

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING

on the Maple Avenue Traffic Question

January 7, at 8:00 PM
1974

Present at the hearing were: Mayor Roth, Councilmen Ricks, Webb, Sidell, Forshee, Nishimoto, Faulkner and Burgess (the latter was unavoidably delayed in arriving at the meeting); furthermore Deputy City Clerk Sybil Pusti and Officer Josephine Phillips of the Police Department.

The Mayor opened the meeting at 8:05 PM. In accordance with usual custom he turned the chair over to the Chairman of the Committee concerned, in this case the Law Enforcement Committee, and Councilman Nishimoto then conducted the hearing.

Councilman Nishimoto stated that before going on with the hearing he would like to read the result of a study of the problem by Montgomery County Planning Board as this would give some idea of what the thinking is and what was developed by the Montgomery County Planning Staff, whom the Council had asked to look into the matter in order to have an "outsider's point of view". He said that if anyone was interested a copy of that document could be obtained from the Deputy City Clerk, Sybil Pusti. The conclusion of the Montgomery County Planning Board read as follows:

"The best of the realistic traffic pattern alternatives on Maple Avenue appears to be the establishment of one through lane of southbound traffic with parking along both sides of the street.

This should be further defined prior to the operation of Metro service to Takoma Park, in accordance with the Takoma Park Sector Plan. Such refinement should include:

- 1) a restriping to indicate one through lane of traffic southbound
- 2) perhaps the striping of a bicycle lane, and
- 3) along both sides of Maple Avenue, parking to be limited to the hours between 5:00 PM and 9:00 AM only, Monday through Friday.

This effort, combined with the 25 mph posted speed limit and stop signs at the various intersections should best control traffic flow and provide a safer situation than exists today."

This is their general recommendation, said Councilman Nishimoto, and we will have this before us when we deliberate as to what course we should take, plus, of course, the testimony which will be presented at tonight's hearing. Because of the large audience, people were asked to sign up if they wanted to speak and were requested to limit their talks to 5 minutes.

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Councilman Nishimoto stated the problem up for discussion to be: WHAT SHOULD BE DONE CONCERNING PARKING ON MAPLE AVENUE, WHERE AT PRESENT THERE IS AN ORDINANCE PERMITTING PARKING ON BOTH SIDES OF THE STREET AT ALL TIMES. THE QUESTION TO BE DECIDED ON IS WHETHER IT SHOULD OR SHOULD NOT BE SO.

Comments and Proposals from the audience were as follows:

Mrs. Erwin T. Dove, 7313 Maple Avenue, stated that living where she does, she has had a good chance to observe the traffic on Maple Avenue, both up the hill and down the hill. She finds the situation as it exists completely unsatisfactory and completely ridiculous. She finds that traffic has slowed very little and that it is a very dangerous situation both for pedestrians and for the parked cars. She mentioned that her own car had been slightly damaged by a hit-and-run driver. She also mentioned the hardship created when there is church service or meetings at the Presbyterian church and how she had to back up when coming out from church as there was nothing else to do because of the cars parked on both sides. She recommended going back to parking on one side only, and she stated that earlier, when that was the case, the only complaints were about the traffic being too fast, nothing else.

Joseph A. Clarke, 22 Darwin Avenue, said that he had to agree with the previous speaker, that it IS dangerous. He told of having to use Maple Avenue several times a day and also mentioned the special problem created by meetings at the Presbyterian church. He cited one incident where a police car could not get through and almost hit two cars when having to back up. He had seen a number of minor accidents on the street and felt that it might work better if Maple Avenue was made into a one-way street, only that might not be feasible considering that the Post Office is located there. He recommended a change back to parking on one side of the street only.

Erich P. Karlsson, 8413 Hartford Avenue, Silver Spring, Md., thanked the Council for the opportunity to speak. He introduced himself as the owner of a construction company, E.P.Karlsson Builders Inc., at 221 Vine Street, N.W., and said that he as well as his employees have to use Maple Avenue getting to work and that they view the situation as follows: There is heavy traffic on Maple Avenue primarily because of people using it to get from North Capitol Street to the Beltway. He also called attention to the fact that the REVIEW & HERALD has a large parking lot for employees and when they are let out, there is a solid line of traffic down Maple Avenue. He mentioned as the first bottleneck the Post Office, especially around 5:00 to 5:00 PM, when it seems that everybody wants to stop there, right in the middle of the street, to run in and mail a letter. This is all-right for one car, but when there are 20, it creates a problem, and traffic is backed up all the way to Carroll Avenue with double parking and even parking on the sidewalk. The next bottleneck is at the 4-way stop signs at Tulip and Maple Avenues; cars southbound have only one lane because of the parked cars on both sides; northbound cars have 2 lanes, making it impossible to pass anywhere but at the intersection which becomes a real interchange with many accidents and much confusion. The next confusion is the solid line of cars from Tulip Avenue all the way to Philadelphia Avenue during rush hours, because the southbound cars have to duck in and out of parked cars. Mr. Karlsson also stated that when snow emergency signs are up they are completely ignored,

and he told of one time when he had to drive up on someone's lawn in order to avoid an accident. He feels that the cars coming down the hill simply cannot stop and that if parking were allowed on one side only, at least the drivers would have half a chance. He said that from observing the situation he had reached the conclusion that there would be ample space for all the parked cars to be on one side only - with the exception of the parking for the Presbyterian church. Mr. Karlsson, who stated that he used to live in Takoma Park, wondered why Maple Avenue had been widened in one area as this had not helped anything. He said that he found the former situation with west side parking only to be preferable and suggested that the Council also evaluate the 4-way stop signs at Tulip and Maple Avenues. He thought it might be better just to have stop signs at Tulip and let Maple Avenue traffic go through. Mr. Karlsson also suggested strict enforcement of the speed limits and felt that it would be helpful to have police watch the situation.

Morton J. Krakow, 8001 Wildwood Avenue, Takoma Park, stated that he generally uses Maple Avenue in the afternoon coming home from work, having changed from Carroll Avenue because of the heavy traffic there and several traffic lights. This has worked well for him until recently when parking on both sides of the street was introduced. He mentioned that Carroll Avenue is the only route from the City of Takoma Park to University Boulevard and that, therefore, Carroll Avenue gets a tremendous amount of traffic, especially during rush hours. He found the traffic between 4:00 and 6:30 PM to be far too heavy for a single lane street with no recognized system for yielding and mentioned that he himself had experienced several "near misses" because of the parking on both sides of Maple Avenue. He felt that there was no real need for this, since he had observed that there were plenty of parking possibilities in driveways which could often accommodate several cars. He hoped that the City would return to the old system of parking on one side of the street only. He felt that there would then be no problems.

Allan T. Marsh, 7405 Maple Avenue, said, that according to Mr. Pridgen's letter to him announcing the meeting, this would be a forum for Takoma Park citizens to voice their feelings about the present parking situation on Maple Avenue. He felt this to be a good thing, indicating a change in some of the Councilmen. He said that it seemed to him that some people consider the right to drive an automobile as if it were the fifth freedom. He mentioned, as another sign of change, the fact that the Council had recently been in favor of a requested stop sign at Hickory and Elm Avenues; but, he said, those who have not changed are: 1) the commuters who want to use Maple Avenue as a speedway to get from their homes to their offices and back 2) those who feel - selfishly - that any change on Maple Avenue will have an adverse effect on their streets. As regards the commuters, they have been slowed down, but they have not been stopped from using Maple Avenue, and it is no more dangerous now than it was before. According to people living on the neighboring streets, there has been no noticeable increase in traffic on their streets as a result of the present parking situation on Maple Avenue. Mr. Marsh felt that the question is now whether the Council is interested in preserving the residential quality of the neighborhood, and he wondered how many of the people speaking up against the parking on Maple Avenue would like to have that mess on their streets, and whether some people still consider the right to drive supreme. He urged the Council to keep the parking on both sides of Maple Avenue just as it is on many other streets in Takoma Park. In

closing Mr. Marsh mentioned that he had along the testimony of

Mr. & Mrs. Sam Abbott, 7308 Birch Avenue, who had hoped to speak at this hearing. He said that Mr. & Mrs. Josey of Maple Avenue and Mr. & Mrs. Weeden of Maple Avenue, had also hoped to attend but were prevented by deaths in their families. He then proceeded to read from the testimony of the Abbotts, who, due to a conflicting meeting concerning the Juniper Street bridge, could not be present. According to their testimony the Abbotts 1) favor the continuation of parking on both sides of Maple Avenue as this slows down traffic and makes it clear to the drivers, that safety of residents comes before speedy movement of the automobiles; 2) oppose the elimination of on street parking, on one side or both sides, as this would result in increased speeding and attract even more traffic; 3) oppose the so-called solution: one-way traffic, as this invariably leads to more traffic, higher speed and jockeying for position in order to beat other cars to the next intersection or light. In their testimony the Abbotts told of testifying at the Takoma-Langley Master Plan hearings back in 1963, where they were in favor of installing 4-way stop signs at every intersection within the city limits. "Now - a decade later -" Mr. Marsh quoted, "we end up by repeating what we said 10 years ago, that the Mayor and Councilmen have a prime obligation to look after the welfare and safety of the citizens of Takoma Park, not of the citizens living further out and only driving through Takoma Park on their way to some other destination. We believe with America's most esteemed urbanologists, Lewis Mumford and James Jacobs, that the automobiles must be deliberately slowed down, making the safety of the people - not that of the automobile - our guiding principle."

Councilman Ricks, stated at this point, that it was his hope that the citizens testifying at this hearing would not attack their neighbors. He stressed that everybody had a right to testify as they saw fit, and that his evaluation would not be based on attacks on other people's testimony.

Mr. Marsh said that his remarks had not been meant as an attack on anybody.

Joe Ferrier, 7413 Maple Avenue, said, that he did not mind attacking people. He said that the situation reminded him of when he was working at the Government Printing Office and they had some new machines. There were tables in front of them and the superintendent asked to have the tables moved so that he could see what they were doing. Someone answered that they did not want him to see what was going on. On Maple Avenue the residents don't want the cars speeding through, killing or maiming children and pets, just so that the drivers won't be late for work. He mentioned a china cabinet falling off the wall in his home because of vibrations from the traffic. He said that the residents on Maple Avenue want a peaceful life or they would have moved to Pennsylvania Avenue or elsewhere. He said that the residents wanted to keep the present parking situation with parking on both sides, that they want people to realize that it is dangerous and that they drive through at their KNOWN risk, so that they won't speed. He pointed out that according to the Constitution, government comes from the people, and he feels that the people living on Maple Avenue have the right to determine what should happen to their street - nobody else. He declared to be against reversible one-way traffic and concluded by saying that if he cannot live a quiet and peaceful life, nobody else is going to either.

Virgil E. Robinson, 7309 Maple Avenue, said that if the purpose of having double parking on Maple Avenue was to slow down the traffic to a crawl, it had certainly been accomplished; he had watched the cars stand there, idling and wasting precious energy, at the same time polluting the whole neighborhood. His feelings were that if the commuters driving on Maple Avenue would only use a little courtesy towards the residents, all this would be unnecessary; but he had watched people having to wait for as long as five minutes before anybody would put on his brakes and allow them to make a left turn into their driveway. He had also watched pedestrians waiting for a long time to cross the street and compared this situation with how this is in the state of California, where he had lived for some time. He said that in California the pedestrian has the right of way the moment he puts a foot off the curb, and all traffic stops immediately. In conclusion Mr. Robinson said, that the double parking may have accomplished part of what is wanted, but perhaps it was an "over kill".

Mrs. Robinson, 7309 Maple Avenue, referring to what had been said previously about parking in the street - that there was no necessity for that on Maple Avenue - stated that in their driveway up to 6 cars could easily be parked but that she and her husband park on the street in order to cooperate with their neighbors. She realizes that some people want Maple Avenue as a speedway, and when she walks home from the General Conference, where she works, she sympathizes with her fellow workers who have to drive and get stuck in the traffic on Maple Avenue; only she wishes that they could find some other route or that the commuters would at least show the residents the courtesy of slowing down to 25mph. She mentioned in this connection a SLOW-sign right in front of her home but doubted that anyone else ever noticed it. Her suggestion was that the REVIEW & HERALD should stagger their working hours, which might help in lightening the traffic around 5 o'clock,

Councilman Nishimoto asked for clarification as to whether Mrs. Robinson would be against keeping the parking on both sides of Maple Avenue.

Mrs. Robinson stated that she would like to see cars parked 4 abreast so that nobody could get through. This statement was greeted with applause from the audience.

