said he had discussed having the RAP home located outside the City; however, he would be in favor of the "fair share" approach. Mrs. Davis complained about the inability of private citizens to use the parks because of the crowds of people who spend most of their time lounging around in the City parks; she said that citizens were subjected to abusive language, etc., by these people. Mrs. Davis complimented the Fire Department on its response to a call in December, saying they responded quickly and efficiently to her emergency call. She suggested a public hearing on Block 69 so that everyone concerned could express his opinions, and suggested that this be considered from a complete standpoint; of the enrollees at Montgomery College, 10% or less are actually residents of the City. Mrs. Davis also asked for a policy decision on the use of the new Municipal Building by residents of the City.

12. Phil Vogel, 7117 Garland Avenue. Mr. Vogel spoke regarding the promotions of Roy Meadows to Building Maintenance Supervisor and Lt. James Jarboe of the Fire Department; he questioned the fact that Mr. Meadows' pay was not made retroactive like Lt. Jarboe's was. Councilman Burgess replied that this pay increase was done under the authorization of the Fire Chief and the Director of Public Works. A discussion followed about the alleged discrepancies in the pay of the two men. Mr. Vogel then inquired if the City had gone on record to the Maryland Department of Transportation as formally opposing I-95, and said that he was sorry that the County had the power to make so many decisions that affected the City. Mr. Vogel also asked if the vacancy in the Code Enforcement Division had been filled.

13. Citizen, Winchester-Takoma. He asked if a date would be set for the tenants to meet regarding rent control. Mayor Roth responded that Councilman Ricks would set a date and inform Mr. Adams and the public so all who were interested could plan to attend.

At this time, the Mayor referred back to an earlier statement by Mrs. Phipps inferring that he stood alone in his position to the expansion of Montgomery College and asked the

Council members if there were any of them who were opposed to the expansion of Montgomery College; none responded.

COMMITTEE REPORTS

PLANNING AND ZONING COMMITTEE: Councilman Nishimoto reporting for Councilman Faulkner

116. Special Exception 2749: Use of property at SE corner of N.H. and Ethan Allen for men's special service center (Salvation Army, applicant). There is no new information available about this; the City is still waiting for the Salvation Army to decide if they want to present additional information. Mayor Roth asked Mr. Pridgen to check if this special exception request will be withdrawn.

140. Special Exception S-238 (Washington Adventist Hospital, applicant). This exception is to permit the Washington Adventist Hospital to build an addition (375 new beds) at 7600 Carroll Avenue. The hearing is in the County Council Hearing Room on the 3rd floor of the County Office Building in Rockville on May 17, 1973. The current zoning is R-60.

141. Special Exception S-243 (Washington Adventist Hospital, applicant). This would permit the Washington Adventist Hospital to operate a boarding house at 716 Maplewood in an R-60 zone. The hearing is in the County Council Hearing Room in Rockville on May 24, 1973. At this time, a suggestion was made to have a hearing to determine the reactions of people living in this area who would be affected if the exception is granted.

Councilman Nishimoto announced that the request (A-8646) by Chon and Chon to rezone the property at 1021 University Blvd., East, from R-18 to C-G was denied by the Prince George's County District Council on February 21, 1973. He said the City had opposed this rezoning and said at least we had won one case on rezoning.

FINANCE COMMITTEE: Councilman Forshee reporting.

35. Proposed Amendment to Section 2-67 of the Merit Plan. Upon motion by Councilman Forshee, duly seconded, the Ordinance below was adopted by roll call vote as follows: Aye: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, Sebb. Nay: None. Excused: Councilman Faulkner.

ORDINANCE NO. 2254

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

SECTION 1. THAT due to inequities to employees as a result of the changeover to a twenty-six pay period system, Section 2-67, entitled "Pay Scale increases; effective date" of Chapter 2 (ADMINISTRATION) of "The City of Takoma Park Code, 1972" is hereby repealed in its entirety; AND

SECTION 2. THAT a new Section 2-67 is hereby ordained and adopted, to read as follows:

Section 2-67. Pay Scale increases; effective date.

Pay scale increments are to be effective beginning with the first full pay period following anniversary date of appointment of personnel to positions;

March 12, 1973

providing the department head shall certify to the City Treasurer that employee's efficiency rating meets with departmental standards.

SECTION 3 AND FURTHER THAT this ordinance shall become effective as of the date of adoption.

Administrative Action: Personnel Appointments: Secretary and Cashier-Assistant Bookkeeper. The following personnel appointments were recommended by City Administrator Pridgen. Councilman Forshee moved for acceptance of these appointments, and being duly seconded, the motion was unanimously carried.

The appointment of Mrs. Maureen Pedone to the position of Secretary in the City Administrator's Office at the fourth year salary of \$7,421. per annum, retroactive to March 1, 1973. Mrs. Pedone has been employed in the Treasurer's Office since February 9, 1970 in the position of Cashier-Assistant Bookkeeper.

The probationary appointment of Mrs. Ernestine J. Wilson to the position of Cashier-Assistant Bookkeeper in the Treasurer's Office at the starting salary of \$6,626. per annum, retroactive to February 26, 1973. Mrs. Wilson is a native of Memphis, Tenn. and attended Memphis State University.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

Discussion of rules and regulations for use of City buildings and parks. Councilman Webb reported that a report concerning building security, responsibility for the care of public buildings and parks, fees for use of City facilities, who is eligible to use the facilities, etc. is being drawn up by Recreation Director Ziegler.

Recreation Activities. Councilman Webb announced the following activities sponsored by the Recreation Department: Movies at the Firehouse Gym on Friday, March 16, at 7:30 PM; a guitar workshop for those who were in Guitar I and II classes and anyone who can read and play notes in first position; Advanced Red Cross First Aid course on Thursday nights beginning March 29, for 4 weeks at 7 to 10 PM; Flower Arranging and Pressed Flower Picture classes, two classes - Tuesdays, 10 AM to noon, and Thursdays, 7:30 to 9:30 PM, 8 sessions starting April 3 and April 5. Councilman Webb announced that the Piney Branch Middle School Pool is open 4 - 6 and 7 - 9 PM Monday through Friday, and 1 - 9 PM on Saturdays and Sundays. Admission is 35¢ for children and 50¢ for 18 years and older.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting. Councilman Nishimoto stated that due to the lengthy discussions that had taken place, and the lateness of the hour, the Law Enforcement Committee would refrain from making a report at this time.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

