

## THE CITY OF TAKOMA PARK, MARYLAND

## EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

August 12, 1974.

City Officials present:

Mayor Roth  
 Councilman Faulkner  
 Councilman Forshee  
 Councilman García  
 Councilman Ricks  
 Councilman Webb

City Administrator Pridgen  
 Assistant City Administrator Gilsdorf  
 Public Works Director Barile  
 Police Chief Porter  
 Recreation Department Director Ziegler  
 Corporation Counsel Culpepper  
 Deputy City Clerk Pusti

Councilmembers Medina and Nishimoto were excused.

The Mayor and Council met in Executive Session on August 12, 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 July 22 meeting and dispense with their reading was made and seconded. Councilman Faulkner, however, called attention to an error on page 5 of the minutes, where he had been credited with reporting on a meeting with the State Department of Transportation, while actually the Mayor had reported on that briefing. Mayor Roth added that the meeting referred to had taken place about a year ago. With those corrections the minutes were unanimously adopted.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

- The Mayor added the following appointments to the Bicentennial Committee : Richard Osborne, teacher at John Nevins Andrews School; Aurel Le May; Jack Mitton, active in the Sister City operation and in the Lions Club; Jenner Mandel to present the youth segment; Jim Murphy, active in business affairs; Lewis Cross, active on the Library program; and Mary Lou Roth, active on the Azalea Committee, the Hort. Club, and the Fourth-of-July Committee. The Bicentennial Committee would coordinate observances in 3 areas: 1) the celebration of the Bicentennial event itself; 2) events having to do with the historical aspects of the occasion, and 3) new projects which would have a lasting effect on the City in remembrance of the Bicentennial event. He suggested that the committee chairman, Ed Hutmire, call 3 public meetings where the citizens would have a chance to offer their suggestions.
- The Mayor announced that the National Park & Planning Commission had published a document: FIRST DRAFT OF THE MASTER PLAN FOR THE TESS AREA. Councilman Ricks had worked with the Commission on this document, and some Takoma Park citizens had given input. He assigned to Councilman Faulkner the leadership in developing any comments the citizens might care to make; other Councilmembers from the Montgomery County section of the City had also been asked to work on this with Councilman Faulkner. Councilman Ricks added that a copy of the Draft Plan was available at the Library for citizens who might want to look at it.
- The Mayor assigned to Councilman García the task of reviewing the Council of Governments' recommendations in terms of a beverage container control law and preparing recommendations to the City Council.
- To Councilwoman Medina was assigned the task of reviewing what Montgomery and Arlington Counties have done and what the District of Columbia is proposing to do in respect to a law to control commuter parking and making recommendations to the City Council as to what action Takoma Park might take.

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- As a long time member of the TESS Commission, which is at present reexamining its functions, Councilman Ricks was asked to act as liaison, keeping the City Council informed of developments.
- The Mayor announced that a former Councilman, Sidney W. Tymeson, Professor of Business Administration at Columbia Union College for about 40 years, had recently been awarded the Medal of Merit from the Seventh Day Adventists - the highest award they grant - and that at the same time Mrs. Tymeson had received an Honorary Doctorate in Education. The Mayor directed the City Administrator to write separate congratulatory letters to the Tymesons, expressing the Council's pleasure at hearing about the honors conferred upon them.
- Civil Defense had notified the City that on August 14 at 11:00 AM a 90 second test alarm would be sounded.
- The Assistant City Administrator was asked to present the staff recommendation concerning the Cedar Avenue situation before CITIZENS' REMARKS, in order to give the citizens a chance to comment.

