

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

July 8, 1974.

City Officials present:

Mayor Roth
 Councilman Faulkner
 Councilman Forshee
 Councilwoman Medina
 Councilman Nishimoto
 Councilman Ricks
 Councilman Webb

Assistant City Administrator Gilsdorf
 Recreation Department Director Ziegler
 Police Chief Porter
 Fire Chief LaScola
 Corporation Counsel Gingerich
 Corporation Counsel Culpepper
 Deputy City Clerk Pusti

Councilman García was excused.

The Mayor and Council met in Executive Session on July 8, 1974, at 8:05 PM 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 June 10 meeting and dispense with their reading was made, seconded and unanimously adopted.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

The Mayor announced that as of July 1, 1974, the employees of the Fire Department of Takoma Park are on the payroll of Montgomery County and the operation carried out by Takoma Park Volunteer Fire Department Inc., this being the outcome of the negotiations and the public hearing on March 18, 1974. Thus, as of July 1, the fire service for the City of Takoma Park is on the same basis as Silver Spring, Hillandale, Kensington, Chillum-Adelphi, etc. - Takoma Park having been the only city in Prince George's and Montgomery Counties to have its own Fire Department. Essentially, the reason for this change was a long-term and escalating trend in costs which - it was felt - could be better handled this way. Nevertheless, the Mayor expressed a certain emotional loss in this connection, and in recognition of the fine service the Fire Department had rendered the City through the years, he read the following Resolution:

RESOLUTION

WHEREAS, on June 27, 1974, the Mayor and officers of the Takoma Park Volunteer Fire Department, Inc., entered into an agreement under which the City Fire Service would, beginning July 1, 1974, be operated by the Takoma Park Volunteer Fire Department, with funding to be provided under Montgomery County's Consolidated Fire Tax District and through Prince George's County contributions; AND

WHEREAS, the Mayor and City Council wish to express their appreciation for the dedication and excellence of service provided by the fire fighters who have served the citizens of our city for so many years and who will continue to do so.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of Takoma Park, Maryland do hereby express their gratitude to all those firemen who will leave the employ of the City, but will continue to serve its citizens, and wish to express particular appreciation to the men who have served the Fire Department for periods ranging from ten to twenty-seven years; namely, Fire Chief Stephen J. LaScola, Deputy Fire Chief Stanley R. Fickes, Captain Charles J. West, Lt. James E. Jarboe, Sergeant Robert E. Rhan, Sergeant Roland W. Schwartzbeck,

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Sergeant John H. Parsly, and Private Richard T. Hirsch.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be spread upon the permanent records of the City of Takoma Park, and that a copy be presented to the Fire Department.

Fire Chief LaScola was handed a bronze plaque, inscribed to the effect that the Mayor and Council honored him for his continued leadership and dedicated services during 27 years.

- Referring to a recent public hearing on the Takoma Park Master Plan for the Transit Station site, the Mayor announced a work session of the Montgomery County Council at COB, Rockville, on July 22, at 10:00 AM, to discuss what will be done on the Master Plan.

ADDITIONAL AGENDA ITEMS:

The Assistant City Administrator added a request for authorization to purchase some drinking fountains.

CITIZENS' REMARKS:

1. Kathryn T. Simpson, 7300 Cedar Avenue, felt it her duty, as chairwoman of the Community Improvement Board, to point out that the billboard advertising events is NOT dignified looking and should be removed at once.

- She complimented Public Works on the sodding of right-of-way strips around the City, both because it looks attractive and because it helps prevent ugly erosion.
- She recommended that the Public Works Department study a recently installed sidewalk around the Tidal Basin as this appears to be a new idea, probably less costly than cement, and much more attractive, with a natural environment appearance.
- She told of having noticed many garbage cans around the City without lids and suggested providing the Public Works Department with stickers to put on such garbage cans, telling the owners that it is against regulations.

Mayor Roth expressed interest in the new type sidewalk, mentioned by Mrs. Simpson, and suggested that Assistant City Administrator Gilsdorf and Public Works Director Barile go to the Tidal Basin to study it.

2. M. Magee, 7207 Holly Avenue, apprised the Mayor and City Council of what she termed an intolerable situation existing on Holly Avenue, where large numbers of youths roam the street nightly, racing their cars and motorcycles, drinking, shouting obscenities, hurling rocks, urinating in public, destroying fences, attempting arson, etc.etc., making Holly Avenue not only an undesirable place to live, but also unsafe. She presented a petition, signed by 46 residents of Holly Avenue, who had also come to the Council meeting in great numbers and written personal testimonies to what she had told of the conditions. Mayor Roth asked Police Chief Porter to respond, and Chief Porter stated that if such matters were to be pursued by Police, it would have to be done on an individual basis, with witnesses able to identify the offenders and prepared to testify in Court. This, the Police had found, was not the case on Holly Avenue, where the latest case had involved Mrs. Phipps, who at first had thought she could testify but then - during an interview with the Police - had changed her mind.

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3. Frances Phipps, 7210 Holly Avenue, stated that in the case mentioned, she had not actually seen a handrail being broken; she did have the name of the youth involved, but the Police had discouraged her from going to Court. She told of the people on Holly Avenue being frightened and said that the one resident who had gone out into the street to challenge the youths, had his house burned down the next day, and while this might not be a cause and effect case, the developments pointed in that direction. Police Chief Porter promised that the Police would make a special effort to put a stop to the trouble on Holly Avenue and said that they had 4 suspects. Mayor Roth suggested that anyone from Holly Avenue who wanted to talk to the Police Chief make an appointment now. Personally he felt that it might be difficult to stop people from using obscene language in the street, but as for the rest of the cited problems, he hoped it would be possible to solve them. Councilman Nishimoto, who also lives on Holly Avenue, stated that over the years he had been encouraged by the type of people moving in to Holly Avenue, causing the neighborhood to improve; he felt doubly sad about the cited conditions, which had developed, but was confident that the Police would be able to solve the problems. Concerning the fire, he stated that the Fire Department is making an investigation.

4. George Hinds, 7304 Holly Avenue, who had lived in the house that was burned down, stated that practically every night there was drag racing and motorcycle racing on Holly Avenue, and that he was at a loss to understand why the Police had not noticed it and done something about it, while any time he had made the slightest traffic error, the Police had been right there to take note and fine him. He wondered why the Police could not arrest the offending youths on Holly Avenue when the residents had called the Police repeatedly during the past 4 years it had been going on. There was some discussion, and Councilman Ricks urged the citizens to appear before the Council, whenever such problems arose, and not to wait 4 years, letting it fester. Mayor Roth suggested reviewing the Police records to try to find out the cause of the trouble, so that it could be eliminated. Councilman Nishimoto felt that the most important thing was to make sure such things did not continue. He assured the citizens that the salaries of Takoma Park Police have been raised to where they are on a level with what is paid elsewhere in the area. He said there had been talk of transferring the Police Department to the County but that he was against this as he felt a local Police Department was bound to be more responsive and certainly easier accessible. There was further discussion and Mayor Roth pointed out that in Prince George's County the number of Police Officers as related to the population figure was 1.1 for every 1000 citizens, while in the City of Takoma Park there were 27 Police Officers plus 5 Dispatchers - a total of 32 - to serve a population of 18,500, in other words almost 2 Police Officers per 1000 citizens, which was considerable above Prince George's County and above the average. Referring to Mr. Hinds' complaint, he told of having made it clear to the Police Department that the citizens were paying taxes to have a Police Force, whose activities were directed to where they (the citizens) wanted it rather than to what a particular Police Officer might have a bent for. Mr. Hinds added that many houses on Holly Avenue, between Eastern and Tulip, were neglected and deteriorating. It was his understanding that the Code Enforcement Officers had not been permitted entrance to these houses, and he wondered why the Police could not be of assistance in such cases. Mayor Roth said he would have it investigated. Councilman Forshee expressed interest in finding out whether the youths, causing the trouble on Holly Avenue, were from the neighborhood or from elsewhere. Councilman Nishimoto thought that most of them were from the neighborhood and that he could probably even identify some of them. Mrs. Phipps suggested that the Police by reviewing their logs in such cases where there had been a series of complaints of a certain type from one

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particular area should be able to pinpoint the trouble spot. Councilman Nishimoto assured her that this was being done by the Special Crime Team, but on another level of crime - not in vandalism and rowdiness cases. His hope was, however, that the Police would move in harder on Holly Avenue and perhaps have a juvenile officer speak to the parents of the youths.

5. Robert H. Moore, 7314 Willow Avenue, spoke in support of the plea for action brought before the Mayor and Council by the residents of Holly Avenue. Mrs. Magee stated that for her part, she trusted in the Mayor and Council and was willing to wait and see what they could do about the situation on Holly Avenue.

6. Joe Ferrier, 7413 Maple Avenue, also spoke in support of the residents of Holly Avenue. He felt they needed all the help they could get in their predicament. Personally he had only praise for the Police Department, but he hated to hear of people having to be afraid to go outside their homes at night and of not being able to sit on their porch in peace and quiet - something which should be every citizen's right. He fervently hoped that the Police could do something about the Holly Avenue situation.

