

## THE CITY OF TAKOMA PARK, MARYLAND

## EXECUTIVE MEETING OF THE MAYOR AND COUNCIL

July 9, 1973

City Officials Present

Mayor Roth

Councilman Burgess

Councilman Faulkner

Councilman Forshee

Councilman Nishimoto

Councilman Ricks

Councilman Sidell

Councilman Webb

City Administrator Pridgen

Police Chief Porter

Fire Chief LaScola

Public Works Director Barile

Code Enforcement Officer Olson

Recreation Director Ziegler

Corporation Counsel Gingerich

Asst. Corp. Couns. Culpepper

Deputy City Clerk Pusti

The Mayor and City Council met in Executive Session at 8:05 PM, July 9, 1973, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance, a motion to approve the minutes of June 11/18, and dispense with the reading was made, seconded, and unanimously carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. John D. Forrest, Regional Traffic Engineer, Md. Dept. of Transportation, Baltimore. Letter regarding State Highway plans to install a pedestrian signal on New Hampshire Ave. at Larch; signal should be installed before the opening of school in Sept. (Law Enforcement Committee)

2. Jackson Graham, WMATA, Washington, D.C. Reply to Mayor Roth's letter regarding WMATA surveyors on Cedar Ave.; stated that this is in preparation for widening Cedar St. in D.C., and will not affect the residents of the City. (Mayor Roth requested that a copy of his letter to WMATA and this reply be sent to Save Takoma Park Comm., North Takoma Citizen's Assn., and the Old Takoma Citizen's Assn.) (Council files)

3. Nicholas J. Roll, Office of Real Estate, WMATA, Washington, D.C. Letter requesting confirmation of WMATA right-of-entry in the area of the Juniper Street bridge; stated concurrence with provisions outlined in City letter of March 8, 1973. (Mayor Roth, Public Works Committee)

4. John S. Aird, Pres., Mont. Co. Board of Education, Rockville. Reply to City letter regarding closing of SSI and possible effects of students transferring from parochial to public schools; stated that even if parochial schools in this area closed, the MCPS could handle the additional students without retaining SSI. (Council files) (Mayor Roth requested that a copy be sent to the Pres. of the SSI P.T.A. and the North Takoma Citizen's Assn.)

5. 40 letters from residents whose children attend SSI; thanked the Mayor and Council for their efforts to retain SSI.

19 letters from citizens expressing thanks to the Mayor and Council for their efforts to retain SSI. (Mayor Roth requested that copies of these letters be forwarded to Corp. Couns. to be used in any hearing that might be held with the School Board.) (Council files)

6. Dollie H. Kyte, Clerk to the Board, Bd. of Appeals for Mont. Co. Notice that Special Exception S-238, Wash. Adv. Hosp., applicant, has been granted. (Council files, Planning and Zoning Committee.)



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7. Peter A. Menedis, TPVFD, Takoma Park. Letter requesting concurrence of the Council in the election, by members of the VFD, of Henry Marschalk as "Delegate" to the Mont. Co. Fire Board for Fiscal Year 1974. (Fire Protection Committee)

8. R.D.S., Takoma Park. Letter requesting that the trash on Pine Avenue be collected more regularly; noted condition of property at Pine & Columbia; stated that an automobile had recently demolished his hedge and a portion of his neighbor's fence. (Mayor Roth requested that Mr. Barile comment on this during the P.W. Comm. report.) (Council files)

FINANCIAL STATEMENT OF BANK BALANCES AS OF JUNE 30: City Treasurer Pridgen reporting.

Mr. Pridgen stated that due to the July 4th holiday, the bank statements were late and the City financial statement is not yet completed.

Mayor Roth presented a plaque to Mrs. Adelaide Fraser, retiring children's librarian and thanked her for her dedicated service to the patrons of the Takoma Park Library.

MAYOR'S COMMENTS:

Mayor Roth commented on a meeting held at 9:30 AM, July 9, in the Municipal Bldg. regarding some large pine trees along Takoma Ave. near the railroad tracks. The Mayor stated that Metro engineers have agreed not to cut any trees until they have examined several alternatives presented to them by the City; the City and Metro will do everything possible to save the trees. The Mayor thanked those citizens who attended the meeting.

He noted that the Finance Committee and Mr. Pridgen have presented a balanced City Budget that will not require a tax increase. Stated that the City, along with other municipalities in P.G. County, has been negotiating with the County Gov't. for compensation for services provided by the City which would otherwise be provided by the County; \$21,659 has been allocated in the County Budget for this. He stated that the City has been negotiating with Mont. Co. also, and Co. Executive James Gleason has proposed a bill to compensate the City for some services provided; money has been allocated in the County Budget for this so that funds will be available if the ordinance is passed.

Mr. Stuart Sweeney of the Takoma Park Lions Club asked Police Chief Porter and Fire Chief LaScola to present awards from the Lions Club to two City Employees. Chief Porter presented a \$100 Savings Bond to PFC Jack Goetz for his outstanding work with young people during 1972; Chief LaScola presented Volunteer Fireman John Jarboe with a \$100 Savings Bond for saving the life of another Fireman when a floor caved in during a fire. Mr. Sweeney stated that the members of the Lions Club hope that this can be an annual award, "The George M. Miller Memorial Award" for outstanding Police and Firemen. The Mayor thanked the Lions Club for starting this program and publicly recognizing some of the outstanding achievements of the Police and Firemen.

ADDITIONAL COMMITTEE AGENDA ITEMS:

Councilman Ricks requested permission to read the Mandatory Decree and Permanent Injunction against the 16th Street Woods Development Corp. during public participation so that citizens will be able to comment on this.

Councilman Faulkner requested that item 161, resubdivision of Lot 36, Block 65, BF Gilberts Subdivision (to Lots 88 & 89) be moved to the action agenda. Noted that there is some additional information regarding the application of the Salvation Army for a men's social service center at N.H. and E.W. Highway. Asked to report



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on the violation of a zoning law regarding the operation of a miniature golf course on N.H. Ave.

Councilman Nishimoto stated that he wished to discuss some legislative activities of the Mont. Co. Council that are of interest to the City.

PUBLIC PARTICIPATION:

1. Councilman Ricks. Read from a Mandatory Decree and Permanent Injunction against the 16th Street Woods Development Corp. by Judge John Moore in the Circuit Court for Mont. Co., Md. The Injunction orders that: the exterior, foundation, windows, doors, interior walls, ceilings, etc., all fire alarms and extinguishers, all plumbing and heating and electrical fixtures be repaired and maintained; basements, laundry rooms, and parking lots must be cleaned and maintained; provides for extermination services to the property; the property shall meet standards specified in the City of Takoma Park Code, 1972; upon receipt of first notice of violation from the City, repairs shall be made within the time limit set in the notice; Takoma Park Code Enforcement Officers shall be given full entrance to all apartments and portions of the building for full inspections at least every three months; Maurice C. Shapiro shall be answerable to the Court for violation of this Injunction; 16 St. Woods Development Corp. shall pay costs of the proceedings. Mayor Roth stated that he is very happy with this Injunction; this gives the C.E. Officers a means of applying direct pressure to insure the maintenance of this property. Councilman Ricks noted that failure to comply fully with this Injunction can result in a fine or a jail sentence.

2. Pete Brown, 7515 Dundalk Road. Stated that some follow-up action should be taken because of some recent developments at SSI.

3. Dave Weisman, 7701 Takoma Avenue. Stated that he visited SSI this morning; noted that all books and furniture - all movable objects - have been removed from the building; no permanent fixtures have been removed yet. Noted that four or five windows have been broken in the rear of the building.

4. Dr. Eugene Herman, 511 New York Avenue. Stated that there was an unpublicized meeting of the School Board on July 5 in reference to the action the City has taken regarding the closing of SSI. He noted that the Board said the presentation of the City provided no additional information; that, as a courtesy of one official body to another, the Board will meet with City officials, but will not discuss SSI.

5. Mr. Brown. Stated that the Engineering and Economic Planning Corp. prepared a fine report that will give credence on some things that were erroneously presented originally; there is still some work to be done. He stated that there will be a hearing before a hearing officer and the State Board of Education at Friendship Airport at 10:00 AM, July 23; urged members of the Council, City Officials and citizens to attend the meeting. Mayor Roth noted that the City retained EEP to prepare a paper; this has been done, the paper was presented to the Mont. Co. Board of Ed. and the State Board of Ed, and the County did not reverse its decision. The City asked the State to reverse the County's decision, and the State set a hearing date of July 23. Mr. Brown thanked the Mayor and Council for their initiative and efforts on behalf of the citizens to retain the SSI facilities.

6. James Brown, 7620 Maple Avenue. Noted three serious accidents that occurred in his building during the past two weeks: an air conditioner blew out, a resident was caught in an elevator, some plaster fell from the ceiling onto a resident's head and she had to be taken to the hospital. He stated that some things are being



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corrected but there are still numerous complaints about the condition of the property; noted that he has taken time off from work to make repairs to his apartment. Councilman Ricks stated that the Injunction requires that repair work be started immediately and asked Corp. Counsel to explain the procedure for following the injunction. Asst. Corp. Counsel Culpepper stated that one of the most important provisions of the Injunction is that Mr. Shapiro can be held directly responsible for all uncorrected violations; work to correct violations must begin immediately and be completed within a reasonable period of time. He noted that Mr. Shapiro, as responsible agent for the Corp., can be fined or jailed and rent can be withheld if repairs and maintenance are not satisfactory. Mr. Culpepper emphasized that residents should report all violations and complaints either by phone to the Code Enforcement Office (585-4255) or the Fire Dept. (270-4242) or in writing to the Depts. or the Mayor and Council. He stated that the only way this Injunction can be fully enforced is through the cooperation of the residents and the City officials.