Assistant City Administrator Gilsdorf reported that at the work session at least 4 alternatives had been examined, and that the staff recommendations were along the following lines: First of all the staff does NOT recommend the WMATA plan. Instead it recommends a system whereby a triangular shaped island would be built on the D.C. side, which would prohibit a left turn into Cedar by traffic coming down Eastern and prevent thru traffic from Cedar Avenue into the new 4-lane Cedar Street. This would eliminate both the proposed concrete island in the middle of Cedar Avenue in Takoma Park and the flaring of Cedar Avenue; - only a slight cutting off of the corner at Eastern would be necessary. If traffic should increase in the future, DO NOT ENTER signs could be erected on Cedar Avenue for rush hour periods. Mayor Roth added that of the 4 lanes of Cedar Street in D.C., between Eastern and Carroll, one lane would come north to Takoma Park, where traffic in the center lane, going north on Cedar, would be required to turn left into Eastern, and that under the staff recommendation the Cedar Avenue traffic going south would be required to turn right into Eastern. These two aspects of traffic control would have to be worked out with WMATA and the District of Columbia, as the traffic island would be in D.C..

City Administrator Pridgen reported being informed by Montgomery County Department of Transportation that they had recommended to WMATA some new bus stops on Piney Branch Road, hopefully to become effective September 1, 1974 :

M-82	stop on East side, south of Hilltop Road	
M-83	" " West " north of Mississippi Avenue	
M-84	" " East " south " " "	
M-85	" " West " " " Potomac Avenue	
M-86	" " East " " " " "	
M-87	" " West " north of Ray Drive	) Within
M-88	" " East " south " " "	) the
M-89	" " West " north of Philadelphia Avenue	) City
M-90	" " East " south " " "	) limits
M-91	" " " " at PEPCO Pole #79685	) of
M-92	" " West " opposite PEPCO Pole #79685	) Takoma
M-93	" " " " north of Eastern Avenue	) Park

Mayor Roth explained that this was a new bus route, starting at Franklin and University Boulevard and going via Piney Branch Road and all the way downtown.

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CITIZENS' REMARKS:

1. Robert Lazun, 7309 Cedar Avenue, read an open letter from Richard L. Bernardi of 7111 Cedar Avenue, expressing the concern of Cedar Avenue residents in respect to the METRO widening of Cedar Avenue. It centered around three basic considerations: 1) METRO's proposed plan to widen Cedar Avenue would make the street a prime target for short-cut seekers, and the "kiss-and-ride" commuters would be let out on Cedar Avenue. 2) METRO's plan does nothing to discourage thru traffic, which would be against the objectives of Takoma Park, and 3) the influx of traffic - encouraged by the METRO plan - would have detrimental effects on the neighborhood, endanger the children, and increase air pollution - in short make Old Takoma Park a not very nice place to live. An alternative plan to the current METRO plan was attached to the letter for the Council's consideration. There was considerable discussion, and Mayor Roth pointed out that any consideration of alternative plans, other than the one presented by the City staff, would depend on whether or not the District government could be persuaded to accept the idea of placing the triangular island in D.C., and that before taking any alternative plan to WMATA, the first step would be to make sure it was an official one. If the recommended Alternative #4 was to be implemented, it would involve persuading the District government to 1) place a LEFT TURN ONLY sign on the one lane of Cedar Street, required to turn left at Eastern, and 2) place a NO LEFT TURN ONTO CEDAR AVENUE sign on Eastern, since those decisions would involve District traffic. The decision concerning DO NOT ENTER signs on Cedar Avenue would have to be decided by the City Council at a later date. He felt it should be made clear for the record, that while some citizens - including Mr. Lazun - had been talking about a "widening of Cedar Avenue", he did not consider this a widening of the street; it was a matter of semantics, but actually less than 1/3 of the 7100 block of Cedar Avenue would be affected, and only in terms of adjusting to the corner situation. Any talk of a "widening" of Cedar Avenue in the City he would characterize as a "citizen fear", understandable, but not based on a realistic possibility in the slightest; no one had proposed this, and any City Council would surely oppose it. Mr. Lazun declared himself in favor of any alternative to METRO's plan, which would involve less cutting away of the street.

2. Joe Ferrier, 7413 Maple Avenue, thought that Ritchie Avenue residents should have a bus stop at the corner of Ritchie and Piney Branch Road.