James W. Aitken, 7410 Aspen Avenue, speaking both for the General Conference and as a private citizen, stated that he has lived in Takoma Park off and on for 30 years, working for the Adventists. He likes it here and finds it a good place to live. He feels that the residents of Maple Avenue also deserve to have a good life in spite of the traffic on their street. Having watched the situation on Maple Avenue during the recent snowfall Mr. Aitken said that he would surely not want to have his car parked there. He said that for many years now the people of 13th Street have felt that they have the solution to the traffic problem: one-way traffic during morning rush hours and one-way in the other direction during evening rush hours; he realized, however, that the City of Takoma Park might not want that, and he thought that if a speed limit could be strictly enforced by the police, that would slow things down. He stressed, that if parking on both sides of Maple Avenue is to be continued, there ought to be one-way traffic during rush hours, both in the morning and in the evening. In conclusion he stated that the only way to stop evil practices was for good people to stand up and speak - and so here they were. He thanked the Mayor and Councilmen for the hearing.

Councilman Nishimoto said that he would like to make a comment for information purposes. A study had been made during the time period of January - December 1973 of the number of traffic accidents on Maple Avenue, and surprisingly it showed that there were 80 accidents between Sligo and Philadelphia Avenue and only one between Philadelphia and Tulip. This information was thought to be of interest to those who had asked for more surveillance by the police.

Elfred Lee, 641 Houston Avenue, Apt. 105, said that the situation on Maple Avenue as it is now reminds him of the bridges in the South Philippines, where he had been on duty. There was only one lane, and trucks, busses and cars all tried to get to the middle first and if anyone wanted to pass they would go down the ravine. He said the only difference was that there is no ice and snow in the Philippines. Mr. Lee stated that travelling through Maple Avenue every day he had noticed that most private homes there have a driveway, where 2 or 3 cars could easily be parked off the street, and that as a matter of fact all of the cars now parked on both sides could be accommodated on just one side of the street. He recommended that the City return to the old system of allowing parking on one side only. He also suggested that something be done about the parking situation at the Post Office.

John H. Mitton, Jr., 501 Philadelphia Avenue, stated that all the residents of Takoma Park pay taxes to have the streets maintained - not only the abutting property owners. He felt that what the residents of Maple Avenue are doing in deliberately blocking traffic on the street is different from what the truck drivers did only in that the residents of Maple Avenue have the sanction of the City Council - the result is the same: people with a legal right to use public highways are prevented from doing so. Mr. Mitton feels that the safety of people living in other parts of Takoma Park also deserves consideration. Everybody depends on the police being able to get to a home quickly in an emergency or burglary and not getting stuck in the traffic on Maple Avenue.

Phil Vogel, 7117 Garland Avenue, said that although he lives outside of Maple Avenue he takes an interest in the City of Takoma Park as such and feels that the question of traffic control extends to all the streets in the city, not only Maple Avenue, as it is important that the residential quality of the city be upheld. In Mr. Vogel's opinion the big question is whether the city can control its own destiny so that it does not become merely a roadway - or, as someone said, a speedway - for commuters to get faster home from work, and he feels that this is what the Council should address itself to. In conclusion he pointed out that inasmuch as the Seventh-day Adventists had made it quite clear in several letters how this organization feels about the situation at hand, he hopes that Councilmen Forshee and Webb will disqualify themselves when it comes to voting on this issue.

Councilman Webb replied that he had stated his position concerning that question at a previous Council meeting and would abide by that.

Mr. Vogel said that his reply was not acceptable.

Dale Schallhorn, 7401 Maple Avenue, voiced the opinion that the whole thing boils down to one issue: do the home owners have the right to demand a change in the traffic situation on Maple Avenue or do the users of the street, the commuters, have preference. He said it reminded him of the time he got his first driver's license; it was called a privilege - not a right - and if that privilege was abused, the license could be taken away. He feels it should be the same way with speeding drivers; if they speed through Maple Avenue, their right to go through the street should be taken away. He reminded the audience that the residents of Maple Avenue were not looking for parking spaces and mentioned that he himself had room for 5 or 6 cars in his driveway but parked his car in the street to slow down the traffic. He also mentioned several accidents happening to his car while being parked on the street, but he stressed that they were only minor and that he intends to keep on parking on the street. He doubts that there are more cars idling on Maple Avenue now than before, and he is convinced that the back up in traffic is caused by the light and not by anything else. Mr. Schallhorn thinks that it is too early to say whether or not the parking on both sides of Maple Avenue should be kept. He feels that it does slow down traffic, but whether it is a complete success would be for Chief of Police Porter to decide by getting traffic counts and having the situation watched for a while.

Mrs. Schallhorn, 7401 Maple Avenue, said that as early as 1966 the residents of Maple Avenue had been writing letters to the City Council complaining about the traffic speeding through the street and asking for help. This was not something that had come up over night but a problem which had been given much thought. As to what had been said previously about the danger of the situation in snow and ice, she mentioned that in snow the SNOW EMERGENCY signs were up and that there was then no parking allowed on the street. She felt, however, that this did not make much difference, as no car could get up that hill anyway when there was ice or snow on the street. She said that while other speakers seemed to find that Maple Avenue is now a bottleneck, she does not feel that way, and she said that she was certain that if people had a stopwatch they would find that it only takes them abt. 2 minutes longer now to get through the street than it did before, when there was only parking on one side, even in rush hour traffic. She commended Chief of Police Porter for his suggestion, to leave the cars on the street, and she claimed that this has the full support of the residents, and while it may not be the final solution, she is happy that at least something is being tried.

Councilman Nishimoto said in response to what someone had mentioned earlier about having police patrols help slowing down traffic, that around July and the following months the police did try to enforce the speed limits in that particular area, which resulted in over 300 traffic violation tickets being written out.

Mrs. Kathryn T. Simpson, 7300 Cedar Avenue, said that having spoken on this subject at several previous meetings, she was sure that everybody knew how she felt, but she would like to compliment the residents of Maple Avenue for trying to do something to relieve the traffic situation. She thought that much attention should be given to Councilman Ricks' suggestions of November 26, 1973, and hoped that the light signals on Philadelphia Avenue will be improved, as this would do much to relieve the situation on Maple Avenue as well. She said this was long overdue from the State Roads Commission, and she hoped that if nothing else, the citizens should be able to get that through. As to the Montgomery Planning Board's suggestion of

allowing no parking on the street. She felt, however, that this did not make much difference, as no car could get up that hill anyway when there was ice or snow on the street. She said that while other speakers seemed to find that Maple Avenue is now

making Maple Avenue a one-way street from North to South, she felt that in such case another route would have to be found for the people wanting to go from South to North, which would probably affect Cedar Avenue, where she lives. In conclusion Mrs. Simpson stated that she considers the parking on both sides of Maple Avenue hazardous, not so much during the day, but certainly at rush hours, when traffic is sometimes backed up all the way across Carroll Avenue.

Councilman Nishimoto replied that the Council is working with the State Roads Commission trying to have the lights synchronized in front of the Fire House and Philadelphia and Maple Avenues, which he feels would help the situation. He said that the City has already set aside the money for a light at the Fire House.

Ms. Andrey M. Cardey, 8210 Houston Court, stated that much of what she had intended to say had already been said, so she would limit her comments to the speed problem. She said that having travelled on Maple Avenue since 1948, she had experienced the situation both with cars parked only on one side and now, with them parked on both sides. She found it to be equally bad and said that there was speeding in both cases. She had often watched the cars being backed up all the way to the Presbyterian church and standing there, burning up gas. She suggested making the street a one-way street like 13th Street: one way in the morning and the other way in the evening. As it is now she feels it is a bottleneck, with 2-way parking and 2-way driving and so many people coming out from REVIEW & HERALD and the GENERAL CONFERENCE at rush hours in the evening.

Daniel J. Dick, 7402 Maple Avenue, said that he was amazed at the senseless, selfish opposition to the proposals to put a stop to the way Maple Avenue had been used in the past. He has heard complaints that since the installation of permanent 4-way stop signs at Tulip and Maple Avenues and the temporary banning of parking on the west side of Maple in the 7400 and 7300 blocks and no trucks sign, it is difficult to get to the Post Office, to church and to the bank or drug store. Well, he wants to thank those people for telling everybody, in their own way, that the tryout of having parking on both sides of Maple Avenue has been a success. He expressed regret that the Council had not taken seriously the traffic count undertaken by several residents on Maple Avenue and noted that the Council had been going to buy a traffic counter to do its own counting. He did not feel that traffic had increased on other streets due to the 2-way parking on Maple Avenue, and he said that now the people living on Maple Avenue can enjoy their sleep, and they are also able to turn into their driveways without fear of collision. He stated that everybody is supposed to have the right to the pursuit of happiness so long as it is not at others expense, and that the majority of the people on Maple Avenue want to have parking on both sides of their street as it cuts down traffic, thereby adding to their peace and happiness, and that they feel that this is their right and that it is not achieved at the expense of others.

Robert Oelhaf, 7122 Maple Avenue, said that when he first heard of the idea of having parking on both sides of Maple Avenue, he did not think it was a good idea. Now, however, after having had time to reflect on it and to observe it, he thinks it is a great idea as it solves several problems at once: 1) It keeps cars away from the sidewalks where children play and ride their bicycles and tricycles and easily can slip off the curb and into the paths of oncoming cars; 2) it slows down traffic; 3) it discourages drivers from taking short cuts through a residential area, which many probably never realized that it was, and 4) parking on both sides of the street has made it possible for people to park at the Presbyterian church, which was not the case before. 5) It discourages people from driving trucks down Maple Avenue, and 6) it cuts down on the necessity for having police surveillance and there is less running of the stop sign. He expressed his appreciation of the fact that a study has now been made of the situation, and he felt that the people living in the 7000 block of Maple Avenue would be happy to have the parking extended to there even. He was also impressed by the way the timing worked out and found that not too many cars had been parked when traffic was at the heaviest but that most cars were parked there at night and on week-ends, which again protects children playing on the sidewalks. As to the opposing speakers Mr. Oelhaf felt that many of them were commuters, using Maple Avenue as a short cut on their way home, and that this is the problem. He felt that there are many other routes they could take so that they did not have to drive through a residential neighborhood, but that some people are very inconsiderate which is the reason why there is a need for control. As to the remarks that had been made about the energy crisis, Mr. Oelhaf stated that the easier it was made for people to drive, the more cars there would be on the road and suggested that those having a hard time driving through Maple Avenue consider carpools. He recommended that Councilman Ricks' suggestions be seriously considered and implemented as soon as possible.

Mrs. Bernice Myers, 7212 Cedar Avenue, spoke in favor of parking on both sides of Maple Avenue, where she finds the driving is now much slower, quieter and safer. She hopes the parking on both sides becomes a permanent condition. She called attention to the fact that the President has called for a slow down in traffic and she found that it was a fine idea for the people of this area to follow his example. She stated that there has not been an increase in traffic on Cedar Street because of the present parking situation on Maple Avenue.

Robert H. Moore, 7314 Willow Avenue, representing the Takoma Park Elementary PTA as well as himself, said that he had served for several years as chairman of the safety committee of the school and that he is familiar and concerned with the problem of safety for the children in the streets of Takoma Park. He said he was all for a slow down in traffic and that when the cars were backed up they could not speed. He said that until a perfect solution is found, this is the best he has seen. He felt that the ecology is not helped by building highways nor by speeding down Maple Avenue at 50 mph. As to what someone had said about not hindering traffic on State roads, he wondered whether Maple Avenue WAS a State road. The answer from the audience was: "No, not this end", Mr. Moore continued, stating that he felt that the citizens living on Maple Avenue also have rights, so long as they do not step on anybody else's constitutional rights. He thought that the Council ought to listen to the residents of the street rather than to people using it only as a throughway. In closing he repeated that the present solution is the best he has seen; he added that in his opinion the traffic on Willow Street has not increased because of it. Councilman Ricks' suggestions be seriously considered and implemented as soon as possible. (At this point Councilman Burgess took his seat).

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(At this point Councilman Burgess took his seat)

Ms. Linda Janetzko, 8204 Roanoak Avenue, said that she had not intended to speak but got upset when someone had suggested that Councilmen Forshee and Webb should not be allowed to vote on the issue. She called this ridiculous and told of having telephoned Councilman Webb to ask about this hearing. She said he had encouraged her to attend and that he had not mentioned at all what his own ideas were on the subject. She stated that she understood that there were two main complaints involved: that cars have been speeding down Maple Avenue and that cars are parked there on both sides of the street. She mentioned police patrol in spurts of the area and felt that it would do more good if the police would patrol it all the time and that this would also bring the speed under control. She did not think that the parking on both sides of the street has solved anything.