7. Joe Ferrier, 7413 Maple Avenue. Thanked the Mayor and Mr. Barile for their prompt response to complaints regarding Metro's cutting the pine trees along Takoma Avenue; noted that the Mayor remained firm on the alternatives he proposed to Metro. Thanked Mrs. Fraser for her years of service to the community in the Library. Thanked Mr. Barile for prompt attention to his complaint about garbage collection. Mentioned the swimming pool that is open to the public in the Piney Branch Middle School. Stated that the County has a bus service to Giant and Safeway in Langley Park; noted that the bus comes to Takoma Towers Monday mornings at 10 and 11 AM. Thanked the Mayor and Council for taking an active part in the SSI situation. Stated that he is happy with the way the Mayor and Council have been exchanging viewpoints during recent meetings; stated that this gives citizens a chance to better understand the Councilmen and it gives a feeling of more citizen participation in what is being done in the City. Said that tonight he is very happy with the Mayor and Council, and wants them to know it.

8. Mrs. Long, 7620 Maple Avenue. Thanked the Council and Councilman Ricks for their efforts in connection with the Winchester-Takoma; said she hopes this effort will be consistent. Stated that she is afraid if the boilers are not repaired or replaced now, when the cold weather comes there will be no hot water. On behalf of her neighbors, she again thanked the Council for its action. Councilman Ricks requested that Mrs. Long submit a written list of complaints to him after the meeting so they can be fixed; he assured her that he and the other members of the Council will continue their work to better the living conditions for the residents of the Winchester-Takoma.

9. Ann Vogel, 7117 Garland Avenue. Reported that there is still litter along Maple Avenue. Mr. Barile stated that his men regularly clean that area but the littering there is constant.

10. Margaret Holmes, 10 Pine Avenue. Stated that she is a tree lover and wishes to protect trees but because of the present low water table, a study should be made to determine the effects of the low water table on trees before a tree ordinance is passed. Noted that there are three dead trees on Pine Avenue that should be cut down. Asked about the City ordinance that prohibits a citizen from having a business in a residential zone; stated that this ordinance should be more vigorously enforced. Thanked the Mayor and Council and other members of the City staff for the cross walk at Takoma Towers and for all the time and effort that has been spent to make things easier and more pleasant for the elderly residents of Takoma Park.

11. Joe Cangialosi, 7001 Poplar Avenue. Thanked the Mayor and Council for their quick and decisive action regarding the proposed Mont. Co. beverage container



bill. Stated that the minutes of June 11/18 reported that "...he had originally made the suggestion that the Bond Debt be paid with a portion of the R.S.F..." asked that this be corrected, since he was against using R.S.F. for this purpose. Asked Councilman Ricks about the status of the animal ordinance; because of his work on the Winchester-Takoma problem, Councilman Ricks has not had a chance to meet with the Committee. Noted that the Committee has drafted some proposals and this will be worked on as soon as possible. Councilman Ricks mentioned an article on the animal shelter and the possibility of issuing "dog ticktes"; stated that he will ask Mr. Pridgen to see if Takoma Park can benefit from this.

12. Alan Marsh, 7405 Maple Avenue. Thanked all those responsible for the 4th of July celebration; stated that he is proud to live in a town that has this kind of tribute to the country. Commented on traffic conditions on Maple Avenue and presented two petitions (with about 220 signatures) with suggestions for alleviating the traffic problems. Suggestions listed in the first petition are: more Police enforcement of traffic laws; use of radar; one speed limit sign per block; "no thru trucks" signs between Carroll and Phila. on Maple; install "children at play" signs; paint yellow stop lines at Maple and Tulip. Suggestions in the second petition are: either join the parks at the intersection of Maple and 410 to close Maple between Phila. and Old Phila., or install a one-way system of streets to discourage through traffic, or close all area streets to through traffic; allow parking on both sides of Maple between Phila. and Carroll; lower speed limit to 20 MPH on all residential streets. Councilman Nishimoto thanked Mr. Marsh; stated that the suggestions are good and will be discussed with the Police Dept. Mayor Roth requested that both of these petitions be referred to the Law Enforcement Committee for further study.

13. Councilman Ricks. Stated that he wished to thank the members of the 4th of July Committee, especially Doug Ziegler, for their efforts in the celebration; he also thanked the Code Enforcement Dept. for its efforts in connection with the NYC program in the City.

14. Kathryn Simpson, 7300 Cedar Avenue. Stated that she feels the proposed group rehabilitation residence zoning change is an effort to use the properties at Albany and Buffalo Aves. as RAP drug facility centers; stated that she hopes the Mayor and Council will speak against this at the meeting on July 18.

15. Bob Oehlaf, 7122 maple Avenue. Thanked the Mayor and Council for their responsiveness to citizen complaints and suggestions. Commented on the petitions Mr. Marsh presented; noted that vibrations from heavy truck traffic and speeding can cause deterioration of property.

16. Phil Vogel, 7117 Garland Avenue. Noted that the Mont. Co. Delegation will hold hearings on a 20 year highway plan on July 11 & 12 at 8:00 PM in the Council Hearing Chambers; asked that the City be strongly represented at this meeting. Complained about the condition of the curb along Carroll between Garland and Flower; Mayor Roth noted that approximately \$20,000 has been allocated from the RSF for street and curb repair. Noted that he had seen a City Police car investigating an accident involving two out of state vehicles on a state road; questioned why City residents were being deprived of police protection for the length of time that was spent investigating the accident. Chief Porter noted that the function of the Police Dept. is to investigate all accidents occurring within the City limits. Asked about the committee appointed by the Mayor to study the proposed historical sites in the City; Mayor Roth noted that the committee has met to discuss this and will continue its study.

17. John Mitton, 501 Philadelphia Avenue. Stated that anyone who needs help or protection should be assured of receiving it; where it happens is of no importance



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Stated that help should be immediate and from the closest possible source.

18. Dorothy Porter, 7305 Maple Avenue. Stated that she agrees with Mr. Mitton; stated that the Mayor and Council are trying to "squash" the proposal to designate historical sites in the City.

19. Joe Ferrier. Stated that he thinks the Mayor showed good judgement in appointing a committee to study the proposed historical sites, but requested that the committee not delay its report. Noted that possibly the reason the proposal was not sent to the City first is that the people proposing the historical sites believed it should come down to the City through the State. Stated that he is glad that citizens can get up and state their opinions at the Council meetings and urged everyone to allow free expression of ideas even though they might not agree with what is said.

20. Delores Stowell, 7704 Takoma Avenue. Noted that she talked with Councilman Nishimoto about a number of accidents at the intersection of Takoma and Phila. Noted that Fenton Street is scheduled to be a dead-end when the Juniper St. Bridge is realigned; asked if this means that Phila. will have a heavier volume of traffic and if there will have to be another fight against widening Phila. Ave. Thanked the Mayor for his quick action regarding the trees in the Metro area. Requested that the Mayor and Council speed up action on the proposed historical sites; stated that citizens and City officials should be proud of the national recognition this will give to the City.

#### COMMITTEE REPORTS

##### FINANCE COMMITTEE: Councilman Forshee reporting.

Councilman Forshee moved that the City Administrator be authorized to advertise for bids for three vehicles for use of City employees, bids to be opened prior to July 23, 1973. Bids are for one four-door sedan, medium class, with A/C, for use of City Administrator (present station wagon, 8 years old in good shape to be transferred to Public Works Dept. for use of Bldg. Maint. Super. in lieu of payment for use of personal car; two two-door compact type cars for use of two Code Enforcement officers in lieu of payment for use of personal cars. The motion was seconded by Councilman Ricks and unanimously approved.

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

#### ORDINANCE 2273

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

SECTION 1. THAT whereas Ordinance No. 2256, adopted March 26, 1973, awarded the purchase of two new police vehicles as replacements for Police Cars #4 and #7, with no trade-in for the old vehicles; AND

SECTION 2. THAT the new vehicles have now arrived and been placed in service, and whereas a police auction is scheduled for 10:00 AM, July 13, 1973.

SECTION 3. THEREFORE be it hereby authorized that old police cars #4 and #7 be sold at the police auction on July 13, 1973 to the highest acceptable bid in excess of \$100 each (the amount offered in trade); AND

SECTION 4. THAT the City Administrator be hereby authorized to transfer title #1966976 on car #4, 1971 Ford 4-door sedan, #1E51P160131, and title #164994 on car #7, 1968 Ford 4-door sedan, #8E51Y187422, upon satisfactory settlement of auction transactions.



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Councilman Forshee noted that Officer Winkler was promoted to the rank of Corporal on Feb. 10, 1973; at the time of his promotion, an error was made in the adjustment of his salary. Motion by Councilman Forshee to set Cpl. Winkler's salary at \$10,745 (effective as of 2/10/73) was duly seconded and unanimously approved.

Councilman Forshee reported that on June 1, 1973, police clerk Ann Shepherd was promoted from the position of dispatcher to clerk/typist. Her salary was adjusted at that time but did not include an increment that was due. Councilman Forshee moved that (effective July 15) her salary be set at \$6,818, which is the third year clerk/typist salary. The motion was duly seconded and unanimously approved.

Councilman Forshee reported that \$27,649, the RSF installment for the second quarter of the calendar year 1973 has been received.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

There being no objection, the Council accepted the resignation of Shirlee Hutmire from the Recreation Dept.; on behalf of the Council, Mayor Roth thanked her for her service to the City.