7. Abby Mandel, 7003 Woodland Avenue, stated that a similar problem to the one on Holly Avenue also exists on her street and asked whether Takoma Park Police uses unmarked cars, which might be effective in such situations - otherwise the offenders disappear as soon as they see the Police car. The reply was in the affirmative, and Police Chief Porter said that he would have 3 unmarked cars on Holly Avenue for the next week. He would also like to receive copies of all the residents' complaints both new and old ones. There was some discussion as to whether or not the offending youths were from the neighborhood or were attracted by certain families there. Mrs. McCurdy (7204 Holly Avenue) indicated that some were from outside the neighborhood.

8. Joseph Lerner, 7708 Takoma Avenue, referred to the parking request from the Student Senate, Montgomery College, brought before the Mayor and Council at the June 10 meeting. He was against it and asked the Council to turn it down.

- He suggested that the so-called commercial properties on Fenton Street be turned into parking facilities to solve the parking problem for the students and at the same time get rid of the junk shops.
- He pointed out that due to the removal of Juniper Street bridge, bus passengers who used to get off there now have to pay an additional 30 cents fare, having to use the Burlington stop on Georgia Avenue. He felt it would be reasonable if the one zone fare stop was moved from the District to the Burlington stop, at least until there again was established access across the Juniper Street bridge. Councilman Nishimoto commented that it might be difficult to have the zone moved. Councilwoman Medina reported having talked to WMATA about this. She had been told, however, that a long and arduous procedure was involved in changing the boundary. Mr. Lerner thought that since it would only be temporary, all that was necessary was for the bus driver to be aware of the situation.

9. Sue Lerner, 7708 Takoma Avenue, recommended that Montgomery County Council be requested to pass an ordinance, obliging agencies within the County to notify residents when changes are planned which may cause hazards - such as the Juniper Street bridge situation. As another example, where the residents had not been forewarned, she mentioned the storm sewers put down along Takoma Avenue by the Washington Suburban Sanitary Commission and - when hurricane Agnes struck - left with 8 feet deep holes only protected by sawbucks. She thought agencies should be fined if they neglect to warn residents.

- She also suggested that the Council notify Montgomery College that if the students do not pick up their trash and litter, the College will be fined.
- She said that the grounds taken over by the College had been denuded of trees and that now the mud streams into her yard and basement every time it rains. She has complained about it repeatedly, but nothing has been done to alleviate the situation.

10. Agnes M. Patti, 7306 Holly Avenue, told of experiencing considerable anxiety when noticing a can of flammable liquid deposited outside her porch and running onto the porch a week after her neighbor's house had gone up in flames. Her husband had called Fire Inspector Williams, and he in turn had notified the Police.

11. Richard Bernardi, 7111 Cedar Avenue, said he had just found out, that part of the 7100 block of Cedar Avenue is scheduled to be widened from 5 feet to 11. He wondered whether METRO or WMATA had ever asked the City's permission for this and presented a petition with 85 signatories, requesting that the City of Takoma Park hold a public discussion on the need for this widening, and that METRO not be permitted to proceed until an official City position is determined. Mayor Roth stated that the City was aware of the plans but so far had only given permission to relocate sewers - not to widen the street. According to WMATA's plan, however, Cedar Avenue, between Eastern and Carroll, will have to be widened in order to adjust from 2 lanes in Takoma Park to the 4 lanes in the District - for safety reasons. There was some discussion and Mayor Roth said that while the widening has been in the plans for about 1½ years, METRO has as yet not made any request in this respect. Mr. Bernardi suggested having a public hearing if the widening is requested and thought an alternative to the widening might be to make Cedar Avenue a one-way street. Mayor Roth had also thought of that possibility - but which way? There was further discussion, and Mrs. Phipps stated that discussions with WMATA led to nothing as she was told one thing and the Mayor something else, whatever suited the situation. She thought it was time to employ a different approach, as WMATA had shown not only indifference to the citizens of Takoma Park but real insolence. She felt the City must exert more control and that WMATA should have to consult the City government when they want to do something, instead of the City putting up with everything. Councilman Nishimoto agreed and said that if the City just sits back and lets METRO do whatever they want, Takoma Park may wind up with all its residential streets turned into traffic throughways. Mr. Bernardi wondered whether the re-location of sewers would involve cutting down trees. Mayor Roth thought not. Mr. Bernardi voiced his support for the residents on Holly Avenue.

12. Allan T. Marsh, 7405 Maple Avenue, thanked Police Chief Porter for blocking off Maple Avenue for the Fourth of July block party, which he praised as a nice old-fashioned festivity with abt.150 people attending. He extended special thanks to Mrs. Porter, who had been one of the chief organizers and had lent the use of her turf for the affair.

- He too expressed support for the residents of Holly Avenue, urging them to join the Old Takoma Park Citizens Association (of which he is president). He would then take up their battle together with other battles.
- He talked of a problem of speeding traffic on Maple Avenue - going back 7 years. It had helped to have parking on both sides of the street, but cars were still speeding outside of rush hours, and he felt that if Police would come at odd times and ticket the speeders, this would serve as a tremendous deterrent.
- He expressed concern about WMATA's plan to widen a portion of Cedar Avenue to provide a sort of funnel into the 4-lane street on the District side - where,

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he wondered, would the funnel stop. He urged the City Council to do everything possible to combat it.

- He said that these problems all pointed to the need for a traffic study. He had been gratified learning from the minutes of the June 10 Council meeting that Councilwoman Medina had proposed forming a citizens' study group to come up with recommendations but regretted that her suggestion to involve the citizens had not been better received. He felt that the City was overlooking valuable resources in not making use of the citizens' ideas - not only about traffic - but certainly the citizens, who for years had been living with the traffic problems, should be called upon and could offer better suggestions than the professional experts.

13. Joseph Cangialosi, 7001 Poplar Avenue, proposed that if Cedar Avenue had to be merged with 4-lane traffic, it be done on the District side - then Takoma Park would not have to worry about it.

14. George Malusky, 7302 Holly Avenue, praised the Fire Department which he had seen in action when the Hinds' house - adjacent to his - burned down. He asked that the commendation be passed along to the Fire Department whose members had done a truly professional and outstanding job on the said occasion.

- As to the Police Department Mr. Malusky told of a couple of incidents where he thought the Takoma Park Police could have been more alert and helpful, and he felt that if other people were questioned, they might have had similar experiences, all of which made him fear that there exists a problem with the Police Department - he hoped not.

- He addressed his next statement to Councilman Ricks who had wondered why the residents of Holly Avenue had waited 4 years before presenting their problem to the Council. He agreed that they should not have waited that long but pointed out that the general public was not always aware that they could do this. He suggested that the citizens be encouraged in this respect, perhaps through the City Newsletter, which he praised. He said that he himself was attending a Council meeting for the first time and that he was terribly impressed and found that such a forum, where people could air their grievances, was a great thing.

15. Catherine Wakelyn, 7419 Maple Avenue, spoke in praise of the Fourth of July parade and told of someone, who had lived in Takoma Park for 46 years, saying that it was the best parade he had ever seen. She thanked Mrs. Simpson of the Community Improvement Board for personally passing out trash bags for people to use; this had been a real help in cleaning up.

- She voiced concern that the question of a possible zoning violation at 7112 Willow Avenue (item #194) had been dropped from the Council agenda. She felt it was important for the citizens on the street to be alerted **if there was to** be a hearing on a Special Exception for a parking lot, so they could voice their feelings about it. If there was a violation, she thought the owners ought to pay a penalty. She was told that this was a matter for the County rather than for the City to resolve, and Assistant City Administrator Gilsdorf explained that the County zoning authorities were in contact with the attorneys for the other side, but that until a legal determination has been made, the City is not a proper party to it. Should it turn out, however, that there will be a public hearing, or if a Special Exception is applied for, it would be publicized. There was some discussion and Mrs. Wakelyn was promised that she would be notified of the outcome of the matter.

16. Nancy Schallhorn, 7401 Maple Avenue, told of receiving from friends in San Francisco an envelope marked: "Citizens of Takoma Park - BEWARE!" containing newspaper clippings concerning the impact of BART (Bay Area Rapid Transit) on a small town in California, Glen Park. She read several paragraphs of the article of how homes were condemned to make room for parking lots and how train commuters would arrive at dawn and park in front of the residents' homes, in their driveways and everywhere. The whole neighborhood had changed because of BART, and Glen Park was no longer the nice, sleepy town it used to be. She was afraid that something similar might happen to Takoma Park with METRO. Mayor Roth said the City was aware of such complications and of commuter parking interfering with residential neighborhoods. Before any specific measures could be taken to prevent such occurrences as described, certain legal questions would have to be settled, however, and he felt the City had plenty of time to consider what to do; the trains would not start running until January 1, 1977. There was some discussion and Councilman Nishimoto said it scared him when he thought of the masses of people being brought to the METRO station by busses etc. - how would the City handle the traffic? Mayor Roth told of how originally the plan had called for parking space for 300 cars at the METRO station. However, Mrs. Phipps had convinced him and the Council that 300 parking spaces would not be enough and that if all commuters were to leave their cars there, 5-600, perhaps 1000 spaces would be needed. Thus the City had asked WMATA to reduce the parking lot to 100 cars, which meant that the City must make sure that the feeder busses work. Something will of course have to be done about the on-street parking problem, but for the time being no action can be taken. Mrs. Schallhorn referred to Councilwoman Medina's suggestion to form a citizens study group to look at the entire traffic situation in Takoma Park and offer suggestions.