Mrs. Elizabeth Oelhaf, 7122 Maple Avenue, said that she is happy about the present situation on Maple Avenue because her two children, aged 7 and 5, can now walk there safely and visit their little friends, something they really enjoy.

Joe Cangialosi, 7001 Poplar Avenue, stated that he wanted to comment on the question mentioned earlier of free passage on the streets of Takoma Park. He did not feel that placing reasonable restrictions on the right to free passage was the same as taking this right away; that people have a right to drive on Maple Avenue does not mean that they also have a right to race at 60 mph on the street - or on any city street. He thought that this would be a good opportunity for the Council to restrict the use of cars - something the whole country may have to do - to preserve energy. In closing Mr. Cangialosi observed that he felt the City is doing a good job and should continue.

Bob Leisey, 7309 Cedar Avenue, said that he was not familiar with Council meetings but that he was in complete support of the people on Maple Avenue - anything to slow down traffic. He urged people to continue parking their cars in the street and said that Cedar Street is not affected by it. He said that in his opinion Councilmen Forshee and Webb ought NOT to vote on the issue. He emphasized, that the fact that the Council has done something to slow down traffic is good and makes the street safer. He is in full support of the measure.

Tom Torney (?), 7218 Maple Avenue, thinks that the people living on Maple Avenue are subjected to an affront by cars driving through the street without regard for the residents. He stated that he has lived there for 3 years and has seen many improvements in the city, which he feels is now on an up-trend. In his opinion the Council has done a good job in bringing Takoma Park back to its potential as a desirable place to live. He is in support of having parking on both sides of Maple Avenue as a means of slowing up traffic and discouraging people from driving through. He hopes this will lead to Maple Avenue becoming once more the nice, residential section it apparently used to be 20 years ago.

Mrs. Amelia Burroughs, 7218 Cedar Avenue, felt that Maple Avenue was not unique in wanting traffic slowed down, but that all the streets in Takoma Park deserved to have traffic going through at a normal and slow pace. She mentioned that she had suggested a slogan for the City: "15 miles or 15 dollars". She felt that if this was enforced - and she offered her help in that respect - this would solve the problem. She said that just to slow down the traffic on Maple Avenue was not enough and suggested that her slogan be enforced for the entire city.

Durand Brooks, Houston Court, stated that although he had lived in Takoma Park for about 8 years, this was his first Council meeting, and that he was not sure he fully understood the problem discussed. After listening to the pros and cons he saw the problem as that of danger due to speeders in the street. He felt, however, that if in trying to slow down traffic, bottlenecks were created, this was not a good way to do it, and he mentioned that there were also speeding problems on Houston Court, where he lives. He said that making Maple Avenue a one way street would not solve the problem either but only create a problem elsewhere. He suggested that it would be more effective to have the speed laws enforced.

Clarence Boatman, 133 Ritchie Avenue, felt that if there was to be parking on both sides of Maple Avenue, other streets would also ask for parking on both sides, which he thought would not solve the problem of through traffic. He mentioned being almost hit twice by oncoming cars on Maple Avenue. He assured the Council that from what he has observed during the 21 years he has used the Avenue, there have been more accidents between Philadelphia and Carroll than anywhere else. His opinion was that, while sympathizing with the people living on Maple Avenue, they should also be asked to sympathize with the people living on Ritchie Avenue, where he lives, and where cars also come through at 40 - 50 mph. His suggestion was that the speed limit on Maple Avenue be enforced and that traffic be let go through.

Ms. Cynthia Pool, 7611 Maple Avenue, said that it was her observation that Cedar Street traffic had been slowed down because of the construction work on top of the hill. She stated that nobody is anxious to take away anybody else's rights and that the problem should not be solved by creating a hazard but rather by enforcing the speed limit, which would make it safe for everybody. She felt that the way it is now, no one and every one has the right of way, which is very dangerous. As to the many tickets passed out, which was mentioned earlier, she said that the reason might be the stop sign on the hill which was a new thing and, therefore, might not have been noticed for some time.

William Coffman, Cor. Maple and Tulip Avenues, told of having witnessed many accidents there and once, when helping a man pick up a child who was run over, the man discovered that it was his own son and that he was dead. At that time there was only one stop sign, and the street was a speedway from Eastern Avenue down to Philadelphia with nothing to slow traffic down, and people were going 85 mph. His neighbors had asked him to join their efforts in having 4-way stop signs installed, and he felt that these worked very satisfactorily. He stated that the people driving through the city think only of getting through quickly and give no thought to those living there. He felt that Maple Avenue lends itself to speed and that people do speed through. When they have to slow down, they resent this; they do not want to give anybody else a chance, not even school children getting off the bus. He thought that what has been done was good. He said that the problem was that of going through and that if there was another way they could go, they should with the people living on Ritchie Avenue, where he lives, and where cars also come through at 40 - 50 mph. His suggestion was that the speed limit on Maple Avenue be enforced and that traffic be let go through.

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be made go there; if, however, this was the only way for them to go, it should be controlled so that they do it in a decent way. He felt that police patrol might help. He had not decided whether he favored parking on both sides of Maple Avenue and would like to know whether there were other possibilities.

Ms. Sandy Cramer, 7411 Maple Avenue, felt that the situation is a pain in the neck, but also that it works, and she was in favor of maintaining the parking on both sides of Maple Avenue.

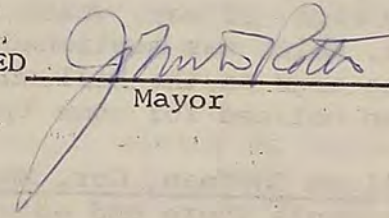
Councilman Nishimoto thanked everybody for their comments on the parking situation on Maple Avenue and expressed the hope that the Council will be able to come up with a good solution, although it may not be possible to please everybody.

Councilman Ricks wanted to know whether people concerned had been properly notified of the hearing and how this was done.

Mrs. Schallhorn said that she had received a notice at school and understood that some people on Maple Avenue got a notice through the mail. She wondered just how it had been done.

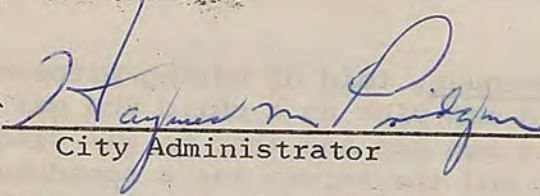
Councilman Nishimoto stated that according to his information the City Administrator's office had sent out notices to residents on Cedar Avenue from the D.C.Line to Philadelphia Avenue, on Holly Avenue from the D.C.Line to Philadelphia Avenue, all of Maple Avenue, all of Lee Avenue and all of Sherman Avenue, as well as to citizens associations in the area. He again thanked the participants and closed the hearing at 9:45 PM.

APPROVED



 Mayor

ATTEST



 City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL
January 14, 1974

City Officials Present :

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

The Mayor and City Council met in Executive Session at 8:00 PM, January 14, 1974, in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance, a motion was made to approve the minutes of December 10, 1973, and dispense with the reading.

Councilman Burgess objected to the wording of the minutes (page 6), under PARKS & RECREATION COMMITTEE, item 152, and suggested the following change in the 3rd from last sentence : " Councilman Burgess objected to charges for groups utilizing the Municipal Building during normal workday hours, where security exists. If more than routine cleaning should be required after use by groups, it could be funded from a security deposit required of them." He also asked to have the vote recorded on this issue. "The fees were approved by a voice vote as follows: In favor: Councilmen Forshee, Ricks, Sidell and Webb; against: Councilmen Burgess and Nishimoto. "

Councilman Forshee moved that the minutes be accepted as corrected. This was seconded and unanimously approved,

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. James P. Gleason, County Executive, Montgomery County, Maryland. Reply to the Mayor's letter concerning a complaint from Mr. & Mrs. Joseph Lerner, 7708 Takoma Avenue, regarding deteriorating conditions on the Takoma Park-Silver Spring border. (Planning & Zoning)
2. John P. Hewitt, Executive Director, Maryland-National Capital Park & Planning Commission, Silver Spring, Maryland. Information on plans for extending bicycle trail in Sligo Creek Park. (Public Works and Parks & Recreation Committee for suggestions)
3. Allan T. Marsh, President, Old Takoma Park Citizens Association, 7405 Maple Avenue, Takoma Park, Maryland. Question concerning possible zoning violation at 7112 Willow Avenue (zoned R-60) paved and used as parking lot; also of legality of using the building as a warehouse, the land being zoned C-2. (Planning & Zoning)

4. Allan T. Marsh, President, Old Takoma Park Citizens Association, 7405 Maple Avenue, Takoma Park, Maryland. Letter stating that the Association wants the permanent retention of parking on both sides of Maple Avenue and is opposed to Councilman Ricks' proposal. The Association also opposes the suggestion by Montgomery County Planning Board, that Maple Avenue be made one way with no parking between 9:00 AM and 5:00 PM. (Law Enforcement)

5. Jewell W. Peeke, Chairman, Greater Takoma Park Planning Committee, 6930 Carroll Avenue, Takoma Park, Maryland. Letter in support of Councilman Ricks' recommendations for the improvement of the traffic situation on Maple Avenue and other streets and intersections of the City of Takoma Park. Special suggestions: Parking on one side only of Maple Avenue - right turn signal at intersection of Maple and Philadelphia Avenues - left turn lead signal at Piney Branch and Philadelphia - signal at Carroll Avenue and 410 changed - signals installed at Philadelphia and Carroll (in front of firehouse) and at Flower and Carroll Avenues. (Law Enforcement)

6. Joseph S. Cangialosi, 7001 Poplar Avenue, Takoma Park, Maryland. Suggestions for alleviating the traffic situation on Maple Avenue - f.inst. staggered parking from one side of the street to the other at certain intervals. (Law Enforcement)

7. Everette E. Larson, 227 Grant Avenue, Takoma Park, Maryland. Complaint about the elimination of B & O commuter rail service to Takoma Park (effective January 11, 1974). METRO has refused to take precautions to comply with ICC safety regulations. (Planning & Zoning)

8. John D. Emler, P.E. & L.S., John D. Emler & Associates, 8811 Colesville Road, Silver Spring, Maryland. Letter concerning the possibility of expanding Ordinance #1946 to include commercial establishments as far as exterior maintenance and cleanup goes. The following items were also listed: 1) Suggestion to redesign the intersection at New Hampshire Avenue and the service drive in front of the professional building in Langley Park. 2) Suggestion to install a yield sign at New Hampshire Avenue and Sligo Creek Parkway. 3) Complaint about the Gas Company's repair work to streets in the Hillwood Manor Subdivision. (Items 1) and 3) Public Works - item 2) Law Enforcement)

9. Phil Vogel, 7117 Garland Avenue, Takoma Park, Maryland. Letter and newspaper clipping calling attention to a public hearing of the Montgomery County Council on Parking Permit Areas. (File)

MAYOR'S COMMENTS:

Mayor Roth presented Mrs. Laura French, who had retired from the Library, with a plaque inscribed: "The City of Takoma Park honors Laura French on her retirement after 10 years of outstanding civic service to the Library. December 31, 1973." (Applauds)

The Mayor announced that according to County Law, effective December 1, 1973, a rent rebate is provided for people over 65 or disabled. This applies to all renters of that age, living in privately owned buildings, but not to residents of Takoma Towers. Application forms can be obtained from the City Administrator, Mr. Pridgen, or from the Deputy City Clerk, Mrs. Pusti.

Concerning the traffic situation on Maple Avenue the Mayor told of gaining personal experience by driving through Maple Avenue at different times of the day. He recommended to all the Councilmen to do the same.

ADDITIONAL COMMITTEE AGENDA ITEMS

Councilman Nishimoto announced that there would be a hearing of the Charter Review Commission of Montgomery County Council on Saturday, January 19, at 10 o'clock in the Council Chambers. Questions to be discussed: Compensation for County Executive and Council Members; non-merit system jobs in the County Government; the relationship of the County Attorney as legal adviser to the County Counsel and Executive; method of appointing boards and commissions, which are advisory to the Council and County Executive; submission dates for Capital Improvement Programs - important in terms of schools etc.; operating budgets and supplemental appropriations - which present the question of whether we should have a permanent Charter Review Committee. Mentioning that he was on that committee, Councilman Nishimoto invited comments. There was some discussion among the Councilmen.

Councilman Forshee asked for approval of some expenditures and also for authority to dispose of a wrecked police car.

Councilman Ricks asked that adoption of a Resolution to govern more closely the work of C.I.B. be put on the agenda. He said it represented more or less a guideline for the way the Board operates.