Recreation Dept. Activities: The Takoma Community Theatre will present "Cabaret" on July 13, 14, 20, 21 at 8:00 PM in the TP Jr. High auditorium; Commodores of the US Navy Band will present a concert in Jeque Park July 17 at 7:30 PM; the Parkdale Sr. High Players will present a play on July 13 at 11:00 AM in the Piney Branch Middle School; summer playground programs are in full swing; PBMS will have swimming instructions for all ages beginning July 23 and Aug. 6. Noted that the Recreation Dept. won first prize for its float in the parade; thanked Doug Ziegler and members of the Independence Day Committee for all their efforts.

Councilman Webb referred to an article in the Mont. Co. Sentinel about 100 acres of new parkland that have been purchased. He noted that 6.6 of the 100 acres is in the P.G. section of Takoma Park; 5½ acres have already been purchased along New Hamp. Av. between Larch and Heather; the balance of the 6.6 acres will be purchased at a later date. There being no objection from the Council, Mayor Roth requested that a letter be written to the P.G. Park & Planning Comm. to thank them for purchasing the land in Takoma Park.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

Noted that Chief Porter has the petitions Mr. Marsh presented; stated that they will be discussed in the L.E.C. meeting.

53. Req. for push-button traffic device on Carroll at Takoma Towers. Noted that the State Highway Admin. has painted cross walks in front of Takoma Towers; stated that the job now is to get a push-button signal installed. Reported that a crossing guard will cost the City \$1,238 per year for two hours a day; requested time to investigate the possibility of installing a traffic signal before making a decision regarding the crossing guard.

153. Illegal parking on the Kass lot. Reported that this is still being worked on; stated that the Police Dept. is doing a good job there.

Administrative action: There being no objection from the Council, the resignation of Pvt. William R. Johnson was accepted, effective June 13, 1973.

He reported that Gregory Cooley, a former T.P. Police officer who left the Dept. to go into business for himself, has applied for readmission to the P.D. Motion by Councilman Nishimoto to accept Mr. Cooley for a probationary appointment



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(effective July 14) was duly seconded and unanimously approved.

Councilman Nishimoto reported that during the last Assembly session, legislation was introduced whereby municipalities will be consulted by the State Highway Admin. before any construction is done on secondary roads within their boundaries; noted that the MML has been instrumental in having this proposal put before the Council.

He reported on a proposed Constitutional Amendment to allow Mont. Co. to establish a development authority for particular areas - such as the Metro area. This would permit the County to develop an area in the way it thinks is best; Councilman Nishimoto requested that the proposal include a stipulation that consent of the municipality involved is obtained before any development takes place. It was also requested that the County retain the right of eminent domain rather than delegating it to a development authority. Councilman Nishimoto stated that a development district might be established in Silver Spring and expressed concern about the effect it may have on Takoma Park. He requested that the proposed legislation stipulate that before an area is developed, a report must be made regarding the possible impact of development upon adjoining areas. He stated that these stipulations will provide protection for the City.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

14. Winchester-Takoma: court case. Noted that this was reported on earlier in the meeting.

Personnel: Appointment of clerk/typist. Motion by Councilman Ricks to appoint Lorraine Staliper to the position of clerk/typist at a beginning annual salary of \$5,964 per annum (effective June 25, 1973) was duly seconded and unanimously approved

154. Req. for waiver of ceiling height violations, etc., 7010 Westmoreland. Councilman Ricks stated that the cost of raising the ceiling height is prohibitive and, therefore, the H & CE Committee recommends that the owners of 7010 Westmoreland not be allowed to rent the dwelling under the present violations. He noted that the position of the H & CE Committee in the past has been to allow no variations, and moved that this request be denied. The motion was duly seconded and unanimously approved.

25 Holt Place. Councilman Ricks reported that the new owners are doing a fine job on this property. He stated that, contrary to a recent article in a local newspaper, the Code Enforcement Dept. has been getting excellent cooperation from local home owners; he noted the number of older homes and properties that are being renovated and brought up to Code standards. The Mayor also commented on some of the improvements that have taken place at 25 Holt.

Councilman Ricks thanked Councilman Forshee and the Finance Comm. for their work in obtaining cars for the Code Enforcement officers.

Proposed Housing Rehabilitation Fund. Councilman Ricks stated that a proposed Housing Rehabilitation ordinance has been worked up in draft form, subject to change after discussion.

He requested that Mr. Pridgen obtain information regarding the "dog ticket" to see if this can be used by the City. Mr. Pridgen noted that if the Humane Society begins to use this, the City can take advantage; however, if the County does, it will be a different situation. Mayor Roth questioned the fact that Montgomery Co. does not pick up animals in the City even though City residents pay County taxes; Mr. Pridgen reported that compensation for this service is included in the legislation proposed by Co. Executive Gleason.



PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

Councilman Burgess stated that authorization to purchase burlap, listed under Administrative Action, should be authorization to bid for burlap; he was informed by Mr. Pridgen that this is not required because funds are provided for this in the budget.

78. Proposed ordinance or tax on cutting trees and related proposals. Councilman Burgess reported that, by a majority vote, the P.W. Committee decided against enacting a tree ordinance or any related proposal; stated that citizen reaction to an article in the Newsletter was very unfavorable and for that reason no further action will be taken at this time. Noted that he did not want to forget this idea; suggested that some of the space at the P.W. Dept. be utilized as a tree nursery. Stated that the P.W. Committee would like to purchase some trees, store them at the P.W. Dept., and transplant them along public rights-of-way when possible. He noted the success that the Azalea Committee has had with the flower show and the azaleas every year and suggested asking the committee members if they would consent to branch out and sell flowering trees along with azaleas, etc. at the flower sale. Councilman Forshee stated his agreement with this. Mayor Roth stated that the City is the "Azalea City", and replacement of azaleas will still have top priority, but he would like to see the committee branch out to include flowering trees. Mr. Barile stated that the City needs approximately 1,500 azalea plants a year - about 1,000 for the plant sale, 50 or 60 for the bloodmobile, and the rest to plant in public parks. The Mayor assured all those responsible for the azalea program that the azaleas will not be forgotten. He asked Mr. Barile and Councilman Burgess to approach the Azalea Committee at its next meeting about this proposal.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

Councilman Sidell stated that there is no reason to hold the letter from Peter Menedis (correspondence received) until the next meeting; he is satisfied with this choice and moved that the Council concur in the VFD's election of Mr. Marschalk as Delegate to the Mont. Co. Fire Board. The motion was duly seconded and unanimously approved. City Administrator Pridgen was requested to send a letter to the VFD stating that the Council unanimously concurred with the election of Mr. Marschalk.

Noted that this year, the Takoma Park 4th of July parade was seen on national television - films of the parade were shown on John Chancellor's program.

PLANNING AND ZONING COMMITTEE: Councilman Faulkner reporting.

Proposed group rehabilitation residences zoning change. As reported in the last minutes, a bill was proposed on May 15 which will allow drug and alcohol group rehabilitation residences in any residential area of the County under a special exception. The zoning exception the bill would allow would be applied for and decided by the County Board of Appeals. There will be a public hearing on this July 18 at 8:00 PM in the Council Hearing Room, COB, Rockville. Councilman Faulkner stated that the City should object to the provision that will allow up to 25 persons to live in one home. He noted that in an R-60 zone, regardless of the lot size, no more than 9 persons may live in a boarding or rooming house, and suggested that the number of residents in rehabilitation homes also be limited to 9. Stated that the "follow-up" treatment as stated in the bill is vague, and recommended that this be removed from the definition or that a more definitive restriction be used. He requested that the provision that will allow one person per 500 sq. feet of lot area be changed so that it is more compatible with the neighborhood; in an R-60 zone, 1,200 - 1,500 sq. feet per resident is more in keeping with normal, single family use. He suggested additional restrictions to insure that facilities such as parks, schools, sewers, etc. will not be overloaded. He also recommended that the number of special exceptions in any one community be limited so that one neighborhood or area will not bear the burden for the whole County; also suggested that multiple dwellings not be considered as a single exception - each dwelling should be considered separately. He suggested that when a requested exception is in a municipality



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the consent of the governing body should be obtained before the exception is granted. He moved that the Mayor and Council present these proposals to the County at the time of the hearing. The motion was duly seconded. He asked the citizens in the North Takoma area to attend the meeting and oppose the ordinance. Councilman Nishimoto noted that anyone who wishes to speak at the meeting must call in and request a reservation to speak. Councilman Sidell stated that the City should oppose the concept of the ordinance. He stated that the Council is trying to temper the bill rather than get rid of it; noted that he wished to go on record as opposing the whole concept of the ordinance. Councilman Faulkner stated that the ordinance will not automatically allow a rehabilitation home; a special exception will still have to be applied for. Councilman Nishimoto noted that the ordinance will provide guidelines for special exceptions of this type. After further discussion, the motion to oppose the ordinance for the reasons stated was unanimously approved. Councilman Faulkner and Mr. Pridgen will develop a written proposal to present at the hearing at 8:00 PM, July 18, 1973, in the Council Hearing Room, COB, Rockville

161. Resubdivision of Lot 36, Bl. 55, BFG (to lots 88 & 89), Sligo Creek Pkwy. near Houston. Reported that the Planning Board has stated that it will not allow an additional entry onto Sligo Creek Pkwy., which would be necessary before a home could be built on the lower lot. Councilman Faulkner, in view of the Board's statement, moved that the Council oppose this resubdivision. The motion was duly seconded and unanimously approved.

Operation of a miniature golf course. He reported that on May 17, 1973, the Board of Appeals for P.G. County declared that the miniature golf course operating at 6875 New Hamp. Ave. is not an allowed use in a C-1 zone. The owner has been given 30 days after the final action by the District Council to correct or cease the zoning violation.

116. Operation of a men's social service center at N.H. and E.W. Hwy. The County Planning Board has allowed the Salvation Army to withdraw its application for a special exception.

There being no further business to come before the Council, the meeting was adjourned at 10:50 PM, to reconvene at 8:00 PM, July 23, 1973.