- She inquired about the latest developments in the Winchester/Takoma situation and what would happen to the \$5000 bond now that the 60 days are up. Corporation Counsel Culpepper stated that no action had been taken on the bond issue at this point. He had not received any report from Code Enforcement about violations under the 60 days. As to the fire code violation, Fire Inspector Williams had submitted 1st and 2nd notices on specific violations. He (Culpepper) had been in contact with the attorneys for Winchester/Takoma, and they had responded that the violations would be corrected within the 120 days; thus there had not been failure to comply within the 60 days, and he did not expect failure to comply within the 120 days either. There was some further discussion about the bond, and Councilman Ricks requested a status report as to what exactly has been corrected and which violations are still outstanding. He wanted 101% compliance.

Mayor Roth declared a short recess at 10:20 PM.

The meeting reconvened at 10:40 PM, and Councilman Nishimoto suggested that, in view of the late hour, only the key items on the agenda be discussed. Councilman Ricks felt that regardless of the hour, if there was further business to come before the Council, the Council should stay and discuss it. Mayor Roth moved that the Fire Department Resolution (read earlier) be adopted. The motion was seconded and carried unanimously by voice vote. The Mayor asked that the Resolution be prepared in a form that he could present it personally.

ITEMS FOR COUNCIL CONSIDERATION: Assistant City Administrator Gilsdorf reporting.

(1) Communications:

Donald D. Ramsey, 8300 Flower Avenue, Letter concerning an alleged traffic hazard at Wabash and Eastridge Avenues. This would become an agenda item to be studied and reported on at the next Council meeting.

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Maryland Department of Transportation. Request to have Kentland Avenue, starting at Rt.410, restricted for one-way traffic. This too would become an agenda item to be studied and reported on at the next Council meeting.

(2) Administrative Reports and Recommendations for Council Action:

Operation Information: Information sheets will be delivered on 1) trash pick-up regulations; 2) copies of ordinances on "Animals as a general nuisance" and 3) "Abandoned automobiles" to each and every household in the City of Takoma Park. In addition Police Officers will carry copies on their patrols and give them to the households where they see violations.

Operation Courtesy is a program to improve the image of the Police in Takoma Park.

Report on Appeal #3890 - Roat's Orthopedic Appliances, 6505 Kansas Lane.

The City had recommended that the use be denied but was overruled by the Board of Appeals for Prince George's County, and Roat will be permitted to dispense his orthopedic devices from that location, provided he did not advertise openly. There was some discussion as to what degree of advertisement is legally permitted in such cases - such as f.inst. advertisement in the telephone directory, and Mayor Roth suggested that specific information on this point be ascertained from the County.

Report on Juniper Street bridge.

According to a letter from WMATA, a temporary bridge will be installed over the B&O tracks. Councilman Nishimoto requested that in this connection the pertinent part of Summary Minutes of the COG Public Safety Policy Committee meeting on June 6, 1974, be included in the minutes of the Council meeting.

(From p.3-A SPECIAL ITEM:)

"Dr.Nishimoto, after discussion with Mr.Albert Levy, chairman of the Public Safety Citizens Advisory Committee, requested that a special item be brought before the Policy Committee members.

Dr.Nishimoto expressed his concern about safety problems that existed in Takoma Park as a result of conditions surrounding METRO construction. The Committee discussed the situation in which the temporary Juniper Street Pedestrian Bridge was removed for METRO construction purposes at a time when local residents who had utilized the temporary bridge were not aware that it was being removed. The lack of communication which apparently existed between the citizens of the area and the announced METRO construction work schedule created a potentially dangerous situation in which citizens who wished to cross from one side of the existing railroad tracks to the other would be tempted to walk across the dangerous high-speed train tracks when they discovered the pedestrian bridge had been removed.

Dr.Nishimoto noted that the Takoma Park Police Department was now patrolling the paths approaching the old bridge site and that Takoma Park citizens were also making the situation known to the WMATA Board of Directors.

Committee members agreed that the Takoma Park incident raised a regional Public Safety Policy issue, and asked the chairman to telephone the WMATA General Manager at the conclusion of the meeting and indicate that the current policy on local area notification of citizens about METRO-related construction activities which have an impact on physical features and facilities of the surrounding area should be reviewed by METRO staff, construction contractors, and local officials, to determine if further steps in notification should be implemented to avoid potentially hazardous situations in the future. The Policy Committee also suggested that a letter be sent by the chairman to the General Manager of WMATA requesting

notification investigation procedure as a positive follow-up to the recent events in Takoma Park."

Councilman Faulkner expressed his concern that no time limit was stated in the letter from WMATA as to when the bridge would be installed - it might be 18 months from now. Mr. Gilsdorf said that he had inquired about that and been told that it was "in the design phase". There was some discussion and it was agreed to write a response to WMATA, inquiring about the approximate date for installation of the bridge and stressing that it would be appreciated if it could be as soon as possible.

Authorization for replacement of Xerox machine.

Assistant City Administrator Gilsdorf explained that the present Xerox machine 660 was not designed to take the work-load it is getting. He asked for authorization to have it replaced by a later and more efficient model 4000. Councilman Ricks disqualified himself from discussion of and voting on this item since he is an executive of the Xerox Corporation. A motion to give the requested authorization was made, seconded and passed unanimously by voice vote.

Authorization for increase in mileage payment.

Mr. Gilsdorf also asked for authorization to increase mileage payment for the City personnel, when using their private cars, from 8 to 12 cents per mile (the Federal Government pays 12 cents). A motion to approve the authorization was made, seconded and passed unanimously by voice vote.

Item #19 - Ordinance: Housing Rehabilitation Fund.

ORDINANCE NO. 2313

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

SECTION 1. THAT the City Council of Takoma Park believes it in the over-all interest of the City to make low-interest loans to home owners over age 65 or permanently and totally disabled, with below average financial means that prevent them from carrying out necessary rehabilitation action on their homes with usual bank financing, or other forms of low-interest rehabilitation loans.

SECTION 2. THEREFORE, THAT there shall be established a Rehabilitation Loan Fund which shall be administered in accordance with the following policies:

1. General Eligibility Requirements. To be eligible for assistance under the Rehabilitation Loan Fund, properties shall be single-family, owner-occupied structures which are found to be in need of exterior repair or maintenance in relation to City statutes or ordinances or in need of reasonable preventative maintenance as determined by the City's Housing Inspector.
2. Rehabilitation Requirements. Improvements to be carried out under this program shall be only those necessary to bring the existing property into improved compliance with a provision of the applicable codes and ordinances, to eliminate conditions of deterioration or obsolescence, and to prevent their recurrence. All property improvements shall be carried out in a workmanlike manner and be of such quality as to achieve compliance with the applicable codes, etc., and at the same time assuring that the improvement will be durable and long lasting.

3. Other Provisions.

(a) The loans under this program shall be available to property owners over age 65, or having a permanent and total disability for which benefits are being paid under the Social Security Act, the Railroad Retirement Act, or by an agency of the federal, state, or county government, or by the District of Columbia;

(b) The loans shall be limited to home owners whose restricted financial means, or income precludes home improvement financing through normal banking or other financial channels;

(c) Generally home owners will be expected to use the applicable County rehabilitation loan program if at all feasible. The City program is intended to apply only when the County program is not useful for the particular case;

(d) Loans shall carry an interest rate of 3% per annum. The amount of the loan will be limited to \$2,500.00 unless there are unusual circumstances; in such case prior approval of the Council will be required;

(e) The life of the loan and the terms for repayment shall be based on the financial circumstances of the home owner. The loan will be secured by a trust note on the property unless the City Administrator, for good and sufficient reasons, accepts other security that will protect the interests of the City at minimum cost, and in accord with the program objectives; AND

SECTION 3. THAT the Rehabilitation Loan Fund shall be administered by the City Administrator in accordance with this and other ordinances adopted by the City Council. He may establish further regulations to govern the operations of the program. He shall make monthly reports to the Council of the number and amounts of loans approved; AND

SECTION 4. THAT there is hereby allocated the sum of \$50,000 from general revenue sharing funds to provide capital for loans; AND

SECTION 5. FURTHER, THAT this ordinance will take effect 30 days after adoption.