Councilman Faulkner announced that Planning & Zoning would have a recommendation for Councilman Nishimoto concerning the TESS land use committee and discussions of the land utilization along Carroll Avenue.

CITIZENS' COMMENTS:

1. Ellen Marsh, 7405 Maple Avenue, commenting on the wording of the minutes of the December 10. meeting, asked to have it made clear, that what she meant by valuable real estate in Takoma Park was : valuable residential real estate - that is owner occupied dwellings - because of the magnificent trees in the area. She expressed regret that trees were still being cut down on Maple Avenue and elsewhere with no assurance that this is done for legitimate reasons. Speaking on behalf of the Old Takoma Park Citizens

Association, she asked the Council to save the Cady-Lee House and gave the City Administrator a list of names and addresses of people to write to in this respect.

Mayor Roth stated that he had already written to Mayor Washington on the subject. He thanked Mrs. Marsh for the information furnished.

2. Jim Welu, 7330 Piney Branch Road, requested 1) that Councilman Faulkner furnish a basic idea of his recommendations concerning Carroll Avenue land use, and 2) that Councilman Ricks read briefly his recommendations concerning the Community Improvement Board, to give the citizens a chance to comment before the Council takes action.

Councilman Faulkner stated that the Planning & Zoning Committee will request Councilman Nishimoto to tender an invitation to the TESS Land Use Committee, on behalf of the Mayor and City Council, to meet with the Council and the citizens to discuss preliminary alternative viewpoints concerning Carroll Avenue and other sections of the city.

Councilman Nishimoto added that he had already talked to Royce Hanson of the Planning Board about a hearing, as he was concerned NOT to have a repetition of block 69 or METRO station. He said that he considers the question of land use along Carroll Avenue very important and noted that the committee has only 3 members from Takoma Park. He felt strongly that citizen input from Takoma Park was needed and said he appreciated the suggestion for obtaining an official run down and knew that Royce Hanson would be agreeable to go along with this.

There was some discussion at this point among Councilmen Faulkner and Nishimoto and the Mayor.

Mayor Roth stated that he was going to try hard to get some input from Takoma Park citizens as he felt the city ought to have its own committee for the purpose discussed rather than be mixed with other communities.

Councilman Ricks said that for his part, he could only comment on the Resolution in general, but that Mrs. Simpson would be able to correct his statement if necessary. The Resolution concerning the C.I.B. operation was mainly a change of procedure, to give direction on how inspections should be done, followed up and reported on.

Mrs. Simpson added that originally the Resolution had been written by Mr. Gingerich together with the Mayor and Council. In implementing it, however, it was found not to be working very well, and, therefore, the procedure was changed. For the benefit of those who may follow the present committee it was deemed desirable to write down the exact procedure as it is now carried out, and thus certain changes had to be made in the Resolution.

January 14, 1974.

FINANCIAL STATEMENT as of 12/31/73: City Treasurer Pridgen reporting.

Suburban Trust Co. - General Funds

Balance November 30, 1973	\$ 71,666.06	
December receipts	<u>70,820.59</u>	\$142,486.65
Disbursements		<u>141,433.48</u>
Balance December 31, 1973		<u><u>1,053.17</u></u>

Suburban Trust Co. - Payroll Account

Balance November 30, 1973	25,904.43	
December transfers from General Funds	<u>97,951.82</u>	123,856.25
Disbursements		<u>107,498.08</u>
Balance December 31, 1973		<u><u>16,358.17</u></u>

Citizens Bank of Maryland - General Funds

Balance November 30, 1973	135.43	
No transactions during December	<u>- 0 -</u>	
Balance December 31, 1973		<u><u>135.43</u></u>

Citizens Bank of Maryland - Spec. Asst. Funds

Balance November 30, 1973	196.60	
No transactions during December	<u>- 0 -</u>	
Balance December 31, 1973		<u><u>196.60</u></u>

Citizens Bank of Maryland - Pub. Imp. Fund

Balance November 30, 1973	534.53	
No transactions during December	<u>- 0 -</u>	
Balance December 31, 1973		<u><u>534.53</u></u>

Citizens Bank of Maryland - Savings A/C TP63

Balance November 30, 1973	169.20	
Interest earned 10/1 - 12/31/73	<u>2.11</u>	
Balance December 31, 1973		<u><u>171.31</u></u>

American National Bank - General Funds

Balance November 30, 1973	80.73	
No transactions during December	<u>-0 -</u>	
Balance December 31, 1973		<u><u>80.73</u></u>

Petty Cash

200.00

<u>U.S. Treasury Bills</u>		<u>Cost</u>	<u>Maturity Value</u>
Purchased:	8/3/73 Maturity Date: 1/31/74	\$191,588.44	\$200,000.00
	9/4/73	95,811.25	100,000.00
	9/14/73	95,515.14	100,000.00
	9/21/73	95,992.78	100,000.00
	9/25/73	94,590.00	100,000.00
	10/1/73	96,331.39	100,000.00
	10/4/73	<u>192,269.89</u>	<u>200,000.00</u>
		<u>\$862,098.89</u>	<u>\$900,000.00</u>
		=====	=====

3. Joseph Cangialosi, 7001 Poplar Avenue, said he was discouraged about the cancellation of the B & O stop in Takoma Park. However, he praised the bus service which he felt had improved lately. He urged the Council to fight for a rail stop in Takoma Park.

4. Roderic F. Davis, President, North Takoma Citizens Association, 703 New York Avenue, Takoma Park, Maryland, handed in a letter, from which he read. At the December meeting his Association had been unanimously in favor of replacing the Juniper Street bridge by a pedestrian bridge only and keeping Fenton Street open from New York Avenue to Takoma Avenue. Mr. Davis added that since this matter had not been resolved at the recent hearing, the possibility exists that an idea, which had been discussed some years ago, namely a by-pass from Colesville Road and Spring Street and 2nd Avenue through Takoma Avenue and over Juniper Street bridge, might again be promoted, if Juniper Street bridge should be made into a vehicular bridge.

Mayor Roth commented that he remembered the proposal for such a by-pass and recalled having voted against it when he was a Councilman. The proposal had been defeated, and the Mayor was in agreement with Mr. Davis that such a by-pass would not be good for Takoma Park.

5. Don Ramsey, 8300 Flower Avenue, commenting on the TESS Land Use Committee, stated that he had proposed developing a Master Plan for Takoma Park and try to sell it to the County Government, which has the zoning authority. He added, referring to his correspondence with Royce Hanson and the Mayor, that he was especially concerned with the Prince George's Section of the city being coordinated with the Montgomery County Section and asked that the Council take the lead in this matter.

Councilman Nishimoto remarked that Mr. Ramsey had a good point and that the Planning & Zoning Committee would consider his suggestions.

Mayor Roth said that the City of Takoma Park pays for that service through taxes. He told of learning about the Silver Spring Advocate Plan - prepared by the County for the Civic Association in Silver Spring - and asking for assistance in preparing a similar plan for the TESS area, but without results.

Councilman Ricks added that coordination of the planning for the entire city had already been discussed in the committee and that its members were very much aware of the situation.

6. Auriel LeMay, 704 Philadelphia Avenue, said that he had attended the public hearing on Juniper Street bridge and that there had been much support for eliminating the bridge and keeping Fenton Street open and Blair Road at its present elevation. As to the Maple Avenue situation Mr. LeMay stated that he found driving there enjoyable as it is now.

7. Everette Larson, 227 Grant Avenue, referred to his letter to the Council and added the request that the Council write a letter to Neal Potter or Idamae Garrott or Helen Koss protesting the elimination of the B & O stop.

Mayor Roth said this would be no problem.

8. Joe Ferrier, 7413 Maple Avenue, stated that he likes Maple Avenue the way it is now and hopes it will be left that way.

He then praised Mrs. Rose Crenca for her good work on behalf of Takoma Park and called her an "honorary citizen".

Mr. Ferrier urged an increase in the salaries of the police, the firemen and the maintenance staff of the City, pointing out how much the citizens depend on these people. He told of learning recently from a TV program that the job of a garbage collector is especially hazardous - even more so than that of a fireman.

Mr. Ferrier then announced that as chairman of the Food Stamp Advisory Board for Montgomery County he had learned of a program, starting Monday, January 28, and running for 5 days a week, to furnish the elderly citizens - people over 60 - with a hot lunch. The meal will be available for 35-40 people in 4 different locations, one of them being the Middle School on Maple Avenue. The program is funded by the County and is not meant as a hand-out. The cost to the County of each lunch is \$1.50, but it will be distributed for just 25 cents. Mr. Ferrier expressed the hope that the News Letter will bring a notice about it so that as many as possible can sign up for it, adding that he himself has already signed up.

Councilman Ricks wanted to know whether this would be limited to certain income levels of the elderly.

Mr. Ferrier said there would be no income restrictions and that the luncheons would take place at 12:00 o'clock.

Mayor Roth said in regard to publicizing this program that Mr. Wolfe had told him that it would be sufficient to announce the luncheons to the various senior citizens associations in the area as he feared the luncheons would be over-subscribed. He suggested that Mr. Ferrier get together with Mr. Wolfe on that question.

9. Phil Vogel, 7117 Garland Avenue, asked what was happening with respect to the City's Historic District.

Mayor Roth replied that the January issue of the News Letter would answer this question. In the way of a pre-view he told of a meeting of the Takoma Park Historical Association, where professor Senkevitch had described what he would like to do for the city. This offer had been accepted and his students are expected to make detailed surveys starting around the last week of January.

January 14, 1974.

Mr. Vogel then asked Councilman Burgess about the results of the experiments with bagging of trash.

Councilman Burgess replied, that besides the question of bagging trash, the Council is considering the possibility of having citizens carry their trash out front - instead of bagging it. Now, however, they may have difficulties getting a sufficient supply of plastic bags, since they are made from a petrochemical derivative.

Mr. Vogel also inquired about the quarterly Total Agenda. He was told that the one due in January will be published after this meeting.

Commenting on the changes in voting and the speed with which those changes had been adopted, Mr. Vogel said that he felt that the questions of including absentee voting and prolonging the voting hours were important enough to have warranted a public hearing before a Charter change was made. However, he was of the opinion that the changes were beneficial - spreading the franchise.

10. Jim Welu, 7330 Piney Branch Road, called for more citizen input to assist the paid officials and employees. He declared himself in favor of a Master Plan for the city and thought it could be developed by the citizens with help from planning experts, first for an area like Carroll Avenue but eventually for the entire city.

Mr. Welu requested that letters be written to the County Council or State Delegation and to the B & O, urging that the train stop in Takoma Park be kept - at least until the METRO stop is established. He also suggested that the bus routes begin now to relate to the railroad station and train schedules so that people get used to taking public transportation. He mentioned a plan for commuter trains in addition to the B & O trains and that shuttle busses between Takoma Park and Silver Spring are supposed to be working by the end of the summer.

Councilman Ricks asked where the future train stop would be located and asked for suggestions as to where would be a good place for it. Some discussion followed. Councilman Ricks stated that he thought Takoma Park should continue to have a stop until METRO takes over, establishing a permanent stop.

11. Auriel LeMay, 704 Philadelphia Avenue, returning to the question of trash collection, asked Councilman Burgess whether the citizens would be able to count on their trash being removed the day it was placed at the curb. He pointed out that this would be 2 days every week, which with the special pick-up on Wednesdays meant that trash would be lining the streets of Takoma Park 3 days a week - hardly beautifying the city.

Councilman Burgess replied that the question of the citizens placing their trash at the curb is only under consideration and that nothing had been decided as yet.

Councilman Forshee added that nothing would be done before a public hearing had been held.

Councilman Burgess said that he had hoped to go through with the experiment with plastic bags but that Mr. Barile had pointed out at the time that the leaves were falling and that the plastic bags were being used for leaves rather than trash, making it impossible to judge the result.

12. Dolores Stowell, 7704 Takoma Avenue, raised the question of whether plastic bags would have to be opened to empty them into the crushers.

Councilman Burgess stated that this would not be necessary - the bags were not that strong.

Mrs. Stowell agreed with Mr. Welu's position on the TESS area. She praised Mr. Spivack, chairman of the Planning Committee, and said that there was a need for the citizens of Takoma Park to work with the people from the Silver Spring area because of the Flower Avenue shopping area. She felt that Takoma Park should determine its own destiny.

13. Daniel Dick, 7402 Maple Avenue, read a statement to the effect that in Takoma Park all races and all religions and professions are represented. This would, therefore, be a good place to show that all CAN work together in a democratic way.

Mayor Roth commented that many people felt that way.

