

THE CITY OF TAKOMA PARK, MARYLAND
EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

March 11, 1974.

AGENDA

City Officials Present:

Mayor Roth	City Administrator Pridgen
Councilman Burgess	Assistant City Administrator Gilsdorf
Councilman Faulkner	Police Chief Porter
Councilman Forshee	Fire Chief LaScola
Councilman Nishimoto	Deputy Fire Chief Fickes
Councilman Ricks	Director, Recreation Dept. Ziegler
Councilman Sidell	Code Enforcement Officer Olson
Councilman Webb	Corporation Counsel Gingerich
	Corporation Counsel Culpepper
	Deputy City Clerk Pusti

The Mayor and Council met in Executive Session at 8:05 PM, March 11, 1974, in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance to the Flag, a motion to approve the minutes of the February 25 meeting and dispense with their reading was seconded and unanimously adopted..

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Lois M. Gosnell, Clerk of Board of Appeals for Prince George's County, Hyattsville, Maryland. Notice of Hearing on zoning violation at Lot 6, Block V, Carole Highlands, 7611 - 16th Avenue, Takoma Park, Md. to be held Monday, March 18, 1974, at 6:30 PM. (Planning & Zoning)
2. Frank Christensen, Principal, Takoma Park Junior High School, Silver Spring, Md. Letter praising Takoma Park Police and Fire Departments and suggesting that Corporal Jack Goetz be made Police Counselor at the school. (Council Files)
3. Phil Vogel, 7117 Garland Avenue, Takoma Park, Md. Letter in protest of cut-off date for voters' registration for the 1974 City elections. (City Administrator)
4. Elaine C. LaVaute, 240 Park Avenue, Takoma Park, Md. Letter suggesting that the invocation at Council meetings be replaced by a "reflection" period or "moment of silence". (Council Files)
5. Frances Olson - for Jennie Russell - 905 Davis Avenue, Takoma Park, Md. Letter complaining about deterioration of neighbor's property at 907 Davis Avenue, Takoma Park. (Housing & Code Enforcement)
6. Dennis D. Seekins, 8217 Roanoke Avenue, Takoma Park, Md. Letter requesting paved bike path through the park and - until such a path can be built - closing of Sligo Creek Parkway on Sundays to non-local traffic. (Law Enforcement)

- 2 -

March 11, 1974

FINANCIAL STATEMENT: City Treasurer Pridgen reporting.BANK BALANCES
as of February 28, 1974

Suburban Trust Co. - General Funds		
Balance, January 31, 1974	213,733.03	
February Receipts	<u>195,313.60</u>	409,046.63
February Disbursements		<u>140,163.06</u>
Balance, February 28, 1974		<u><u>268,883.57</u></u>
Suburban Trust Co. - Payroll Account		
Balance, January 31, 1974	15,108.92	
February Receipts	<u>92,712.83</u>	107,821.75
February Disbursements		<u>92,556.00</u>
Balance, February 28, 1974		<u><u>15,265.75</u></u>
Citizens Bank of Maryland - General Funds		
Balance, January 31, 1974	135.43	
No transactions during February	<u>- 0 -</u>	
Balance, February 28, 1974		<u><u>135.43</u></u>
Citizens Bank of Maryland - Special Assess. Fund		
Balance, January 31, 1974	196.60	
No transactions during February	<u>- 0 -</u>	
Balance, February 28, 1974		<u><u>196.60</u></u>
Citizens Bank of Maryland - Public Improvement Fund		
Balance, January 31, 1974	534.53	
No transactions during February	<u>- 0 -</u>	
Balance, February 28, 1974		<u><u>534.53</u></u>
American National Bank - General Funds		
Balance, January 31, 1974	80.73	
No transactions during February	<u>- 0 -</u>	
Balance, February 28, 1974		<u><u>80.73</u></u>
Citizens Bank of Maryland - Savings A/C		
Balance, January 31, 1974	171.31	
No transactions during February	<u>- 0 -</u>	
Balance, February 28, 1974		<u><u>171.31</u></u>
Petty Cash		<u><u>200.00</u></u>

Treasury Bond \$100,000 matured 2/28/74
Cost \$95,811.25

U.S. Treasury Bills				Cost	Maturity Value
Purchased	9/14/73	Maturity Date	3/14/74	95,515.14	100,000.00
"	9/21/73	"	3/21/74	95,992.78	100,000.00
"	9/25/73	"	6/4/74	94,590.00	100,000.00
"	10/4/73	"	6/4/74	<u>192,269.89</u>	<u>200,000.00</u>
				<u><u>478,367.81</u></u>	<u><u>500,000.00</u></u>

March 11, 1974.

MAYOR ROTH'S COMMENTS:

On the occasion of the 55th anniversary of Demolay, the Mayor presented a PROCLAMATION to two members of the Order of Demolay, Cornerstone Chapter:

Kim Schrock, Master Councilor
8906 Bradford Road, Silver Spring, Md., and

Lloyd Mitchell, Senior Deacon
14428 Marine Drive, Silver Spring, Md.

proclaiming March 11-18, 1974, to be observed in Takoma Park, Maryland, as INTERNATIONAL DEMOLAY WEEK, as an expression of the City's appreciation of the fine examples set by these young men (13-21) in preparing themselves as better leaders and citizens through programs including civic service and charitable projects.

- The Mayor introduced the Chairman of Prince George's County Board of Education, Colonel Chester Whiting, who is now a citizen of Takoma Park.
- The Mayor told of testifying in Annapolis to the House of Delegates' Ways and Means Committee on a bill, which - if adopted - would give Takoma Park a larger share of State income tax.
- He announced that the Park & Planning Commission has put out a publication on the Takoma Park Transit Impact Sector Plan, to be sent to Montgomery County Council for a final public hearing. Copies will be available at the Library, at the City Office, and probably also from the Park & Planning Commission.

Councilman Nishimoto said he was privileged to announce the appointment of Councilman Burgess to the post of Assistant Surgeon General of the U.S. Public Health Services.

There being no additional committee agenda items, the meeting was opened to

CITIZENS' REMARKS:

1. Shirlee Hutmire, 21 Columbia Avenue, commented on the suggestions contained in the petition concerning control of traffic on Park Avenue, which she uses a great deal. She recommended stop signs at Park & Spruce; "no through trucks" signs, and the speed limit reduced to 15 mph (because of children playing in the street). She did not feel that one-way traffic in the other direction would help and was against traffic bumps. She requested that parking be prohibited at Tulip and Carroll Avenues (by the Exxon station), where cars are often parked in the cross-walk, making crossing difficult, especially for elderly pedestrians.

2. Mrs. Samuel Cohen, 7815 Takoma Avenue, spoke of parking problems caused by Montgomery College students parking on residential streets. She suggested that the Council take action to protect the welfare of tax-paying citizens rather than catering to tax-exempted institutions and proposed that the Police Department be authorized to employ part-time help to do work similar to a "meter-maid", patrolling the residential areas around the college and ticketing illegally parked cars between the hours of 9:00 AM and 12 Noon, when classes are in session. She assured the Council that this would net the City more money than the extra help would cost in salary. She said that the college had rented a garage where students could park after paying a fee of \$10 in addition to tuition. She submitted a list to Police Chief Porter of 28 illegally parked cars that she had written up since March 5, 1974.

March 11, 1974.

ouncilman Nishimoto stated that a possible solution to the parking problems was on the horizon; that the County had introduced legislation providing for permit parking and was going ahead with it in spite of certain constitutional questions raised by the County attorney, and that the State of Maryland was also considering legislation authorizing local communities, such as Takoma Park, to provide permit parking. He expected to testify in hearings when the legislation was introduced. Other than that he promised enforcement of more stringent parking regulations.

3. Ellen Marsh, 7405 Maple Avenue, expressed her gratification that the METRO lot had been cleaned up. She recalled some talk of having grass there to prevent erosion and asked whether METRO could be approached in that connection. Mayor Roth said that once the grading had been completed, the matter of seeding the lot could be taken up.

4. Mark H. Levy, 319 Elm Avenue, complained about the cut-off date for voters' registration for the City elections and stated that the Charter did not mention a cut-off date, so he had sought legal counsel on that point. Mayor Roth referred the matter to the Corporation Counsel and to the City Administrator.

5. Robert H. Moore, 7314 Willow Avenue, expressed his interest in the City's parking problems. He urged that the City not wait for the County to act but take the initiative in establishing permit parking in the City now, before the problem gets even worse, which was bound to happen once METRO is here. Mayor Roth assured him that the Council is not "sitting on its hands, doing nothing", but is considering several possibilities. As regards METRO the Council can, with the concurrence of the citizens residing on those streets, pass an ordinance restricting parking in terms of numbers of hours allowed to park; this, however, would involve inconveniences for some citizens, but as METRO comes closer, the Council will work on it.

Mr. Moore read from a pamphlet, sent out by Washington Adventist Hospital to its employees, furnishing information as to where to register for voting, where the election will be held, etc., but containing in the same envelope, a second sheet listing the people running for office and speaking of the accomplishments of the present Mayor and Council. This, stated Mr. Moore, constituted campaign literature and was in violation of the City Charter, since it did not show from whom it emanated.

6. Kevin Patrick Dwyer, 7713 Garland Avenue, expanded on what Mr. Moore had said concerning the hospital pamphlet. He said that the list naming the people running for office had stars marked by the names of the Councilmen presently serving and 2 stars by Councilmen Forshee and Webb, as being Seventh-Day Adventists. He stated that the separation of Church and State had been adopted in this country a long time ago and ought to be upheld also in this election; but what he was seriously concerned about was that the material was not identified as to who had authorized it and paid for it. If nothing else, he felt that this was in violation of ethical principles and called on the Mayor and Council to disavow this type of campaign literature in front of the assembly.

7. Joseph Ferrier, 7413 Maple Avenue, pointed out that the flags in front of the Municipal Building ought not to be left up after sundown and in rain. - He said that he had been gratified at the praise of the Police Department, contained in School Principal Christensen's letter, and hoped that this would help to encourage the City to raise the police salaries.

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March 11, 1974.

- As president of the Senior Citizens Group Mr. Ferrier mentioned having had Councilman Nishimoto and Mrs. Porter come to greet the group. In the interest of fair play he now invited Mayor Roth to attend a meeting on Wednesday, March 13, at 11:00 AM.
- He recommended that the citizens on Park Avenue be granted the same privilege of parking on both sides of the street as those on Maple Avenue.
- Speaking of parking he stated that the young people at Montgomery College should be ticketed by the police when illegally parked.
- As to voter's registration he expressed the hope that the cut-off date would be extended.
- He was gratified that a public hearing would be held on the problems of the fire fighters.
- He praised the new TESS directory as a step in the right direction - even if it did not entirely fill the need for a City Handbook.