Councilman Ricks moved that the ordinance be passed; the motion was seconded and some discussion followed, involving Councilman Forshee, who wondered about the length of time for repayment of a loan, and how much legal fees would run in each case. Assistant City Administrator Gilsdorf stated that the term of each loan would be adjusted to the individual's ability to repay, and that once the term had been established, it could only be prolonged with Council approval. Mayor Roth added that as to legal expenses, title searches might not be necessary, since the potential loan-takers would be paying property tax. Councilman Forshee felt that if legal fees were involved, they should be paid by the loan-taker, or the City would make no money on it at all, the interest rate being only 3%. Councilman Webb pointed out that since the fund was meant for people who could not obtain a loan through ordinary channels, like a bank, being unable to pay the regular interest rate, they could not be expected to pay any legal fees, and Councilman Ricks added that this was never meant as a money-making program but to rehabilitate the City. It was hoped that the 3%, charged on the loans, would cover possible expenses connected with setting them

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up. Councilman Forshee stated that personally he felt this was going a bit far. After some further discussion the Ordinance was passed by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee (with reservations), Medina, Nishimoto, Ricks, Webb; NAY: None; EXCUSED: Councilman García. Referring to Councilman Forshee's reservations Mayor Roth pointed out that this program could be amended or withdrawn at any time, but he felt it was worth a try.

Item #170 - Sp.Ex.1840 - psychiatric halfway house, 6819 Red Top Road.

Assistant City Administrator Gilsdorf recommended that no special action be taken but that it be left in the hands of the powers that be. He recognized the reasonableness of the Park and Planning staff's approach which is to recommend approval, subject to the following conditions: (1) that the facility be limited to 21 adults (over 18 years); (2) that at least one parking space be provided for every 4 residents; and (3) that the approval be temporary, subject to review after a 2-year period. There was no objection by the Council. A public hearing will be held on July 22, at 9:30 AM in the Council Hearing Room, Prince George's Courthouse in Upper Marlboro.

Item #211 - Report on illegal parking in the Montgomery College area.

During the last period (May 17-June 17) only 8 parking tickets had been written up, pointing toward the problem becoming less severe. Councilwoman Medina was gratified that the yellow stripes, which she had requested, had been re-painted in the area, so that it was now clearly marked where parking is NOT permitted. Police Chief Porter agreed that this had also been helpful in the situation.

Item #213 - Amendment to Special Exception S-328 (7600 Maple Avenue).

The original application for a Beauty Shop had been amended to include also a Barber Shop. The hearing had been re-scheduled for October 17, 1974 at 1:00 PM.

Item #243 - Transfer of Newsletter editorship.

A program is being worked out, where the City staff will take over some of the responsibility for the Newsletter, assisting the Recreation Department.

As an additional agenda item Assistant City Administrator Gilsdorf presented the ordinance quoted below:

ORDINANCE NO. 2314

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

SECTION 1. THAT the purchase of three pedestal drinking fountains for use in City parks is hereby authorized; AND

SECTION 2. THAT funds in the amount of \$648.75 to cover the above items shall be charged to a/c 19.203D

A motion to authorize the purchase was made, seconded and passed by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Medina, Nishimoto, Ricks and Webb; NAY: None; EXCUSED: Councilman García.

SPECIAL REPORTS:

Councilman Ricks thanked on behalf of the Independence Day Committee those who had been responsible for and worked on the Fourth of July program.

NEW BUSINESS:

Councilman Ricks asked Corporation Counsel Culpepper to continue his report on the Takoma/Winchester situation. Mr. Culpepper said that the company had decided to comply with the last Court Order and correct all violations, cited in notices prior to March 28, within the 60 days, and violations cited after that

July 8, 1974.

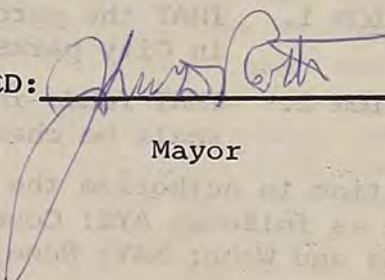
date, within 120 days. As to the \$5000 bond, that would run for the full 120 days. No report had been received from Code Enforcement that Winchester/Takoma had not complied with what was to be corrected within the now passed 60 days. As to fire hazards, no report had been received about those either. Councilman Ricks requested that Code Enforcement be asked to furnish this information.

- He further stated that since he gave up his 2nd and 4th Mondays to be at the Council meetings, he felt that any business to come before the Council should be fully discussed and no agenda item rushed through. Councilmen Faulkner and Webb shared this viewpoint, the latter suggesting that if a meeting became too long, it could be continued Tuesday night if necessary. Councilman Nishimoto felt that good judgement could be exercised, leaving less urgent matters for another meeting and spending little time on routine items. Mayor Roth stated that if the Council meetings showed a tendency to run too long, another approach would have to be found. Councilman Faulkner proposed applying the 3-minute rule to citizens' comments.

Mayor Roth appointed the following citizens to serve on the Takoma Park Bicentennial Committee: Ed Hutmire as chairman, Mr. Marschalk, Mrs. Simpson, and Mrs. Marsh, who had all agreed to serve. He indicated that he was seeking other citizens interested in serving and explained that this was not a working committee but a coordinating committee, to coordinate the activities which were divided into 3 sections: the historic, the festival and the future. It should serve as a thinking, selling, coordinating public relations group and as such ask other groups, such as the Independence Day Committee, the Azalea Committee, the Sister City Committee, etc. to play feasible roles. Councilman Faulkner wondered about the time period the individuals were expected to serve and there was some discussion. Councilman Nishimoto pointed out that there were certain things some of the groups might wish continued after the Bicentennial. He was gratified that the Mayor had appointed the coordinating committee which he felt would provide needed leadership. He added that a meeting on the Bicentennial, sponsored by COG, would be held on August 1, at American University, with a series of discussions by various organizational units within the metropolitan area, telling people what is being done.

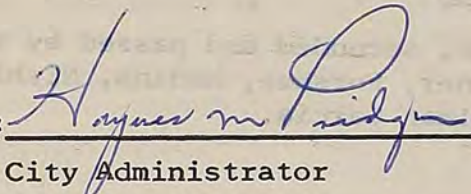
The meeting adjourned at 11:30 PM; to reconvene July 22, at 8:00 PM.

APPROVED: _____



Mayor

ATTEST: _____



City Administrator

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

July 22, 1974.

City Officials present:

Mayor Roth	City Administrator Pridgen
Councilman Faulkner	Assistant City Administrator Gilsdorf
Councilman Forshee	Public Works Director Barile
Councilman Nishimoto	Corporation Counsel Gingerich
Councilman Ricks	Corporation Counsel Culpepper
Councilman Webb	Code Enforcement Officer Olson
	Police Lt. Dalrymple
	Deputy City Clerk Pusti

Councilmembers Garcia and Medina were excused.

The Mayor and Council met in Regular Session on July 22, 1974, at 8:05 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the invocation by Elder Maurice T. Battle, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the July 8 meeting and dispense with their reading was made, seconded and unanimously adopted.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

- The Mayor told of attending a work session, lasting from 10:00 AM to 2:30 PM, of the County Council and the Park and Planning Commission on the Takoma Park Transit Impact Plan. The County Council seemed seriously interested in the comments made at the public hearing and in making the Plan helpful to the citizens of Takoma Park. In response to comments made at the public hearing, the County Council is now asking for some changes in the language in respect to certain areas. There will be an official session on August 20 to consider approval of the Impact Plan.
- As to the Cady Lee House, a hearing will be held on July 30, at 2:00 PM, before the District of Columbia's Zoning Committee - written testimony accepted. - The follow-up decision by the Board of Zoning Appeals is scheduled for August 21st.
- The Mayor expressed his appreciation, and that of the City Council, of the work done by the Independence Day Committee in connection with the Fourth of July Parade and celebration. There had been favorable coverage of the activities both in THE MONTGOMERY RECORD and in PRINCE GEORGE'S POST. As usual, the Committee had done a splendid job, making the Parade one of the finest in the Counties. Councilman Nishimoto added that he had also heard many favorable comments in Montgomery County circles, and Mayor Roth told of receiving a very complimentary letter from a visitor from Arkansas, who had praised both the Parade and the Fireworks. Unfortunately, the visitor had experienced a traffic mishap in Takoma Park, but Police Officer Lucas had been very helpful, and the letter commended Officer Lucas.
- The Mayor proclaimed the week of August 1-7, 1974 as CLOWN WEEK in the City of Takoma Park, in honor of clowning as an art reflecting the study of history, art and philosophy as well as promoting wholesome entertainment, encouraging laughter, and thus helping people forget their troubles. The Proclamation Document was presented to Max Feinsilber, who had performed in the Fourth of July Parade and who appeared dressed for the occasion in an elaborate clown costume and make-up. He is a member of Clowns of America and stated that his group was happy to receive this Proclamation.

ADDITIONAL AGENDA ITEMS: None.

CITIZENS' REMARKS:

1. M. Magee, 7203 Holly Avenue, expressed the gratitude of Holly Avenue resident to the Police Department for prompt response to their petition. Mayor Roth commented that he knew that the Police Department was doing its very best and that he was glad it was appreciated.