- As to the Cedar Avenue situation, he felt that the solution presented by the Assistant City Administrator (Alternative #4) made sense for the people living on Cedar, which was most important.
- He urged the City Council to support having a pedestrian bridge at Juniper Street.
- He expressed the hope that GLORIA'S MARKET would get the requested loading zone, in front of the store.
- He voiced support of the Hopewell Avenue residents who would be speaking about their problems with speeding cars.

3. Nancy Springfield, 7413 Cedar Avenue, expressed fear that the traffic on Cedar Avenue would get worse under the current METRO plan. She was in favor of Alternative #4, proposed by the City staff, but pointed out that there might be certain problems, namely that since the METRO location for "kiss-and-ride" commuters would be on Eastern Avenue, the traffic on Cedar, going south, would be allowed to make a right-hand turn onto Eastern, while people coming down Cedar would go straight thru to Route 410, which would increase not only traffic but also speed. She suggested having DO NOT ENTER signs along Cedar Avenue to

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keep traffic from heading south and also keep Cedar Street traffic from heading north. Councilman Faulkner wondered whether she meant these signs should be of a permanent nature, which would in effect turn Cedar into a one-way street. Mrs. Springfield was not in favor of a one-way street but felt that the signs would be helpful during rush hour traffic. She stressed, that whether the island was on the D.C. side or in Takoma Park, it would allow traffic to speed thru. Mayor Roth expressed his appreciation of her suggestions. The immediate problem to be settled, however, was that of deciding on an alternative plan and then carry it through with the U.S. Government, which was the problem Mrs. Springfield was talking about, would have to be faced. This might require agreement with this procedure, so long as the Council kept in mind the problems which might result.

4. Mickey Beall, 1002 Hopewell Avenue, together with a small delegation of other Hopewell Avenue residents, had come to oppose the proposal of making Kentland Avenue one-way from East-West Highway. He explained that this would mean that people making a short-cut from New Hampshire Avenue would have to go on Hopewell, which is very narrow, and where many accidents are caused by cars speeding thru, scraping parked cars. Several of the families living there had many small children who would also be endangered if traffic increased.

- He mentioned another problem on Hopewell Avenue. At the bottom of the hill is a school bus stop, and often some of the children getting off the bus were up to mischief. Once a fire had been started on the front porch of a house owned by an elderly couple. The husband had recently had both legs amputated. The children, who were of Junior Highschool age, were generally disrespectful and had been sitting on the couple's car, smoking their cigarettes and stumping them out on the hood of the car, etc.. He suggested that the school bus stop be moved to some other location, f.inst. out on East-West Highway. Mayor Roth stated that he doubted that the City could change the bus stop; but a letter of complaint might be sent to the school, which was assumed to be Rolling Crest Junior Highschool on Riggs Road. Councilman Ricks proposed asking the Police Chief for some surveillance of the street and thought that a letter of complaint could also be sent to the Board of Education. Councilman Faulkner supported that idea. Mr. Beall added that the school busses, which seem to stay at the Hopewell Avenue stop for quite some time when picking up the children, also tie up traffic. Councilman Garcia thought there were open spaces in that area where the school bus could stop rather than where it interferes with parked cars. Mayor Roth asked Councilmen Faulkner and Garcia to look into the matter.

5. Clyde B. Campbell, a resident of 1003 Hopewell Avenue for 20 years, spoke of many changes having taken place, causing increased traffic and more accidents. He opposed the proposal of making Kentland Avenue one-way because he felt that would result in traffic being funneled down in front of the playground of OUR LADY OF SORROW'S SCHOOL, - thus endangering the children. Another group of children that would be adversely affected would be that discharged from school busses at the bottom of the hill, many of that group having to walk up Hopewell Avenue to get home. There would also most likely be more accidents with the residents' cars being hit by traffic coming down the hill too fast. He urged the City Council to turn down the proposal.