8. Colonel Chester Whiting, 7325 Glenside Drive, said that he hoped not to be ruled "out of order" because he had no complaints. On the contrary, he had been almost overwhelmed by the services the City of Takoma Park offers when he first came here about 2 years ago. He especially praised the trash collections, the Police Department and the Fire Department and expressed the hope that a satisfactory solution could be worked out for the fire fighters.

9. Harold Sorensen, 317 Lincoln Avenue, referred to what Councilman Ricks had stated at the February 25 meeting about having trouble with the Montgomery County Landlord-Tenant Relations Act and asked him to specify exactly what kind of trouble Montgomery County had experienced with that law. Councilman Ricks responded that he was not prepared to be specific at this time. Mr. Sorensen asked that Councilman Ricks prepare himself to furnish details at some future meeting, stating that he had spoken to Neal Potter, Mr. Hamilton, and Councilwoman Idamae Garrett, and that none of them knew of any problems in that area. He said that it was immaterial to him, whether the City adopted the Montgomery County Act with their control or arranged for its own control, so long as something is done to protect the tenants of this community. He also requested a reply to his letter of February 4, 1974, in which he had asked the City to withdraw the eviction notice and stated that he had been unable to find a comparable apartment at \$80 a month. He told of talking on the telephone with City Administrator Pridgen about permission to review the records of the Public Works - specifically inspection sheets - and then, when he had taken off from work to come and look at them, being denied access to the records by the Director of the Public Works Department, Mr. Barile. He read from Ordinance #2073 that "the records shall be open to public inspection" and stated that he wanted access to those records.

10. Everette E. Larson, 227 Grant Avenue, expressed his appreciation that something is being done about the B & O commuter rail stop in Takoma Park, which had been discontinued. He mentioned in this connection that as of March 1, the State of Maryland is contributing \$43,000 per month to continue current rail commuter service. He suggested that the Council write a letter to the Secretary of Maryland Department of Transportation, Mr. Harry Hughes, in support of re-opening the Takoma Park rail stop, or - as an alternative - getting a stop in North Takoma. He thought it would be interesting to know whether Takoma Park tax-payers are paying for the Silver Spring stop while not having a stop in Takoma Park.

11. Frances Phipps, 7210 Holly Avenue, suggested for the next Caucus to have the candidates make an acceptance speech to give the voters an impression of themselves. To save time she suggested having only two seconders for each candidate in addition to the nominator.

- Referring to the question of grass seed at the METRO site, Mrs. Phipps said that this had been promised and that METRO should be reminded of it. She suggested that METRO also be told to connect their sewer pipes to the main sewer system. This had not been done at Eastern Avenue and had caused serious erosion problems.

12. Mark H. Levy, 319 Elm Avenue, expressed shock at what Mr. Moore and Mr. Dwyer had revealed. He said that even if it was not in violation of law, it did violate his feelings of ethics and fair play and was not something to be amused about, as obviously some Councilmen were. He stated that he intended to make an issue of it and added that the Mayor and Council had been called upon to respond and in his opinion had an obligation to do so. Councilman Burgess said that what he had found amusing was getting a star, and he stressed that if a Councilman could not keep his sense of humor, he would never be able to suffer the likes of Mr. Levy. Councilman Ricks stated that while he resented having his character and his ethics attacked, he did not feel compelled to defend himself merely because his name had happened to be on the list in question. Mr. Levy said that what he wanted to know was: Who authorized it and who paid for it. Councilman Forshee stated that this was the first he had heard of it. Councilman Webb stated that the Seventh-Day Adventist Church is for separation of Church and State. His wife, being an employee of the Adventist Hospital, had received the pamphlet discussed in the mail, that the envelope had been clearly marked with the emblem of the hospital and that the pamphlet probably had been put out by the Public Relations Director of the hospital. He suggested that the matter might be taken up with the hospital.

13. Daniel Jay Dick, 7402 Maple Avenue, took up the question, raised by Mr. Ferrier, concerning the flags in front of the Municipal Building. He pointed out, that if the flags were illuminated, they could be flown 24 hours, which is being done at many public institutions. Otherwise it constitutes a violation of the flag code to fly the flags after sundown.

14. Dolores Stowell, 7704 Takoma Avenue, praised the Police Department's prompt response to calls.

15. James Welu, 7330 Piney Branch Road, saw no reason for a cut-off date for voter's registration and claimed that many people were not even aware of the upcoming City elections as yet. Mayor Roth reminded him of the fact that the elections had been announced in the City Newsletter.

16. Richard Clark Burdine, 7129 Sycamore Avenue, suggested that consideration be given to keeping the City Records and Offices open to the public at least two nights a month to give the citizens a chance to review records and discuss problems with the City Administrator without having to take time off from work.

- Referring to the question of campaign literature Mr. Burdine stated that he had been in the office of the Community Secretarial Services, which publishes "The Pennysaver", and there noticed a quarter page ad, ready for publication, which looked like it was taken from the campaign literature sent out by CITIZENS FOR SOUND GOVERNMENT, but had no authorization stated. There was some discussion as Mr. Burdine wanted to know who had paid for the ad and why it had not been authorized. */

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On Tuesday, March 12, Mr. Burdine came to the City Office to correct his statement. He had only seen the draft for the ad, not the final printing, which did carry proper authorization.

17. Ann I. Edwards, 7111 Garland Avenue, welcomed the new Assistant City Administrator and expressed the hope that he would soon take up residence in Takoma Park.

18. Daniel Jay Dick, 7402 Maple Avenue, pointed out that the Newsletter contained nothing about a cut-off date for voters' registration.

19. Harold Sprensen, 317 Lincoln Avenue, referred to Mayor Roth's statement at a previous Council meeting, that the City of Takoma Park has no authority to issue a license to a landlord for renting out his apartment. He stated that according to the City Charter, apartments have to be registered for a fee, and this he considers the same thing; whether it is called license or registration, it constitutes a permit for a landlord to rent out his apartment. There was some discussion between the Mayor and Mr. Sorensen. Councilman Ricks pointed out - in reply to Mr. Sorensen's earlier request for information on problems with the Montgomery Landlord-Tenant Relations Act - that he had NOT meant to indicate that there were problems with the law itself, but that there were violations in Montgomery County. Mr. Sorensen said that this was understandable and added that he had been advised to talk to his landlord about his eviction problem; this he had done, and his landlord had said that he was not evicting him, so - if the City also is not evicting him - perhaps he should just stay on.

20. Richard Clark Burdine, 7129 Sycamore Avenue, told of having met some new residents in Takoma Park, Prince George's County, who were not yet registered, and asked whether they would be able to vote and whether they could come for a discussion with the City Administrator. He was told they could come to the City Office any week-day between 9:00 AM and 5:00 PM.

COMMITTEE REPORTS:

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

Councilman Ricks reported on a meeting of the Animal Control Committee, where Mrs. Cangialosi, Mr. Griffith, Mr. Adams, Mr. Ferrier and Police Chief Porter had been present. He talked at some length of the problems that had been discussed, relating to the control of various animals and read from a "model ordinance" concerning possible remedies. The Mayor and Council suggested that perhaps Councilman Ricks could have a meeting with those citizens who were interested in the work of the Animal Control Committee and had requested the report on the activities of said committee. Councilman Ricks was agreeable to this suggestion.

- As to the work done by the C.I.B. he told of going on an inspection tour recently and being very much encouraged by what had been accomplished around the City in the way of paint-ups and restorations.

PUBLIC WORKS COMMITTEE: Councilman Burgess, Chairman, reporting.

Discussion:

190. Hammond Avenue - request to re-establish 2-way traffic. It was suggested that this item be moved to the Law Enforcement Committee, as it no longer involved the removal of stop signs primarily but the re-establishment of 2-way traffic. The Mayor said that he would take it under consideration.

Action:

160. Consideration of Montgomery County Beverage Container Deposit Bill. Councilman Burgess reported that at a hearing on this item before Montgomery County Council, March 7, 1974, it had been decided that the County staff develop a model ordinance to be applied by all regional governing bodies. This would be sent out for consideration, and he wanted to know whether in principle the Mayor and Council were in favor of this procedure. There was general agreement.

204. Incline of temporary Juniper Street Pedestrian Bridge. Councilman Burgess reported that the bridge had been measured to be 28 steep (the Lerner had thought it was 40°); but in any case, he had personally determined that it was difficult to cross the bridge in snow and ice conditions. Mayor Roth stated that before anything could be done about redesigning the bridge, the County would have to reach a decision about it. In the meantime the bridge would have to serve - probably for a long time - as a temporary bridge. A question was raised about having steps built, but this idea was discouraged as it would make it difficult to push a bicycle across.

208. Request for authorization to erect Metrobus shelter. This shelter would be built at East-West Highway and Carroll Avenue, where the coin laundry is located. It had been noted that the bus service on East-West Highway was poor, even in rush hours, often involving long waiting periods for busses in rainy weather. Therefore, the Public Works Committee had recommended that the first test shelter be placed at the N.E. corner of Philadelphia and Maple Avenues.

- By way of information Councilman Burgess stated that according to a 5-year program, 200 shelters would be placed throughout Montgomery County, and that 20 sites - including this one - had been chosen so far. He had been promised that Takoma Park would be consulted as to locations.
- Councilman Burgess requested authorization to proceed to advertise for bids for the purchase of a half-ton truck (an amount of \$2,500 is in the budget for this purpose). The motion was seconded and unanimously approved.
- As to the trial newspaper collection project he thanked Mrs. Ziegler for her art work and write-up in the Newsletter. He reported a good response: 7750 lbs. collected and sold for a price of \$77.50 (\$1.00 per 100 lbs.). He encouraged the citizens to keep plugging for this project and said, that if it continued to be successful, the trial period might be extended.

FIRE PROTECTION COMMITTEE: Councilman Sidell, Chairman. No report.

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

Discussion:

170. Psychiatric halfway house, 6819 Red Top Road. This item had been discussed before.

191. Alteration/extension of day nursery on Flower Avenue. This day nursery is located next to an empty lot and wants the use of that lot as a playground for the nursery.