APPROVED

Mayor

ATTEST:

City Administrator



## THE CITY OF TAKOMA PARK, MARYLAND

## REGULAR MEETING OF THE MAYOR AND COUNCIL

July 23, 1973

City Officials Present

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 Councilman Burgess  
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 Councilman Nishimoto  
 Councilman Ricks  
 Councilman Sidell  
 Councilman Webb

Fire Chief LaScola  
 Det. Lt. Dalrymple  
 Public Works Director Barile  
 Recreation Director Ziegler  
 Corporation Counsel Gingerich  
 Asst. Corp. Couns. Culpepper  
 Deputy City Clerk Pusti

The Mayor and City Council met in Regular Session at 8:00 PM, July 23, 1973, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. The invocation was given by Rev. Shimamoto of the Takoma Park Presbyterian Church, and was followed by the Pledge of Allegiance. A motion to approve the minutes as submitted and dispense with the reading was made, seconded, and unanimously approved.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Louis L. Goldstein, State Treasury Building, Annapolis, Md. Letter thanking the Mayor and Council for the courtesies extended to him during the 4th of July celebration. (Mayor Roth noted that Mr. Goldstein attends the Takoma Park celebration every year.) (Council files, Independence Day Committee)
2. James P. Gleason, Office of the County Executive, Mont. Co., Md. Letter thanking Mayor Roth for suggesting that the Takoma Park Independence Day Parade be adopted as the official commemorative activity by the Bicentennial Committee for July 4, 1976. (Mayor Roth suggested that this be brought up again in October.) (Council files)
3. Carroll A. Swanson, Housing Admin., Gov't. of the District of Columbia. Reply to City letter regarding improvement of environmental conditions in areas where D.C. and Takoma Park have common boundaries; assurance that surveys will be conducted and notices served to properties in violation of D.C. housing regulations. (Mayor Roth noted that the City letter had been written at the request of the C.I.B.) (Copy to C.I.B. Chairman, Council files)
4. Dollie H. Kyte, Clerk to the Board, Mont. Co. Board of Appeals. Notice of appeal by Rollins Outdoor Advertising and Whitehead Associates, Inc. regarding decisions of the Dept. of Inspections and Licenses to deny reissuance of permits for both companies to place outdoor advertising signs adjacent to certain highways in Mont. Co. Notification that the order of the Dept. of Inspection & Licenses, confirmed by the Sign Review Board, is affirmed. (Mr. Pridgen noted that the appellants will probably appeal the decision to the Circuit Court and possibly to the Court of Appeals.) (Planning & Zoning Committee)
5. James R. Biggs, Langley Realty Co., Hyattsville, Md. (Letter from K.H. McLean, attached.) Notification that Mr. Biggs has made arrangements to purchase 8 Columbia Ave. from K.H. McLean, who was awarded the bid. (Mayor Roth noted that he is not sure if this will require Council action; referred it to the Finance Committee.)



July 23, 1973

FINANCIAL STATEMENT OF BANK BALANCES AS OF JUNE 30, 1973: City Treas. Pridgen reportingSUBURBAN TRUST COMPANY - GENERAL FUNDS

Balance as of May 31, 1973	\$152,725.60	
*June receipts	<u>239,046.02</u>	\$391,771.62
June disbursements		<u>249,252.35</u>
Balance as of June 30, 1973		<u>142,519.27</u>

\*Includes matured Treas. Bill (\$100,000 - 6/30/73)

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of May 31, 1973	16,483.04	
June transfers from General Funds	<u>126,784.64</u>	143,267.68
June disbursements		<u>116,410.11</u>
Balance as of June 30, 1973		<u>26,857.57</u>

CITIZENS BANK OF MARYLAND - GENERAL FUNDS

Balance as of May 31, 1973	500.00	
No transactions during June	<u>- 0 -</u>	500.00
Balance as of June 30, 1973		<u>500.00</u>

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENT FUNDS

Balance as of May 31, 1973	4,713.10	
No transactions during June	<u>- 0 -</u>	4,713.10
Balance as of June 30, 1973		<u>4,713.10</u>

CITIZENS BANK OF MARYLAND - PUBLIC IMPROVEMENT FUND

Balance as of May 31, 1973	3,966.82	
No transactions during June	<u>- 0 -</u>	3,966.82
Balance as of June 30, 1973		<u>3,966.82</u>

CITIZENS BANK OF MARYLAND - SAVINGS ACCOUNT TP 63

Balance as of May 31, 1973	165.25	
Interest for 2nd quarter, 1973	<u>1.86</u>	167.11
Balance as of June 30, 1973		<u>167.11</u>

AMERICAN NATIONAL BANK - GENERAL FUNDS

Balance as of May 31, 1973	2,508.96	
No transactions during June	<u>- 0 -</u>	2,508.96
Balance as of June 30, 1973		<u>2,508.96</u>

PETTY CASH200.00FEDERAL REVENUE SHARING FUNDS

U.S. Treasury Bill		
Purchased 4/24/73	172,234.69	
Due to mature 7/26/73		<u>175,000.00</u>

Mr. Pridgen reported on the Revenue Sharing Funds; he noted that \$147,000 was received for the calendar year 1972 and \$55,296 was received for the first six months of the current calendar year. He stated that the schedule of payments has changed, and the City will receive \$66,376 for the fiscal year July 1, 1973 to June 30, 1974.

MAYOR'S COMMENTS

The Mayor mentioned a newspaper item regarding Convenient Food Marts of Chicago which indicated that the chain is interested in establishing a store in Takoma Park. Reported that Mr. Pridgen contacted the local representative of the store who stated that the specifics have not yet been worked out; the representative said they are anxious to expand in this general area and the City will be contacted shortly regarding available locations, etc. The Mayor stated that the City will urge the chain to locate in Takoma Park.



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Noted that he attended a hearing regarding the Md. Dept. of Transportation's 20 year highway plan. Stated that the M.D.T. appears to be projecting their plans in accordance with the recommendations the City made last fall. - 410 is not slated for widening; the Dept. may propose 4 lanes on Piney Branch (from the North) up to Philadelphia; there is a possibility of Carroll being made 4 lanes, but it is low on the priority list; Flower is projected as 2 lanes and is low on the priority list. The Mayor stated that, at present, the Dept. is on the defensive. Councilman Nishimoto stated that he is concerned for the future of Piney Branch because of a comment made about coming back again for that highway from South of Philadelphia to the District line; the Dept. has not made a final decision on this yet. Mayor Roth noted that the plan calls for 3 lanes, but the Dept. stated the traffic there will be watched.

Noted that the Mont. Co. Council is having a hearing at 8:00 PM in the County Council Hearing Room on July 25 regarding a proposal to license TV, radio and appliance repairmen.

Reported that, as a result of some problems with Metro construction in Takoma Park, a meeting with Metro officials is scheduled at 8:00 PM, July 25, in the meeting room upstairs in the City Municipal Bldg. Hereafter, this will be a regular monthly meeting, to be held the 4th Wednesday of every month.

Noted that he attended the production of "Cabaret" presented by the Takoma Community Theatre; stated that they did a tremendous job. Councilman Ricks also congratulated the players for a fine performance.

#### ADDITIONAL COMMITTEE AGENDA ITEMS

Councilman Forshee wished to propose action on the bids received for three cars for City employees.

#### PUBLIC PARTICIPATION

1. Kathryn Simpson, 7300 Cedar Avenue. Complimented Councilman Ricks and Corp. Couns. Gingerich for their work on the Winchester-Takoma situation. She noted that during the Mont. Co. hearing on the proposed zoning amendment for group rehabilitation homes, three drug rehabilitation representatives spoke against the amendment and stated that it is not economically feasible to allow less than fifty persons to occupy a home. In answer to a question from Mayor Roth, she said that she did not think anyone from the North Takoma area except Mr. Davis spoke at the hearing. Stated that she realizes there is a responsibility to find an answer to the drug problem, but told the County Council that the people in Takoma Park feel they are being pressed to establish facilities, perhaps because property has already been purchased in the City. Stated that the County Council paid considerable attention to Mr. Crenca's suggestion to "grid" the County so that all the rehabilitation facilities are not concentrated in one or two areas. Councilman Nishimoto mentioned the "fair share" proposal, and Mrs. Simpson noted that the County Council seemed to be considering this idea very seriously.

2. Joe Ferrier, 7413 Maple Avenue. Thanked Mr. Barile for the fine job the sanitation men are doing. Noted that other City employees, such as the Police and firemen are represented in the 4th of July parade and stated that the important job done by the sanitation workers should also receive public attention. Councilman Ricks noted that the P.W. men are an important part of the celebration, but that all their work is behind the scenes. Mayor Roth stated that the suggestion will be passed along to Mr. Barile and the Independence Day Committee. Commented on Louis Goldstein's participation in the parade. Commended the Mayor for his prompt action regarding Metro; thanked him for setting up a regular monthly meeting. Thanked the Mayor for attending the 20 year highway plan meeting. Suggested that the triangle of Federal parkland by the railroad tracks near Piney Branch and Takoma be discussed at the Metro hearing on July 25; stated that this park is fenced in and the trees



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are scheduled to be cut down to make room for an access road. Stated that all citizens have access to Federal parklands, and the people of Takoma Park do not want the park fenced in or the trees cut down. Requested that an environmental study be done on this. Noted that he attended the meeting before the State Board of Education Hearing Examiner and that Mayor Roth obtained a delay until August 3 to allow a speaker who has documentary information supporting the retention of SSI to return from an emergency trip and present his testimony.

3. Catherine Wakelyn, 7419 Maple Avenue. Referred to a letter she wrote to the Mayor regarding the condition of some City parks (corres. rec'd., 6/11/73); noted that she had recently seen men working in Veteran's Park, and thanked Mr. Barile for the improvements. Stated that she knows the street sweeper is operating because she has heard it on its rounds.