2. Sam Abbott, 7308 Birch Avenue, read a statement referring to burglaries of his home. Since his neighbors had also experienced break-ins and thievery - often in daytime - the impression was that Takoma Park is increasingly becoming an unsafe place to live. According to the statement this impression had been substantiated by Police, and Mr. and Mrs. Abbott, therefore, proposed certain steps as a beginning of a cooperative citizen effort to combat the threats to the security and safety of the citizens of Takoma Park. The statement advocated holding a public meeting, to be advertized in the City Newsletter, with emphasis on public participation. It was further suggested that at this meeting responsible Officials report such vital facts as:

- exact number of illegal entries in Takoma Park, regardless of how little was stolen.
- pattern as to location, time of day or night, and items stolen. Such a pattern can be developed with the help of a map indicating the locations of illegal entries and/or robberies.
- number of suspects questioned and culprits apprehended, tried and sentenced, as well as number of Police Officers on neighborhood patrol duty at what times. Mr. Abbott stated in this connection that he had been informed by the Police that only 2 scout cars were on patrol at the same time, trying to give protection to abt. 20,000 people.
- The facts and statistics to be presented at such a meeting should cover the last 4 years.

Mr. Abbott asked the Mayor and Council to approve the steps outlined and to set a date for the suggested meeting. He appealed to all citizens of Takoma Park to unite to end the cause and effect of crime incidents, as otherwise the City might be labelled as a "high-crime area", causing an exodus of homeowners which, in turn, would bring in more density and more crime. Mayor Roth expressed his dismay at the losses suffered by the Abbotts. The recommendations would be considered by the Council and he would consult with the Chief of Police to see what could be done. Mr. Abbott added that in view of his record with a total of abt. 50 arrests, dating from 1930 to the present, as a participant in events in D.C. and elsewhere, involving civil liberties, the right to organize, intrusions upon human rights, etc., he hoped that his request would not be misconstrued as part of a law and order campaign. Councilman Nishimoto suggested utilizing the Police Department's Project Safeguard equipment, involving the marking of small appliances, TVs and radios, etc. with the owner's Social Security Number and making this known by stickers placed on entrance doors and in windows, so that would-be burglars might be deterred. This, he felt, could be tied in with what Mr. Abbott had suggested. Mr. Abbott agreed that it could be tied in but felt that it would be like locking the barn door after the horse has been taken. He told of asking Police whether any articles, marked in this manner, had ever been recovered after they had been stolen; the reply had been negative. There was some discussion and Councilman Nishimoto also recommended the use of strong bolts and locks on doors and windows; but Mr. Abbott stated that as a free man he refused to live behind bars. Councilman Nishimoto commented that since the matter had been brought up, some action ought to be taken besides considering the recommendations offered by the Abbotts. He thought that it might be useful to inform the citizens of various crime prevention methods through the City

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Newsletter. Following further discussion Mayor Roth asked Police Lt. Dalrymple to clarify Mr. Abbott's statement : "that according to Police, only 2 scout cars were on duty at the same time, trying to protect 20,000 people" - his own understanding being that there were 2 cars on patrol in the Montgomery County section of the City, and 1 or 2 in the Prince George's section. Lt. Dalrymple explained that Mr. Abbott's statement was correct during vacation time, but that normally there were 3 or 4 marked cruisers, 1 or 2 unmarked cars and 1 motorcycle on duty at the same time, besides the Crime Control Team which stays more or less permanently in busy areas (according to a spot map). The Police Department disposes over a total of 7 cars - 4 marked cruisers and 3 unmarked - and 2 motorcycles; but they are not all on duty every hour of every day - it fluctuates.

3. Ruth Abbott, 7308 Birch Avenue, requested verification as to whether or not the Takoma Park Police Department is actually understaffed - or is it only a question of vacations. Mayor Roth referred her to the City Administrator for complete information on the situation, adding that in his opinion the Police Department is NOT understaffed. Mrs. Abbott stated that if the Mayor was satisfied, that was good enough for her. The discussion continued with Councilman Ricks pointing out the importance of citizens being informed of the facts, so that criminals would not get the idea that Takoma Park Police is understaffed, as this could lead to a tragic situation. Mayor Roth agreed that to leave such an impression would most likely increase the problems, and he re-emphasized that the Police Department was in fact well staffed compared with the Counties. In this connection it was also mentioned that - due to the high crime rate - the District of Columbia had been saturated with Police which, perhaps, had forced some criminals into Maryland, including Takoma Park.

4. Joe Ferrier, 7413 Maple Avenue, thought it of no importance whether or not the criminals might get the idea that Takoma Park Police was understaffed; but he did approve of Mr. Abbott's suggestion, to hold a public meeting for the purpose of obtaining information, even if the crooks might also attend - after all, who is a crook? Nobody, until he has been convicted - that is the Law of this country, said Mr. Ferrier, and the criminals already think that Takoma Park is a safe place for them to carry out their activities. He told of being held up on Tulip Avenue about a year ago; but since he had been able to handle the situation satisfactorily, he had never reported the incident to Police. He felt that many other incidents might also not have been reported. He was convinced, upon hearing that D.C. was saturated with Police, that the criminals - like rats driven out of one house into the next - had fled to Takoma Park, and that now the City needs more Police. He felt it the duty of the City Government to see to it that the taxpayers are adequately protected.

- He was encouraged at the Police Department being thanked by residents of Holly Avenue and regarded this as proof that something can be done and urged that similar action be taken in other parts of the City such as Oswego Avenue.

Mayor Roth commented that he did NOT share Mr. Ferrier's opinion: "that people were crooks only if they had been convicted" and pointed out in this connection that the residents of Holly Avenue were concerned - as he was - about people who had as yet not been convicted, and that he certainly did not condone their activities.

5. Ralph Magee, 7203 Holly Avenue, expressed the hope that the transfer of the editorship of the City Newsletter would bring more information about projects affecting the citizens of Takoma Park, such as zoning, street widening, etc. into it, so that the citizens would know ahead of time, what was in store for them, and not be awakened by the sound of the chainsaw, cutting down their trees; and if certain projects, not under the control of the City Council, affected

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Takoma Park, the Newsletter should still notify the citizens, so that they would be in a position to make their feelings known to the proper authorities. Even if it meant adding a couple of pages to the Newsletter, he felt it would be well worth it. Mayor Roth referred this to the City Administrator for consideration.

6. Nancy Schallhorn, 7401 Maple Avenue, reported on a block party held by the residents of Maple Avenue following the Independence Day Parade, July 4th. It had been a great success, and she expressed the residents' thanks to the Police for closing off their street for the event. She urged residents of other streets in the City to hold their own block parties as it was a great way to get to know each other. An amount of \$13.92 - left over from the block party - was donated to the Independence Day Committee.

7. Florence Ross, 118 Ritchie Avenue, Silver Spring, Md., requested that something be done in the way of Police protection for the residents of Colby Avenue, where her parents live, so that they can sit on their porch in peace and quiet. She also requested that the owners of abandoned cars on that street be required to junk them. Mayor Roth told her that this would be made a special project for the Police Department. Councilman Ricks said that he had already discussed the problems on Colby Avenue with Police Chief Porter, who had promised to look into it and report to Assistant City Administrator Gilsdorf. Mr. Gilsdorf read from Chief Porter's report, that the area was recognized as a problem area and that about a dozen cars had been marked and some already towed away. Further that Law enforcement had been intensified in the area with the Crime Control Team giving it special attention. It was hoped through this action to alleviate the situation.

8. Elaine La Vaute, 240 Park Avenue, expressed her dismay at learning about the trouble on Holly Avenue. It had prompted her to once more inform the Mayor and Council of the car racing taking place every night on Park Avenue, starting early in the evening; she could not understand, why Police had done nothing about it. She expressed regret of what she called the general lack of enforcement of the City Code.

- She felt that a lack of code enforcement also applied to deteriorating houses in the City, particularly on Park Avenue.
- Referring to Mrs. Simpson's objection at the last Council meeting to ugly billboard advertisement, she objected to the billboards and saw no need for having them in Takoma Park. She urged the Mayor and Council to get rid of them.

Mayor Roth asked the City Administrator to send Mrs. La Vaute a copy of Code Enforcement's report of what had been done on Park Avenue during the last year, with copies to Mayor and Council for reviewing. As to the billboards, he added that they were on private property and no income to the City.

- Mrs. La Vaute mentioned that Mr. Marsh at the last Council meeting had urged the residents of Holly Avenue to join the Old Takoma Citizens Association and fight the problems together. She had another idea, as far as METRO was concerned, and suggested a pressure-letter-writing campaign. She suggested that members of the Old Takoma Park Citizens Association, the Democratic Club, the Historical Society, etc. should agree to write a certain number of letters every week to delegates and senators in Annapolis and the Maryland representatives and senators in Washington, D.C., telling them that Takoma Park was not getting a fair deal from METRO and asking for their help. Through such action individual pressure would be exerted, which she thought would work better than pressure through an association.

Councilman Nishimoto asked whether certain code violations at 239 Park Avenue had been corrected. Mrs. La Vaute pointed out that there were still no screens,

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but Assistant City Administrator Gilsdorf said that according to Code Enforcement, there were no further violations at the last inspection of the house.

9. Joseph Cangialosi, 7001 Poplar Avenue, complimented Councilman Ricks on his sensitivity in not voting at the last Council meeting on something involving his employer.