194. Possible zoning violations at 7112 Willow Avenue. This is being looked into.

195. Request to restore the B & O Takoma Park station. Councilman Faulkner confirmed what Mr. Larson had said, that \$43,000 a month is being supplied by the State in support of rail stops. He told of having attended a meeting on March 5, in the Montgomery County Office Building, where commuter rail facilities were discussed. At that meeting a plan was presented, according to which it would cost 1,6 million dollars to modernize the rail stations along the route between Dickerson and Silver Spring. It was noted that there had been a significant increase in the use of commuter rail: For the early morning train there were (based on a test period of 2 weeks) in November 1973: an average of 88 commuters to D.C. - 2 weeks ago the number had increased to 125. For the next train there were in November 1973: 368, today 525. As a result, a commuter train had been added in the morning and

one in the afternoon. The County is going to ask that the B & O station in Takoma Park be moved from its present location to the location of the METRO station, but this will probably not happen until the construction work is finished. In the meantime Councilman Faulkner hoped that it would be possible to have the present station re-opened; at any rate he would follow Mr. Larson's suggestion and approach Mr. Hughes directly. He said that out of the 1,6 million dollars cost, more than half would go to parking lots. He handed the City Administrator a preliminary graph of the project, adding that it showed very little being done for parking in Silver Spring.

FINANCE COMMITTEE: Councilman Forshee, Chairman, reporting.

Action:

118. Request for City to retain 8 Sherman Avenue. Councilman Forshee stated that this item should have been under "discussion". It had been discussed before what to do with this property, which is presently used for recreational purposes; whether it should be rented, sold, or what. He invited the citizens' ideas.

Administrative Action: Personnel: Upon the resignation of Mrs. Martha U. Paull, as of February 22, 1974, Miss Linda Cain was appointed as her replacement in the position of Departmental Assistant, effective March 4, 1974, at a starting salary of \$7,513 per annum. Councilman Forshee moved to accept Mrs. Paull's resignation and approve Miss Cain's appointment. The motion was seconded and unanimously adopted.

Appointment of Election Officers: Councilman Forshee moved that the following ordinance be adopted:

ORDINANCE NO. 2300

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

SECTION 1. THAT the following registered voters of the City of Takoma Park, Maryland, have been selected to serve as Election Officials for the City election of Mayor and Council on March 26, 1974:

Betty C. Cook, 7400 Glenside Drive
 Laura D. French, 7413 Birch Avenue
 George Friedrich, 8005 Carroll Avenue
 Mary K. Gately, 7520 Maple Avenue
 Truman Hendrix, 107 Sheridan Avenue
 Muriel N. Hoover, 7316 Baltimore Avenue
 Floyd W. Kester, 7116 Poplar Avenue
 Claire B. Kozel, 7804 Wildwood Drive
 Alfred L. Lillie, 25 Philadelphia Avenue
 Gibson E. McKenzie, 7401 Carroll Avenue
 Ellen Marsh, 7405 Maple Avenue
 Joanne M. Mood, 7019 Eastern Avenue
 Katherine W. Paterson, 514 Albany Avenue
 Herbert D. Smith, 11 Pine Avenue
 Marvel A. Werner, 17 Darwin Avenue
 Evelyn C. Williams, 8109 Sligo Creek Parkway
 Octa B. Winter, 7403 Hancock Avenue, Apt. #202
 Margaret E. Zea, 422 Ethan Allen Avenue

The ordinance was seconded and carried by roll call as follows: Ayes: Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell, and Webb. Nays: None. Abstaining: None.

March 11, 1974.

Councilman Burgess noted that at previous elections, the citizens had always complained that the posts of election officials were not sufficiently publicized to give more people a chance to offer their services. This time it was, and still there had been barely enough applicants to fill the 18 positions.

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

Councilman Webb made the following announcements:

- March 12, 8:00 PM in the Municipal Building - meeting of the Independence Day Committee.
 - March 15, 7:30 PM at the Firehouse Gym - Kiddie Movie: "The Monkey's Uncle".
 - March 27, 8:00 PM in the Municipal Building - meeting of the Recreation Council (this meeting was originally scheduled for March 26)
 - March 27, 7:30 to 9:30 PM Auto Mechanic Classes begin at the Co-op Self Service Station. Anybody interested should call the Recreation Dept.
 - April 1, 7:30 to 9:30 PM at the Firehouse Gym - Co-ed Volleyball (for adults only) Registration and **start of activity.**
- In April classes begin in: Basic Photography, Flower Arranging, Sewing, and Stained Glass.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto, Chairman, reporting.

Discussion:

198. Request to discontinue use of Birch Avenue as sledding area. Councilman Nishimoto said that instead of discontinuing sledding on Birch Avenue, it had been arranged with Police Chief Porter to have the Youth Officer and the Recreation Director work with the parents to supervise the sledding area and prevent bonfires and other mischief from taking place. He hoped that this way the problem would be solved and suggested that the item be removed from the agenda.

207. Petition on traffic control for Park Avenue and nearby streets. This is under consideration.

Action:

202. One-way designation of Wabash between Flower and Roanoke. According to reports received from the Police Department, listing where accidents take place in Takoma Park, one danger spot is at the intersection of Wabash and Flower Avenues. This, however, had nothing to do with one-way traffic. He suggested that the item be removed from the agenda. There were no objections.

Administrative Action:

Councilman Nishimoto proceeded with the FIRST READING OF A PROPOSED ORDINANCE to amend the City Code as follows:

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

SECTION 1. THAT Sections 13-62, 13-63, 13-64, and 13-67, Article 7."Stopping and Parking", Chapter 13, of the Code of Takoma Park, Maryland, 1972, be amended to read as follows:

Section 13-62. Parking so as to impede traffic prohibited.

No person shall cause, allow, permit or suffer any vehicle registered in the name of, or owned or operated by him, to be parked, or left standing, in any manner which interferes with, or prevents, free passage of other vehicles in either direction.

Section 13-63. Parking prohibitions.

(a) No person shall cause, allow, permit, or suffer, any vehicle registered in the name of, or owned or operated by him, to be stopped, left standing, or parked, in any of the following places, except in compliance with the directions of a police officer:

- (1) With an intersection;
- (2) On a crosswalk;
- (3) On a bridge, or underpass, or approach thereto;
- (4) Within forty (40) feet of the curb lines of all intersections, or alongside any painted portions or areas of the curbs, whenever the curbs were painted at the direction of competent authority;
- (5) Within twenty-five (25) feet from the approach to any "Stop", "Slow", or "Speed" sign, located at the side of the highway;
- (6) Upon any highway in front of or along the side of any school, public or private, during any hours when the school is in session;
- (7) Alongside of, or opposite to, any street excavation or obstruction;
- (8) On any highway for the purpose of making repairs, except those of a minor nature, and then only in case of emergency;
- (9) In front of any barricade or sign that has been placed for the purpose of closing a highway; and
- (10) Within three (3) feet of the front or rear of another vehicle or vehicles parked at or parallel with the curb.

Section 13-64. Parking or standing; prohibited areas.

- (a) No person shall cause, allow, permit, or suffer, any vehicle registered in the name of, or owned, or operated by him, to be parked, or left standing, in any of the following places:
 - (1) At any time, at any place, or within any area, where official traffic signs, or "Parking" signs, have been, or shall hereafter be, erected prohibiting standing or parking at any time;
 - (2) At any place or within any area where official traffic signs, or "Parking" signs, have been, or hereafter shall be, erected prohibiting parking within certain hours, or for more than a given period of time, within those hours during which parking is prohibited, or for a longer period of time than is prohibited, as indicated respectively by any such sign;
 - (3) On a sidewalk space, or on a public parking between the curb and building line;
 - (4) Within fifteen (15) feet of a fire hydrant;
 - (5) In front of any fire station;
 - (6) On any highway or roadway for more than eighteen (18) consecutive hours;
 - (7) In any public alley, where official signs prohibiting parking have been or shall have been placed, except when actually engaged in receiving or unloading merchandise;
 - (8) In or upon any public highway, street, alley, court, or roadway, when parking will obstruct the open ingress and egress of other vehicles, or in front of or within five (5) feet of a public or private driveway, except when necessary to avoid conflict with other traffic, or in compliance with law, or upon the direction of a police officer; and,
 - (9) Within the front setback area of any lot in a residential zone, or the side setback area facing a street on a corner or reverse corner lot in a residential zone on any space other than on a permanently constructed driveway within front or side setback areas provided that any vehicle shall have displayed thereon a current license plate.

March 11, 1974.

Section 13-67. Parking commercial vehicles in residential zone prohibited; exceptions.

No person shall cause, allow, permit, or suffer any commercial vehicle registered in the name of, or owned, or operated by him, to be parked or left standing on any public highway, in front of, alongside of, or in the rear of, any residentially-zoned property, except when actually loading or unloading merchandise.

SECTION 2. THAT this ordinance shall become effective upon adoption; to be incorporated in the minutes. This was agreed upon.

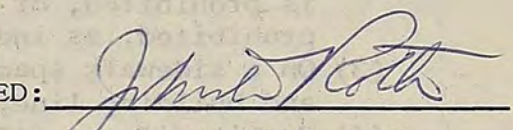
Councilman Burgess inquired whether the Law Enforcement Committee had looked into the question of having a light installed at Wabash Avenue. This situation had been checked by the Director of the Public Works, who had suggested a survey. Councilman Nishimoto replied that the problem of insufficient lighting should be taken up with PEPCO by the City Administration.

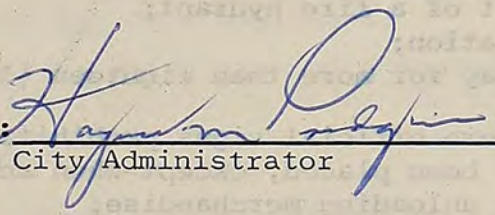
COUNCIL AS A COMMITTEE OF THE WHOLE: Mayor Roth, Chairman. No report.

SPECIAL LIBRARY COMMITTEE: Councilman Webb, Chairman. No report.

Mayor Roth commented on the public participation, referring to the material that Mr. Moore had brought up, jumping to the conclusion that the Mayor and Council were responsible for it. He emphatically denied any connection with it, and Councilman Nishimoto joined him in stating that the Council did not know anything about it.

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:35 PM, to reconvene Monday, March 25, at 8:00 PM.

APPROVED: 
Mayor John D. Roth

ATTESTED: 
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING

ON THE FINANCING OF THE FIRE DEPARTMENT

March 18, 1974, at 8:00 PM

Present at the hearing were: Mayor Roth, who conducted the hearing, Councilmen Burgess, Faulkner, Forshee, Nishimoto, Ricks, Sidell, and Webb; furthermore City Administrator Pridgen, Assistant City Administrator Gilsdorf, Deputy City Clerk Pusti, Fire Chief LaScola, Deputy Fire Chief Fickes, Police Chief Porter, Director, Recreation Department Ziegler, Director, Public Works, Barile.