4. Phil Vogel, 7117 Garland Avenue. Noted that I-95 along the Pepco right-of-way has been stopped for the present and thanked the Mayor for his part in this. Stated that the Mayor spent a lot of time on this and had a great deal of influence on the final outcome. Commended Mayor Roth for his efforts to save the trees along the railroad tracks; noted that this is the type of action citizens have been looking for. Stated that he thought the comments made by Councilman Faulkner at the Group Rehabil. zoning amendment hearing "came across very well"; highly commended the NYC program to help elderly citizens. Mentioned the monthly meetings that have been set up between Metro, the Council, and the public. Commented on a statement he had made at the last Council meeting about a City Police car being put out of service to investigate an accident on a State highway; noted that in an emergency help should come from the closest possible source, but his point was that when a Police car is out of action perhaps the Counties should make a car available for patrol during that time. This will leave the same number of cars on patrol in the City; noted that the sight of a patrol car can be a deterrent to crime. Councilman Nishimoto thanked Mr. Vogel for his suggestion and noted that the City has a mutual aid agreement with both Counties and D.C. in times of emergency, but a situation like this is difficult because it involves a jurisdictional question. Mr. Vogel requested that the public be allowed to attend the meetings of the committee studying the proposed historical sites. Mentioned that newspapers are no longer separated from the regular trash; requested that a committee be formed to study the possibility of recycling papers. Mayor Roth asked Councilman Burgess to discuss this with his committee. Councilman Burgess stated that the papers are supposed to be separated; if this is not now being done, it will be. Asked if there is any guarantee that Mr. Biggs will, as he stated, occupy the property at 8 Columbia; asked if there is any way the City can stipulate this use in the contract or terms of sale. Mayor Roth noted that the property is zoned R-60, single family residential. Corp. Couns. Gingerich stated that in order for the City to put that type of covenant on the property, it would have to be readvertised.

5. Councilman Ricks. Read a letter he had received from a citizen of Takoma Park thanking him and the Public Works Dept. for the fine job the NYC is doing.

#### COMMITTEE REPORTS.

##### PLANNING & ZONING COMMITTEE: Councilman Faulkner reporting.

150. Req. to move bus stop from 7330 Carroll to Manor Cir. & Carroll. Reported that the bus stop was moved to its present location in 1970 to relieve traffic congestion; noted that the bus stop would have to be moved by WMATA.

Report on public hearing: Group Rehabil. Residence Zoning Changes. Reported that the position of the City was outlined in the minutes of the last meeting. Stated that the ordinance is supposed to be general - to define a group rehabilitation home, to set limits regarding its use, etc. He stated that the purpose of the ordinance seems to be to allow RAP to use the facilities in the City. Councilman



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Nishimoto noted that a citizen in North Takoma stated that the City's position was not very strong and that the City should have totally opposed the amendment. He noted that, in view of the County's position, the statement made by Councilman Faulkner was thought to be the best way of dealing with this situation. Stated that apparently the County is planning to go ahead with some sort of amendment. Noted that President Sher stated that the 25 resident limit should be removed. Mayor Roth stated that if citizens in the area are against this, they should write to the Council and President Sher and state their objections strongly. Councilman Nishimoto suggested that when RAP goes to the Board of Appeals for a special exception, the people who are against it should appear and voice their objections. Councilman Faulkner noted that Mrs. Simpson, Mrs. Marsh, and Mr. Davis testified at the hearing.

FINANCE COMMITTEE: Councilman Forshee reporting.

Approp. for replacement air conditioner at Fire House. Reported that the air conditioner in the Chief's office had broken down and because of its advanced age, repairs are not economical; stated that the money for this will have to come from the Reserve Fund. His motion to authorize a transfer of \$209 from the Reserve Fund to purchase a new air conditioner was duly seconded and unanimously approved.

Auth. to advertise for bids for street resurfacing utilizing approximately \$30,000 RSF. Moved that the Public Works Dept. be authorized to advertise for bids to resurface City streets; bids to be opened August 14. Noted that the P.W. Dept. will determine which streets are to be repaired, and when the bids are received, P.W. will be in a better position to know how much can be done. Mr. Barile noted that when bids are advertised for, the approximate number of yards to be resurfaced is included in the advertising. The motion was duly seconded and unanimously approved.

Three cars for use by City employees. Reported that funds are in the current budget for a replacement car for the City Administrator and for 2 cars for use of the Code Enforcement officers. Noted that bids were opened on July 19, and moved that the following ordinance be adopted. Councilman Ricks stated that it was understood by the C.E. officers that the cars are for City business only, not for personal use. The motion was seconded by Councilman Ricks and adopted by a roll call vote as follows. Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none.

ORDINANCE NO. 2274

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

SECTION 1. THAT upon being advertised and invitations circulated, bids were opened on July 19, 1973 for three vehicles for use of City employees, AND;

SECTION 2. THAT the low bid for a car for the use of the City Administrator is hereby awarded to Courtesy American Motors, Bethesda, Maryland, in the amount of THREE THOUSAND, THREE HUNDRED, SIXTY-ONE DOLLARS AND SIXTY-THREE CENTS (\$3,361.63) for one 1973 American Ambassador, Four-door Sedan, Model 7385-7, AND;

SECTION 3. THAT the low bid for two cars for use of Code Enforcement Officers is hereby awarded to Palmer Ford, Inc., Hyattsville, Maryland, in the amount of FIVE THOUSAND, TWENTY-EIGHT DOLLARS (\$5,028.00) for two 1973 Ford Pinto, Two-door Sedans, Model 10, AND;

SECTION 4. THAT funds have been provided in the current Fiscal Budget for each purchase.

Transfer of property at 8 Columbia Avenue from K.H. McLean to J.R. Biggs. Councilman Forshee stated that no further action on this is required, except for Mr. Pridgen to follow through on the contract.



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Commented on Mr. Pridgen's report regarding the apparent loss of some of the RSF. Reported that Councilman Nishimoto informed him that the City is going to lose about \$28,000 in income tax refunds from the State; the State claims that the City has been overpaid in past years. Noted that the discrepancy is probably because many people who do not reside within the City limits receive their mail from the T.P. Post Office and list Takoma Park as their residence on State tax returns. Councilman Ricks asked if possibly some people who are within the City limits but receive mail through a different post office neglect to list the City as their residence on State tax forms. Mayor Roth suggested that, as in years past, this continues to be noted in the Newsletter but in addition, plan a mailing to City residents who do not have a Takoma Park mailing address. Mr. Pridgen noted that every year letters are sent to the residents of Hampshire Towers to request that they claim residence in the City on their State forms; Hampshire Towers has a Hyattsville mailing address, but is within the City limits. He stated that a list of addresses within the City is being sent to the State Income Tax Division. Mayor Roth requested that Mr. Pridgen put a note on his calendar to go to the State Dept. of Taxation in November and pursue it further.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

Report on Activities. Noted that the presentation of "Cabaret" was a great success. The Jazz Ensemble of the US Air Force will have a concert August 1 at 7:30 PM in Jeque Park; the Studio Band of the US Army Field Band will present a concert July 24 at 7:30 in Jeque Park; the Children's Theatre Showmobile will present "Pinocchio" at 11:00 AM, July 30 at the Recreation Center (PBMS in case of rain); the 5th Recreation Festival will be held August 6 at 6:30 PM in the Takoma Library parking lot. Reported that the summer programs have been a huge success, and the playgrounds will participate in the Recreation Festival.

Councilman Ricks noted that he attended the concert given by the Navy Commodore and urged all citizens to attend the concerts.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

153. Illegal parking on Kass Lot. Commended the Police Dept. for the fine job they have done to clean up the lot; noted that a total of 13 cars have been processed from that lot - 5 have been removed, 4 will be junked, 2 have been picked up by the owners, and 2 will be picked up soon. Also, two large trucks have been impounded. Stated that he hopes the Police Dept. can continue to hold bi-monthly car auctions.

163. Petitions on traffic control: a. Maple Ave., b. area bounded by Phila., Carroll & Holly. Reported that patrols in this area have intensified and 29 motorists have been cited with warnings and summons. Noted that the proposal to make certain streets one-way and the proposal to install "no thru truck" signs will be discussed at the next LEC meeting.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

156. Rehabilitation of homes by WAH volunteers. Reported that the NYC program is operating in the City, and if volunteers wish to aid in this program, their help will be welcome; either Mr. Olson or Mr. Socha at the P.W. Dept. should be contacted. Requested that this be removed from the agenda.

Housing Rehabilitation Loan Fund. Reported that Mr. Pridgen has sent to the Counties for more information. Stated that a draft has been worked up for presentation and is open for discussion and revision; suggestions and comments from citizens are welcome.

18. Rent control. Stated that since the City comes under the State rent control bill, this item should be removed from the agenda.



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Noted that he will attend a CATV meeting in Baltimore and will try to obtain more information on area CATV; mentioned that he and Councilman Nishimoto were assigned to a committee on this.

In reply to a question from Councilman Nishimoto, Mr. Pridgen stated that the City has no office to handle rent control and to the best of his knowledge, a citizen has to consult an attorney to enforce the bill.