18. Rent Control Resolution. Upon motion by Councilman Ricks, duly seconded, the following Resolution was adopted by a voice vote with Councilman Forshee abstaining because he owns rental property in the City:

RESOLUTION

WHEREAS, on February 28, 1973, the Montgomery County Council passed a rent control bill which permits landlords to increase rents 7.5% above the August, 1971, rental, to remain in force for 90 days; AND

WHEREAS, the City of Takoma Park is excluded from this bill and does not at this time wish to impose rent controls; nevertheless, it is the desire of the Mayor and

March 12, 1973

City Council to protect those citizens who are faced with increases above 7.5%;
AND

WHEREAS, representatives of the Apartment House Council and the Building Owners and Managers Association earlier pledged to restrict rent increases to 6% as an alternative to Montgomery County's Rent Control Bill, and indicated a desire for, and capability of, self-administered controls; AND

WHEREAS, the Mayor and City Council have been presented with evidence that all landlords in Takoma Park are not complying with either the 6% or the 7.5% restrictions and, in lieu of strict enforcement of rent controls, they request voluntary compliance as stated in the following resolution:

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of Takoma Park, Maryland do hereby call on owners of Takoma Park rental property, in both Montgomery and Prince George's Counties, to voluntarily and in good faith comply with the guidelines set forth in Montgomery County's Rent Control Bill, which went into effect on March 1, 1973.

BE IT FURTHER RESOLVED THAT the Mayor of Takoma Park is requested to transmit a copy of this resolution to owners of all rental property in the City of Takoma Park, asking them to adhere to the spirit of the resolution.

At this time, Mayor Roth informed those present that if any citizen wished to make a specific complaint about his rental property, the Council would be glad to contact the landlord to see if it could be rectified. He also stated that the Council would appreciate hearing from any citizen who felt his rent had been unduly increased.

119. Code violations at 239 Park Avenue. This problem has been abated as of March 5, 1973, and Councilman Ricks requested that this item be taken off the Housing and Code Enforcement Agenda.

The following Community Improvement Board appointments were approved:

Zone 1: Frances Phipps (1975), Arthur Catudal (1975), Sue Lerner (1974); Zone 2A: Mary Ann McGuire (1974), Michael Bray (1975), Eugene Snedden (1974); Zone 2B: F. Wayne Womack (1974), Lewis C. Evans (1974); Zone 3: Vivian Giesey (1974), Perry Schroeder (1974); Zone 4: William Shewell (1974), Charles Cooper (1975); Zone 5: Ellen Zervos (1974); Zone 6: Robert Reed (1974), Doris Stelle (1974); Zone 7A: Austin T. Brown (1975), Ann Grice (1974); Zone 7B: Juleana Jones (1975), Paul Layne (1975); General Chairman: Kathryn T. Simpson (1975).

The Mayor expressed his appreciation to the C.I.B. and its members for its work on behalf of the community and thanked them for donating their valuable time and assistance.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

78. Tree Ordinance and related proposals. An article appearing in the March, 1973 City Services Newsletter calls attention to the proposed ordinance which would forbid the cutting of trees on private property without first obtaining a permit from the Public Works Department. Because of the unusual nature of an ordinance of this type, Councilman Burgess expressed the hope that all citizens will take the time to express their opinions on this matter; either by appearing at the next Council meeting or in a letter addressed to him.

March 12, 1973

124. Proposal to require bagging of trash. Councilman Burgess stated that three areas - Ritchie, Geneva, and Oswego Avenues; New York, Takoma, and Baltimore Avenues; and Jackson, Glenside, and Wildwood Drive - had been tentatively selected for a six week trial period. Upon motion by Councilman Burgess, the Council approved a transfer of \$400 from the Reserve Fund to a/c #13.402B1 to cover the cost of the bags for this pilot project. He noted that the bags could be purchased relatively inexpensively in large lots, and suggested that if an ordinance requiring the use of plastic bags was passed, the City could keep some at the City Hall for sale to residents, and perhaps some of the local merchants would consent to sell these bags at cost. Councilman Burgess noted that using these bags would not mean that the use of burlap sheets by the Public Works men would be discontinued.

137. Extension of fence in front of Takoma Elementary to Maple Avenue. The Director of Public Works reported that the sidewalk in front of the Library is scheduled to be widened to 8 feet this spring or summer, and that it will be completed before school opens next fall. Councilman Burgess said he would appreciate comments on widening in lieu of a fence from Mr. Moore and members of the P.T.A. at the next Council meeting.

138. Juniper Street Bridge reconstruction rights-of-way. Councilman Burgess stated that Metro had furnished a display for the Library of the proposed changes of grade and alignment of the bridge, and that all citizens had had a chance to comment thereon, but no communications had been received. Metro asked the Council for concurrence and to purchase in fee simple certain lands and some slope easements and construction easements, with title reverting back to the City after Metro is finished. Councilman Burgess stated that the Council agreed in principal with Metro, and if they met the four conditions listed below, the City would grant a right-of-way and a construction right-of-entry.

1. a cul-de-sac at the south end of Fenton Street; 2. the right of the City to remove all azalea plants from the construction area; 3. receipt of fair market value; 4. the easements must be in context with the plan approved last spring.

Administrative Action: Authorization to advertise for bids for a pick-up truck for the Parks Division. Councilman Burgess noted that this is an approved budget item, and funds for this were allocated in the current budget. The invitation to bid will ask for a base bid and an alternate bid (which would include a trade-in on the old truck). The Council approved this request.

At this time, Councilman Burgess read a letter from the Takoma Park Horticultural Club which endorsed the tree-planting concept and offered assistance in any tree-planting program the City might propose.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

Due to the late hour, there was no report at this time.

SPECIAL LIBRARY COMMITTEE: Councilman Webb reporting.

The Committee had no report at this time.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 11:06 PM, to reconvene at 8:00 PM, on March 26, 1973.

On February 26, 1973, the Save Takoma Park Committee presented the Mayor and Council with copies of a survey questionnaire, a copy of the results of the survey, copies of some written comments, and copies of 371 petitions by residents of the Takoma Park Metro Impact Area.

The following text and major results are reprinted from that survey.

"We, the undersigned residents of the Metro Impact Area in Takoma Park, oppose any program for intensive commercial and high-rise, multi-family residential development of the Metro Impact Area which would significantly alter the existing residential character of our neighborhood."