The Mayor opened the hearing at 8:00 PM, announcing that the meeting was to discuss a difficult situation at the Fire Department, a situation which had been described in a Special Issue of the Newsletter. He briefly outlined what had taken place so far as follows:

On February 5, 1974, members of the City Council had met with representatives of the paid fire fighters to discuss their proposals for increased pay and benefits. It had been pointed out that Takoma Park is the only city in the two counties (Montgomery and Prince George's) to have a paid fire force, and that their pay and benefits lag behind those paid by the counties. In Takoma Park the beginning pay is \$9,277, while in Montgomery County it is \$10,105; in higher ranks the difference is even greater. The paid fire fighters had asked that either the City pay county rates or find a way to bring them into the county personnel system. Realizing that this was a serious and complicated problem, a meeting had been arranged with David Gratz, the Director of Fire Services of Montgomery County, on February 13, in order to get his advice. Then, followed on February 19, a meeting with representatives of the Takoma Park Volunteer Fire Department (TPVFD) to explore the Volunteers' views. The Mayor and Council had finally concentrated on 3 alternatives that appeared to be workable:

ALTERNATIVE No. 1: Continue City financing and operation by trying to pay the increases in salaries and fringe benefits out of the City's tax money. The estimate of the additional cost is around \$100,000 a year, which was a large amount of money when considering that the Fire Department is only 20% of the City's work force and that in the upcoming budget the City is trying to increase the pay of all City employees.

ALTERNATIVE No. 2: Make a Contract with Montgomery County. This would permit the Takoma Park fire fighters to enter the county pay and fringe benefit system and would mean that the concept of the Consolidated Fire Tax District could be applied to Takoma Park.

ALTERNATIVE No. 3: Seek a change in Montgomery County law to legally place the City under the Consolidated Fire Tax System, allowing the Volunteers to operate the Fire Department, provided this could be worked out so that the residents of Prince George's County would be under the same service for equal cost.

It was pointed out that no detailed negotiations had taken place as yet with the counties, as the Mayor and Council first wanted to present the problems to the citizens of Takoma Park and hear their reactions, before taking any action. That was the purpose of the Special Newsletter and of the hearing. The Mayor then opened the hearing to the citizens suggesting that they limit their talks to 3 minutes each and make their remarks relevant to the alternatives as stated in the Newsletter, of which copies were available at the hearing. He also asked that the citizens address the City Council - not each other. There might not be a chance for anybody to speak twice, and the citizens of Takoma Park would be given first preference. The TPVFD had asked to start the hearing with

March 18, 1974.

a 10 minutes' presentation, stating their suggestions and showing slides.

1. Paul O. Davis, 12 Grant Avenue, of the TPVFD Inc., spoke of the historic background of the fire service. The City of Takoma Park came into existence in 1890, and 3 years later, the Takoma Park Volunteer Fire Department was organized. Slides were shown of the fire house, the equipment and the fire fighters and of parades they had participated in during the years. Until 1948, the fire service had been supplied by the Volunteer Fire Department, which raised the funds through carnivals and other activities, but due to difficulties in finding volunteers for the day-time hours and in raising sufficient funds, the Volunteer Department asked in 1948 that the City take over the operation and funding of the fire service. What the Volunteers now suggested was that instead of the City of Takoma Park being responsible, the TPVFD take over the responsibility and the administration of the fire service. In 1967-68 a referendum was held in Montgomery County concerning a new Fire Bill, and as a result 16 independent fire companies and 2 independent rescue squads were incorporated into the Consolidated Fire Tax District. TPVFD would administer the Fire Department and submit their budget to the Montgomery Fire Board like the other companies. Each company has 2 delegates on the Fire Board, and the Mayor and Council of Takoma Park would be represented on the TPVFD's Board of Trustees. Mr. Davis then listed the following 12 points on behalf of the Volunteers:

1. Through the use of the Consolidated Fire Tax District it should be possible to get sufficient funds to raise the present salaries to county levels.
2. TPVFD would press to have all present employees protected by a "grandfather clause".
3. TPVFD would press to have the present fire station renovated.
4. TPVFD would also press for more volunteer input and involvement through recruiting efforts.
5. By more efficient scheduling of the present fire crew TPVFD hoped to cut down on work week requirements for paid fire fighters. This would include the scheduling of paid fire fighters on week-ends and holidays.
6. TPVFD will implement the changes in management and ownership with the help of their attorney.
7. TPVFD will work toward bringing all present gear and protective equipment up to the standards of the Occupational Safety Health Act (OSHA).
8. TPVFD would press for operating a paramedical vehicle in the City of Takoma Park.
9. The City Council would furnish input through representation on the Board of Trustees.
10. Since most of the Volunteers are residents of the City, they would continue to be responsive to the wishes of the citizens of Takoma Park.
11. TPVFD would have the present House Siren replaced with more up-to-date Volunteer Alerting Systems.
12. TPVFD would guarantee that all future employees meet the present county personnel physical requirements.

He stated that all 12 points would be implemented by the TPVFD.

Councilman Nishimoto asked Mr. Davis what would happen to the Volunteers in the event Alternative No.2 was adopted, which would mean making a compact with the County for the fire services. Mr. Davis replied that this was a big unknown and that there was no provision for a volunteer fire department under Alternative No.2.

Councilman Burgess asked about fire protection for Prince George's County, and there was some discussion as to how this could be worked out. Mr. Davis stated that he thought the legal aspects of Alternative No.2 were far more difficult than under Alternative No.3. If the City contracted with TPVFD, the legal aspects could be handled by the Volunteers' lawyer, and that was what they recommended.

Councilman Forshee asked what control the County has over the Fire Board. Mr. Davis said that the County Council is responsible for appropriations to the Fire Board and that this is where the control comes in - under fire appropriations. Councilman Forshee said that it was his understanding that the Volunteers have a Board of Trustees, made up of 10 members, and that he would like to know how they were selected. Mr. Davis replied that they were elected by the membership of the Volunteers. Councilman Forshee asked what representation the City would have on the Volunteers' Board of Trustees. Mr. Davis said the City would have no representation, but that the TPVFD would propose to expand the Board membership to include representation of the Mayor and Council. Councilman Ricks inquired about the differences between Alternative No. 3 - (a) and (b) and Mr. Davis said that the Volunteers recommended (b). According to this, the fire fighters would seek the approval of Montgomery County, and they had received the impression from the County that whatever the Mayor and Council wanted would be the final program. He stated that Montgomery County hopes that Takoma Park will again become a Volunteer Fire Department, like all the others. There followed some discussion between Mr. Davis and Councilmen Nishimoto, Forshee and Faulkner as to how the City Council could make its voice heard at the Montgomery County Fire Board.

2. Bryan L. Breckenridge, 1102 Kirklynn Avenue, stated that he resides in Prince George's County and would lend his support to the Volunteer Fire Department's proposals. He felt that in this day and age the attitude of the Volunteers is a welcome one. He said that as far as he could see, the Volunteers' proposal was the only one which would allow the Fire Department to remain a Takoma Park Fire Department, serving the citizens of both Prince George's and Montgomery Counties. He recommended that a liaison be established between the Mayor and Council of Takoma Park and Montgomery County Council.

3. Carl G. Fiske, 6905 Prince George's Avenue, passed, stating that his questions had already been asked.

4. Dorothy M. Porter, 7305 Maple Avenue, stated that speaking on behalf of the Takoma Limited Committee, she would not announce their position on the Fire Department issue. She felt, however, that an equitable solution could have been found earlier and pointed out, that as to insurance for the fire fighters, the Charter contains a provision and that the City pays \$1500 a year as a retainer fee to an insurance consultant, whose services should have been used in this respect. Councilman Nishimoto reminded Mrs. Porter that this hearing was to decide what should be done about the Fire Department NOW - not to discuss the merits of what was done or not done years ago. There was some discussion and Councilman Burgess concluded that Mrs. Porter's position seemed clear : she did not want to take a position.

5. Mike Trainer, Representative of the International Association of Fire Fighters (IAFF), Montgomery County Local, yielded his time to the citizens of Takoma Park.

6. Jesse O. Gibson, 7807 Wildwood Drive, said that with the steadily increasing City taxes, there should be some way, in which the burden could be put on the shoulders of the County, where it ought to be. Councilman Forshee stated that the City tax might go down but that the County tax would go up - that one way or another, the fire service would have to be paid for. Mr. Gibson maintained that Silver Spring is not paying city tax while in Takoma Park, the citizens pay both City and County taxes. He felt that the City Council should look into the question of alleviating City and County taxes.

7. Walter Thaxton, 7516 Jackson Avenue, asked about the insurance for the fire fighters, which he stated was not adequate; he wanted to know the reason for this and referred to the insurance consultant who, he assumed, gave the Council information on such questions, so why had the Council not acted? Councilman Burgess replied that the reason was lack of funds - could the City pay both higher salaries and higher insurance premiums for its fire fighters? It should be kept in mind that there is more to Takoma Park than the Fire Department, and while it was not difficult to see what should be done, - when money is not available, it is difficult to decide on priorities. There was further discussion on the insurance question, which, the Mayor stated, could certainly be reviewed, but not at this meeting, which - as Councilman Burgess stated - was for the specific purpose of deciding on one of the stated Alternatives. Mr. Thaxton withdrew his question.

8. Robert Mandel, 7003 Woodland Avenue, asked Mr. Davis 1) whether under the proposals of the TPVFD there would continue to be paid firemen - Mr. Davis replied : Yes - and 2) whether under this proposal membership in the TPVFD, which elects the Board of Trustees, would be open to every citizen of Takoma Park or limited to those physically fit to fight fires. Mr. Davis replied that membership is open to all who can pass the physical requirements, in accordance with Montgomery County fire fitness standards. The Mayor asked whether membership required approval of the other members of the Volunteers. Mr. Davis said yes. There was some discussion.

Mr. Mandel stated that as regards the Fire Department it was of the utmost importance to have fire fighters responsive to the needs of the community and that he felt that Takoma Park had an excellent Fire Department. He also praised the Police and Public Works Departments and said that all the City employees deserved a pay raise and that if this was only possible by raising the taxes, he would be willing to pay more in taxes, and he urged the citizens of Takoma Park to consider the good value they are getting for their tax money.