Councilman Ricks stated that the Planning Board he and Councilman Nishimoto represent the City on has been meeting at the Park and Planning Commission. At the last meeting, the Board was divided into committees; Councilman Ricks is on the Environmental Committee, Councilman Nishimoto is on the Land Use Committee. Councilman Nishimoto noted that some of the Board members emphasized the problems in the City; he objected strongly to this, and reminded the Board that this is also for the TESS area outside the City. Mayor Roth noted that the committee consists of 15 people, less than half of whom are City residents; he noted that there are a lot of problems in this area, but a great many of them are outside Takoma Park. Councilman Nishimoto mentioned the problem of land use in the area of Piney Branch and Flower; noted that any change will deprive the business owners in that area of their income and investments. In reply to a question from Mayor Roth, it was noted that Mrs. Holmes is on the Transportation Committee. Councilman Nishimoto stated that he is in favor of having mini and dial busses in the City, but we should be aware, beforehand, of the expense this may involve. Councilman Ricks stated that the next meeting of the Environmental Committee will be in August, and anyone with comments and suggestions should forward them to him or Mrs. Dorothy Porter.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

102. Req. for sidewalk on South side of Lee Avenue. Noted that this had been discussed several months ago; the owners of the apartments indicated that they were unwilling to be assessed for the cost of sidewalks. Requested that this be removed from the agenda.

Stated that the City has been purchasing replacement cars recently, and suggested that the Council very seriously consider replacing the Fire Dept. ambulance.

FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

Upgrading of rescue service. Reported that there will be a meeting on this during the week; will make a report and request action after the committee meeting.

COUNCIL AS A WHOLE COMMITTEE: Mayor Roth reporting.

162. Silver Spring Intermediate School closing. Reported that the hearing was scheduled for today, but a City witness had an emergency and couldn't appear; the Mayor obtained a postponement until August 3. He noted that Mr. Ferrier, Mr. Brown, Mr. & Mrs. Weisman, Mrs. Medina, Mr. Everett and Corp. Couns. Gingerich were present. One of the School Board witnesses can't appear on Aug. 3, so the hearing won't be completed on that day. This means that the results of the hearing cannot be given to the State Board of Ed. until their September meeting. It was agreed, however, that the school building will not be torn down. Stated that the City officials, along with the residents in the SSI area, are going to "put up a battle" to retain the School.

44. Proposed salary increase for Councilmen. Reported that this was discussed during the Budget talks, and it was decided that salaries will not be increased at present. Requested that this be removed from the agenda.

47. Proposed revision of procedure for selection of election officials. Stated that, at the appropriate time, Mr. Pridgen will put out a notice that he is open for applications from persons who wish to serve as election officials; officials will be chosen according to experience, etc. The Mayor noted that in past years



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there have frequently been more openings than applicants.

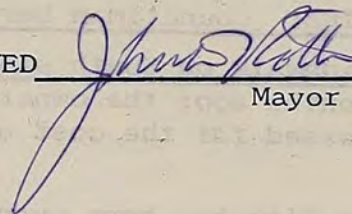
83. City Administrator's visits to other cities. Reported that this will have to be dropped until an assistant City Administrator is hired; it is impossible for Mr. Pridgen to make any visits at this time.

135. Suggestion that the Council be increased to nine members. Reported that the general consensus of the Council is that additional Council members would not increase the efficiency of the Council. Very few cities, except large ones, have nine members; many cities have only five. Stated that the Council is not disposed to recommend an increase in Council size, and requested that this item be dropped from the agenda. Councilman Burgess mentioned that during the discussion, it had been suggested that the number of Councilmen be reduced. Councilman Nishimoto noted that a different type of ward system might provide better representation; suggested that the "one to one" concept may be a possibility.

Councilman Ricks reported that correspondence had been received in the Code Enforcement office concerning 7125 Carroll Ave.; noted that Mr. Socha will inspect the property in the morning. Mayor Roth noted that the correspondence had implied that chickens were being kept on the property.

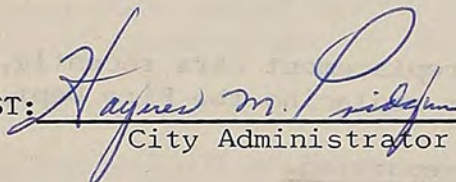
There being no further business to come before the Council, the meeting was adjourned at 9:55 PM, to reconvene on August 13, 1973 at 8:00 PM.

APPROVED



Mayor

ATTEST:

  
City Administrator



## THE CITY OF TAKOMA PARK, MARYLAND

## EXECUTIVE MEETING OF THE MAYOR AND COUNCIL

August 13, 1973

City Officials Present

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

Excused: Councilman Faulkner

The Mayor and City Council met in Executive Session at 8:05 PM, August 13, 1973 in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance, a motion to approve the minutes of July 23, and dispense with the reading was made, seconded, and unanimously carried.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. M. S. Caltrider, District Engineer, Md. Dept. of Transportation, Baltimore. Reply to City letter regarding transfer of City-owned portions of Md. 410 to the State of Maryland; suggestion that, since the City opposes the reconstruction of 410, the entire portion of 410 in Takoma Park be titled to the City. (P.W. Committee) (See P.W. Committee report for further discussion.)
2. Mrs. Curtis May, Takoma Park Women's Club. Letter and donation of \$150 to facilitate moving a spruce tree from Gude Nursery to the grounds of the T.P. Library. (Mayor Roth noted that a letter has been written to the Women's Club thanking them for their donation and good citizenship; stated that a spruce tree has been purchased and moved to the Library grounds.)
3. Elaine C. LaVaute, 240 Park Avenue. Letter citing conditions of the property at 239 Park Avenue; request for Code Enforcement officers to inspect the property. (H. & C.E. Committee) (See H. & C.E. Committee report for further discussion.)
4. Maria A. Stephens, 7906 Takoma Avenue. Letter and petition containing 66 signatures; request for investigation of traffic situation on Takoma Avenue and possible installation of 4-way stop sign at Boston and Takoma. (Law Enforcement Committee) (Councilman Nishimoto noted that the next LEC meeting will be September 5; LEC meetings are open to the public.)
5. Phil Vogel, 7117 Garland Avenue. Letter requesting that the closing of a portion of Sligo Creek Parkway for the purpose of bicycling be explored. (L.E.C.) (Councilman Nishimoto noted that the MNCPPC is considering a bicycle path along Sligo. Stated that if Mr. Vogel will contact Mr. Lawrence Jones at 589-1480, ext. 309, Mr. Jones can supply additional information on the proposal.)
6. Margaret Holmes, 10 Pine Avenue. Letter commending the NYC program; request for more Police patrol on Pine Ave. because of vandalism; urged the Council to encourage Convenience Food Marts to locate in Takoma Park. (LEC, P & Z, file copy with NYC file) (Mayor Roth agreed that a food store is needed in the City; stated that the Council will do all it can to facilitate this.)

FINANCIAL STATEMENT: City Treasurer Pridgen reporting.

Mr. Pridgen noted that a financial statement will not be presented at this time; a copy will be attached to the minutes.



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MAYOR'S COMMENTS

Mayor Roth announced that Mrs. Ferry's son, Henry, has been awarded a Fullbright Scholarship and has left to study in Rome; noted that Mrs. Simpson has become a grandmother. Stated that this will be the only Council meeting during August.

Mentioned the meetings scheduled with Metro for the 4th Wednesday of every month; noted that as the result of a letter sent to the B & O Railroad by the City, a B & O representative met with Metro engineers and proposed a plan to save most of the trees along the railroad tracks. Stated that a landscape architect examined the proposal and stated that the plan to move the right-of-way to within 8 feet of the trees will not harm them.

Noted that the MML asked the City to recommend a citizen to serve on a Statewide Municipal Functions Committee; Arthur Catadul has been appointed to represent the City on this committee.

ADDITIONAL COMMITTEE AGENDA ITEMS

Councilman Nishimoto requested to read two ordinances; one will be the first reading, the other will be an action item.

Councilman Ricks asked the audience to comment on items #15 & 16 listed on his agenda.

Councilman Burgess wished to add the purchase of a riding lawn mower for Public Works to his action agenda.

Councilman Forshee requested that two items relating to taxes be added to his action agenda.

PUBLIC PARTICIPATION

1. Joe Ferrier, 7413 Maple Avenue. Thanked the Mayor and Council for scheduling the monthly meetings with Metro; commended them for saving the trees along the railroad tracks. Requested that the Mayor urge the Committee appointed to review the proposed historical sites to complete its report as soon as possible. Commented on the meeting with Councilman Nishimoto, Councilman Burgess, Chief Porter, and some of the Maple Avenue residents to discuss the request for traffic control in that area. Noted the suggestion by Councilman Nishimoto to hire a consultant to study the traffic problems in the City; stated that a consultant is not desirable. Commended Chief Porter's proposal to make a portion of Maple Avenue one-way and to allow parking on both sides of the street. Requested that the Council consider Chief Porter's proposal and not hire a consultant. Councilman Burgess stated that he, not Councilman Nishimoto, suggested hiring a consultant; noted that this should not be done one street at a time - the traffic situation throughout the whole City should be studied and the best way to do this is with a consultant. He mentioned that he does not want a consultant whose objective is to efficiently move a large number of cars through the City; a desirable consultant would be one who is safety oriented. Councilman Nishimoto noted that some decisions to alleviate the problem had been reached and will be submitted during his committee report. He stated that some of the Council members requested that a consultant be hired, and he agrees with this idea. He noted that whatever the outcome, the Council members will have to bear the responsibility. Stated that the Council must consider the City as a whole, not just concentrate on certain sections.