Major Survey Results:

The survey results reveal the following preferences among those interviewed:

1. Takoma Park should remain residential in character, essentially as it is now. 306 households, or 93.86 per cent of all respondents support this statement.
2. C-1 zoning is the preferred zone for the Takoma Park business district. 296 households or 90.52 per cent of all respondents to this question selected C-1 zoning for the business district in preference to the C-2 zoning.
3. Additional population density in Takoma Park is opposed. 292 households or 90.12 per cent of all respondents to this question are opposed to any greater population density in Takoma Park.
4. Streets in Takoma Park must not be widened. 301 households or 89.85 per cent of all respondents to this question opposed widening of streets to accomodate additional traffic.

March 12, 1973

The following excerpt is from the Montgomery County Council, The Council Report, March 1, 1973.

TAKOMA PARK CAMPUS ACTION CONFIRMED

Tuesday, the Council discussed its earlier action approving the expansion of the Montgomery College Takoma Park Campus. This discussion took place because the State Board of Public Works had provided the option of reconsidering previous action before March 10. The Council took no action after its discussion, thus affirming its previous decision on the expansion.

Councilmember Norman Christeller noted during the discussion, "I have been startled and sorely troubled to find how widespread are a number of misconceptions about the Montgomery Community College. This is a public institution, established under State law, with a Board of Trustees appointed by the Governor, and with funding provided primarily by the County Council. The College knows where the funds come from, and it is responsive to Council decisions and priorities. By the same token, the Council recognizes that the Board of Trustees and the College administration is responsible for academic and educational policy.

"One of the principal misconceptions is the relationship of the feasibility study of the possible Four Corners site to the redevelopment of the Takoma Park Campus. Obviously, the Council was not considering the Four Corners site as an alternative to Takoma Park, although some Councilmembers continued to voice their preference that such an alternative be agreed upon.

"A second misconception is that the remaining residents of Block 69 are being deprived of their homes.

"The College has conformed to the Council's request that (1) no homes be taken without the owner's willing consent and (2) the redevelopment program be revised to minimize the impact on the remaining homes and to defer structures which would ultimately go on those properties."

ATTEST:

Haynes M. Priddy
City Administrator

APPROVED:

John F. Roth
Mayor

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND COUNCIL
March 26, 1973

City Officials Present

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

The Mayor and City Council met in regular session at 8:00 PM, March 26, 1973, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. The invocation was given by Elder Dale Hanna, Sligo Seventh-day Adventist Church, and was followed by the Pledge of Allegiance. A motion to approve the minutes with the following comments was made, seconded and unanimously approved. Councilman Nishimoto noted that on page 3, "Mayor Roth so moved" and questioned if this was correct parliamentary procedure; Mayor Roth said that his reference on page 7 to a statement by Mrs. Phipps should have been a marginal notation in the Planning and Zoning Committee's report.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting:

1. District Counsel for Prince George's County, Maryland. Petition for Reconsideration by Chon and Chon of Zoning Map Amendment Petition No. A-8646 (R-18 to C-0). (Planning and Zoning Committee)
2. Robert E. Anastasi, Principal, Takoma Park Elementary School. Letter requesting safety fence extending from the Library driveway on Philadelphia to the corner of Maple and Philadelphia. (Public Works Committee)
3. Robert H. Moore, Safety Committee Chairman, Takoma Park Elementary School PTA. Request for a safety fence along Philadelphia Avenue from the driveway of the Library parking lot to Maple Avenue. (Public Works Committee)
4. Stephen S. Hiten, Chairman, Citizens for Sound Government. Letter regarding the proposed tree ordinance, requesting that this item be put to referendum at the next City election; Citizens for Sound Government does not support the proposed ordinance. (Public Works Committee)
5. Elmer N. Bozarth, Elizabeth V. Bozarth, E. Neal Bozarth, Jr., 7326 Willow Avenue, Takoma Park. Letter urging the Mayor and Council to adopt the proposed tree ordinance. (Public Works Committee)
6. Stephen S. Hiten, Chairman, Citizens for Sound Government. Letter requesting the Council to undertake a major campaign of education regarding the gypsy moth, using the Newsletter as a means of communciation. Mr. Hiten offered the cooperation of Citizens for Sound Government. (Public Works Committee, copies to Horticultural Club, Azalea Committee)
7. Nine letters addressed to the Director of Public Works in opposition to the proposed tree ordinance. (Public Works Committee)

March 26, 1973

8. A group of letters from both tenants and landlords in response to the Council's Resolution on Rent Control; the majority of landlords responding indicated willingness to voluntarily comply with the guidelines of the Resolution. (Housing and Code Enforcement Committee)

MAYOR'S COMMENTS:

Mayor Roth presented a Proclamation to Mr. Stuart Sweeney, "King Lion" of the Takoma Park Lions Club, naming the period April 29 through May 5, 1973 as White Cane Days in Takoma Park, and congratulating the Lions Club on the fine work it has done in the past. Mr. Sweeney mentioned the work that Mayor Miller and former Councilman and City Treasurer Edwin S. Turner had done for the Lions, and thanked the Mayor and Council for their support of the White Cane Days. President Elect Walter Shirley presented a check for \$1,000 to past President Harry Wickline for use in the eye bank. Mr. Wickline explained that the White Cane Days were the only time when the Lions directly solicited donations from the public; all funds collected are held in trust for sight conservation. He then presented Mr. Ruffcorn with a check for \$1,550 for the eye clinic in the new wing of the Washington Adventist Hospital; a large portion of the donation was raised by students at the Takoma Academy. Mr. Ruffcorn noted that the Takoma Park Lions had previously donated money for the eye clinic in the new wing of the hospital, and this donation would help to provide the equipment for the clinic. Councilman Nishimoto noted that he was sure the Lions had eye donor cards with them if any member of the audience wished to pledge his eyes.

The Mayor read a prepared statement raising questions concerning proposed historical sites within the City of Takoma Park. (see attachment)

At the Council meeting two weeks ago, there was a lengthy discussion concerning rent control and the conditions at the Winchester-Takoma Apartments. The Mayor's office has written to the Building Owners Association asking for voluntary compliance with the Rent Control Resolution; a response requesting more information was received. A letter was sent to Mr. Shapiro, owner of the Winchester-Takoma, regarding rent control; the Mayor has asked the Police, Code Enforcement, and Fire Departments for information on the work they have been doing in that building. During the period of January, 1972, to February, 1973, the Code Enforcement Officers made 308 visits to the Winchester-Takoma; the Fire Department responded to 89 calls within the same period. The Police Department answered 171 calls between September, 1972 and February, 1973; this indicates that we have not given up, and we don't intend to. Mayor Roth also announced that letters and copies of the Rent Control Resolution have been sent to apartment owners, and have elicited favorable response. Councilman Nishimoto stated that he had talked with Mr. Adams, the resident's representative from the Winchester-Takoma, and had asked Chief Porter to continue patrols and close surveillance of the area.