9. Henry Marschalk, Takoma Park Volunteer Fire Department President, stated that he was a non-resident of Takoma Park, but that he had been a member of TPVFD for 40 years. As an authority on fire fighting he said that he had found that for a city the size of Takoma Park the Fire Department was excellent. A survey had established the fact that nationally volunteer fire fighters as a rule were more concerned about effectively fighting fires than about pay checks. This he found to be true in Takoma Park, and he stressed the harmony existing between the volunteer fire fighters and the paid men and said that the training provided at Maryland University was excellent and much appreciated by the fire fighters. The result was that all the men at the Takoma Park Fire Department were well qualified to fight fires and that they had a very competent administration as well. He elaborated on a

March 18, 1974.

point brought up by Mr. Mandel as to how effective the Fire Department is, and pointed out that the Fire Chief and he himself are on the County Fire Board, which examines all the budgets, submitted by the individual fire companies, and either approves or rejects these budgets, based on competent judgement. Thus, the Fire Board plays a very effective part in the entire operation.

Councilman Nishimoto also referred to Mr. Mandel's point of responsiveness to the needs of the community and said that there were 2 ways to evaluate this: 1) through the professional Fire Board, which will be checking in terms of response time.- In this connection he pointed out that the fire trucks are dispatched through Rockville.- 2) in terms of insurance rates, which he stated are low in Takoma Park, attesting to the effectiveness of the Fire Department.

10. Joe Ferrier, 7413 Maple Avenue, stated that as he understood the insurance question, in case of death, a fireman's widow would receive \$60 a month plus \$15 for each child, which he found much too little as nobody could live on that. He said that if Alternative No.3 is the best answer for the fire fighters, this should be decided on, and if it meant paying more in taxes, the firemen deserved an increase in pay and that he was certain the citizens of Takoma Park would feel that way about it.

11. Fred Joseph, Attorney, representing TPVFD Inc., stated that if the Volunteers' proposal would be adopted, there would be no more concern about the insurance question, since they would come within the County plan. As to what is involved with regard to a change in law, Mr. Joseph said that Chief Gratz and the County Attorney for Montgomery County had assured him, that each of the alternative proposals represented a viable plan. Chief Gratz and Mr. Gleason are not supporting any of the proposals but have said that they will support any proposal this Council makes. He mentioned emergency legislation and said that under the Montgomery County Code, anything can be written up as an "emergency". In Prince George's County it had been his experience in regard to Fire Department legislation, that they also passed it under emergency legislation, and that as such it entered into effect the day it was passed. He stated that the Montgomery County Union is supporting the Volunteers' proposal. He said that the proposal is unique in this area. Not only do they want input and are going to have members of this Council on the Board of Trustees of the Fire Department, but furthermore there will be members of the TPVFD elected specifically by the paid men. The paid men will have at least 20% of the members of the Board. At present most of the Volunteers on the Board are residents of Prince George's County, so they will look after Prince George's County citizens. Referring to the term "closed corporation" Mr. Joseph said that the TPVFD has no right to black-ball anybody without a very sound basis, and no right to discriminate because of race, religion, age, sex, or whatever - unless the person is unable to fight fires. He gave a few examples of how the Volunteers' program would benefit Takoma Park: 1. If in fact the proposals are adopted, the decision process would take place in Rockville. The Volunteers have written the Union that they are actively going to support a "grandfather" clause, that will grant every single paid man on the force and all paid personnel the opportunity to remain with the Fire Department. 2. When a fireman is not supported by the Fire Department's Board of Trustees when he has been dismissed for one reason or another, it is very lonely for him, and while on no account a man can be kept who is a hazard to himself or others, a locally based Board is more likely to fight for an individual, who may have served the City for years and therefore has a right to be protected, no matter what change will be decided on.

3. Another suggested improvement would be a grievance procedure under the Volunteer system, working with the Union. If for example an issue would be raised as to whether long hair would be a danger in a fireman's work; rather than having the man face the Council and waste their time, such a grievance would be taken up at a hearing on the local level, before the Board of Trustees and with the Union represented. Mr. Joseph stressed that this does not mean that the Volunteers want to divorce themselves from the City Council; in fact they want 2 members of the Council on their Board, and the physical fitness standards will not apply to the Councilmen.

During the ensuing discussion the Mayor and Council asked the attorney, Mr. Joseph, and the president of TPVFD Inc., Mr. Menedis, for legal and practical details connected with the Volunteers' proposals, and it was established:

- that the City Council - or any Takoma Park citizen, whether residing in the Montgomery County section or the Prince George's County section of the City - can make a complaint in Rockville, if he should be displeased with the fire service;
- that Alternative No.2 was not viable as it might not stand up in Court;
- that the Volunteers do not want any pay;
- that some of the paid firemen work as volunteers as well, which would not be permitted in the future because of the Union;
- that in the future paid personnel will not be acceptable as members of the Volunteers;
- that those paid firemen, who are on the Board now, would be permitted to remain, but that in the future paid firemen could not serve on the Board - problems were expected in this area;
- that it might be possible for the Volunteers to make a contract with Prince George's County without the passing of legislation or - if it should turn out that legislation was required - have it passed easily and rapidly as an Emergency Bill;
- that there would be no competition with Chillum-Adelphi Fire Department;
- that if the Volunteers are permitted to run the Fire Department, the Prince George's County section would continue to be served by the Volunteers, while the legal aspects are being worked out.

12. Abby Mandel, 7003 Woodland Avenue, was interested to know who would control the tax money and asked whether there would be a Takoma Park Fire Board or whether City Councilmen would serve on the County's Fire Board. Mayor Roth said that Councilmen would serve on the TPVFD's Board of Trustees and that the Mayor and Council already was represented on the County's Fire Board by the Fire Chief and Mr. Marschalk. Mrs. Mandel complained that there were no citizens on the County Fire Board to control the tax money. Mayor Roth explained that there is control, inasmuch as a public hearing is required for the budget of the County Fire Board. Councilman Nishimoto pointed out, that Gaithersburg, Rockville and Silver Spring all operate the same way, and that apparently there have been no difficulties. Mrs. Mandel stated that she would still prefer for the citizens to have a voice in how their tax money is spent. As to the suggested grievance procedure, she felt that the citizens would never even hear of it, as it would be handled by a "closed mini-government".

13. Mike Trainer stated that all there was to say had been said by Mr. Joseph.

14. Kathryn T. Simpson, 7300 Cedar Avenue, was for keeping the Fire Department under the City and would like to see the entire metropolitan region have

March 18, 1974.

similar services, with the firemen receiving equal benefits as far as possible. She felt it was difficult to offer any advice on controls without knowing more about the specifics.

15. Charles Fiske, 232 Park Avenue, told of having been involved as an active member of the Fire Department for 19 years. Speaking as a citizen, he referred to the concern expressed about the Council not having much of a say with only 2 representatives on the Volunteers' Board of Trustees, and said that the Volunteer fire fighters have less representation on the City Council right now, and that it had been that way since 1948. He assured the citizens of Takoma Park, that if the Volunteers' proposals were adopted, the City would get even better fire protection than is the case now, since - under the County - the Volunteers would get the money to up-date the equipment.

16. Jewell Turner, 226 Grant Avenue, wanted to know how the paid firemen in the Fire Department felt about the Volunteers taking over - whether they were in favor of it.

17. "A tax payer and paid fireman" spoke up and said that for his part he was not opposed to having it either way, so long as there was better fire protection for less tax money.

18. Dan Dick, 7402 Maple Avenue, asked why the Volunteers had turned the Fire Department over to the City in the first place. Mayor Roth replied that this was not relevant but that the problem had been twofold: money and manpower. Mr. Dick then asked how much rebate Takoma Park gets on the taxes - whether f.inst. a citizen of Takoma Park pays the same total tax as a citizen of Silver Spring - and he went on to assume that if the Fire Department is turned over to the Volunteers, the money paid by the City to provide fire service would be freed for other purposes. Would this mean lower taxes? Councilman Forshee said that if the Fire Department comes under the County, the County taxes would be increased with a fire tax of 31½ cents. Mayor Roth added that at present every resident of the Prince George's County section is paying 25 cents for county-wide fire protection without getting a rebate and is in fact paying double.

City Administrator Pridgen asked to be permitted to set the record straight on the insurance question, as he would not like to have people believing that the firemen only have \$60 a month insurance coverage. He stated that both paid and volunteer firemen, as well as all City employees, are covered under the Standard Workmen's Compensation Insurance Law, administered under Maryland State Law. Basically this provides 2/3 of the regular salary for disability with the City making up the difference. In the case of death, the maximum payment appears to be \$45,000, less any previous weekly benefits paid as a result of the specific injury. Furthermore the City has a Firemen's Blanket Accident Policy, covering both paid and volunteer firemen, paying \$25,000 for accidental death or dismemberment. All City employees are members of the Maryland State Retirement System, which provides a lump sum death benefit equal to the employee's current salary plus the employee's accumulated contributions plus interest (4%). This also includes disability retirement after 5 years of creditable service. The firemen also participate in Federal Social Security System, and all City employees are, at City expense, provided with Blue Cross-Blue Shield Preferred Hospitalization, Surgical and Major Medical coverage, equal to high option Federal. Furthermore the Fire Department personnel - including the Volunteers - are covered by a Special Honesty Bond through Montgomery County in case of accusations of theft in a fire or rescue incident.

19. Charney Harris, President of Maryland State/D.C. Professional Fire Fighters Union, stated that he had been in the fire service for 18 years but never as a volunteer. He praised the Takoma Park Fire Department as one of the best in the State of Maryland.

20. Mr. Dick asked Mr. Pridgen whether the Volunteers get paid any death benefits. Mr. Pridgen replied that under the State Law the Volunteers are covered by Workmen's Compensation Insurance on the basis of an annual salary set to \$600 for the purpose of establishing a premium.

Councilman Webb said that speaking as a citizen he would like to see the Fire Department operated by the Volunteers, and he suggested to take a poll in order to find out how many of the citizens present felt strongly about the various alternatives. He added that only those paying taxes to and residing in the City should participate in this poll.

21. Jack Mitton stated that since only abt. 1% of the citizens of Takoma Park were present, it would not be fair to take a vote. Councilman Webb said that there could be no harm in finding out how the citizens present felt about the issue, and Mayor Roth agreed to have a show of hands. Of the approximately 100 people present the show of hands for the various alternatives were as follows:

Residents for Alternative No.1	:	6
" " " "	:	2
" " " "	:	26

The Mayor closed the hearing at 10:36 PM stating that the Fire Department issue would be the first order of business at the next Council meeting, March 25, at 8:00 PM.

APPROVED

John L. Roth
Mayor

ATTESTED

Haynes M. Pridgen
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

March 25, 1974.

City Officials Present:

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

City Administrator Pridgen
Asst. City Administrator Gilsdorf
Police Chief Porter
Director, Recreation Dept. Ziegler
Director, Public Works, Barile
Deputy Fire Chief Fickes
Code Enforcement Officer Olson
Corporation Counsel Gingerich
Deputy City Clerk Pusti

Councilman Faulkner was excused.