2. Etta Mae Davis, 703 New York Avenue. Noted that the Wye Oak presented to the Council by Mrs. Frances Phipps at the meeting of April 9 had been contributed by the Takoma Park Preservation Assn; asked where the tree had been planted. Councilman Burgess replied that the tree is in the nursery; when it is large enough to be planted without any danger, an appropriate spot will be chosen. Mentioned the fees for use of public buildings, and stated that this discriminates against certain individuals. Mayor Roth noted that as a general rule, the fees apply to organizations, not individuals. After further discussion, Mayor Roth stated that



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he will request the Recreation Committee to discuss this further. Mrs. Davis noted that a grocery store in the City will benefit many citizens. Mentioned an editorial in the Washington Post concerning the proposed historical sites in the City and asked about the status of the study to review the proposal. Councilman Nishimoto noted that the Council never had a chance to vote on the proposed sites; Mayor Roth stated that the committee that proposed the historical sites in Annapolis had taken fifteen years to complete its study. Mrs. Davis stated that a proposal of this type should originate with the people, and this is the way it was done. Councilman Ricks noted that the proper procedure would have been for the citizens to select the sites and present them to the Council. In response to a question from Councilman Burgess, Mrs. Davis noted that the sites are selected on an architectural basis. She answered further questions from members of the Council concerning upkeep of the properties designated, financial assistance from the government, types of architecture that are considered historical, etc.

3. Joe Cangialosi, 7001 Poplar Avenue. Thanked Mr. Pridgen for notifying him of the Council's decision concerning an agenda item that he had introduced; Mr. Pridgen noted that when an item is put on the agenda as the result of a citizen's suggestion, the citizen is notified of the final action. Mr. Cangialosi requested that the Council go on record as being either for or against the suggestion by Mr. Vogel to close a portion of Sligo Parkway for bicycling. Councilman Ricks noted that this was discussed during the TESS master plan meeting; noted that bike trails beside the road were discussed, also the possibility of closing the road during certain hours. Mr. Cangialosi again requested that the Council take an official position because it might influence the final decision. Referred to the discussion between Mrs. Davis and Mayor Roth and stated that the issue is whether having historical sites designated in the City will benefit Takoma Park; stated that the way the project was done is not important now.

4. Aurel LeMay, 704 Philadelphia Avenue. Stated that he has had a number of problems with cats; mentioned finding dead birds in his yard and stated that the cats are responsible. Mentioned that 4-way stop signs have been erected at various intersections in the City without the aid of a consultant; agreed with Councilman Burgess that placing stop signs at one location does result in requests for them at other intersections also. Stated that he is generally in favor of erecting stop signs at Takoma and Boston. Requested that a consultant not be hired and that Chief Porter's proposal be tried; if it doesn't solve the problem, it can always be changed. Councilman Nishimoto stated that although this has been done in the past without the benefit of a consultant, some Council members feel that a consultant will be beneficial.

5. Joe Ferrier. Stated that he does not think a consultant will be helpful; the judgement of Captain Porter and the Council should be relied on. Mayor Roth noted that the discussion Mr. Ferrier referred to took place during a Council committee meeting; the orderly procedure of the Council is that the committees meet and discuss items on their agenda, then present their recommendations to the rest of the Council at the regular meeting. Stated that the Council is being accused of inaction before it has a chance to hear the proposal.

6. Aurel LeMay. Noted that the Washington Gas Light Co. is putting new gas lines in on Philadelphia Avenue; asked if the Gas Co. is responsible for replacing the sidewalks they are tearing up. Mayor Roth noted that in the past, the Gas Co. has always repaired sidewalks, etc. to specifications after it has finished with a job.

7. Councilman Burgess. Stated that he is in favor of hiring a consultant; questioned whether putting stop signs all over the City will effectively solve the traffic problems, and suggested that another opinion may be helpful in finding a solution.



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8. Ed Hutmire, 21 Columbia Avenue. Thanked the Council for including the retention of 8 Sherman Avenue on the agenda. Stated that this request was made by the Recreation Council and he would like to reaffirm their position. Noted that the City recreational programs have expanded and the Recreation Dept. needs all the space it can get. Read a partial list of the activities that are sponsored by the Dept., and stated that the facilities at 8 Sherman are necessary to continue a well run program. Mayor Roth thanked Mr. Hutmire for his statement and noted that his opinion is respected by members of the Council.

9. Councilman Ricks. Stated that hardsurface parking requirements for multi-family and commercial establishments will be discussed during his committee report, and requested that citizens think about this and comment on it.

At this time, Mayor Roth introduced Mrs. Pat Bauser to the members of the Council and the audience; noted that she is the new Administrative Aide to Mr. Fred Anderson, Executive Director of the TESS Commission, and that she will be working with TESS and the City.

#### COMMITTEE REPORTS

##### FIRE PROTECTION COMMITTEE: Councilman Sidell reporting.

Mentioned the work being done by the WGL Co. In response to a question from Councilman Ricks, Chief LaScola stated that there is no provision for inspection of new gas lines by the Fire Marshal after installation. He noted that people are becoming more aware of potential problems from gas leaks, and have been notifying the Fire or Police Depts. when they smell gas. Mentioned that outside gas meters are a big help in locating leaks.

Councilman Sidell stated that although the following items do not appear on his agenda, they are on his committee working agenda for further discussion.

90. Request to remodel a portion of the Fire House. Noted that funds for this were scheduled to come from the RSF; since the amount of money budgeted to the City has been decreased, this will have to be considered further.

122. Req. to install a sprinkler system at Takoma Towers. This will be studied further.

128. Proposal to upgrade emergency rescue service. Reported that the Committee has asked Chief LaScola to investigate the new "cube type" ambulance and make a recommendation.

Councilman Sidell read a letter from Douglas Ziegler, President of the Takoma Park Independence Day Comm. thanking some of the Volunteer Firemen and members of the Fire Dept. for their help in the door-to-door fund raising campaign; Mr. Ziegler noted that their efforts resulted in a significant contribution to the fund.

##### PLANNING AND ZONING COMMITTEE: Councilman Faulkner, Chairman.

No report.

##### FINANCE COMMITTEE: Councilman Forshee reporting.

118. Req. for the City to retain 8 Sherman Ave. Stated that a report will be made on this in the future; thanked Mr. Hutmire for his comments and his report and noted that suggestions and comments from other citizens are welcome. Councilman Ricks expressed his desire for the City to retain 8 Sherman. Councilman Burgess asked if the fees that apply to the Municipal Bldg. will also apply to 8 Sherman if it is retained by the City. After further discussion, Mayor Roth stated that an additional study of the fees will be scheduled in September.



In response to a question from Mayor Roth, Mr. Pridgen noted that the proceedings on 8 Columbia Avenue have been consummated; he reported that Mr. Biggs is now occupying the building.

Councilman Forshee moved that the following ordinance be adopted.

ORDINANCE NO. 2275

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

SECTION 1. THAT in years past, records have been placed against certain properties as having been sold to the City for delinquent taxes and such records have not been cleared upon payment of such taxes.

SECTION 2. THEREFORE, the Mayor is hereby authorized to execute Quit Claim deeds on the following properties:

- (a) Lot Sixty-six (66) in Block number Sixteen (16), B.F. Gilbert's Addition to Takoma Park, Prince George's County, Equity No. 7582. Tax Sale, April 11, 1929, Taxes paid, 1931.
- (b) Lot One (1) in Block "D", Bonnie View Subdivision, Montgomery County, Equity No. 1507. Tax Sale, April 15, 1943, Taxes paid, 1945.

He noted that this Ordinance will enable Mr. Pridgen to clear the City records; Mr. Pridgen explained that many years ago, the City took liens against the properties, and when the taxes were paid, the records were never cleared. The motion was seconded by Councilman Nishimoto and adopted by a roll call vote as follows. Aye: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none. Excused: Councilman Faulkner.

PARKS AND RECREATION COMMITTEE: Councilman Webb reporting.

Recreation Activities. Councilman Webb read the following report: the summer recreation programs ended August 10 - he noted that with the exception of two playgrounds, registration was higher than last year; the U.S Army Band Army Blues will present a concert in Jequie Park at 7:30, August 16; U.S. Army Fife & Drum Corps & Drill Team will perform August 23 at 7:30 in Jequie Park; the final concert will feature the Navy Concert Band & Sea Chanters and will be held in Jequie Park at 7:30, August 28. The Takoma Community Theatre will present "Blythe Spirit" on Aug. 24, 25, 26 at Takoma Jr. High; the Antique Show & Sale will be held on the Library grounds from noon to 6 PM on Sept. 16.

Administrative Action: Personnel appointment. Councilman Webb moved that Miss Michele Phillips, 415 Elm Avenue, be appointed as Administrative Aide to the Recreation Director at an annual starting salary of \$7,514. Councilman Forshee noted that there is no provision in the Merit Plan for an Administrative Aide; it will require an ordinance to amend the Merit Plan. He suggested that this be studied and discussed further by the Council. Councilman Webb noted that there are adequate funds in the Recreation Dept. budget to cover this appointment. The motion failed for lack of a second. Councilman Webb withdrew a second motion to hire Miss Phillips as a Secretary, 3rd year to provide an opportunity for further discussion by the Council.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto reporting.

Councilman Nishimoto stated that the L.E.C. meetings are open to the public; he noted that items are discussed during committee meetings, a decision is reached, and a recommendation is made to the Council during the regular Council meetings.

53. Req. for pushbutton traffic device on Carroll at Takoma Towers. Stated that he has discussed this with State Senator Schweinhaut; she has contacted the State Roads Commission, but advised Councilman Nishimoto that a pushbutton signal might



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not be feasible because of the low volume of traffic. He stated that the LEC will continue to study this.

153. Illegal parking on Kass Lot. Noted that the Police Dept. has been doing a fine job there; stated that he requested this be put on the agenda so that the public will be aware that surveillance of the lot is continuing.

Administrative Action: Appointment of a new Police officer. Councilman Nishimoto moved that Frederick Gonzales be appointed for a probationary period of one year at an annual starting salary of \$9,277. The motion was seconded by Councilman Forshee and unanimously approved.

Administrative Action: Permanent appointment of Officer Kendall. Councilman Nishimoto moved that Officer Kendall be removed from probationary status and made a permanent member of the Police Dept. The motion was duly seconded and unanimously approved.