As to the traffic situation on Maple Avenue, Mr. Dick said that he wanted the cars to be used as buffers between the traffic and pedestrians as well as residents of the street, and he felt that the Council had a moral obligation to give that to the citizens.

COMMITTEE REPORTS:

FINANCE COMMITTEE: Councilman Forshee, Chairman, reporting.

Administrative Action:

Councilman Forshee read the Election Ordinance for the caucus for the nomination of candidates running for Mayor and City Council for the maximum time of office, beginning in April. He moved that the Ordinance below be adopted:

January 14, 1974

ORDINANCE NO. 2293

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

- SECTION 1. THAT the City Clerk-Administrator shall call a meeting of the citizens for the nominations for Mayor and Councilmen at 8:00 PM, Tuesday, February 26, 1974, at the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland. The said meeting shall be conducted as prescribed in the City Charter; AND
- SECTION 2. THAT there shall be a City Election to elect a Mayor and seven Councilmen at the Municipal Building, between the hours of 7:00 AM and 8:00 PM, Tuesday, March 26, 1974. The said elections shall be conducted by means of voting machines, and as nearly as practicable all laws and regulations governing the use of voting machines in the elections in Montgomery County shall apply to the use of voting machines in the said City Election. Absentee voting procedure shall be conducted in conformity with the City Charter, as amended; AND
- SECTION 3. THAT the City Clerk-Administrator shall make arrangements with the Board of Election Supervisors of Montgomery County for the use of six voting machines at the said City Election, and shall arrange to have placed on each voting machine the names of all candidates nominated at the Citizens Meeting on February 26, except any who may within three days thereafter have filed in writing with the City Clerk-Administrator his/her refusal to have his/her name so placed; AND
- SECTION 4. THAT the City Clerk-Administrator shall cause a notice of the citizens' meeting and the City Election to be inserted in the Suburban Record and the Prince George's Post in February, two weeks prior to February 26, 1974. He shall also cause the insertion in the Suburban Record and the Prince George's Post, the third week in March, of a facsimile of the arrangement of the names and wards on the voting machine; AND
- SECTION 5. THAT the City Clerk-Administrator shall prepare cards bearing the names and addresses of all voters certified by the Board of Election Supervisors of Montgomery and Prince George's Counties, and shall furnish such cards to the judges and clerks of Election; AND
- SECTION 6. THAT the City Clerk-Administrator shall recommend to the Council the names of eighteen persons for designation by the Council as Judges and Clerks of Election; AND
- SECTION 7. THAT the City Clerk-Administrator, with the assistance of the Chief of Police, shall see that the City Election is conducted in accordance with the provisions of this ordinance and the City Charter; AND
- SECTION 8. THAT the Judges of Election shall meet in the Municipal Building, 7500 Maple Avenue, as a Board of Election, at 10:00 AM, Wednesday, March 27, 1974, and shall determine and certify the results of the election, as provided in the City Charter. The Council shall meet in Special Session to receive the Certification from the Judges at 8:00 PM, Wednesday, March 27, 1974.

Councilman Burgess asked whether this was the first reading of the Ordinance and noted that evidently there was a change in the time interval which meant that the citizens would be inflicted with campaign literature etc. for 4 weeks instead of 2 weeks. This he found a hardship and asked for an explanation.

Councilman Forshee explained that the time extension from 2 to 4 weeks was necessary because of the absentee ballot, which had to go out after the caucus and come back before election. He said that the only other change was the additional voting hour.

Councilman Nishimoto mentioned a new financial disclosure request by the State, which MUST be filed by all candidates. Some discussion followed and

Councilman Webb asked whether a candidate who does not proffer such a financial disclosure within the time limit will be disqualified.

Councilman Nishimoto said that this was not a law as yet but a State requirement and that the Corporation Counsel is considering making it a requirement to submit a financial disclosure within 3 days of the nomination because the Ordinance provides that a candidate may withdraw within 3 days.

After some discussion Councilman Forshee's motion to adopt the Ordinance, quoted above, was duly seconded by Councilman Burgess and carried by a roll call vote as follows: Aye : Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

Personnel Appointment: City Administrator's Office.

Councilman Forshee recommended that Mrs. Nancy A. Horn, a Takoma Park property owner, residing at 7109 Central Avenue since 1954, be appointed Secretary in the Administrator's Office. He moved that the appointment be made retroactive to December 17, 1973. Starting salary: \$6,957.00 and with the usual 1 year probational period. The motion was seconded and unanimously approved.

Upon motion by Councilman Forshee, duly seconded by Councilman Nishimoto, the Ordinance quoted below was adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

ORDINANCE NO. 2294

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

SECTION 1. WHEREAS Police Car #8 was damaged beyond economical repair in an accident at Philadelphia Avenue and Piney Branch Road on December 3, 1973, and the City's insurance carrier has tendered settlement in the amount of ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800.00) with an additional ONE HUNDRED DOLLARS (\$100.00) due upon collection from the liable party;

SECTION 2. THEREFORE it is hereby authorized that Title #3372968 for 1973 Pontiac, Serial #2L69W3P138791 be assigned and transmitted to General Accident Group; AND

SECTION 3. THAT funds received be credited to Sale of City Property inasmuch that funds for a replacement vehicle were previously provided in the current Police Department Budget.

Councilman Forshee noted that the adoption of this Ordinance gave the City Administrator authority to sign the title for the police car.

There was some discussion; then

Councilman Forshee read a list of expenditures as follows:

<u>1973</u>			
July			148,363.74
	Payroll	92,720.92	
August			340,053.24
	Payroll	94,218.47	
	Treas. Bills	191,588.44	
September			608,585.19
	Payroll	89,908.88	
	Treas. Bills	478,183.06	

and moved that they be approved. The motion was duly seconded and unanimously approved.

PARKS & RECREATION COMMITTEE, Councilman Webb, Chairman, reporting.

Activities: Councilman Webb thanked all who had participated to make the Christmas Party a success. He mentioned that the holiday gym program had been extended through January 4. He called attention to the Friday night kiddie movies at the Firehouse Gym, starting at 7:30 PM and said that the movies planned for Friday, January 18, were: "The Golden Fish" and "Pigs is Pigs". He announced that there will be a Recreation Council meeting on Tuesday, January 22, at 8:00 PM in the Municipal Building. Furthermore he announced that recreation classes will be held a.o. at the J. Enos Ray School with registration next week. There will be classes in a variety of subjects; Councilman Webb mentioned: Art - Drawing and Painting - Cake Decorating - Modern Dance - Guitar - Slimnastics (not for children) - Women's Self Defense - Tumbling and Auto Mechanics. These classes are co-sponsored by Prince George's County Recreation Department.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto, Chairman, reporting.

163. Petitions on traffic control: (a) Maple Avenue. Councilman Nishimoto declared that he was pleased with the hearing on January 7, as this had given the Council a chance to hear comments from many citizens concerning the parking situation on Maple Avenue. He added that the Law Enforcement Committee has a copy of the minutes from the hearing for further consideration.

188. Request to permit parking from 5-8 PM in the 7100 block of Cedar Ave. Councilman Nishimoto said that this was under evaluation by the Chief of Police and that the Committee expected a recommendation from him.

Administrative Action: Acceptance of bid on 2 Police cruisers.

Councilman Nishimoto moved the enactment of the Ordinance, quoted below; the motion was duly seconded and adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

ORDINANCE NO. 2295

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

- SECTION 1. THAT, after having been duly advertised and notices sent to qualified bidders, bids were opened at 3:00 PM, December 21, 1973, for two 1974 new 4-door sedans for use as police cruisers; AND
- SECTION 2. THAT Palmer Ford's bid of \$6,592.50 for two (2) Ford Torinos was the lowest bid meeting all specification requirements.
- SECTION 3. THEREFORE THAT the purchase is hereby awarded to Palmer Ford Inc., Hyattsville, Maryland, of two Ford Torino 4-door police cruisers (police package) for the net sum of SIX THOUSAND FIVE HUNDRED AND NINETYTWO DOLLARS AND FIFTY CENTS (\$6,592.50), including tax exemption and trade-in allowance on cruiser #6; AND
- SECTION 4. THAT the City Clerk is hereby authorized to transfer to Palmer Ford Inc. the trade-in vehicle, a Pontiac 1972 4-door sedan, Serial #2L69Y22316002, Title #2567428; AND
- SECTION 5. FURTHER THAT funds for this purchase are authorized in the current fiscal budget under A/C 11.113D1.

Councilman Nishimoto moved that Corporal Fuller, upon the recommendation of the Police Department and the Law Enforcement Committee be promoted to the rank of Sergeant, stating that Corporal Fuller had been with the police force since May 1, 1969, and is a highly capable officer. His promotion would be effective as of February 22, 1974, at a yearly salary of \$11,635.---. He will replace Sergeant Morgan, who resigned last year. The motion was duly seconded and unanimously approved.

HOUSING & CODE ENFORCEMENT COMMITTEE: Councilman Ricks, Chairman, reporting.

189. Proposal that businessmen bear responsibility for litter control. Councilman Ricks told of having looked through the City Charter and the various Codes of the City. All he found was a law on taxicab stands, and that would not apply to businesses. He had, therefore, referred the item to the Corporation Counsel's office for legal advice on how such an Ordinance could be enforced if necessary. He also told of an incident where he had found much litter, bottles etc. in front of a business place one evening. He had talked to the owners about it and they had then cleaned it up. He felt, however, that something more than voluntary compliance might be needed.

Councilman Ricks also reported that 25 Holt Place had been restored and brought back on the market. This was one of the houses that had been condemned as unfit for human habitation. Now, however, through the efforts of the Housing & Code Enforcement Committee and others, it had been bought and restored by people who are now offering it for sale at \$75,000.00. (The house has 7 bedrooms and 4 bathrooms). Furthermore Councilman Ricks - referring to the Court injunction against the owners of the Winchester-Takoma Apartments - reported that a re-inspection had taken place and that it had been found that some improvements had been made but that the property is still not up to code standards. He suggested that, after a week's waiting period, this case be referred back to the Corporation Counsel's office for whatever action is necessary against the people named in the Decree.

Concerning the Resolution (guidelines governing the C.I.B.) Councilman Ricks said that it dealt mainly with procedure, as Mrs. Simpson had already explained. He was asked to read the Draft Resolution in full. After the reading Councilman Ricks moved that the Resolution be adopted. There was some discussion concerning a.o. the legal consequences of the adoption of this Resolution, and Mayor Roth concluded that he thought it advisable to give the Councilmen a chance to read the Resolution carefully and vote on it at the next Council meeting. Councilman Ricks said he would have a copy of the Draft Resolution distributed to all the Councilmen and that he would be ready to answer any questions.

PUBLIC WORKS COMMITTEE: Councilman Burgess, Chairman, reporting.

182. Proposed ordinance requiring separation of trash. Councilman Burgess said that this question had been discussed with people from the Solid Waste Disposal, who worked with Mid-Western Research Institute on the question of re-cycling waste. He quoted the economics of it and stated that for a city of 100,000 inhabitants (the minimum size operation) it would cost abt. \$25.00 per ton processed. He felt that the County should do the re-cycling on the basis of separating glass, metal, newspapers and garbage and that this was the recommendation of the Public Works Committee. He agreed with Mr. Vogel that there is some merit in collecting newspapers. During a trial period, however, it had showed that 3 tons of newspapers would have to be collected to break even, considering that it would take 2 men at \$25.00 a day to collect the newspapers by truck. He proposed that people bundle their newspapers and put them out front for pick-up once a week and to have this publicized on the front page of the city's News Letter, give it a 6-week try and - if it did not work - give it up.

189. Proposal that businessmen bear responsibility for litter control. Councilman Burgess said that he had asked to have this item on the agenda mainly to get citizens' reaction. At a previous meeting somebody had suggested that the businessmen should be required to keep the sidewalk in front of their business free of trash just as he is required to keep it free of snow. The item was left open for suggestions from citizens.

190. Request to reopen North end of Hammond Avenue. Councilman Burgess said the point needed some clarification as to what actually was wanted. There was some discussion and Mr. Jeffers repeated his request, made at a previous meeting, that the street be opened in both directions. The item was left open for further suggestions from citizens.