The Mayor and Council have written a letter to the Montgomery County Board of Education expressing their support of the citizens of North Takoma in their efforts to retain the Silver Spring Intermediate School.

Mayor Roth announced that a booklet about the Potomac River Basin Water Supply will be placed in the Library, and noted that there have been a number of reports about the crucial situation of the water supply. He called attention to the fact that there have been days when more water has been taken out of the river than has flowed in it on those days when it was at its low peaks. The engineers and others who have studied this say that when the high use and low flow occur simultaneously, there won't be any water. The Mayor suggested that members of the audience might write to their congressmen to encourage studies of such projects as upstream dams and possible use of water from the lower Potomac; he stated that these long-range situations sometimes don't get the attention they need until a crisis occurs.

Councilman Nishimoto urged the City Council to consider the question of absentee voting in City elections. He stated that Delegate Martin Becker, who represents the area of Takoma Park in the State Assembly, has introduced a bill to require all municipalities to have absentee voting, and suggested that the Council take action now before the question is decided for us. Councilman Nishimoto noted that the present procedure allows a two-week lapse between the nominations and the elections; a four-week lapse would be beneficial to all concerned in the City elections and would make absentee voting possible. Mayor Roth appointed Councilman Nishimoto chairman of an ad hoc committee to study this with Councilman Faulkner and Corporation Counsel Gingerich.

Councilman Nishimoto noted that at a recent Maryland Municipal League Montgomery Chapter meeting the question of CATV was brought up; he called attention to the fact that the Executive of Montgomery County is beginning to hold hearings on CATV at the same time that the City of Rockville is having hearings. He stated that we have had a great deal of background work done on this and it is time we moved into the situation; if we don't, the County may decide what kind of CATV to have and the program may be based on what the County interests are and not what the municipalities need. The City of Gaithersburg already has CATV and since the County has the last say if we don't get involved now we may have to take the "left-overs". Mayor Roth appointed Councilman Ricks chairman of an ad hoc committee to study this with Councilman Nishimoto.

PUBLIC PARTICIPATION

1. Evelyn Ferry, 24 Hickory Avenue, Takoma Park. Mrs. Ferry thanked the Council for the efforts they made last year, and suggested that the Council members publish their campaign promises and a record of their accomplishments in the City Newsletter. Mrs. Ferry requested that the yellow lines prohibiting parking near intersections be repainted because they are very faint and hard to see; she also commented on the four-way stop sign and the parking situation at the Takoma Park Presbyterian Church. Councilman Nishimoto commented that Chief Porter had been investigating the situation and asked for a little more time to study the problem there. Mrs. Ferry suggested that the City provide more supervision at Spring Park; she noted that the Seventh-day Adventist Schools close on May 30, and that there was a need for supervision from June 1 until the regular recreation programs begin, and pointed out that the City had previously employed a person to supervise the parks until the summer programs began.

Mrs. Ferry also mentioned the \$7,500 allowance that Prince George's County allows its "over 65" taxpayers, and noted that Montgomery County allowed \$6,000; she hoped that the City would also raise its income allowance. Mrs. Ferry requested a Newsletter article to educate and inform the public about the gypsy moth; she also suggested that speakers be limited from 2 to 5 minutes to insure more orderly meetings.

2. Joseph Cangialosi, 7001 Poplar Avenue, Takoma Park. Mr. Cangialosi supported Councilman Nishimoto's suggestions concerning absentee voting and CATV and offered his services if needed. He noted item 29, proposed congregate housing, on the Planning and Zoning agenda and asked what action was going to be taken; Councilman Faulkner replied that the item will be removed from the agenda until there is a specific proposal to discuss. Mr. Cangialosi said that after further considering the matter, his Scout Troop will not undertake the Christmas tree project because the combined weight of the trees and the dirt surrounding them was too much for the boys to handle. Councilman Burgess said that if any other group expressed interest, the Public Works Department would collect the trees after Christmas; the item will be removed for now because there are no other volunteers.

3. Henry Preston, 1001 Sligo Creek Parkway. Mr. Preston thanked the Council for the time, effort and money that had been spent to clean up the property at 1111 Sligo Creek Parkway. He noted, however, that there were still some pieces of machinery and old

March 26, 1973

mattresses on the property and suggested that the City inform the new owners of the situation so that the same thing will not happen again. Mayor Roth said he would have the Public Works Director look into this.

4. Opal Daniels, 19 Sherman Avenue. Mrs. Daniels complimented the staff on the last issue of the City Newsletter, but said that she and her neighbors had a rather hard time understanding the map; she said the map was too small and she had to get out her magnifying glass to read it. Mrs. Daniels also noted that she was unsure what the stars, circles, etc. on the map stood for and what period of time this represented; she asked if the map reflected all the crimes committed in the City. Chief Porter stated that the map indicated spontaneous arrests made by the Crime Control Team during the last three months of 1972, and that explanations for the stars, etc., appeared at the top of the map. Mrs. Daniels said that even if the map was too small she thought it was a very good idea and a useful tool; the Council thanked her for her comments. At the risk of upsetting the "tree people" Mrs. Daniels said that come this spring, there are going to be a lot of very dark streets because of overhanging tree branches blocking out the light. She suggested that the City do a survey and look at the trees and limbs that protrude over the street lights; if the tree is on public property, the City should trim it, if it is on private property, the City should contact the owner about trimming it. Mayor Roth said that he would have the Public Works Director appraise the situation. Councilman Ricks noted that Pepco had been at work around the City trimming tree limbs. Mrs. Daniels mentioned a neighbor child who was in the Washington Adventist Hospital and was in danger of losing an eye; since representatives of the Lions Club were present, perhaps they could try to help the child. Councilman Nishimoto suggested that she contact Mr. Sweeney, who is a neighbor of hers.

5. John Mitton, 501 Philadelphia Avenue. Mr. Mitton stated that he is vehemently opposed to the proposed tree ordinance; he also stated that he did not think it was fair to read a letter (from the Bozarth's) in favor of the tree ordinance and just mention, without reading them, that nine letters had been received opposing it. Mr. Mitton quoted part of the 5th Amendment to the Constitution and stated that under the Constitution, the City has no right to deprive a person of his property without due process and just compensation; he suggested that the City might negotiate a "scenic easement" with property owners. Mayor Roth noted that there were so many letters opposing the ordinance that they did not know which letters to choose to read.