10. Frances Phipps, 7210 Holly Avenue, thanked the Mayor and Council for the action taken on Holly Avenue. The entire atmosphere had changed, and it is now very pleasant.

- As to METRO's site design, she reported attending a work session where Royce Hanson had pointed out that D.C. had presented new, higher traffic figures which meant that probably Eastern Avenue would have to be widened. She said that the alternative would be to press again for another site design which would eliminate the pressure on Eastern Avenue and wondered whether this had been considered by the Mayor and Council and what position would be taken. Mayor Roth responded that consideration had been given to a different parking entrance with a view to relieving traffic on Eastern Avenue, but that the answer seemed speculative, depending on where most traffic would come from. If it comes from Carroll, having the entrance on Cedar would relieve it; but if the majority of traffic comes from Piney Branch, having the entrance on Cedar would not make any difference. In his opinion Piney Branch did carry more traffic than Carroll, but he found it difficult to make an accurate judgement. Mrs. Phipps agreed and voiced surprise that WMATA had not made a traffic study in advance. She explained that if the entrance is on Eastern Avenue, there would have to be left-hand turning lanes and storage lanes, for which there is no room on Eastern Avenue; while with the entrance on Cedar, there would be no need for this. In any event, and regardless of where traffic comes from, if the entrance is on Eastern Avenue, at least one 3rd lane would be needed, and this was what concerned her. Mayor Roth asked for her view of the prospects, on which the estimates are based, namely: 3900 at peak hours, of which the vast majority - something like 85-90% should arrive by bus - meaning that the concern is about the "kiss-and-ride" service. Mrs. Phipps said that the capacity of Eastern Avenue was studied to be 700 cars pro peak hour. According to WMATA's estimate, there would be about 300 "kiss-and-ride" passengers; however, the problem was, that two trips were involved, namely bringing the passengers to the station and then turning around and going right back out, making it 600 trips on Eastern Avenue in peak hours, rather than the estimated 300. When she had pointed this out to WMATA, the answer had been that Eastern Avenue has the capacity. There was some further discussion about the entrance site, and Mrs. Phipps added that she had suggested having the entrance at the railroad track, and if mistakes had been made, Mr. Gleason should direct Mr. Barnett to correct them. Councilman Nishimoto suggested that the Council take up the points raised by Mrs. Phipps, especially the idea of having the entrance on Cedar, and handle it through the proper channels. Councilman Ricks suggested that the question of flaring Cedar be discussed at the same time.

Mayor Roth

Councilman Faulkner reported on a presentation by the State Department of Transportation of their 5-year highway construction program to Prince George's County Council and Delegates, which he and the Mayor had attended. Unfortunately, they had to leave before the question of a possible widening of Route 410, which they had wanted to speak against, came up, and they had, therefore, communicated their thoughts to Senator Emanuel and Delegate Anne Hull. Mrs. Hull had later spoken on their behalf against the widening of Route 410 in Takoma Park, and the understanding was, that the State Highway Department intends to proceed

* Correction - see minutes August 12, 1974 meeting - Raymond Pridgen, City Clerk

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with the widening of Route 410 between Riggs Road and New Hampshire Avenue - to which there had been no objections - but not in Takoma Park. Mayor Roth added that there would be a public hearing on January 16, 1975 concerning the Montgomery side.

11. Ellen Marsh, 7405 Maple Avenue, was gratified that 60% of the Federal Revenue Sharing money had been assigned to curbs and sidewalks; she hoped the latter would be along Route 410.

- She inquired about the traffic light at Maple and Carroll Streets, and Asst. City Administrator Gilsdorf reported that this light had been decided on by D.C. Officials without consultation with Takoma Park Officials - they had a right to do this. Mrs. Marsh expressed concern about Maple Avenue being used as a through-way to Blair Road. Mr. Gilsdorf explained that the light had been programmed for about a year and that, according to the experts, either a 4-way stop or a signal was a MUST in that location. Mrs. Marsh wondered about priorities stating that she had repeatedly requested traffic lights in front of Takoma Tower - to help the older citizens get across - and at Piney Branch Road - for children to cross to the Recreation Center - but apparently it was almost impossible to get a light to help pedestrians; much simpler when cars were involved. She urged the City Council to protect Maple Avenue from becoming a commuter route, possibly by dead-ending it. She also pressed for a general traffic survey. Mayor Roth commented that traffic would not decrease until METRO is working and to remember that without METRO the City would be much worse off traffic-wise.

12. Allan T. Marsh, 7405 Maple Avenue, referring to METRO, said that he did not feel that it was an either/or situation. Mayor Roth said that he also did not mean to advocate that. Mr. Marsh stated that in his opinion a traffic survey should be made right now.

- He mentioned that at the last Council meeting he had requested additional Police surveillance on Maple Avenue to check speeding traffic. However, not one car had been stopped, although in his estimate one car out of two had been speeding. In discussing this with the Police, he had been informed that they did not have enough men to do the surveillance. As a taxpayer, he would be happy to pay more taxes in order to get more Police.
- He complimented the new City Orchestra which had played in front of City Hall Sunday night, July 21st. Councilman Nishimoto suggested the use of white disks called "traffic dividers" on Maple Avenue in an effort to slow down traffic. He had noticed such disks in use on his recent trip to the West Coast and explained that they made a noise when a car went over them too fast and might be preferable to "bumps". Councilman Ricks did not think such devices would help, but Mayor Roth directed the City staff and Public Works Director Barile, who said he knew of the devices, to look into the matter.

13. Alice Lazun, 7309 Cedar Avenue, referred to the petition concerning Cedar Avenue, signed by 85 people and presented at the July 8 meeting; they would all like to know what the Mayor and Council intend to do about the situation. Mayor Roth assured her they would all be notified.

FINANCIAL STATEMENT: City Administrator Pridgen reporting.

BANK BALANCES - PRE-AUDIT
as of June 30, 1974.

Suburban Trust Co. - General Funds		
Balance: May 31, 1974	116388.97	
* June Receipts	565856.17	682245.14
**June Disbursements		618632.80
Balance: June 30, 1974		<u>63612.34</u>

July 22, 1974.

Suburban Trust Co. - Payroll Account

Balance: May 31, 1974	25261.00	
June Receipts	<u>95028.05</u>	120289.05
June Disbursements		<u>107647.32</u>
Balance: June 30, 1974		<u><u>12641.73</u></u>

Citizens Bank of Maryland - General Funds

Balance: May 31, 1974	135.43	
No transactions during June	<u>- 0 -</u>	
Balance: June 30, 1974		<u><u>135.43</u></u>

Citizens Bank of Maryland - Special Assess Funds

Balance: May 31, 1974	196.60	
No transactions during June	<u>- 0 -</u>	
Balance: June 30, 1974		<u><u>196.60</u></u>

Citizens Bank of Maryland - Public Improvement Fund

Balance: May 31, 1974	534.53	
No transactions during June	<u>- 0 -</u>	
Balance: June 30, 1974		<u><u>534.53</u></u>

Citizens Bank of Maryland - Savings A/C

Balance: May 31, 1974	173.45	
Interest earned: April 1, 1974 through June 30,74	<u>2.16</u>	
Balance: June 30, 1974		<u><u>175.61</u></u>

American National Bank - General Funds

Balance: May 31, 1974	80.73	
No transactions during June	<u>- 0 -</u>	
Balance: June 30, 1974		<u><u>80.73</u></u>

Petty Cash

200.00

**U.S. Treasury Bills

	Cost	Maturity Value
Purchased 6/21/74 Maturity Date 7/11/74	49821.67	50000.00
" 6/21/74 " " 7/25/74	99297.22	100000.00
" 6/21/74 " " 8/22/74	98680.28	100000.00
" 6/21/74 " " 9/12/74	98228.19	100000.00
" 6/21/74 " " 10/22/74	97362.78	100000.00
	<u>443390.14</u>	<u>450000.00</u>

- * Treasury Bill \$100000.00 matured 6/4/74
Cost \$94590.00
- Treasury Bill \$100000.00 matured 6/20/74
Cost \$97880.28
- Treasury Bills \$300000.00 matured 6/21/74
Cost \$294175.00

On behalf of the Recreation Department, whose Director Mrs. Ziegler could not be present, City Administrator Pridgen made the following announcements:

- July 23 - 11:00 AM a free performance of PINOCCHIO, by Crossland High School students, sponsored by MNCPPC, Arts Div., Prince George's County, at Piney Branch Middle School.
- July 25 - 10:30 AM Basketball Clinic, Takoma Park Junior High Community School sponsored by Montgomery County Dept. of Recreation.
- August 1 - 6:30 PM Sixt's annual festival, Library Parking Lot - to include special performances and displays.
- August 1 - 10 AM to 2 PM - Sports Celebrity Day, Takoma Park Junior High Community School. Jim Karvellas of WTTG will be Master of Ceremonies. Guests include players and coaches from University of Maryland teams, the Redskins, the Bullets

and the Diplomats. Everyone is invited, and there is no charge. Sponsored by Montgomery County Department of Recreation.