6. Regis J. Smith, 1006 Hopewell Avenue, said that he had lived on Hopewell Avenue for 18 years and could agree with the previous speaker that traffic had increased. There had also been an increase in accidents, and he pointed out that trucks, using the street as a short-cut, might easily hit and scrape parked cars without even noticing it. He suggested erecting STOP signs at Kentland Avenue, before the turn into Hopewell, as that might discourage people wanting to make

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a short-cut, and also help safeguard the school children. He further recommended that the signs in the area be checked, as he had noticed that one had been removed, coming up Hopewell Avenue. The Mayor directed the City staff to check on the signs.

7. Joe Cangialosi, 7001 Poplar Avenue, said that the description of the alternative plan for Cedar Avenue sounded good to him. He wondered whether a fall-back position might not be to simply tell WMATA not to do anything until they agreed to do things the way Takoma Park wants them done.

- As to the "new" bus route on Piney Branch Road, Mr. Cangialosi thought that might be the one (Y-9), that was taken away from Flower/Carroll Avenues a couple of years ago. However, since there were now several busses on Flower Avenue, it was only fair that Piney Branch Road should also get one.

8. Alan Marsh, 7405 Maple Avenue, felt, that the fact that TRAFFIC had been mentioned so often at the present meeting indicated that Takoma Park is under siege, something of great concern to him and to his neighbors on Cedar Avenue and other streets involved, the siege being commuter traffic. He recommended to the Council to read an article in the Metropolitan Section of the August 12 issue of WASHINGTON POST, dealing with the problems Alexandria is having and what steps the Mayor and Council of that city are taking to defend its citizens against commuters. He agreed with Mr. Cangialosi that the Alternative Plan, proposed by the City staff for Cedar Avenue, was far, far better than what METRO had proposed, but he felt an increased need for an over-all traffic study and urged all groups to unite and work out a traffic plan for all of Takoma Park.

- He inquired whether further consideration had been given to Councilman Nishimoto's suggestion to install traffic-slowing devices on Maple Avenue and stressed that speeding continued to be a problem on that street.

- He complained of a certain type of "lawn sale" being advertised on utility poles and elsewhere and continuing week after week, thus being more in the nature of a commercial operation; he especially called attention to one such sale at Erie and Flower Avenues with old furniture and household goods on display every week-end. He would like to see this stopped before it becomes a menace similar to the one which existed for years on Sligo Creek Parkway. Councilman Forshee agreed and said that he too had noticed the situation on Erie Avenue, and Councilman Ricks, considering how to go about putting a stop to it, mentioned that there was an ordinance prohibiting posters on utility poles. There was some discussion, and Police Chief Porter pointed out that it would have to be proven that a certain sale was a continuing thing rather than a one-time sale. Mrs. Springfield told of once having a lawn sale of her own and stated that when she had called the City office to find out whether it was permissible to advertise it by posters, the reply had been in the affirmative. Mayor Roth thought that might have been due to new City employees answering the telephone and asked the City Administrator to make sure that questions be answered correctly. Mrs. Springfield reported having talked to a neighbor of the Erie Avenue lawn sale place, who had been distressed about the situation and told of people bringing in articles for sale which had obviously been purchased for the purpose.

- Mrs. Springfield also called attention to motorcycles racing down Cedar Avenue and asked for closed Police surveillance.

- She pointed out that a stop sign at the corner of Cedar and Birch Avenues had been removed and asked to have it put back. The Mayor promised to add it to the list of things to be checked.

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9. Catherine Wakelyn, 7419 Maple Avenue, said - referring to traffic problems - that she had started routinely calling Police every time there were problems on Maple Avenue, noting in her diary the date and time of her calls with a view to later turning it over to the City office. However, she felt that if one person called often, the Police dispatcher might not consider the matter serious.