6. Dorothy Porter, 7305 Maple Avenue. Mrs. Porter stated that she is in favor of the proposed tree ordinance and, referring to the Mayor's comments, she noted that trees help to conserve water by retaining it in the soil. Mrs. Porter stated that she felt that the main consideration was being able to breathe twenty years from now, not just protecting your right to cut down trees. She said that we do make laws restraining ourselves from certain actions when it is necessary for our welfare and since the air and water are necessary to our survival, why not protect them by law? The purpose of the proposed ordinance is to make the air more breathable, not to tell anyone what to do with his own property. Mrs. Porter noted that nothing has been drawn up stating exactly what the ordinance will contain; what is proposed is that we will maintain the trees that take a long time to grow and that give us the most service. Mrs. Porter asked if it would be possible for her to read the letters that were received against the ordinance so that she could see what the objections were.

7. Etta Mae Davis, 703 New York Avenue. Mrs. Davis asked if all letters received in the office were read at the Council meetings; she was referring to a letter from Elder Sharman that was not read at the meeting. Mayor Roth replied that the letter was addressed to him personally and that he had answered it. Mrs. Davis objected to being referred to as "Ms." in the Newsletter. Mrs. Davis requested copies of all correspondence regarding 609 New York Avenue. She stated that it is too bad we have lost our zoning powers and wondered why we even bother to be a separate entity from the County; when we agree with them we get what we want, when we are opposed, we lose. She cited the halfway house and

March 26, 1973

the RAP facilities as examples. She stated that she would like a "test case" to see what would happen if we opposed the County; the Mayor said that the County usually agreed with the City. Mrs. Davis asked if the City was doing anything about observing the RAP house, and stated that she had received calls from neighbors about it; the Mayor said that as the result of a recent inspection, this condition will be discussed at the next Housing and Code Enforcement Committee meeting. Councilman Nishimoto expressed his concern that the RAP people are trying to "get away with something", and stated that the Council was on Mrs. Davis' side in this matter. Mayor Roth stated that, as Mrs. Davis had said on television, organizations and institutions of this kind cannot be successful if the neighbors are opposed to them. Mrs. Davis said that the use of the word "renovation" in connection with the Takoma Park Campus of Montgomery College was misleading; a more appropriate word would be rebuilding, since they do plan to tear down some of the existing buildings.

8. Robert Moore, 7314 Willow Avenue. Mr. Moore stated that he was here to lobby for the fence at Takoma Elementary School. He stated that widening the sidewalk was a good idea, but that it was the unanimous decision of the Takoma Elementary PTA that a fence was still needed. Councilman Nishimoto asked if the principal had any financial backing to help provide funds for the fence. Mr. Moore stated that the principal had requested funds from the County, but the County said the City would have to be contacted. Mayor Roth stated that we have taken the first step in widening the sidewalk; the issue is not closed. Mr. Moore said that the Winchester-Takoma is an example of what could happen in more areas of the City if we do not keep a close watch on rezoning within the City. He asked Councilman Ricks if requesting voluntary compliance with the Rent Control Resolution was all that the City was going to do. Mayor Roth stated that this was a part of Councilman Ricks' Committee report, and would be taken up at that time; he stated that Mr. Moore had given his views at the last meeting, and that the Council was working on them, and this is the normal procedure.

9. Mrs. Moore, 7314 Willow Avenue. Mrs. Moore wanted to know who had recommended widening the sidewalk because it did not give adequate protection to the children; if they have a wide sidewalk they will simply walk four or five abreast and they will still be near the street. Councilman Burgess stated that the sidewalk had been scheduled to be widened before Mr. Moore introduced the PTA resolution, and asked her to give the wider sidewalk a chance before saying that a fence is absolutely necessary.

10. Amy Horowitz, 7319 Willow Avenue. Ms. Horowitz stated that she is a student at Montgomery College and rents an apartment in the Montgomery County portion of the City. She referred to the Montgomery County Rent Control Bill and asked if the City was going to provide a rent control bill for its residents. She also asked about the possibility of having a public hearing on rent control. The Mayor thanked her for her comments and stated that Councilman Ricks would speak on this during his committee report.

11. Ann Vogel, 7117 Garland Avenue. Mrs. Vogel complimented the staff on the latest issue of the Newsletter. Mrs. Vogel referred to a letter written by Dr. Clarence Coombs read at the last Council meeting, and asked if Councilman Ricks would be giving details of this in his committee report. She asked why these people and organizations kept trying to get all these homes and institutions located in the City. Councilman Ricks stated that this matter would be taken up in his report, but that they had not really discussed it in the Housing and Code Enforcement Committee. Mayor Roth asked Mrs. Vogel if she were for or against having more welfare units in the City; she replied that she was opposed to the idea. The Mayor stated that this was what the Council was looking for - the people's reaction. Mrs. Vogel asked for clarification of how these matters were handled. The Mayor said that the letter had come "out of the blue" from someone we do not know and who does not live in the City, the Council would be glad to hear all opinions regarding this because it will help the Council make its decision. The Housing and Code Enforcement Committee has been working on the rent control proposal and has not been able to get into this; as soon as we get more information, we will make it public.

March 26, 1973

12. Opal Daniels, 19 Sherman Avenue. Mrs. Daniels referred to the last minutes, and stated that she was very disturbed about the rent control issue. She said that we are under a lot of other County controls, and asked why we are not under the "big umbrella" of the County Rent Control Bill.

COMMITTEE REPORTS

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

139. Participation in LOSAP. Councilman Sidell stated that a copy of the Montgomery County Ordinance which was recently passed into law had been given to Corporation Counsel Gingerich for his opinion; action on this is anticipated at the next Council meeting.

Administrative Action: Appointment of fireman. Councilman Sidell reported that due to further considerations relating to the appointment, this will be held over until the next Council meeting.

PLANNING AND ZONING COMMITTEE: Councilman Faulkner reporting.

116. Special Exception 2749: use of property at SE corner of N.H. and Ethan Allen for men's social service center (Salvation Army, applicant). Councilman Faulkner said there is nothing new to report at this time; we are still waiting to hear from the Salvation Army.

140. Special Exception S-238, (Washington Adventist Hospital, applicant). This would permit a 375 bed addition to the hospital. There will be a hearing on this in the County Council Hearing Room on the third floor of the County Office Building, on May 17, 1973, at 10:00 AM.