August 6 - 7:30 PM DOC DIKEMAN AND THE AMBASSADORS at Jequie Park.

August 7 - 8:00 PM AZALEA CLINIC, Municipal Building. Free slide presentation on how to propagate azaleas. Takoma Park House and Garden Tour and City Gardens. Sponsored by Takoma Park Azalea Committee.

ITEMS FOR COUNCIL CONSIDERATION:

(1) Communications - City Administrator Pridgen reporting.

Fire Chief Stephen J. LaScola, TPVFD Inc. Letter of thanks for the plaque, presented to him at the July 8, 1974 Council meeting, and expressing his appreciation to present and past City Fathers for their cooperation through the years.

Vincent J. Ernano, Manager, Rollins Outdoor Advertising Inc., Washington D.C. Letter advising of the removal of a billboard advertisement on Carroll Avenue and expressing regret that it was felt to be offensive. The City Administrator commented that there was a lawsuit pending in Montgomery County to phase out billboards. Hopefully the case would be settled soon in favor of the County.

Cleatus E. Barnett, Chairman, WMATA, Washington, D.C. Response to the City's letter concerning the status of the construction of a new temporary pedestrian bridge at Juniper Street, advising that construction is scheduled to begin in a few days and is anticipated to be completed on or about August 15, 1974.

(2) Administrative Reports and Recommendations for Council Action.

Item #42 - Public participation during Council meetings: suggested procedure
Assistant City Administrator Gilsdorf suggested that this item be removed from the agenda, as the rules are already spelled out in the City Code. Councilman Nishimoto requested a reading of what is in the Code, and Mr. Gilsdorf read:

"According to our Code the rules for citizen participation at Council meetings are spelled out in Sec. 2-2 (5A-D) :

- 1.(A) Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.
- 2.(B) Each person wishing to address the Council shall, when recognized by the Mayor: (i) Give his name and address; (ii) Direct his remarks to the Council and not to the citizens present; and (iii) Be limited to one period of not over five (5) minutes, unless granted additional time by unanimous consent of the Council.
- 3.(C) Priority shall be given to persons who have signified to the Clerk their desire to address the Council.
- 4.(D) The Mayor shall enforce this Subsection."

There were no objections to deleting the item from the agenda.

Item #171 - Removal of parking meters at 7040-42 Carroll Avenue and designation as loading zone.

Upon City Administrator Pridgen's request, Police Lt. Dalrymple reported on this item, reading from Police Chief Porter's memorandum which recommended that the Director of Public Works be authorized to erect 2 new signs, designating the loading zone at its present location, reading: NO PARKING - LOADING ZONE - 8:00 AM to 6:00 PM. The memorandum did NOT recommend moving the parking meters to the location where now the loading zone is and making a loading zone in the requested location; the reason given was that this might generate complaints and requests from other merchants in the area.

Considerable discussion followed, and Councilman Faulkner stated that in spite of the recommendation he still thought the only sensible solution was to reverse the situation, and he could not see who would object to that. Councilman Ricks added that he also could not see the logic of having a loading zone in front of residential houses. It was the consensus of the Council that other merchants in the area be asked how they felt about the matter before a decision was made.

Item #215 - One-way traffic on Anne Street, between Glenside and Carroll.

Police Lt. Dalrymple read Police Chief Porter's memorandum to the effect that there was no definable problem at this intersection, and that making Anne Street one way at Glenside might result in northbound Carroll Avenue traffic making a hazardous turn onto Glenside Drive. The recommendation was that the traffic controls remain as they are. There was some discussion, and Councilman Webb pointed out that Chief Porter's memorandum and recommendation seemed to be based on the wrong assumption that one-way traffic on Anne Street had been suggested for southbound traffic, while Councilman Forshee, when requesting it, had been speaking of northbound traffic. It was suggested that Chief Porter make another study of the situation with this in mind. Public Works Director Barile stated that to make that portion of Anne Street one way would require removal of the corner of the small triangle south of Glenside Drive to round the sharp corner. Mayor Roth felt that one-way streets usually induce higher speed, while at present nobody will speed on that stretch of Anne Street for fear of a head-on collision. Councilman Ricks suggested barriers to make it go into one lane. Councilmen Forshee and Faulkner recommended taking a second look at the situation and consult with the residents of Anne Street before making a decision.

Item #220 - Complaint - incident with policeman.

Assistant City Administrator Gilsdorf reported that this matter had been thoroughly investigated, that the officer had been given a polygraph examination and was exonerated of the allegations made against him. It was recommended to delete the item from the agenda. Councilman Nishimoto suggested that the complainant be told of this, and Mr. Gilsdorf assured him that this would be done, adding that it was hoped that by stressing the program of "Operation Courtesy", similar complaints could be avoided in the future. This would also be communicated to the complainant.

Item #241 - Appeal A-161: Side yard variance at 7304 Willow Avenue.

Assistant City Administrator Gilsdorf explained that Montgomery County Zoning Ordinance requires 7' min. side yard, while the proposed addition would place the structure within 5'2" of the property line. Thus, 1'8" variance is requested. The adjoining property owners are not opposed but have in fact given written permission to the County Board of Appeals. A hearing will be held on July 25 at 9:00 AM in Rockville, and Mr. Gilsdorf recommended that the City take no official position in the matter. Councilman Forshee thought the City should speak up and say that there are no objections. Councilman Faulkner agreed and moved that the County Board of Appeals be so notified. The motion was seconded by Councilman Forshee. There was some discussion as to whether it should be stated that the City is in favor, but Mayor Roth pointed out that the hearing is held to determine whether there are objections - if not, permission is given. The motion, to send a letter to the effect that there are no objections, was carried unanimously by voice vote.

Item #248 - Suggestions for correction of hazard: Wabash and Eastridge Avenues.

Police Lt. Dalrymple read a memorandum from Police Chief Porter stating that the removal of parking space in this area would create unnecessary problems for Takoma Park citizens. It was recommended to erect, at the earliest possible date, a yield sign on Eastridge Avenue, at its intersection with Roanoke Avenue.

Councilman Forshee moved to follow Chief Porter's recommendation to erect a sign at the intersection; the motion was seconded and adopted unanimously by voice vote.

Progress Report on Holly Avenue.

Police Lt. Dalrymple read Police Chief Porter's report of the intensified patrol on Holly Avenue which had started on July 9, 1974 and resulted in : 2 criminal arrests, 9 traffic summonses, 2 abandoned vehicles towed, and 41 suspicious persons stopped and interviewed. This action seemed to have alleviated - at least temporarily - the undesirable conditions, and the efforts would be continued until the neighborhood was restored to its former tranquility. Mayor Roth inquired about the attitude of the families who had been visited by Police (14), and Lt. Dalrymple responded that on the whole there had been cooperation, although a group of people had complained about Police being present on the street. On request Assistant City Administrator Gilsdorf said that the two arrests had been for alcoholic violations and that the traffic summonses had been for speeding and reckless driving. Mayor Roth encouraged the Police to keep up the good work on Holly Avenue.

Recommendation to restrict Kentland Avenue traffic one way.

Police Lt. Dalrymple read Police Chief Porter's recommendation, that Kentland Avenue remain a two-way street, stating that the sight distance in both directions on Rt. 410 for southbound Kentland Avenue traffic seems sufficient. Councilman Faulkner, however, declared himself against the recommendation and in agreement with John D. Forrest of the State Highway Administration, who had suggested the one-way restriction on Kentland Avenue, and he pointed out that Mr. Forrest was an expert. There was much discussion, and it was decided to reconsider the matter and perhaps have a hearing on it. It was thought that abt. 15 families residing there would be affected, and it was the consensus of the Council to get a resident reaction before making any decision.

Flaring of Cedar Avenue, near Eastern - suggested public briefing.

Assistant City Administrator Gilsdorf recommended that, in response to the petition, presented at the July 8 meeting, a Public Briefing be held Monday, July 29 at 8:00 PM, at which time Mr. Valge, Project Engineer for WMATA, would be available, if desired. Councilman Forshee favored holding such a briefing, and the Council was in general agreement.

RESOLUTION: Participation in COG Power Emergency Alert Plan.

Mayor Roth explained as background for the Resolution that the Council of Governments had established a study group to consider local electric power supply emergencies, and that an areawide emergency plan for use by local governments during power shortages is being set up to be tried out during a 90-day interim period. Each jurisdiction in the Washington area has been urged to adopt the plan at the earliest possible date, and since the summer period is the worst, it should be included. He moved that the Resolution be adopted and asked Assistant City Administrator Gilsdorf to read it.

RESOLUTION

WHEREAS, the Metropolitan Washington Council of Governments, in cooperation with the District of Columbia Office of Civil Defense and power companies serving COG member jurisdictions, has prepared a Power Emergency Alert Plan, setting forth areawide contingency plans for specific energy-related crises; AND

WHEREAS, said plan has been presented to COG jurisdictions for approval on an interim basis; i.e., a 90-day implementation period, to be followed by review and revision as necessary.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of the City of Takoma Park, Maryland, hereby agree to participate in the Power Emergency Alert Plan during the 90-day period; AND
 BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to the Metropolitan Washington Council of Governments.