Action:

175. Request for reexamination of Juniper Street bridge plans. Councilman Burgess stated that he attended the public hearing on this question on January 7, the same evening the hearing concerning Maple Street was held, and that he had read a statement on behalf of the Mayor and Council to the effect that the Council had no strong feelings about the subject and was willing for the decision on the bridge to be based on the consensus of the testimony of Takoma Park citizens at the hearing, asking, however, to be permitted to enter a further statement for the record should this be found necessary. He had then left the meeting to be present at the last part of the Maple Avenue hearing, and Mr. Barile had stayed to the end of the hearing and reported on it. From his summary it appeared that the majority of the people testifying on behalf of Takoma Park had been in favor of abandoning the bridge for vehicles and having a pedestrian bridge only. Councilman Burgess moved that the County Council be notified that the Takoma Park City Council is in favor of a pedestrian bridge only. After some discussion as to whether the County Council would take action before February 1st, the motion was seconded and unanimously adopted. Mayor Roth directed the City Administrator to communicate the decision of the Council to the County Council Tuesday morning, January 15, by telephone and follow it up with a letter.

Administrative Action:

Upon Councilman Burgess' motion, duly seconded, the Ordinance quoted below was adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay:None.Excused: None.

ORDINANCE NO. 2296

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

- SECTION 1. THAT upon being duly advertized and invitations distributed, bids were opened on December 28, 1973 for two heavy duty dump trucks as replacements in the Public Works Department; AND
- SECTION 2. THAT the purchase of two Ford trucks, equipped with heavy duty V-8 - 330 cu.in. engines and Thiele dump bodies (3 cu.yards - 5 yard ends) with heavy duty hydraulic hoists be hereby awarded to Palmer Ford Inc., Hyattsville, Maryland, in the amount of TWELVE THOUSAND NINE HUNDRED NINETYFOUR DOLLARS (\$12,994.00); AND
- SECTION 3. THAT the Director of Public Works is hereby authorized to negotiate the sale of two used G.m.b. dumptrucks (1-1964 / 1-1966) for cash or certified check in an amount not less than TWELVE HUNDRED DOLLARS (\$1,200.00) upon delivery of the two new trucks or, in the event such sale is not transacted, the Director of Public Works is hereby authorized to accept the trade-in offer by Palmer Ford Inc. in the amount of NINE HUNDRED DOLLARS (\$900.00) for the two used G.m.b. trucks; AND
- SECTION 4. THAT the City Administrator is hereby authorized to transfer (A-8)title #K975526,G.m.b.1964 truck #V4001-F-4459F and (A-7) title #M255620,G.m.b.1966 truck #V4001-F-31672F according to the result of the transaction authorized in Section 3 of this Ordinance; AND

SECTION 5. FURTHER THAT the City Treasurer is hereby authorized to transfer a sum not to exceed TWO THOUSAND NINETYFOUR DOLLARS (\$2,094.00) from the Emergency Reserve Fund to A/C 12.203C to supplement funds provided in the Budget for this transaction.

FIRE PROTECTION COMMITTEE: Councilman Sidell, Chairman.

No report.

PLANNING & ZONING COMMITTEE: Councilman Faulkner, Chairman, reporting.

79. Public hearing to review use of 700 Hudson Avenue as youth care institution. Councilman Faulkner said that the Boys Home of Montgomery County (for girls), operating at 700 Hudson Avenue under Special Exception (S-165), which was granted in March 1973 by the Board of Appeals over the objections of the Mayor and Council and in spite of citizens' opposition, is scheduled for a public hearing March 7, 1974, as one of the Board's conditions had been that the case be reviewed after one year. This hearing will give the Council a chance to hear citizens' comments before making a recommendation in February. Councilman Faulkner stated that as far as he knew, there had been no complaints during the last 10 months.

170. Application for Special Exception for a psychiatric halfway house at 6819 Red Top Road (Spec.Ex.2840). Councilman Faulkner stated that the house is located 1/2 block outside the city limit, which has been discussed before. He said he had been in contact with the group planning to sponsor the home and that they are getting reactions from church groups and civic groups in the area. The Planning & Zoning Committee will await these reactions from the community before taking action. It may involve a public hearing and further discussion with the sponsoring group.

191. Special Exception 2853 - Request for an extension of the day nursery at 7208 Flower Avenue to include a playground (non-conforming use). After Councilman Faulkner had stated the request Mayor Roth inquired as to whether there was any time limit or if the Council could have a hearing in the matter before taking action. Councilman Faulkner said there had been no indication of a time limit.

Action:

183. Zoning and maintenance problems on Silver Spring - Takoma Park border. Councilman Faulkner said this was a complaint from Mr. & Mrs. Joseph Lerner concerning certain conditions on the border between Silver Spring and Takoma Park. The complaint had been referred to the County from whom both the Lerner and the Council had received a reply. Councilman Faulkner said he had talked it over with the Lerner, and while they are not entirely satisfied, they realize there has been no violation involved. He recommended that the item be dropped from the agenda.

184. ZAP A-8971, C-1 to C-G, 6844 New Hampshire Avenue, Takoma Letter Shop. Councilman Faulkner stated that a print shop has been opened at this address, just outside the city limit, and that a zoning change has been requested as this is not allowed in a C-1 zone. He said that while the Planning & Zoning Committee is not enthusiastic about a change of the zoning, there was no objection to the property's present use.

Councilman Ricks suggested that a confirmation be obtained from Prince George's County to the effect that if the property is zoned as C-G it be by Special Exception provision.

There was some discussion at this point during which it was clarified that the print shop cannot continue to operate under the present zoning (C-1) and that IF the zoning change to C-G is granted, it can only operate on a Special Exception. It was stated that no hearing date has been set. It was decided to postpone action on this item until further information can be gathered.

There being no further business before the Council, the meeting was adjourned at 10:40, to reconvene January 28, 1974, at 8:00 PM.

APPROVED: _____

Mayor

ATTEST: _____

City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

January 28, 1974.

City Officials Present:

Mayor Roth	City Administrator Pridgen
Councilman Burgess	Fire Chief La Scola
Councilman Faulkner	Deputy Fire Chief Fickes
Councilman Forshee	Recreation Director Ziegler
Councilman Nishimoto	Code Enforcement Officer Olson
Councilman Ricks	Corporation Counsel Gingerich
Councilman Sidell	Deputy City Clerk Pusti
Councilman Webb	

The Mayor and City Council met in Regular Session at 8:00 PM, January 28, 1974, in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. The invocation was given by Reverend John B. Paterson, Takoma Park Presbyterian Church, and followed by the pledge of allegiance to the flag. A motion was made to approve the minutes of the January 14 meeting and dispense with the reading; it was seconded and unanimously approved.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Helen Vickers, City Clerk and Clerk of Council, City of Alexandria, Va.

Letter with copy of Resolution #279, endorsing program of the Washington Ear Association. (Finance Committee)

2. David H. Elliott, Vice-Chairman, Washington Suburban Sanitary Commission, Hyattsville, Maryland. Letter requesting assistance in inventorying City storm drainage systems for a maintenance program in Prince George's County. (Public Works)

3. W. E. Webster, Jr., Baltimore & Ohio Railroad Company, Baltimore, Md. Preliminary reply to Mayor Roth's letter requesting that the B & O Takoma Park passenger stop be reinstalled. (Planning & Zoning)

4. Mr. & Mrs. William Melby, 235 Carroll Street, N.W., Washington, D.C. - Owners of the Takoma Park Gulf Service Center. Letter complaining about the parking situation on Maple Avenue. (Law Enforcement Committee)

5. J. Arthur Walters, President, Takoma Funeral Home, Inc., 254 Carroll Street, N.W., Washington, D.C. Letter recommending that parking on Maple Avenue be permitted on one side only. (Law Enforcement Committee)

6. George E. Friedrich, Friedrich's Modern Cleaners, 264-266 Carroll Street, N.W., Washington, D.C. Letter concerning the parking situation on Maple Avenue as seen from a businessman's viewpoint. (Law Enforcement)

7. H. A. Remaley, Northwestern Federal Savings & Loan Association, 119 Carroll Street, N.W., Washington, D.C. Letter asking the Mayor and Council to reconsider the parking situation on Maple Avenue. (Law Enforcement)

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8. Mary V. Bennett, 7300 Birch Avenue, Takoma Park, Maryland. Letter asking the Council to discontinue allowing children to go sledding in her street. (Law Enforcement)
9. Susan S. Cina, 7222 Minter Place, Takoma Park, Maryland. Letter requesting a sign: "CAUTION: Children at Play" at the corner of Minter Place and Garland Avenue, or a street barricade. (Law Enforcement)
10. Hazen C. Terry, 1109 Lancaster Road, Takoma Park, Maryland. Complaint about the condition of Hammond Avenue, between Jackson Street and Kirklyn Street. (Public Works)
11. Muriel N. Hoover, 7316 Baltimore Avenue, Takoma Park, Maryland. Letter complaining about the trashy appearance of the streets of Takoma Park and offering various suggestions for a spring clean-up. (Fire Protection and Public Works)

City Administrator Pridgen announced that the January Newsletter had erroneously stated the date for the C.I.B. meeting as February 14; the meeting will be held on February 21.

Mayor Roth requested that copies of the letters concerning Maple Avenue traffic be given to all councilmen.

Councilman Nishimoto mentioned having received a letter from Dr. William Lloyd Fox, requesting 4-way stop signs at Boston and Takoma Avenues, and asked to have it included in the records.

MAYOR ROTH'S COMMENTS:

Mayor Roth announced that the City had been informed of a public hearing concerning the Juniper Street bridge question to be held on February 25, 1974, at 8:00 PM at Montgomery College cafeteria. This was to comply with legal requirements, and although there had been a previous discussion of the question of closing the bridge to vehicular traffic and keeping Fenton Street open to Takoma Avenue on January 7, 1974, the lawyers had advised the Montgomery County Council that a hearing aimed at closing a street MUST be properly published. Councilman Faulkner pointed out that the hearing would coincide with the City Council meeting. Mayor Roth suggested that the Mayor and Council might be represented at the hearing by either Councilman Faulkner or Councilman Burgess.

Councilman Nishimoto announced that on Wednesday, February 6, at 8:00 PM, a discussion of the TESS Land Use Task Force Progress Report would take place at the Montgomery County Planning Board Auditorium. He added that Dr. Royce Hanson and the Planning Board staff were very much alert to the wishes of Takoma Park citizens and that he had been assured that at a later date there would be a session covering land use related to Laurel and Carroll Avenues.

ADDITIONAL COMMITTEE AGENDA ITEMS:

Councilman Ricks wished to propose an Ordinance concerning parking on Maple Avenue.

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Councilman Webb wanted to propose an Ordinance for the purchase of equipment for the gym.

CITIZENS' REMARKS:

1. Kathryn T. Simpson, 7300 Cedar Avenue, urged the Mayor and Council to consider Mrs. Bennet's written request for no sledding on Birch Avenue as it makes the street unsafe for pedestrians living there.

2. Auriel LeMay, 704 Philadelphia Avenue, commented on the letters from business people concerning the Maple Avenue situation and said that he would go and tell them how he felt about it; he wanted Maple Avenue left the way it is now. He stated that Philadelphia Avenue, in spite of having been repaired twice within the last few weeks, was now worse than ever and that Hammond Avenue was also badly in need of repair. Referring to the January newsletter Mr. LeMay pointed out the following: 1) The date for "The Tambauritzens" at Takoma Academy was listed as February 23, but has been changed to February 9. 2) Under "Special Income Tax Reminder" it is stated that an average of \$14.-- per resident taxpayer would be received by the City of Takoma Park, IF "Takoma Park, Maryland" is clearly written on the tax form. Mr. LeMay suggested that the City should address all communications to its citizens: Takoma Park, Maryland, and not give "Washington, D.C." as postal address. City Administrator Pridgen responded that assuming the reference was to the mailing address on the newsletters, the reason for the Washington, D.C. postal address was that this type of mail has to be sent out in the least expensive way and that the commercial firms specializing in such address labels use computers and have informed the City that they cannot change the address labels without it involving extra expense. There was some discussion.