163. Petitions on traffic control: a. Maple Avenue. Councilman Nishimoto proposed that the following ordinance be enacted.

ORDINANCE NO. 2276

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

SECTION 1. THAT the section of Maple Avenue lying between Philadelphia Avenue and the District of Columbia line shall be closed to through truck traffic with a capacity for over one ton, with the restriction to apply to trucks traveling in either a northerly or southerly direction; AND

SECTION 2. THAT the Director of Public Works is hereby directed to erect signs designating this prohibition in appropriate positions on both sides of Maple Avenue; AND

SECTION 3. FURTHER THAT Section 1 of this Ordinance shall become effective immediately upon completion of the work directed in Section 2.

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

Councilman Sidell noted that the "No Thru Truck" signs used by the County apply to all trucks regardless of weight. Councilman Burgess mentioned the popularity of  $\frac{1}{2}$  and  $\frac{3}{4}$  ton pick-up trucks as personal and recreational vehicles, and suggested that the weight limit will allow free passage of these vehicles; stated that since they are not used as commercial vehicles it is unfair to regulate them as commercial vehicles. Councilman Burgess seconded the motion for adoption of the ordinance. In reply to a question from Councilman Ricks, Councilman Nishimoto noted that the Ordinance applies to one section of Maple because the street is narrow and the citizens in that area requested an ordinance of this type. He noted that this Ordinance is the result of a petition signed by 119 residents. Councilman Forshee requested that other City streets be considered also. Councilman Burgess stated that this should be tried, if it doesn't work, the signs can be removed. Chief Porter noted that there have been incidents of trucks traveling between 50 and 60 mph along Maple Avenue; it is hoped that this Ordinance will divert truck traffic from Maple to Carroll and Flower Avenues where traffic is subject to traffic lights. He noted that trucks use Maple Avenue primarily to avoid the lights on Carroll and Flower. In answer to a question from Councilman Sidell, Chief Porter noted that Cedar is so narrow and winding that truck traffic should not present a problem there. Vehicles are prevented from speeding because of the layout of the road. After further discussion, the Ordinance was adopted by a roll call vote as follows. Aye: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none. Excused: Councilman Faulkner. Councilman Ricks stated that he voted for the Ordinance in the hope that studies will be made in other sections of the City, particularly the rest of Maple; noted that traffic controls are needed, but this Ordinance doesn't go far



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enough. Councilman Sidell noted that although he is in favor of this Ordinance, he hopes that Cedar Avenue will also be considered. Mayor Roth stated that he is very much in favor of this Ordinance.

Councilman Nishimoto presented the first reading of the following proposed ordinance.

PROPOSED ORDINANCE

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

SECTION 1. THAT all parking restrictions on the West side of Maple Avenue between Philadelphia Avenue and Tulip Avenue be hereby repealed; AND

SECTION 2. THAT the Director of Public Works is authorized to remove all signs contrary to the provisions of Section 1; AND

SECTION 3. FURTHER THAT Section 1 of this ordinance shall become effective immediately upon completion of the work directed in Section 2.

Councilman Nishimoto stated that the purpose of this ordinance is to deter speeding by permitting parking on both sides of Maple, and noted that the residents in the area are in agreement with this type of regulation. In reply to a question from Mayor Roth, Councilman Nishimoto stated that he can inform the residents of this proposal; noted that his purpose in presenting a first reading is to provide an opportunity for public comment and reaction. He reported that since July 23, 36 moving violations, 7 repair orders, 16 no left turn violations, and 14 warnings have been issued on Maple Avenue.

He requested that a letter be sent to the MNCPPC stating that the City Council is encouraged by their study regarding a bike path along Sligo Creek Parkway. Mayor Roth noted that he had requested a copy of their report and the Council can consider official endorsement of the project after the proposal has been reviewed.

Councilman Nishimoto reported that a traffic study by a consultant has been on the agenda for some time and requested the approval of the Council to talk with an individual regarding this. In response to a question from Mayor Roth, he noted that he is interested in someone who will be concerned with traffic safety rather than efficiently moving a large volume of traffic through the City. The Mayor noted that advice from a safety-oriented consultant will benefit the City; an individual who emphasizes moving masses of automobiles down City streets will not be acceptable. Councilman Sidell stated that an overall picture of the traffic problems in the City is needed; he reminded members of the Council and residents of the City that when they drive out of Takoma Park, they are in someone else's city. He noted that many streets in D.C. that were once residential are now commuter routes, and we should not generally try to hinder people driving through the City. Councilman Nishimoto again requested Council authorization to begin gathering information regarding a traffic study; there was no objection from the Council.

HOUSING AND CODE ENFORCEMENT COMMITTEE: Councilman Ricks reporting.

15. Hardsurface parking requirements at multi-family units.

16. Hardsurface parking requirements at commercial places. Councilman Ricks stated that these items are on the agenda to elicit comments and suggestions. Noted that there have been cases of tenants parking on lawns and unpaved drives. Commercial establishments are covered under what Montgomery County calls "local" commercial, and hardsurface parking is required. If hardsurface parking is required at multi-family units, the type of surface required would have to be specified. The City does not have good natural percolation and hardsurface parking could increase erosion on neighboring properties; it could also lead to landlords putting gravel in the front yards. He suggested that the commercial establishments at Laurel and Carroll be considered with the TESS plan; because of the density in that area, a collective



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lot might be effective. The master plan might require that parking be provided for any new development in the City. The Mayor suggested that the number of units in a dwelling might determine if hardsurface parking is required. He also mentioned the possibility that the layout of a particular property could make hardsurface parking a hardship. Suggested consulting the Code Enforcement officers about this. Councilman Ricks noted that parking on the grass has caused erosion in some places, and some landlords were persuaded to blacktop the area to avoid further erosion.

239 Park Avenue. Reported that he inspected the property and has photographs of it. Stated that there has been a great deal of improvement done there - the stucco has been repaired and the grass has been cut. Councilman Nishimoto asked if this information has been relayed to the people who made the complaint. Mayor Roth requested that Mr. Barile notify Mrs. LaVaute of the improvements.

PUBLIC WORKS COMMITTEE: Councilman Burgess reporting.

Purchase of a riding lawn mower. Councilman Burgess reported that \$1,500 has been provided for this in the current budget. The motion by Councilman Burgess to adopt the following ordinance was seconded by Councilman Forshee and adopted by a roll call vote as follows. Aye: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, Webb. Nay: none. Excused: Councilman Faulkner.

ORDINANCE NO. 2277

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

SECTION 1. THAT the Director of Public Works is hereby authorized to purchase one #129 Cub Cadet riding mower, Serial #2050046U446439, with one 48" rotary mower and one 42" snow blade from Norman & Staiger, Inc., for the sum of ONE THOUSAND FOUR HUNDRED NINETY-FOUR DOLLARS (\$1,494.00), including tax exemption and trade-in allowance; AND

SECTION 2. THAT the Director of Public Works is hereby authorized to transfer to Norman & Staiger, Inc. the trade-in vehicle, a #3205, 1971 Toro 70" reel mower, Serial #100162; AND

SECTION 3. THAT funds for this purchase have been provided in budget A/C 19.303C.

56. Req. for maintenance (incl. seeding) of Public right-of-way on Phila. Ave. between Carroll and Piney Branch. Noted that this was first proposed in August of 1972. This was delayed because the State Highway Admin. planned to repair East-West Highway, but only the State-owned portion of the road; repairs to the rest of the road will cost the City about \$120,000. Since the road is designated as a State highway, Mr. Caltrider (the District Engineer) was contacted - without result - about having the State fund all the repairs. In July, it was suggested that the Secretary of Transportation or Gov. Mandel should be contacted. A letter regarding the transfer of the City-owned portions of 410 to the State was sent to Thomas Hicks of the St. Hwy. Dept. and he referred it to Mr. Caltrider, so we are back where we were in July. Read a letter from Mr. Caltrider stating that since the City will not allow the State to reconstruct 410 through Takoma Park, the State would like to transfer the State-owned portion of the road to the City. Mayor Roth noted that apparently letter-writing is not going to get results; he suggested that perhaps he and Councilman Burgess can contact Sen. Emmanuel or Sen. Schweinhaut and ask their help in finding a solution. Councilman Burgess suggested requesting the State to put the road in good condition before it is transferred. Mayor Roth requested that this be discussed in detail and all the alternatives be explored before a decision is made.

COUNCIL AS A WHOLE: Mayor Roth reporting.

162. Silver Spring Intermediate School closing. Reported that the meeting with the School Board has taken place, and the City presented its case to retain SSI.



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Noted that the consultant from E.E.P., Mr. Weisman, Mr. Herman, Mayor Roth and others had testified, but when the hearing adjourned at 5:30, several witnesses had not yet testified. The hearing has been continued to Sept. 4 so that the testimony can be completed. Noted that the Council will meet with the School Board members on August 14 in the Board of Education offices in Rockville at 2:30.

Mayor Roth reported that Councilman Sidell had requested an ordinance which would clarify the Fire Marshal's authority in regard to the demolition of condemned houses in the City. He stated that at the last work session Mr. Pridgen had circulated a memo regarding the demolition of condemned houses. Mr. Pridgen noted that three houses in the City have been condemned because they are fire hazards; Chief LaScola has authority, under the City Code, to have the homes demolished but the Council must take official action before it is done. In answer to a question from the Mayor, Chief LaScola stated that the three houses are boarded up and vacant. He reported on the procedure followed by the County Fire Marshal, and requested that the City amend its procedure so it is similar to the County's. After further discussion, it was decided to retain this item for further study by the Council.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 11:15 PM, to reconvene at 8:00 PM, Monday, September 10, 1973.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

City Administrator