The motion was seconded and adopted unanimously by voice vote, and the City staff was asked to keep the Mayor and Council posted on the type of notification received in order to judge whether the service provided is satisfactory.

ORDINANCE : Code amendment, parts of Chapter 5 - Fire Service; appointment of Fire Marshal.

Mayor Roth explained that a Code Amendment had become necessary because of the Fire Department now being operated by Takoma Park Volunteer Fire Department Inc., which means that the Fire Chief, being no longer an employee of the City, can no longer be the Fire Marshal. These changes are of a technical nature but must be made.

Councilman Forshee moved to adopt the Ordinance, quoted below; the motion was seconded, and some discussion followed. Councilman Faulkner raised questions concerning Section 5-11 : Responsibilities of Chief of Fire Service and subordinates, being repealed in its entirety. - Where would now the responsibility lie? If with the TPVFD Inc., to whom are they then responsible? Mayor Roth said the Volunteers would be responsible to the Fire Board, and by having two Councilmembers on the TPVFD Inc.'s Board, he felt the City was well represented and would be kept informed of budget proposals, policy, etc.. Councilman Ricks thought that the Volunteers should still be responsible to the Mayor and Council, as it is stated in the Agreement that the TPVFD shall serve the City of Takoma Park. There was some further discussion with Councilman Faulkner wanting to know, with reference to Section 5-18. Incendiary fires; procedure. (b) The Fire Marshal of the City, or his duly authorized representative, shall have the powers of a regular member of the Police Department in making arrests or in enforcing the laws of the City, County and the State. - whether this was compatible with f.inst. Silver Spring; did the Fire Chief there have Police Powers? The reply was in the affirmative, and Councilman Faulkner said that if the other Fire Chiefs in the County had Police Powers, then Takoma Park's Fire Chief should also have it. City Administrator Pridgen pointed out that there seemed to be a misunderstanding inasmuch as it is not the Fire Chiefs but the Fire Marshals in the County who have Police Authority. In this connection Mayor Roth made it clear that the Fire Chief in Takoma Park had so far also been the Fire Marshal and that it was in this capacity that he had Police Authority. Now, however, since he was no longer a City employee, a change would have to be made. City Administrator Pridgen added that since Chief LaScola is also Deputy State Fire Marshal, he will in that capacity still retain Police Authority in the State. There was some more discussion, during which it was pointed out that in case of arson, the investigation is conducted by the Fire Marshal, but that experts can be called in from both the County and the State. There was some speculation as to whether the Fire Department would ever come back to the City. Councilman Nishimoto and Mayor Roth did not think so, considering that all the expenses were going up; they deeply regretted the loss - particularly Councilman Ricks - as they all felt sentimental about the Fire Department. The Ordinance, quoted below, was adopted by roll call vote as follows: AYE: Councilmen Faulkner (with reluctance), Forshee, Nishimoto, Webb; NAY: Councilman Ricks; EXCUSED: Councilmembers Garcia and Medina.

ORDINANCE NO. 2315

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

SECTION 1. THAT whereas the responsibility for Fire Service has been formally transferred to the Takoma Park Volunteer Fire Department, Inc., in accordance with a resolution adopted June 10, 1974, therefore

SECTION 2. THAT Chapter 5, Article 2 (Organization of the Fire Service) of the City of Takoma Park Code (1972) be amended as follows:

Sec.5-2. Composition of Fire Service.

The Fire Service of the City shall be composed of the Takoma Park Volunteer Fire Department, Inc.

Sec.5-3. Composition of Volunteer Fire Department.
(No change in wording)

Sec.5-4. Fire Department created; composition.
(Repealed in its entirety (a), (b), (c))

Sec.5-5. Fire Chief and Fire Committee.
(Repealed in its entirety (a), (b))

Sec.5-6. Deputy Chief of Fire Service; duties.
(Repealed in its entirety)

Sec.5-7. Volunteer Fire Fighting Officers.
(Repealed in its entirety)

Sec.5-8. Communications routing; Chief of Fire Service; Board of Trustees; exception.
(Repealed in its entirety (a), (b)); AND

SECTION 3. THAT Chapter 5, Article 3 (Chief of Fire Service) of the City of Takoma Park Code (1973) be amended as follows:

Sec.5-9. Chief of Fire Service in general.
(Repealed in its entirety (a), (b), (c))

Sec.5-10. Chief in charge of personnel at fires.
(Repealed in its entirety)

Sec.5-11. Responsibilities of Chief of Fire Service and subordinates.
(Repealed in its entirety)

Sec.5-12. Daily inspections by Chief of Fire Service.
(Repealed in its entirety)

Sec.5-13. Investigation of complaints by Chief; Review Board; Investigative Committee.
(Repealed in its entirety)

Sec.5-14. Fire prevention and inspection.

The Fire Marshal of the City, or his duly authorized representative, is authorized to conduct periodic inspections of premises as designated in any permit to determine that there are no existing fire hazards.

Sec.5-15. Placarding fire station.
(Repealed in its entirety)

Sec.5-16. Fire Chief responsible for public property.
(Repealed in its entirety)

Sec.5-17. Fire Chief always on duty; days off.
(Repealed in its entirety)

AND

July 22, 1974.

SECTION 4. THAT Chapter 5, Article 4 (Incendiary Fires and Related Misdemeanors) of the City of Takoma Park Code (1972) be amended to read as follows:

Sec.5-18. Incendiary fires; procedure.

- (a) If the circumstances of any fire indicate the possibility of an incendiary origin, officials of the Takoma Park Volunteer Fire Department, Inc. are hereby requested to immediately report this fact to the State Fire Marshal and the Fire Marshal of the City.
- (b) The Fire Marshal of the City, or his duly authorized representative, shall have the powers of a regular member of the Police Department in making arrests or in enforcing the laws of the City, County and the State.

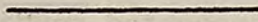
Sec.5-19. False alarms prohibited.
(No change in wording)

Sec.5-20. Obstructing water plug.
(No change in wording)

AND

SECTION 5. THAT for the purpose of enforcement of Chapter 5 (Fire Prevention) of the City of Takoma Park Code (1972), Herbert W. Gilsdorf, Assistant City Administrator, is hereby designated as Fire Marshal of the City; AND

SECTION 6. THAT this ordinance shall become effective on the date of adoption.



Mayor John Stated that he had been very pleased with the quality of the 1 hour
 and 35 min. long concert Sunday night, July 31, by Takoma Park Community Band,
 just formed within the last two months. It had been his impression that the
 concert was also enjoyed by the rest of the audience, and he wanted to express
 the appreciation of the Mayor and Council to the musicians. It was his under-
 standing that the band had received a donation of \$200 from the Dale Music Store.
 The meeting was adjourned at 10:30 PM - 10:30 PM on Monday, August 12, 1974
 at 8:00 PM.

APPROVED: _____

ORDINANCE: Authorization for expenditure of RDF for refinishing of Library Tables.

ORDINANCE NO. 2316

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

SECTION 1. THAT it has been determined that a quantity of special tables in the City Library are in need of refinishing, which project was proposed as a portion of the Planned Use of Federal Revenue Sharing Funds for the current fiscal year; AND

SECTION 2. THAT the project be hereby awarded to Wuerstlin Bros., Inc., the lowest of several bidders, for refinishing thirteen (13) tables at the bid price of EIGHT HUNDRED, NINETY-TWO DOLLARS (\$892), Budget A/C 19.1032; AND

SECTION 3. THAT funds be appropriated from Federal Revenue Sharing Funds in the amount of EIGHT HUNDRED, NINETY-TWO DOLLARS (\$892) to Budget A/C 19.1032.

It was moved and seconded that the above quoted Ordinance be adopted, and the motion was carried unanimously by roll call vote as follows: AYE: Councilmen Faulkner, Forshee, Nishimoto (with great enthusiasm), Ricks and Webb; NAY: None; EXCUSED: Councilmembers Garcia and Medina.

Councilman Nishimoto complimented the Assistant City Administrator and the Librarian on getting out a Library Report. To have something to compare with and get a feeling for the statistics, he wondered whether it would be feasible to have such reports covering a specific period of one year, f.inst. 1973, as compared with the same period 1974. Councilman Webb pointed out that reasonable variances were likely and suggested comparing June of 1974 with June of 1973, or the first quarter of one year with the first quarter of another year, etc. that way such variances would be covered. Mayor Roth was in favor of getting some basis for comparisons.

SPECIAL REPORTS:

Mayor Roth stated that he had been very pleased with the quality of the 1 hour and 25 min. long concert Sunday night, July 21, by Takoma Park Community Band, just formed within the last two months. It had been his impression that the concert was also enjoyed by the rest of the audience, and he wanted to express the appreciation of the Mayor and Council to the musicians. It was his understanding that the band had received a donation of \$200 from the Dale Music Store.

The meeting was adjourned at 10:50 PM - to reconvene on Monday, August 12, 1974 at 8:00 PM.

APPROVED: _____

Mayor

ATTEST: _____

City Administrator