3. Frances Phipps, 7210 Holly Avenue, stated that since the TESS Committee also had a transportation committee, it might be good to have their experts, who are hired to do this type of research, look into major traffic problems such as Maple Avenue, Philadelphia Avenue, a traffic light at the firehouse etc. before making a decision. Speaking about vacant lots Mrs. Phipps said that the one at 7106 Holly Avenue, which she had complained about in the fall, had now been fixed and a barrier put up so that there was no longer a problem with parked cars; however, there still was a serious erosion problem which might be solved by planting grass there in the spring. She hoped that the owner could be encouraged to sell the lot to someone who would put a house on it. The METRO lot was another vacant lot which, she stated, was becoming a dumping ground with all sorts of debris blowing into well-kept yards in the area. She felt that METRO should put up some protection against trash dumping and that the lot should be cleaned up as quickly as possible. A third vacant lot, which had developed into a dumping ground, was located on Cedar Avenue; she felt that the sooner the trash was cleared away the better as it had a tendency to accumulate. She judged it could be done in just one pick-up. Concerning the resolution revision for C.I.B., of which Mrs. Phipps is a member, she stated that she strongly approved of the new addition to section (c), (1), extending the survey by the C.I.B. to include commercial structures. She suggested adding a new procedure to apply when only minor defects were found at inspections - such as rusty drain pipes or gutters in need of paint - as in such cases it might be too much to send one of the official forms now in use. She would prefer to have more informal and friendly notices for minor defects. She said that while she approved of the final paragraph of the revised resolution - about the C.I.B. functioning also as an Advisory Board to the Mayor and Council - she was somewhat disturbed about the procedure, since the Board had no by-laws and thus no

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quorum whereby to adopt a formal policy position. In general she did not feel that the Board should have by-laws, as it had worked very well without them; but she pointed out that in cases where the Board took a policy position, it might become embarrassing; she mentioned as an example the Juniper Street bridge situation, where the Mayor and Council had taken one position and the C.I.B. had spoken out for another. She felt that the C.I.B. should give private advice but would need formal procedure for addressing organizations. Mayor Roth suggested that the House & Code Enforcement Committee consider Mrs. Phipps' suggestions. Councilman Ricks said he wanted to point out that the last paragraph of the resolution revision read: "...the C.I.B. shall also function at the request of the Mayor and Council as an Advisory Board..." This, he felt, gave the Mayor and Council some control. Councilman Nishimoto, addressing himself to Mrs. Phipps' remarks about Maple Avenue, stated that his committee was working with the National Capital Park & Planning Commission, which had come up with a recommendation. He felt, however, that more citizen input was good and suggested that Mrs. Phipps communicate her suggestions to the planning staff to help put the problems into perspective. As to the vacant lot on Holly Avenue he said that the owner had complained about youngsters removing the barrier before the cement holding the posts had dried. The police had then posted a guard while the barrier was put up again and that had apparently worked. Mrs. Phipps told of a 92 year old neighbor who had complained of not being able to walk on the sidewalk because of parked cars at Eastern and Holly Avenues; she asked that something be done. Councilman Nishimoto assured her that something would be done to prevent cars from parking on the sidewalks.

4. Anne Edwards, 7111 Garland Avenue, asked Councilman Burgess when the collection of newspapers would start. Councilman Burgess replied that the trial period would start on March 6, and that it would be announced in the February newsletter. Mrs. Edwards said that after hearing at the last Council meeting that a re-cycling center would not be feasible for a city this size, she had done some investigation on her own. She had found out that there would be 8 re-cycling centers established in shopping centers throughout Montgomery County, and that 50 schools would be involved in newspaper pick-ups. She felt that this should be publicized by the City government. Councilman Burgess said that if he could get details on the project, he would certainly give it his full support. Mayor Roth suggested that the City Administrator ask Mr. Barile, Director of the Public Works Department, to contact Montgomery County for information on the program.

5. Joe Cangialosi, 7001 Poplar Avenue, asked Councilman Ricks when a report from the animal control committee could be expected. Councilman Ricks said that the committee expects to get out a report at an early date.

6. Jim Welu, 7330 Piney Branch Road, commenting on vacant lots, asked whether there exists a regulation or law according to which trash as well as snow MUST be cleared away by property owners within a certain time limit. He said that in his home town, if the snow had not been cleared away within a certain time limit, the City would remove it and charge it to the owner on his tax bill. He wondered whether Takoma Park had the authority to charge work done on private property to the owner on the tax bill. Mayor Roth said that there was such an Ordinance and that it could be consulted either in the City Administrator's Office or at the Library. Mr. Welu asked whether the City had paid for putting up the barrier at the vacant lot mentioned

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earlier. Councilman Nishimoto assured him that was not the case. The owner had supplied the posts and barrier, and it was only when he encountered difficulties in putting up the posts (some youngsters had removed them while the cement was still wet), that he had asked for help in guarding the work until the cement could set. Mr. Welu asked how the Housing & Code Enforcement Committee had been able to assist in having the house at 25 Holt Place, mentioned in the last minutes, bought and restored. He felt there were other properties where such help was needed. Mayor Roth replied that the City Code Enforcement inspector had written up some violations on the property - it had been considered unsafe because of falling ceiling plaster etc. - and that as a result it was declared unfit for human habitation, whereupon the owner had decided to sell. Mr. Welu, referring to a letter read earlier, concerning the B & O stop in Takoma Park, asked whether there had been any response from METRO, doing construction work in the area, or from Montgomery County Council. Mayor Roth said that as yet there had been no response from the County Council. METRO had replied that it was up to the B & O, and a letter had, therefore, been set to the B & O. Mr. Welu pointed out that the house on the corner of Montgomery and Hickory Avenues, discussed at the December Council meeting, was up for sale. He said that the house was not zoned as a 2-family dwelling, but that people might think there was a permit for 2 families since there are 2 kitchens in the house. Mayor Roth asked Code Enforcement Officer Olson to look into the matter. Mr. Welu continued that he had noticed that 3 houses, owned by RAP Inc., were now up for sale, and he wondered whether RAP had decided to go back into the District of Columbia. Mayor Roth said that this was his understanding and added that he was pleased, as he felt there was no need for any more such institutions in the City - not withstanding that RAP was doing a good job.

7. Joe Ferrier, 7413 Maple Avenue, stated that he approved of the parking on both sides of Maple Avenue. He did not feel that experts could really accomplish anything in a situation like this, where it is the citizen living on the street who knows "where the shoe pinches". Commenting on the letters from business people he said that with the many hold-ups and the use of Maple Avenue as a get-away street, he felt the City was doing them a favor by slowing up traffic. He suggested that the people who did not like slow traffic stay away from Maple Avenue. As to the Washington D.C. mailing address labels, Mr. Ferrier stated that according to his personal inside experience in the field, the City could certainly have them changed to read "Takoma Park, Maryland" and that this should not cost anything extra. There was some discussion. Mr. Ferrier stated with respect to the coming City election that he didn't expect there would be any irregularities this time. He said that he had it on excellent authority that at the last election the maintenance men did not appear at the polls but had to vote down where they worked. He felt they should enjoy equal rights with other citizens and be able to come to the polls, and he mentioned in this connection that he had often taken part in legal action but hoped not to have to take part in such action concerning irregularities in the City elections. He concluded by praising the Mayor and Council for publicizing the various hearings so that the citizens would have a chance to participate, and he stressed that in mentioning irregularities he was not referring to the present Mayor and Council. Councilman Nishimoto commented on the innuendos made by Mr. Ferrier

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about improper elections and stated that this was the first he had heard about it. He was interrupted by Mr. Ferrier, who said that it was not an innuendo but an open accusation. City Administrator Pridgen asked Mr. Ferrier for a confirmation on what he had said about the maintenance men having been required to vote at their place of work at the City election in 1972, and Mayor Roth joined Mr. Pridgen in asking that Mr. Ferrier get this information under oath, as they would like to see it. Mr. Ferrier replied that this was now "water over the dam and under the Watergate", but Mr. Pridgen pointed out that an accusation had been made and - since he had been involved with the City elections - he wanted to state that he had no knowledge of anything of this nature. All the voting machines had been located in the fire house and in no other locations in the City, and the votes had been recorded on these machines in front of the election officials. Mr. Ferrier stated that he would not withdraw what he had said and that he would get something to substantiate it, however, not without good legal counsel. He repeated that he did not put the blame on the present Mayor or Council nor on Mr. Pridgen, but that he would still uphold his statement. Councilman Nishimoto said that Mr. Ferrier should substantiate what he had said, and Councilman Burgess stated that he was fascinated by this and wondered just how it had been possible to get one of the voting machines out of the fire house and down to the maintenance jobs; he had never heard of such a thing and felt that Mr. Ferrier would have to substantiate his accusation. There was some discussion and Mr. Ferrier stated that he would not give out any names as to who had told him about the matter, but that the Council could take him to Court if it wanted to. Anyway it was now 2 years old and "water over the dam". Mayor Roth said, that if this was the way Mr. Ferrier felt about it, he should not have brought it up, but since he had brought it up publically, he should substantiate it and do what was right. Councilman Burgess joined the Mayor in this statement adding that Mr. Ferrier was taking a cheap shot at the administration if he was not willing to substantiate it. There was some more discussion.

8. Ellen Marsh, 7405 Maple Avenue, said she just had to speak up on this question of irregularities at the polls in 1972, since she had been one of the election officials and could testify that all the votes were counted on the machines at the fire house - there was no other way.

9. Allan T. Marsh, 7405 Maple Avenue, said that he took exception to the last paragraph of the proposed changes to the C.I.B. resolution, which stated that the Board "shall also function at the request of the Mayor and Council as an Advisory Board in matters of general City interest". He felt that the Board should not function as a citizens association, and that to give the C.I.B. new charges would be to lessen its effectiveness. He, therefore, urged that the last paragraph be deleted, even as amended. Referring to the Maple Avenue situation Mr. Marsh stated that where there was a question of conflict of interest he thought a Councilman ought to abstain from voting. Councilman Nishimoto asked whether some of the suggestions made by Mrs. Phipps might be considered in connection with the proposed resolution changes for C.I.B. or whether they would slow down the work of the Board. There was some discussion between him and Mrs. Phipps. Mrs. Simpson explained that originally the resolution had provided for the C.I.B. setting up committees as needed for different things, but that she had come to feel that the Board should withdraw from that as the members had enough to do with the restoration problems and should not get into other areas. She had suggested to change

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the last paragraph of the resolution to the way it now reads. She invited questions. Mr. Marsh asked where in the old resolution this was stated, and Councilman Ricks responded by reading from the original resolution, item (d), 1., 2., and 3.; but Mr. Marsh said that this did not answer the question he was concerned with, namely item (i) in the proposed revised resolution. He stated that this paragraph gives the C.I.B. the right to advise the Council on any matter at all, not just housing. Councilman Burgess disagreed with the last statement by Mr. Marsh and emphasized that the City Council can request the advice of the C.I.B. if it wants it. Mr. Marsh said that he thinks there is still danger in that. He pointed out that the C.I.B. is an appointed group, NOT an elected citizens group, and he felt that a given City Council, knowing that it has this group to work with, may be inclined to ask advice from this particular group only, avoiding other groups. He suggested that officers of various citizens groups be called upon for advice. There was some discussion among Councilmen Burgess, Nishimoto and Ricks on that point.

9. Everette E. Larson, 227 Grant Avenue, asked where he could get copies of the minutes. He was told that his name would be put on the mailing list. Referring to the letter from Mr. Webster of the B & O - read earlier - Mr. Larson suggested that copies of the Mayor's letter be forwarded to the proper departments. Mayor Roth assured him that Mr. Webster had referred the matter to the departments concerned. Mr. Larson mentioned a new Montgomery County Department of Transportation (DOT) Trip Transportation Improvement plan for busses, providing service between Takoma Park METRO station and Silver Spring. Mayor Roth commented that this plan is awaiting financing from the County Council, which hopefully will come through at an early date.

10. Don Ramsey, 8300 Flower Avenue, spoke of the TESS Land Use Committee and the problems it faces. He concentrated on two of the problems under discussion in the TESS Land Use Master Plan: 1) Parking on what would normally be a front lawn - an outgrowth of non-conforming use, and 2) dumpsters and variations thereof. He felt that such trash receptacles should be kept out of sight, as they are not of ornamental value but rather a blight on the area. Mr. Ramsey felt that the City of Takoma Park should have the privilege of doing as it saw fit, regardless of what the County decides to do.

11. Anne Edwards, 7111 Garland Avenue, asked when voters registration forms for Prince George's County would be available. City Administrator Pridgen replied that they should be available in the first part of February. Councilman Ricks announced that people in Prince George's County can register to vote at the Hecht store in Prince George's Plaza and people in Montgomery County at the Hecht store in Silver Spring every Thursday night between 7 and 9 PM.

COMMITTEE REPORTS:

PLANNING & ZONING COMMITTEE: Councilman Faulkner, Chairman, reporting.

Councilman Faulkner said that since most of the items he had on the agenda for discussion had already been discussed, he would limit his remarks to 184 - ZAP A-8971, C-1 to C-G, 6844 New Hampshire Avenue, Takoma Letter Shop, where at the last Council meeting an error had been made in stating that the print shop was not permitted to open in a C-G zone without Special Exception. In the meantime it had been established that it can open if the operation is small enough, that is to say 1500 square feet or less.