141. Special Exception S-243, (Washington Adventist Hospital, applicant): operation of boarding house at 716 Maplewood Avenue. A hearing will be held on this in the County Council Hearing Room on May 24, 1973, at 9:00 AM. The Planning and Zoning Committee will hold its own hearing on April 17, 1973, at 8:30 PM in the Council Chambers so that the City may develop its own position. Councilman Faulkner asked the City Administrator to notify residents of that area so they may attend and present their opinions.

145. Request to subdivide Lot 10, Block 61, BFG Subdivision. This is a request to subdivide Lot 10 to Lots 36 and 37 on Geneva Avenue.

29. Proposed congregate housing. Councilman Faulkner requested that the Committee be allowed to remove this from the agenda until such time as there is something concrete to discuss; he assured Mr. Wolfe that this will be put back on the agenda when there is something definite to consider.

FINANCE COMMITTEE: Councilman Forshee reporting.

Councilman Forshee announced a hearing for the Budget for the coming fiscal year to be held on Tuesday, May 1, 1973.

Councilman Forshee stated that there is money in the current budget for one or two new typewriters, and there are several additional requests in the proposed budget; seven new typewriters are needed and we can save about \$35 on each electric machine if they are purchased now before the prices go up. Councilman Forshee proposed an ordinance authorizing the purchase of four manual and three electric typewriters. The motion was

March 26, 1973

seconded by Councilman Burgess and the ordinance below was adopted by a roll call vote as follows. Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none.

ORDINANCE NO. 2255

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

SECTION 1. THAT the purchase of seven Royal typewriters is hereby authorized from Manson Office Machines under the Prince George's County Contract as follows:

1 Model 970-13 Royal Electric - Administrator's Office	\$ 417.30
1 Model 970-16 Royal Electric - Administrator's Office	440.70
1 Model 970-13 Royal Electric - Code Enforcement Division	417.30
3 Model 470-11 Royal Manuals - Police Department	556.50
1 Model 470-11 Royal Manual with full length card platen (cylinder) - Library	235.50
	\$2,067.30 AND

SECTION 2. THAT \$1,232.70 be transferred from the Emergency Reserve Fund as follows:

a/c 10.143	\$440.70	Administrator's Office
a/c 11.113D2	556.50	Police Department
a/c 19.103A	235.50	Library, AND

SECTION 3. THAT \$417.30 be transferred from the Special Reserve for Furniture and Fixtures to a/c 10.143, Administrator's Office, AND

SECTION 4. THAT funds for the purchase of the Code Enforcement Division typewriter were previously provided in the current budget account 11.313.

Councilman Forshee stated that Chief Porter had requested manual typewriters for the men to type their reports on because they are not trained typists; the Library typewriter has a special attachment for use in typing cards.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

146. Rules and Regulations for Public Buildings and Parks. Councilman Webb submitted the first reading of the proposed ordinance on Public Space and Buildings.

FIRST READING OF PROPOSED ORDINANCE (Regulations for Public Space and Buildings)

SECTION 1. THAT Article 3, Section 8-23 titled "Use of public space and buildings" of the City of Takoma Park Code 1972 as adopted November 27, 1972, Ordinance No. 2237, be hereby repealed in its entirety, AND

SECTION 2. THAT a new Section 8-23 be hereby ordained and adopted to read as follows:

- (a) All persons using any public park or space shall abide by the following rules and regulations:
 - (1) SEE RULES, ATTACHED
- (b) All persons using any public building shall abide by the following rules and regulations:
 - (1) SEE RULES, ATTACHED

March 26, 1973

Mrs. Simpson distributed copies of the proposed rules and regulations to the audience; Councilman Nishimoto noted that copies were available for the public so that they could submit their comments to the Council. Councilman Webb stated that he was sure they would get reactions from the people at the meetings, but citizens should feel free to write to him or to call the Administrator's office with comments or suggestions. The purpose for amending the regulations is to separate the portion pertaining to public buildings from the portion dealing with public parks.

Report on Hodges Field. Councilman Webb stated that the Firemen were concerned about having the field ready for the spring activities; he said that if the Volunteers would help trim some of the trees and clear the ground, the Public Works Department would assist them. Councilman Webb reported the following activities of the Recreation Department: seventeen citizens graduated last week from the first CPR (cardio-pulmonary resuscitation) course given to lay people in Montgomery County; the Advanced Red Cross First Aid Course will begin March 29. There will be a Recreation Council meeting on March 27, in the Municipal Building at 8:00 PM. The Ninth Annual Flower Show will be held Sunday, April 29, from 4 to 9 PM, and Monday, April 30, from 9 AM to 8 PM in the upstairs of the new Municipal Building.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

136. Petition and suggestions for traffic control on Glenside Drive. Councilman Nishimoto reported that the Committee is studying this, and will report when the study is finished.

142. Request to extend street parking area at corner of Tulip and Maple. Chief Porter has been working on this, but there has been no decision yet. Councilman Nishimoto said there are two large shrubs that screen the corner, and he is hoping to induce the Church to trim them to increase visibility.

143. Request to move cab stand from 7600 block of Maple to Maple and Sligo. Councilman Nishimoto stated that Chief Porter is looking into this; it will be studied further, and if it is necessary we hope we will be able to move the cab stand.

Amendment to Ordinance 2227, Municipal Building Parking. Councilman Nishimoto reported that the question of moving employee parking to the lot behind the Library will be decided after further discussion with the staff.

Authorization to purchase two police cruisers. Councilman Nishimoto reported that the best bid was from Orbit American. Upon question from Councilman Ricks, he said "best" did not mean "cheapest". "We have had unfortunate experiences with the low bid cars; the Counties are also changing cars because of past experiences." Councilman Nishimoto moved for acceptance of the ordinance below; it was seconded by Councilman Burgess, and adopted by a roll call vote as follows. Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none.

ORDINANCE NO. 2256

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

SECTION 1. THAT, after having been duly advertised and notices sent to qualified bidders, bids were opened on March 20, 1973, for two 1973 new 4-door sedans for use as police cruisers; AND

SECTION 2. THAT, after due consideration by the Chief of Police and the Law Enforcement Committee, the purchase is hereby awarded to Orbit American, 4301 Rhode Island

March 26, 1973

Avenue, Brentwood, Md., for two (2) American Motors Matador 4-door sedans (police package) at a gross price of \$6,745.12 (SIX THOUSAND SEVEN HUNDRED FORTY-FIVE DOLLARS AND TWELVE CENTS).