The Mayor and Council met in Regular Session on March 25, 1974, at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance to the Flag, Elder Dale Hanna of Sligo Seventh-Day Adventist Church gave the invocation. A motion to approve the minutes of March 11, 1974, and dispense with their reading was seconded and unanimously adopted.

CORRESPONDENCE RECEIVED: City Administrator Pridgen reporting.

1. Edward A. Daniel, Director, Office of Transportation Planning, Montgomery County, Maryland. Letter with information on proposed Metrobus service improvements, to be subject of a public hearing to be held by WMATA on Wednesday, April 10, at 7:30 PM in the County Office Building, Rockville, Md. (Planning & Zoning Committee)
2. Ladies Auxiliary to the Takoma Park Volunteer Fire Department, Inc. Letter in support of the proposals by the TPVFD, Inc. (Fire Protection Committee)
3. Mr. & Mrs. Clyde Ebenreck, 705 Auburn Avenue, Takoma Park, Md. Letter concerning the financing of the Fire Department, suggesting a temporary tax increase to immediately bring the pay and benefits of the firemen up to regional standards. (Fire Protection Committee)
4. Mr. & Mrs. Clyde Ebenreck, 705 Auburn Avenue, Takoma Park, Md. Letter concerning the 6-week trial period for special newspaper pick-ups, protesting having to telephone every week. (Public Works Committee)
5. Mrs. Harry J. Souder, 8100 Hammond Avenue, Takoma Park, Md. Letter concerning City taxes; the condition of Hammond Avenue; and the lack of street signs there. (Files)
6. Nancy M. Moore, 7314 Willow Avenue, Takoma Park, Md. Letter reproaching Councilman Ricks for reading an old report of the Animal Control Committee at the March 11, 1974, Council meeting. (Housing & Code Enforcement Committee)
7. George A. Valainis, 8425 Pioneer Drive, Severn, Md. Letter requesting information on the small used clothing shop at the corner of Ethan Allen and Carroll Avenues, Takoma Park, Md. (City Administrator for reply after consultation with the Mayor and Council)

MAYOR ROTH'S COMMENTS:

- The Mayor called attention to March 25 being MARYLAND DAY, commemorating the anniversary of the landing of two ships, the ARK and the DOVE on St. Clements island, initiating the settling of the State of Maryland.

March 25, 1974.

- The Mayor announced that he was moving up as the first order of business the report of the Fire Protection Committee, in accordance with the discussions at the March 18 hearing.
- He complimented the Columbia Union College and Radio Station WGTS on the fact that two of their programs had won national awards, given by Ohio State University in cooperation with the International Institute for Radio & Television Broadcasters. The two award winning programs were related to Childrens' Educational Programs, conducted in cooperation with the D.C. schools. The writer and producer was Pamela Brooks, and the engineer was Mr. Frazier. The Mayor also complimented them on winning the award.
- He told of going last Saturday at 9:00 AM. together with Councilmen Ricks and Nishimoto, representatives of the Washington Sanitary Commission and Mr. Phil Vogel on a walk from Sligo Creek and Piney Branch down the creek to the City Line in Prince George's County to consult with the engineers on the new sewer lines that they are planning to put down. This was a preliminary walk-through to survey at the earliest point of the designed process, where the sewers might be considered to go. The engineers had pointed out, where curves would be made in the line to avoid cutting the largest trees, and where the line could be run under the stream bed and under the road. They hoped to do some additional design work within the next 3 months and to be able to issue invitations to bid some time this summer, with the construction work following in late fall.
- The Mayor closed by reminding everybody to vote in the City election the following day.

CITIZENS' REMARKS:

1. Harold Sorensen, 317 Lincoln Avenue, thanked Mr. Pridgen and Mr. Olson for informing him that the Code Enforcement records would now be open to public inspection; this would thus be one less thing for him to complain about.

- He expressed the hope that the Mayor and Council would not only listen to the citizens, but be responsive to them as well.
- He asked for permission to read his letter of February 4, 1974, to the Mayor and Council, as it had not been read at the February 11 Council meeting. He was asked to refrain from this, as it would take up too much time, and it was pointed out, that all the Councilmen had received copies of his letter.
- Mr. Sorensen said that he wanted to clear up the wide-spread misunderstanding that he wanted the City to grant a waiver of the BOCA Code to permit his apartment to remain on the market. This was NOT the case. In fact, he feels that the apartment should not be rented to another tenant until it is brought into compliance with the standards. What he is asking the City is THAT HE BE PERMITTED TO OCCUPY THE APARTMENT UNTIL HE VACATES IT ON HIS OWN ACCORD - then it can be closed. He felt that this request was only fair, considering the following:
 - 1) The yearly inspections, required by ordinance #2073, had not been carried out.
 - 2) For the last 20 years the City had accepted the registration fees for the apartment, although it had been cited for ceiling height violation in 1955.
 - 3) No action had been taken to close the apartment prior to December 19, 1972, 17 years after the first notice of violation and almost 2 years after he had moved in.

- 4) The Code Enforcement Officer entered the apartment on December 19, 1972, without Mr. Sorensen's knowledge or consent.
- 5) Had he been notified of the inspection and of the result in December 1972 or January 1973, he would have moved into a 3rd floor apartment.
- 6) He had been informed that the Code Enforcement Officer had every right to inspect the apartment and that this was for his protection, ^{ensure} that he was getting what he was paying for; but he did not think the Code Enforcement Officer had this right without his knowledge or consent.
- 7) Since for 20 years the City had not enforced its own ordinance, the City should take the responsibility for this and not blame it on the landlord - two wrongs won't make a right.
- 8) The fact that the City had adopted and is enforcing a law concerning basic minimum Housing Code Standards, without providing equal protection for tenants - such as contained in the Landlord-Tenant Relations Act, adopted by Montgomery and Prince George's Counties - abridges in Mr. Sorensen's opinion his privilege as a citizen and is against his constitutional rights under the 14th Amendment.

Mr. Sorensen appealed to the Mayor to grant his request for continued occupancy of his apartment, which would then be closed, once he had vacated it. If this request should be denied, however, he felt that he should be given the opportunity of presenting his case to an impartial, non-political Landlord-Tenant Commission, similar to what is enforced in Montgomery and Prince George's Counties, for a fair decision, by which then both the City and he would have to abide. He suggested the establishment of such a Commission, made up by an equal number of landlords and tenants and said, that he based this request on the fact that he paid taxes in Montgomery County, which - 3 years ago - had adopted a Landlord-Tenant Relations Act, that protects the tenants residing in Montgomery County. He added that he would not be penalized for the City's lack of insight in not having adopted similar legislation for Takoma Park, where two-thirds of the population reside in apartments. He stated that he did not intend to vacate his apartment on May 1, 1974, but would await a reply to his request. He suggested, that just as the citizens are expected to obey the laws of the community, so should the Mayor and Council uphold the laws governing the operation of the Code Enforcement Division.

- In order to affix the responsibility for what had happened, Mr. Sorensen demanded an immediate, public investigation of the Code Enforcement Division, its personnel and of present and past Councilmen responsible for the Division. This, he felt, would ensure that no other tenant would be faced with a similar case.

He further stated, that, since it was evident that part-time Mayor and Councilmen cannot effectively run a full-time City operation, consideration should be given to promoting Mr. Pridgen to City Manager with the Code Enforcement Officers directly responsible to him and under his close supervision, concluding that if the Code Enforcement Officers had done their job these past 20 years, he would not be in his present predicament.

Mayor Roth suggested that the Housing & Code Enforcement Committee comment on this, and Councilman Ricks agreed.

2. Catherine C. Wakelyn, 7419 Maple Avenue, thanked the two outgoing councilmen, Mr. Sidell and Mr. Burgess, for serving the City well, and added that she hoped Mr. Burgess' successor would have his refreshing sense of humor.

3. Charney Harris, President of the Professional Fire Fighters' Union (non-resident), stated that he would prefer to wait with his comments, until he had heard what decision had been made by the Mayor and Council on the Fire Department issue, since what he had to say would depend on that decision. He was advised that in that case he might have to wait with his comments to the next Council meeting.

4. Kathryn T. Simpson, 7300 Cedar Avenue, thanked the Mayor and Council for supporting the efforts of the Community Improvement Board. For the records she reported that the "ride-arounds" would be completed as of March 31, and that the C.I.B. would present a detailed report to the Council at the April 22nd meeting. Mayor Roth responded by voicing his own and the Council's appreciation of the work done by each member of the C.I.B. - He felt this work gave the citizens a good understanding of the Code Enforcement Officers' work. Councilman Nishimoto added his comments on the C.I.B., stating that the reason for its effectiveness was due to one person, Mrs. Simpson, who had been an inspiration to all the members.

5. Robert H. Moore, 7314 Willow Avenue, added his thanks to the Mayor and Council.

- He then gave the definitions of a "filibuster" and of "contempt", stating that he felt both terms could be applied to Councilman Ricks, who - at the March 11 Council meeting - had given a "filibuster" animal control report, showing his "contempt" for the citizens, who had requested such a report, by reading from a meeting held at least 1 1/2 years ago - the exact date could probably be established - and requested that the minutes be changed to show that this was an old report. (Secretary's note: According to Councilman Ricks, the reading was from a series of meetings, extending from September 1972 to the beginning of 1973). Mr. Moore charged Councilman Ricks with the burden of doing something about animal control in the City, since he had set up the committee to begin with.

- Mr. Moore complained that what he had said at the March 11 Council meeting had been misinterpreted in the minutes. His point in stating that illegal campaign literature had been sent out, had been merely to advise the Council of what had happened and to suggest that the Council take appropriate action. He had in no way meant to accuse the Council of knowing about it or participating in it. He added that in his opinion the organization in question stood in danger of losing its tax exempt status, if it engages in politics.

- Mr. Moore asked whether the minutes go to the Councilmen for approval before they are sent out to the public. City Administrator Pridgen informed him that this was not the case, but that the minutes were sent out simultaneously to the public and to the Mayor and Council, who approve them at the subsequent meeting.

- He referred to his discussions at the March 11 meeting with Councilman Nishimoto regarding parking, and a dialogue followed between them on the constitutionality of certain legislation. Mr. Moore then read from the minutes of the March 11 meeting and asked Mayor Roth to elaborate on what he had said about "considering several possibilities". Mayor Roth pointed out that Mr. Moore and Councilman Nishimoto had been discussing permit parking and that it was in that connection that he (the Mayor) had suggested that if permit parking could not be realized, other possibilities would have to be considered. Mr. Moore pointed out that as METRO comes closer, there will be more and more pressure for a huge parking lot on top of the hill. Councilman

March 25, 2974.