195. Request to restore service at Takoma Park B & O stop. Councilman Faulkner stated that the Mayor had written to several people in this respect, such as Mr. Lynch, Director of Transportation, Walter Webster of the B & O in Baltimore, Councilwoman Idamae Garrett and Neal Potter, president of the Montgomery County Council, asking that the request be considered. He suggested keeping the item on the agenda pending further reports from these people.

FINANCE COMMITTEE: Councilman Forshee, Chairman, reporting.

Approval of audit fee: Upon motion by Councilman Forshee, seconded by Councilman Ricks, the Ordinance quoted below was adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

ORDINANCE NO. 2297

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

SECTION 1. THAT funds in the amount of \$4,100 (FOUR THOUSAND, ONE HUNDRED DOLLARS) are hereby authorized for payment to Hoyer, Graves, Baily and Co., with transfers to be made from the Reserve Fund for the following services:

- \$2,500 (Pay Scale Feasibility Study) to A/C 22.1A
- \$1,600 (Additional Audit Fees) to A/C 10.422

Merit plan adjustment: Councilman Forshee stated that Ordinance #2171 of September 13, 1971, concerning the merit plan, provided for Code Enforcement Officers grade 1 and 2, but not for a trainee, and he moved that the Ordinance quoted below be adopted. After some discussion the motion was duly seconded and adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

ORDINANCE NO. 2298

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

SECTION 1. THAT Ordinance No. 2269, adopted June 18, 1973, be amended as follows:

	Start	6 months	2 years	3 years	4 years	5 years	6 years
Code Enf. Officer, Senior	10,562	10,751	10,939	11,213	11,519	11,827	12,168
Code Enforcement Officer	9,105	9,202	9,299	9,574	9,847	10,120	10,392
Code Enf. Off. Trainee	7,987	8,118	8,246	8,504	8,761	9,018	9,277

SECTION 2. THAT this amendment shall become effective upon adoption.

Councilman Forshee read a letter of resignation from Ernestine J. Wilson, Cashier/Assistant Bookkeeper for the City, effective as of February 7, 1974, and moved that her resignation be accepted. The motion was unanimously carried.

Councilman Forshee asked to make a statement. He said that on several occasions it had been suggested that, being a Seventh Day Adventist, he should not vote concerning the traffic situation on Maple Avenue. In order to find out to what extent the people working at the Review & Herald and the General Conference are causing the traffic problem on Maple Avenue, he had made his own survey by distributing a questionnaire to find out how many use Maple Avenue and how many Carroll or other routes to and from work. He had received back 390 of which 116 were from people using Maple Avenue to and from work or once a day; more than twice that number used Carroll Avenue or other routes. According to the statistics 734 people go North on Maple Avenue in the afternoon, showing that

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it is not the Seventh Day Adventists who create the problem on Maple Avenue. Based on this information Councilman Forshee plans to go ahead and vote.

PARKS & RECREATION COMMITTEE: Councilman Webb, Chairman, reporting.

Referring to a recent agenda item concerning acquisition of a piece of land for recreational purposes Councilman Webb announced that at a meeting with the National Capital Park & Planning Commission, Mr. Bruce Hancock, the Planning Assistant, had given a presentation concerning a piece of property for Park & Recreational purposes, located at Sligo Creek Parkway and New Hampshire Avenue. One building had until recently been used as a service station; the other one story building is still occupied by businesses; both seem structurally sound. The property is zoned C-1. Behind the buildings, covering abt. half of the property, is a steep upward slope, abt. 30-40 feet. The property is appraised at \$291,000. He suggested to keep the item on the agenda for a while longer.

Upon Councilman Webb's motion, seconded by Councilman Ricks, the Ordinance quoted below was adopted by roll call vote as follows: Aye: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell and Webb. Nay: None. Excused: None.

ORDINANCE NO. 2299

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

SECTION 1. THAT the Recreation Department is hereby authorized to purchase six (6) Gym Mats No. 1208 Premier Products, at a price not to exceed FOUR HUNDRED DOLLARS (\$400.00), including freight from Cycle and Sports, Inc. of Bethesda.

SECTION 2. THAT these funds shall be transferred from the RESERVE FUND to A/C 19.203B, Playground & Gym Equipment.

Mayor Roth announced that Mr. Marsh had handed him a note to the effect that he felt it unfair for Councilman Forshee to make his statement concerning Maple Avenue after the period reserved for citizens comments and asked for permission to be heard on the issue. Such permission could only be given if there was unanimous consent. The Council agreed unanimously and the Mayor asked Mr. Marsh to limit his remarks to 3 minutes. Mr. Marsh stated that it was unfortunate that Councilman Forshee had chosen the time he did for his statement concerning Maple Avenue traffic; otherwise Mr. Marsh felt assured that many other citizens would have wanted to comment. He would now limit his remarks to saying that he was not impressed by Councilman Forshee's statistics and that the residents of Maple Avenue had never accused the Seventh Day Adventists of causing the traffic problem; but because of the many letters received from Seventh Day Adventist groups and organizations opposing the situation, he was of the opinion that there existed a definite conflict of interest.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto, Chairman, reporting.

164. Petition for 4-way stop signs at Boston and Takoma Avenues. A letter had been received from Dr. William Lloyd Fox, 7905 Takoma Avenue, in support of having 4-way stop signs installed at the intersection of Boston and Takoma Avenues. The situation is being studied to determine whether there is a need for such stop signs.

176. Request for traffic light at Takoma and Philadelphia Avenues. A letter had been sent to the State Highway Commission and Councilman Nishimoto hoped to hear from them soon.

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180. Proposal to close portion of Sligo Creek Parkway for bicycling.

Councilman Nishimoto stated that he had written to Maryland Park & Planning Commission and received the reply that a bicycle path project had been started from Wayne Avenue Northward to Arcola. As far as Sligo Creek Parkway was concerned, the work schedule for 1976 would accomplish about 1/3 of what had been requested. Certain engineering problems were involved, but Councilman Nishimoto felt that it was planned and would be done as soon as feasible. He, therefore, proposed to take the item off the agenda. After some discussion it was agreed that the item be withdrawn from the agenda.

192. Yield sign for Southbound New Hampshire Avenue traffic unto Sligo Creek Parkway. This is under study.

Appointment of Clerk-Dispatcher: Councilman Nishimoto moved that Sharon Morgan be appointed Clerk-Dispatcher in the Police Department effective January 25, 1974, at a yearly salary of \$6,174.00. The motion was seconded and unanimously approved.

Resignation: Councilman Nishimoto moved that the resignation of Police Officer Gregory R. Cooley be accepted. The motion was seconded and there being no objection, the resignation was approved.

Appointment of Police Officer: Councilman Nishimoto moved that James Paul Leicer be appointed Police Officer effective February 9, 1974, at a yearly salary of \$9,277.00. The motion was seconded by Councilman Burgess and unanimously approved.

Permanent Appointments: Councilman Nishimoto moved that police officers Kenneth Lucas and Sidney Scott, who have served their probation periods satisfactorily, be appointed permanent members of the Police Force effective January 6, 1974. The motion was seconded and unanimously approved.

HOUSING & CODE ENFORCEMENT COMMITTEE: Councilman Ricks, Chairman, reporting.

Councilman Ricks stated that after much deliberation he felt it necessary to present an Ordinance restricting parking on the West side of Maple Avenue as the present situation was not acceptable. He said there were several alternatives such as the one presented by the Planning Board and his own suggestions which he still hoped would be considered by the Council. He proceeded to read his proposed Ordinance; but as it was not seconded, the motion died. Councilman Nishimoto moved that the proposed Ordinance be tabled. This motion was seconded. Councilman Forshee remarked that he had NOT seconded Councilman Ricks' motion concerning Maple Avenue, because he had been told by Councilman Nishimoto that the situation was still under study and that a better solution may be forthcoming shortly. He asked Councilman Nishimoto to elaborate on the plans for solving the traffic problem on Maple Avenue. Councilman Nishimoto explained that the Maple Avenue situation is still being studied and that the presently implemented idea is merely a link in the study to see how it would work out. According to the Chief of Police the light signals at the intersection of Maple and Philadelphia Avenues will be improved and a synchronized traffic light installed at the fire station; these lights should be operational by March. The possibility of having a right turn on red stop light into Philadelphia is also being considered. These are possible ways of alleviating the traffic on Maple Avenue. Furthermore the recommendations of the Transportation Department of the National Capital Park & Planning Commission are being considered. Mr. Gleason has not planned to have a bus go down Maple Avenue, and the Council has insisted NOT to get a bus route on Maple Avenue to METRO. Councilman Forshee remarked that he did not think traffic lights would solve the problem but that he was willing to wait and see what they would do. His own idea was to have one-way traffic. Councilman Webbs stated that he was in favor of Councilman Ricks'

HOUSING & CODE ENFORCEMENT COMMITTEE: Councilman Ricks, Chairman, reporting.

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proposal but had not seconded the motion because he did not feel sure the proposed Ordinance would solve the problem, which needed to be studied further. He agreed with Councilman Ricks that it was a very dangerous situation and added that the experts had recommended making Maple Avenue one-way South, but that the citizens rose in indignation when hearing it, claiming that this would make things extremely difficult for them. He was now willing to wait and see what the traffic lights would do. As to the matter of voting, Councilman Webb felt that as far as he was concerned there was no conflict of interest. Councilman Ricks stated that he would not push the matter. He realized that his proposal might not be the best answer but stressed that he felt the present situation to be so dangerous that it was urgent that something be done, as in case of an emergency people just could not get out of Maple Avenue.

132. Ceiling height violation, 317-318 Lincoln Avenue. Councilman Ricks said that the dwellings had been cited for violation as they did not have the required ceiling heights. An appeal had been made by a resident of one of the apartments, but the Housing & Code Enforcement Committee had recommended that it not be granted. He moved that this recommendation be reaffirmed by the Council. The motion was seconded by Councilman Faulkner. Councilman Webb inquired whether there had been a similar case where the people had been granted quarter. Councilman Ricks said that in his research of the records he had found a case where the owner had been given a waiver for 7' height (according to the 1969 BOCA Code the minimum height allowed is 7.1/3') because at the time the dwelling had been cited, a Grandfather Clause had been in effect - Article 15 in the City Code - allowing a minimum height of 7'; this was in effect prior to 1953 when the dwelling had been cited. The houses at 317 and 318 Lincoln Avenue, however, met neither of those requirements, having only 6'5" maximum ceiling height. There was some discussion, and Councilman Forshee asked whether there was a time limit. Councilman Ricks replied that the tenant would be given ample time to relocate. It was established that the legal time period to comply was 60 days; the Committee planned to allow 90 days. There being no further comments, the motion was unanimously approved.

196. Community Improvement Board resolution revision. Councilman Ricks read the proposed changes in the resolution. At several points Councilman Nishimoto requested explanations and made suggestions as to the wording. There were long discussions among the Councilmen. Finally Councilman Ricks moved that the resolution revision be referred back to the entire Council for editing and approval. The motion was seconded and carried with the Councilmen voting as follows: In the affirmative: Councilmen Faulkner, Forshee, Ricks, Sidell and Webb. In the negative: Councilmen Burgess and Nishimoto. Mayor Roth said that after all the discussion about this resolution revision he felt it would be appropriate to say a word in appreciation of the truly excellent job the C.I.B. is doing, and Councilman Nishimoto heartily joined the Mayor in praising the Board and said that his objections in no way reflected on the good work of this group.

PUBLIC WORKS COMMITTEE: Councilman Burgess, Chairman, reporting.

182. Proposed Ordinance requiring separation of trash. Councilman Burgess announced that a 6-week test period of separating newspapers from other trash was planned and asked the citizens to help publicize it. The test period would start on March 6 and be carried through April 10, 1974. He asked for cooperation in having the newspapers bundled and ready for pick-up. To a question of whether the papers would also be picked up if it should rain, Councilman Burgess replied in the affirmative.

193. Problems resulting from Gas Company repairs, Hillwood Manor.

Councilman Burgess moved that, since action had already been taken by the Gas Company, this item be removed from the agenda. The motion was seconded and unanimously approved.

FIRE PROTECTION COMMITTEE: Councilman Sidell, Chairman.

No report.

COUNCIL AS A WHOLE COMMITTEE: Mayor Roth, Chairman.

No report.

SPECIAL LIBRARY COMMITTEE: Councilman Webb, Chairman.

No report.

There being no further business before the Council, the meeting was adjourned at 11:15 PM, to reconvene on February 11, 1974, at 8:00 PM.

APPROVED: John B. Roth
Mayor

ATTEST: Hayward P. ...
City Administrator

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