SECTION 3. THAT the sum of \$6,745.12 be transferrqd from the Reserve Fund to a/c 11.113D1 to cover this expenditure.

Councilman Nishimoto noted that the two old cruisers would be auctioned off when cars in the impounding lot are auctioned; we will probably get more for them this way than if they are used as trade-ins on the new cruisers.

Appointment of Police Officer. Councilman Nishimoto moved that William Russell Johnson be appointed to a six months probationary position on March 31, 1973, at an annual salary of \$8,835. The motion was seconded by Councilman Burgess and unanimously carried. Councilman Nishimoto noted that Mr. Johnson had been accepted by the Montgomery County Police Department, but expressed a strong desire to work in Takoma Park, and withdrew his application from the County to work with us.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

18. Rent Control. Councilman Ricks noted that the Mayor had given a summary of what has been happening with the rent control resolution. The Housing and Code Enforcement Committee has scheduled a public hearing in the Municipal Building at 7:30 on April 10, 1973. We will try to get as much publicity out about the hearing as possible; we will work through the County papers, the Newsletter, etc. This will be a fact-finding hearing guided toward landlords and tenants; both will be invited to speak at the hearing.

132. Councilman Ricks announced a Council hearing at 7:30 PM, on April 17, 1973, on the Lincoln Avenue request for code exceptions. There will also be a Planning and Zoning hearing at 8:30 PM, on April 17, 1973.

144. Request to increase the number of Montgomery County Housing Authority units in the City. Councilman Ricks said that some time ago a resolution was passed whereby the Housing Authority would have to come to the City to operate additional houses within the City. There are two types of Housing Authority units: 1) the County purchases the homes and sells them to welfare people at low prices; 2) the County rents units to welfare families at low rentals. Councilman Ricks noted that this request has not really been gone over yet; the letter was received from a private citizen and is not an official request. Upon questions from various members of the Council, Councilman Ricks read the letter from Dr. Coombs. Mayor Roth asked Councilman Ricks to see if Dr. Coombs is a resident of Takoma Park.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

102. Request for sidewalk on the South side of Lee Avenue. Councilman Ricks said that the apartment owners have indicated that they are not interested in being assessed for the cost of having a sidewalk put in. He said that they are still working on the parking problem; the Director of Public Works stated that the right-of-way is 50 feet, and that cars are being parked on the right-of-way. Councilman Burgess stated that a letter has been sent to the owners asking them to have residents remove their cars from the public right-of-way by March 30, 1973.

124. Proposal to require bagging of trash. Councilman Burgess reported that arrangements have been made to purchase a supply of plastic garbage bags from the City

of Alexandria for the pilot project. A form letter will be sent to the residents of the test areas when the bags are received.

137. Extension of fence in front of Takoma Elementary to Maple Avenue. Councilman Burgess stated that there is not much to say about this since both Mr. Moore and the principal of the school have indicated that they are not satisfied with the idea of a wider sidewalk; we will wait and see how it works out. A chain link fence is not very attractive; Councilman Burgess suggested that if a fence is installed perhaps the children at the Elementary School could plant some ivy to climb it. He said that the Public Works Department could plant it, but if the children had it as their project there would be less chance of it being torn down; it would be a project that the students could take pride in, and the Public Works Department could probably be persuaded to give ivy to the children to plant.

131. Suggested Christmas Tree planting program. Since Mr. Cangialosi is unable to help, Councilman Burgess requested that this item be taken off the agenda, but the offer to collect the trees and plant them after Christmas is still open if any group should want to undertake the sale and distribution of the trees.

Administrative Action: Pepco survey. Councilman Burgess reported that this is a request from the Council to authorize a survey by Pepco on conversion from incandescent street lights to mercury-vapor. This project was started on a test basis in an area of Prince George's County; the mercury-vapor lights have less glare, give more light, and can be extended out over the street. As a first step in conversion to the mercury-vapor system, Councilman Burgess requested authorization of a survey; he noted that there can be a delay of as long as six months between the time a request is received and a survey is made. Mayor Roth stated that a program to upgrade City street lights was started about four years ago in the Montgomery County portion of the City; before the program had been completed, Pepco notified the City that they were changing systems, and that was when the mercury-vapor lights were first installed. These lamps give 70% more light, are protected by globes so they can't be easily broken, and can be effectively placed on every other pole. The Director of Public Works has recommended the replacement of incandescent lights with the mercury-vapor lamps on certain streets throughout the City. There being no objection from the Council, the Public Works Director was authorized to proceed.

Councilman Burgess addressed Mr. Mitton regarding the reading of letters for and against the proposed tree ordinance, and stated that he would like to read one letter that he had received which opposes the ordinance. The letter was from W.L. Pasquell and stated that he liked trees and is aware of their use and importance, but he is definitely opposed to any ordinance prohibiting the cutting of trees on private property. Mayor Roth stated that he did not think anybody was anti-tree, and Councilman Burgess agreed, that they are, however, anti-tree ordinance.

SPECIAL LIBRARY COMMITTEE: Councilman Webb reporting

No report.

COUNCIL AS A WHOLE COMMITTEE: Mayor Roth reporting.

The Mayor announced that the Cornerstone Masonic Lodge was sponsoring a Bloodmobile in their parking lot at the corner of Jackson and Ethan Allen on May 1, 1973, from 2:30 to 7:30 PM, and urged members of the audience to support this.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:17 PM, to reconvene at 8:00 PM, on Monday, April 9, 1973.

Proposed Rules and Regulations for Municipal Parks

1. To accept no admission fees, or to sell or offer for sale, any merchandise article or thing, whatsoever, without the specific consent of the Mayor and City Council.
2. Not to practice, carry on, conduct or solicit for any trade, occupation business or profession, without the written permission of the Mayor or City Council.
3. To permit no beer, wine or other alcoholic beverages on public property.
4. To preserve public parks and recreation facilities.
5. Not to distribute any handbills or circulars, or to post, place, erect any bills, notices, paper or advertising device or matter of any kind.
6. Not to throw or leave paper, or other rubbish anywhere except in the receptacles provided for the purpose.
7. Not to indulge in riotous, boisterous, threatening or indecent conduct, or abusive, threatening, profane, obscene or indecent language.
8. Not to make or kindle fires except in places provided therefor, and to extinguish all fires, matches, cigarettes, cigars or other burning matter.
9. To leave parks clean and orderly when leaving.
10. No one is to remain on a City owned recreational park after 9:00 p.m., unless especially authorized to do so by the Chief of Police or the Director of Recreation.
11. No hard ball playing except Hodges Field where only children 12 years of age and under and none others may play hard ball.