75

Nishimoto suggested that what Mr. Moore was thinking of was the development of a more effective bus system, and the Mayor agreed that this would certainly be necessary, since METRO had decided on a 100 car parking lot, a decision which would be difficult to change. Mr. Moore stressed that METRO was only a segment of the broad transportation system, and that he hoped the Council would push for a feeder bus system and that Takoma Park would not become a parking lot.

6. Joe Ferrier, 7413 Maple Avenue, told a story about a Mayor in Toledo, Ohio, called Golden Rule Simpson. He pointed out that he had not once heard any of the present Councilmen stress that such and such action should be taken because it would be good, or honest, or kind. He suggested that the Mayor and Council ponder this.

7. James J. Jeffas, 7600 Hammond Avenue, complained about the recent tax assessment and thought that it was too high and that the City Council should have objected.

- He asked about the tapes of the Council meetings and why they were not kept. He felt they should not be destroyed, but that the Council should make an ordinance to that effect, as the tapes might become important in a possible Court case. He criticized the summerized versions of the minutes, which, he said, he hardly recognized as being of the same meeting he had attended, and at best were only someone's interpretation of what took place, while the tapes were an accurate record of it. He suggested a jail sentence for anyone who erased the tapes.

- Referring to previous discussions about MAILS service (Metropolitan Area Interlibrary Loan System), making it possible to borrow a book anywhere in a given region and returning it somewhere else in the same region, Mr. Jeffas wanted to know why the Library Committee had not acted on that. He stated that he had requested institution of this service over a year ago, but had heard nothing.

- As to the Fire Department Mr. Jeffas said that, according to the minutes, the Fire Protection Committee had not submitted a report for a long time. Only when the situation got out of hand was something said about it. He felt the citizens should have been kept informed all along. He stated that in view of the high assessments, it would not be necessary to raise the City taxes in order to raise the firemen's pay.

- Mr. Jeffas resented Councilman Burgess turning over the Hammond Avenue issue to the Mayor for consideration. Councilman Burgess said that he had not turned it over to the Mayor but had asked the Mayor to have it turned over to the Law Enforcement Committee, as it no longer was a question of opening or closing the street - it was open - but whether it should be a 2-way street and the stop signs removed. This was what the Mayor had taken under consideration. As to the tapes, Councilman Burgess could see no reason for keeping them. They had been started about a year ago, when the Council meetings were running so long that nobody could cope with taking the minutes, and were meant solely as an aid to the secretary; once the secretary had checked her notes against the tape and the minutes had been written and approved at the subsequent Council meeting, the tapes should be erased and used again. There was some further discussion on the tape question, and Mr. Jeffas stated, that the Hammond Avenue question made a good example of where the tapes should have been kept, since he had understood at the meeting that the item had been given to the Law Enforcement Committee but dropped by that committee. Councilman Nishimoto stated that it had never been given to his committee, and Mr. Jeffas said: "Prove it!".

Councilman Burgess then read from the minutes of the March 11 meeting: ".... The Mayor said that he would take it under consideration", adding that this was exactly what had happened, and that it was now up to the Mayor to decide where the item should go, but that the item had NOT been dropped.

FIRE PROTECTION COMMITTEE: Councilman Sidell, Chairman, reporting.

Councilman Sidell thanked Mrs. Wakelyn for the kind words of appreciation.

- He said that the Mayor and Council had carefully considered the alternatives for the provision of fire service for Takoma Park and concluded, that the following action would be the best solution. He moved that the City of Takoma Park immediately request Montgomery County to place the City within the Consolidated Fire Tax District, and secondly that the City negotiate with the Takoma Park Volunteer Fire Department, Inc. to provide fire service. The motion was seconded by Councilman Nishimoto. Councilman Forshee said that he would assume there were quite a few things to be ironed out in connection with the negotiations and voiced concern - in view of the City election the following day - that the outgoing Council not bind the incoming Council but rather leave the determination to the latter. Councilman Nishimoto agreed that the final details would have to be worked out by the new Council but said that this motion was the preliminary step, which would enable the City to go ahead and begin negotiations with the Volunteers to operate the Fire Department and make arrangements for the paid firemen to receive the same salary as all the other paid firemen in Montgomery County. The final step, however, would be taken by the new Council. Mayor Roth added that the City would request the County to make the change in Law, which would have the effect of placing the paid men under the County system. As to the second question, the negotiations with the Volunteers to have them operate the Fire Department, there were a number of questions to be worked out, but - if this motion was passed - the negotiations could begin. Councilman Burgess felt the Council could not do anything else. He pointed out that the Council had listened to the paid men, to the Volunteers and, at the public hearing, to the citizens; that all the facts were in, and that the Council should now take action as quickly as possible. If the case were held up, waiting for the new Council to take over, there might be several new members, who did not know the facts or the background and would need time to familiarize themselves with everything before making a decision. He urged, therefore, that the Council proceed. Mayor Roth added that Mr. Harris had been told that a decision would be made at this meeting. Councilman Ricks pointed out that the Council had considered all the aspects of the case and investigated other possibilities, so that this was no hasty decision but one arrived at during long hours of deliberation. The motion was carried unanimously by voice vote, and the Mayor directed the Corporation Counsel and the City Administrator, with the help of the Fire Protection Committee and other Councilmen, to proceed immediately to 1) ask the County to change the Law, and 2) enter into negotiations with the TPVFD about a contract.

Mr. Harris got up to say, that - with the possibility of being ruled "out of order" - he wanted to express his gratification at the decision taken by the Mayor and Council. He felt that their careful deliberations had brought about a workable solution and one they could all be proud of. The Mayor ruled him "out of order", but thanked him for his comments. He said the Council would now proceed as rapidly as possible. He took this opportunity to ask Mr. Moore, Mr. Sorensen, Mr. Jeffas, and others to understand, that if it has appeared to them that the Council had not devoted enough time to their various problems, this was because it had been so involved in the Fire Department discussions, which came at the same time as preparations were going on for the upcoming

election. He stated that the decision on the Fire Department had been a very difficult one to make and that - if the hoped-for agreement was reached - the City would depend on the continued and strengthened cooperation of the TPVFD. Councilman Nishimoto commended the efforts of the TPVFD Inc., and said that - knowing the caliber of the Volunteers - he felt confident that the cooperation between them and the City would be harmonious and to everybody's satisfaction. Councilman Ricks, who is not on the Fire Protection Committee, requested permission to sit in on the upcoming negotiations. Opal Daniels asked to be allowed one question, but she was ruled "out of order" by the Mayor.

Councilman Sidell, continuing his report, asked the Council to approve the purchase of a new type of ambulance with paramedic equipment. This purchase had originally been planned for next year, but he had been given to understand that it was urgent and should not be postponed, and he had now received the specifications from Deputy Fire Chief Fickes. Councilman Nishimoto pointed out the importance of having such an ambulance and of being able to use the group of trained paramedics in Takoma Park, particularly in view of the City's large population of elderly people. Councilman Burgess stated that there were 4 trained paramedics and 6 in training in the City, so that an emergency crew would be available on a round-the-clock basis. He added that having an ambulance with paramedic equipment would mean that in an emergency the hospital doctor can, via 2-way radio, give instructions to the paramedic in the ambulance, so that the patient is immediately under doctor's care. Mayor Roth stated that he would want all the Councilmen to look at the specifications before taking a vote on it. Councilman Sidell stated that since the specifications had been approved by the Volunteer Fire Department, and the Committee was satisfied, he could see no problems and wondered what made this purchase so extraordinary. Mayor Roth recalled having experienced difficulties with the Fire Department in connection with specifications for a ladder-truck some years ago, which was why he wanted all the Councilmen to see the specifications. Deputy Fire Chief Fickes said that he would have copies of the specifications sent to all the Councilmen.

LAW ENFORCEMENT COMMITTEE: Councilman Nishimoto, Chairman, reporting.

Discussion:

211. Control of illegal parking in Montgomery College area.

- Referring to Mrs. Cohen's proposal at the March 11 Council meeting, Councilman Nishimoto said that a police officer had been temporarily assigned to patrol the area in question and to strictly enforce all parking ordinances.
- As to the report from the State Highway Administration on new traffic control devices, he voiced regret, that no official had come. Traffic lights had been promised in the various intersections in March, and, when nothing was done, he had invited an official of the SHA to come and report to the Council on the situation. He said that he would extend an invitation for the next meeting. There was some discussion, and it was suggested that the Mayor write a request, in strong language, to put some pressure on them to send either the lights or a representative - preferably the lights.

Administrative Action:

Amendment to the City Code (portions of Section 13, Article 7)

Councilman Nishimoto moved that Ordinance # 2301 - attached - be adopted. The motion was seconded and passed by roll call vote as follows: AYE: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, and Webb. NAY: None. Excused: Councilman Faulkner.

78 Councilman Nishimoto said that he had been asked, why the Police is not using radar. He explained that it would require 2 officers to handle it, but that the Police Chief had decided to try to work out some arrangement with 4 hours each week in high accident and hazardous locations. This would be effective immediately.

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

Discussion:

210. Code Violations at 907 Davis Avenue.

Councilman Ricks reported that 1st and 2nd notices had been given to the property owner and a Court summons for April 17, 1974. The property owner of 326 Lincoln Avenue had also been given 1st and 2nd notices and a Court summons for April 11, 1974.

- He wanted the record to state that the Code Enforcement Officers must at all times use the proper method of gaining entrance to a dwelling to be inspected.
- He further stated that the animal control item had not been dropped from the agenda of the Housing & Code Enforcement Committee.

PUBLIC WORKS COMMITTEE: Councilman Burgess, Chairman, reporting.

Discussion:

182. Proposed ordinance requiring separation of trash.

Councilman Burgess expressed his disappointment at the way the newspaper collections have been going down in volume; on March 13, only 2730 lbs., and on March 28, 2250 lbs. had been collected. There was some discussion about "the man in the blue truck", who also collects papers. Mrs. Moore said that on Willow Street the papers, placed at the curb, had not been picked up but were there for a whole week, getting wet and messy. More discussion followed, centering on the inconvenience of having to call Public Works every week for the newspaper pick-ups. Mr. Barile stated that it was most helpful for the Public Works to receive the calls in order to schedule the pick-ups, and that this also gave them a chance to warn citizens when the collections would not be made because of intervening holidays.

PLANNING & ZONING COMMITTEE: Councilman Faulkner, Chairman.

No report.