I agree that this acceptance is on behalf of all persons in the group with me, and that if rules are violated this permit may be revoked and future permission refused. I agree to instruct leaders or chaperones of their responsibility to keep the

grounds under strict surveillance for the period specified in this permit. I also agree to be responsible and liable for, indemnify City of Takoma Park against, hold City of Takoma Park free and harmless from any and all liabilities for personal injuries, death or property damages or any of them which arise, or in any manner are occasioned by the acts or negligence of myself or others of the group, in the custody, operation or use of the City property during the time for which use or occupancy is herein made.



1. To permit no beer, wine or other alcoholic beverages on public property.
2. To prohibit the use of public property for any other purpose than that for which it is provided.
3. Not to distribute any pamphlets or literature, or to post, place, erect any signs, notices, paper or advertising devices of any kind.
4. Not to throw or leave paper, or other rubbish anywhere except in the receptacles provided for the purpose.
5. Not to engage in riotous, boisterous, threatening or obscene conduct, or to engage in any other conduct which is prohibited by law.
6. Not to make or kindle fires except in places provided therefor, and to use any kind of fireworks, explosives, or other dangerous devices.
7. To leave parks clean and orderly when leaving.
8. No one is to remain on a City owned recreational park after 9:00 p.m., unless specifically authorized to do so by the Chief of Police or the Director of Recreation.
9. No one is to play ball games on any of the City owned recreational parks after 9:00 p.m., unless specifically authorized to do so by the Chief of Police or the Director of Recreation.
10. I agree that this occupancy is on behalf of all persons in the group with me, and that I agree to indemnify and hold the City of Takoma Park harmless from and against all claims, damages, losses, expenses, costs, and attorney's fees, which may be incurred by the City of Takoma Park, as a result of the acts or negligence of myself or others of the group, in the custody, operation or use of the City property during the time for which use or occupancy is herein made.

rec
5,

5

Proposed Rules and Regulations for Municipal Buildings

1. To accept no admission fees, or to sell or offer for sale any merchandise article or thing, whatsoever, without the specific consent of the Mayor and City Council.
2. Not to practice, carry on, conduct or solicit for any trade, occupation business or profession, without the written permission of the Mayor or City Council.
3. To permit no beer, wine or other alcoholic beverages on public property or buildings.
4. To preserve public buildings and recreation facilities.
5. Not to distribute any handbills or circulars, or to post, place, erect any bills, notices, paper or advertising device or matter of any kind.
6. Not to throw or leave paper or other rubbish anywhere except in the receptacles provided for the purpose.
7. Not to indulge in riotous, boisterous, threatening or indecent conduct, or abusive, threatening, profane, obscene or indecent language.
8. To leave buildings clean and orderly, to turn off lights, lock buildings, and turn thermostat according to instructions above it.
9. That public buildings are to be cleaned and evacuated by 12:00 midnight.
10. *No smoking, food or drink will be permitted in Council Auditorium. No smoking in Municipal Gymnasium. No drinks in gymnasium except on balcony.*
11. *Users are responsible for restoring premises to original conditions, i.e., setting up and replacing tables and chairs. Tables being used for social events, demonstrations, classes, etc., must be covered with paper, plastic or cloth. Remove all personal effects at the time the event is concluded.*
12. *All decorations must be put up with masking tape (no other). No confetti or rice may be used in the building. Nails, screws, tacks or other hanging*

devices must not be used.

16. Regularly scheduled religious services shall not be permitted

I agree that this acceptance is on behalf of all persons in the group with me, and that if rules are violated this permit may be revoked and future permission refused. I agree to have one chaperone *over 21* for each ten minors attending and to instruct chaperones of their responsibility to keep the grounds, as well as indoor activity under strict surveillance, for the period specified in this permit. I also agree to be responsible and liable for, indemnify City of Takoma Park against, hold City of Takoma Park free and harmless from any and all liabilities for personal injuries, death or property damages or any of them which arise, or in any manner are occasioned by the acts or negligence of myself or others of the group, in the custody, operation or use of the City property during the time for which use or occupancy is herein made.

Statement by John D. Roth, Mayor, at City Council Meeting, March 26, 1973

When I joined the Takoma Park Council in 1958, I was privileged to take part in the 75th Anniversary Celebration of the City's founding. It was a great occasion and one that strengthened my interest in the City's history. At that time, the City's historical brochure was published as a result of months of work by John Coffman, Henry Marschalk, Cliff Olmstead and others. Mrs. Pratt, our librarian, supplied many historical references to authenticate the facts.

So I have a warm and personal feeling for the City's history.

In that light, I want to blow the whistle on a project relating to the City's history that has been conducted with great secrecy. I have been informed that a James Di Luigi has nominated two areas in the City to be designated by the Commission on Historical Sites as historical areas.

Mr. Di Luigi wasn't well enough acquainted with Takoma Park to know we have an Historical Society - with Henry Marschalk, an extremely able and well informed gentleman, serving as President. Mr. Di Luigi didn't contact the Historical Society. Mr. Di Luigi didn't ask for any assistance from the City officials or staff in locating knowledgeable persons who could give him reliable data on the City's history.

This secret project came to light only when it got to the stage where it was to be sent to the Governor. As a result, I was informed of the secret project.

I recognized it as a project that had not been dealt with in sufficient depth, and with sufficient effort to consult persons who have an expert knowledge of the City's history.

Consequently, I am asking that the proposal be reviewed by a committee consisting of: Henry Marschalk - President of the Takoma Park Historical Society and member of the group who prepared the City's historical brochure that won a national prize.

John Coffman - Long time editor of the Takoma Journal and Chairman of the group which prepared the City's prize-winning brochure.

Adelaide Fraser - Lifetime resident of the City and close associate of Mrs. Pratt in managing the Library's historical collection.

This committee will make a fully competent study, as the subject deserves.

Just today, I saw a summary of a meeting of the Montgomery County Planning Board in which the Chairman of Maryland's Commission of Historical Sites testified on the secret Takoma project. It is incredible to read, but this is what he is quoted as saying about the City: "In the case of Takoma Park, it was not clear to us just who was involved in their governing body."

This does not speak well for the competence of the secret project. It speaks of superficial and shabby work. The citizens of Takoma Park deserve better.

ATTEST: Harriet M. Ridgway
City Administrator

APPROVED: John D. Roth
Mayor