FINANCE COMMITTEE: Councilman Forshee, Chairman, reporting.

Administrative Action:

Referring to Ordinance # 2300, naming election officials - passed at the March 11 meeting - Councilman Forshee moved that the following amendment to that ordinance be adopted, as two of the originally appointed officials were unable to serve :

ORDINANCE # 2302

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

SECTION 1. THAT Ordinance # 2300, naming Election Officials, adopted March 11, 1974, shall be amended as follows:

Delete: Evelyn C. Williams, 8109 Sligo Creek Parkway
Margaret E. Zea, 422 Ethan Allen Avenue

Add: Alma Bergman, 19 Grant Avenue
Dolores E. Allen, 1312 Elson Place

The motion was seconded and carried by voice vote as follows: AYE: Councilmen Burgess, Forshee, Nishimoto, Ricks, Sidell, and Webb. NAY: None. Excused: Councilman Faulkner.

Personnel:

Councilman Forshee moved that the resignation of Maureen Pedone as of April 1, 1974, be accepted, adding his regrets at her leaving as she had done exceptional good work. The motion was seconded and unanimously adopted.

As a replacement for Mrs. Pedone he moved that the appointment of Joyce P. Staliper be approved, effective as of April 8, 1974, at a starting salary of \$6,262 per annum. The motion was seconded and unanimously approved.

Mr. Forshee further moved that Theodore Socha, who had served satisfactorily for a number of years, be promoted to Code Enforcement Officer at a salary of \$9,847 per annum, beginning February 1, 1974. The motion was seconded by Councilman Ricks and passed unanimously.

Discussion:

212. Request that City Office remain open 2 nights a month. This item was not discussed, and it was suggested that it be kept for the new Council to take up.

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

Report on Activities:

Councilman Webb announced:

- that the Recreation Council will meet Wednesday, March 27, at 8:00 PM, in the Municipal Building. (The meeting scheduled for March 26, was cancelled)
- that the House & Garden Tour will be Sunday, April 28, from 2-5 PM. Tickets available after April 8, at the Recreation Department and will be sold on the day of the tour in front of the Municipal Building.
- that the plant sale will be held Saturday, May 11, at Hodges Field, from 8:00 AM to Noon. The citizens will get an opportunity to purchase small azaleas in bloom during the month of April in addition to the plant sale. The azaleas may be purchased at the Public Works Department from 11:00 AM to 4:00 PM Mondays through Fridays.
- The annual Easter Egg Hunt for pre-schoolers through 2nd grade will be held Saturday, April 13, at 10:30 AM on the Takoma Park Recreation Center grounds.
- Anyone wishing to enter the Spring Flower Show to be held Sunday, April 21, and Monday, April 22, may pick up show schedules at the Municipal Library after April 8.
- that Special Easter Holiday activities for the elementary aged school children will take place at the Firehouse gym from 9:00 AM to 5:00 PM and are free.

COUNCIL AS COMMITTEE OF THE WHOLE: Mayor Roth, Chairman. No report.

SPECIAL LIBRARY COMMITTEE: Councilman Webb, Chairman. No report.

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

ORDINANCE NO. 2301

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND
SECTION 1. THAT Sections 13-62, 13-63, 13-64, and 13-67, Article 7. "Stopping and Parking", Chapter 13, of the Code of Takoma Park, Maryland, 1972, be amended to read as follows:

Section 13-62. Parking so as to impede traffic prohibited.

No person shall cause, allow, permit or suffer any vehicle registered in the name of, or owned or operated by him, to be parked or left standing, in any manner which interferes with, or prevents, free passage of other vehicles in either direction.

Section 13-63. Parking prohibitions:

(a) No person shall cause, allow, permit or suffer, any vehicle registered in the name of, or owned or operated by him, to be stopped, left standing, or parked, in any of the following places, except in compliance with the directions of a police officer:

- (1) With an intersection;
- (2) On a crosswalk;
- (3) On a bridge, or underpass, or approach thereto;
- (4) Within forty (40) feet of the curb lines of all intersections, or alongside any painted portions or areas of the curbs, whenever the curbs were painted at the direction of competent authority;
- (5) Within twenty-five (25) feet from the approach to any "Stop", "Slow", or "Speed" sign, located at the side of the highway;
- (6) Upon any highway in front of or along the side of any school, public or private, during any hours when the school is in session;
- (7) Alongside of, or opposite to, any street excavation or obstruction;
- (8) On any highway for the purpose of making repairs, except those of a minor nature, and then only in case of emergency;
- (9) In front of any barricade or sign that has been placed for the purpose of closing a highway; and
- (10) Within three (3) feet of the front or rear of another vehicle or vehicles parked at or parallel with the curb.

Section 13-64. Parking or standing; prohibited areas.

(a) No person shall cause, allow, permit, or suffer, any vehicle registered in the name of, or owned, or operated by him, to be parked, or left standing, in any of the following places:

- (1) At any time, at any place, or within any area, where official traffic signs, or "Parking" signs, have been, or shall hereafter be, erected prohibiting standing or parking at any time;
- (2) At any place or within any area where official traffic signs, or "Parking" signs, have been, or hereafter shall be, erected prohibiting parking within certain hours, or for more than a given period of time, within those hours during which parking is prohibited, or for a longer period of time than is prohibited, as indicated respectively by any such sign;

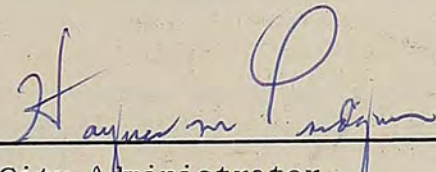
- (3) On a sidewalk space, or on a public parking between the curb and building line;
- (4) Within fifteen (15) feet of a fire hydrant;
- (5) In front of any fire station;
- (6) On any highway or roadway for more than eighteen (18) consecutive hours;
- (7) In any public alley, where official signs prohibiting parking have been or shall have been placed except when actually engaged in receiving or unloading merchandise;
- (8) In or upon any public highway, street, alley, court, or roadway, when parking will obstruct the open ingress and egress of other vehicles, or in front of or within five (5) feet of a public or private driveway, except when necessary to avoid conflict with other traffic, or in compliance with law, or upon the direction of a police officer; and,
- (9) Within the front setback area of any lot in a residential zone, or the side setback area facing a street on a corner or reverse corner lot in a residential zone on any space other than on a permanently constructed driveway within front or side setback areas provided that any vehicle shall have displayed thereon a current license plate.

Section 13-67. Parking commercial vehicles in residential zone prohibited; exceptions.

No person shall cause, allow, permit, or suffer any commercial vehicle registered in the name of, or owned, or operated by him, to be parked or left standing on any public highway, in front of, alongside of, or in the rear of, any residentially-zoned property, except when actually loading or unloading merchandise.

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

APPROVED: 
Mayor

ATTESTED: 
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

SPECIAL MEETING OF THE MAYOR AND COUNCIL

March 27, 1974

Mayor Roth called the meeting to order at 8:00 PM. Those present were: Councilmen Burgess, Ricks, Sidell and Webb; City Administrator-Clerk Pridgen; Election Officials George Friedrich, Dolores Allen, Alma Bergman, Betty C. Cook, Laura D. French, Mary K. Gately, Muriel N. Hoover, Claire B. Kozel, Alfred L. Lillie, Ellen Marsh, Joanne M. Mood, Marvel A. Werner, and Octa B. Winter.

Mayor Roth stated that the meeting had been called to permit the Election Officials to present the official results of the March 26, 1974 election to the Mayor and City Council. Mr. George Friedrich, Chairman, gave the following report:

Mayor and City Council
City of Takoma Park, Maryland

Mayor and Council Members:

The duly appointed and qualified Judges of Election have the honor to submit the following report of the City Election held on the 26th day of March, 1974, in the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland:

The Board was organized with the election of George Friedrich, Chairman; Alma Bergman, Dolores E. Allen, Betty C. Cook, Laura D. French, Mary K. Gately, Truman Hendrix, Muriel N. Hoover, Floyd W. Kester, Claire B. Kozel, Alfred L. Lillie, Gibson E. McKenzie, Ellen Marsh, Joanne M. Mood, Katherine W. Paterson, Herbert D. Smith, Marvel A. Werner, and Octa B. Winter, as Judges, after having taken the prescribed Oath of Office before the City Clerk. The polls were opened at the legal hour of 7 o'clock AM and closed at the legal hour of 8 o'clock PM.

The following candidates for Mayor received the number of votes set opposite their names:

Dorothy M. Porter	665
John D. Roth	1422

Candidates for Council Members received the following number of votes:

1ST AND 2ND WARDS, MONTGOMERY COUNTY

Roderic F. Davis	641
Robert A. Lazun	673
Mary Ann Medina	1197
Kenichi Nishimoto	1308
Juanita O. Penn	152

3RD AND 4TH WARDS, MONTGOMERY COUNTY

R. Clark Burdine	690
Vernon H. Ricks, Jr.	1333
Walter Thaxton	685
Joseph H. Webb	1225

5TH WARD, MONTGOMERY COUNTY

Kevin Patrick Dwyer 745
Clayton D. Forshee 1265

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY

Ann L. Edwards 699
Joseph H. Faulkner 1272
Frank V. Garcia 1158
Mark H. Levy 759

The following candidate for Mayor received the highest number of votes, and was duly elected Mayor for a period of two years from the second Monday in April 1974:

John D. Roth

It appears from the ballots cast that the following candidates for Council Members received the largest number of votes in their respective wards and were duly elected Council Members for a period of two years from the second Monday in April, 1974:

1ST AND 2ND WARDS, MONTGOMERY COUNTY

Mary Ann Medina
Kenichi Nishimoto

3RD AND 4TH WARDS, MONTGOMERY COUNTY

Vernon H. Ricks, Jr.
Joseph H. Webb

5TH WARD, MONTGOMERY COUNTY

Clayton D. Forshee

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY

Joseph H. Faulkner
Frank V. Garcia

The results of the election indicates that 2132 registered voters cast their votes, of which 47 were cast by absentee ballot. Mr. Pridgen, the City Clerk-Administrator, informs us that there were a total of 7210 certified registered voters, 4624 of which are registered in Montgomery and 2586 in Prince George's County.

Certificates of Election in accordance with the results stated above have been prepared, and it is my pleasure to present them at this time.

Respectfully yours,

/s/ George Friedrich, Chairman

After thanking the Election Officials, Mr. Pridgen and his staff for their efforts on Election Day, the Mayor adjourned the meeting at 8:20 PM.

Attest: Haynes M. Pridgen
City Administrator

Approved: John D. Roth
Mayor