- She thanked the City Council for having passed the Housing Rehabilitation Loan Program.
- She asked about procedure when letters were written to the City Administrator, pointing out that in the future she might not be able to attend Council meetings and might then have to resort to writing. Mayor Roth explained that if the matter was within the City Administrator's jurisdiction, he would handle it; if the Council should be informed, each Councilmember would receive a xerox copy of the letter; and if the matter should be acted on by the Council, it would be read at a Council meeting.

Robert Lazun, referring to the question of procedure, asked what would happen if it became necessary to replace Councilman Nishimoto, who is running for a County Council seat. Mayor Roth said that the Council would have to select someone from the appropriate Ward to appoint as a replacement.

FINANCIAL STATEMENT : City Administrator Pridgen reporting.

Bank Balances  
as of July 31, 1974

Suburban Trust Co. - General Funds		
Balance: June 30, 1974	63,612.34	
* July Receipts	<u>240,274.52</u>	303,886.86
July Disbursements		<u>106,506.95</u>
Balance: July 31, 1974		<u><u>197,379.91</u></u>
Suburban Trust Co. - Payroll Account		
Balance: June 30, 1974	12,641.73	
July Receipts	<u>79,245.13</u>	91,886.86
July Disbursements		<u>80,126.62</u>
		<u><u>11,760.24</u></u>
Citizens Bank of Maryland - General Funds		
Balance: June 30, 1974	135.43	
Cash Receipts	<u>141.62</u>	
Balance: July 31, 1974		<u><u>277.05</u></u>
Citizens Bank of Maryland - Special Assess. Funds		
Balance: June 30, 1974	196.60	
No transactions during July	<u>- 0 -</u>	
Balance: July 31, 1974		<u><u>196.60</u></u>
Citizens Bank of Maryland - Public Improvement Fund		
Balance: June 30, 1974	534.53	
No transactions during July	<u>- 0 -</u>	
Balance: July 31, 1974		<u><u>534.53</u></u>
Citizens Bank of Maryland - Savings Acct.		
Balance: June 30, 1974	175.61	
No transactions during July	<u>- 0 -</u>	
Balance: July 31, 1974		<u><u>175.61</u></u>

American National Bank - General Funds

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

Petty Cash		<u><u>200.00</u></u>
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U.S. Treasury Bills		Cost	Maturity Value
Purchased 6/21/74	Maturity Date 8/22/74	98,680.28	100,000.00
" 6/21/74	" " 9/12/74	98,228.19	100,000.00
" 6/21/74	" " 10/22/74	97,362.78	100,000.00
		<u>294,271.25</u>	<u>300,000.00</u>

\* Treasury Bill \$50,000, matured 7/11/74  
 Cost \$49,821.67

Treasury Bill \$100,000, matured 7/25/74  
 Cost \$99,297.22

ITEMS FOR COUNCIL CONSIDERATION:

(1) Communications

Montgomery County Board of Appeals. Opinion on case No. A-161 - an appeal by Mr. & Mrs. F. Lisle Widman of 7304 Willow Avenue. The request for a variance was granted as there had been no objections.

Maryland-National Capital Park & Planning Commission, Prince George's Section. Zoning Map Amendment Petition No. A-9062, requesting reclassification from R-18 to C-M zone for a property located at 6429 Fifth Street, adjacent to the City limits.

Montgomery County Board of Appeals. Case No. A-176. Appeal of the General Conference of the Seventh Day Adventists, announcing a public hearing on November 21, 1974, at 1:00 PM at the County Office Building in Rockville on an application filed concerning the parking lot at 7112 Willow Avenue.

A resident of Takoma Park. Letter complaining about the conditions at #1 Columbia Avenue. This would be looked into.

(2) Administrative Reports and Recommendations for Council Action.

Item #14 - Status Report on WINCHESTER-TAKOMA.

Assistant City Administrator Gilsdorf reported that a final inspection had been made of WINCHESTER-TAKOMA, and that about 50% of the BOCA Code violations had been corrected and also about half of the Fire Code violations. The owner, Mr. Shapiro, had advised that the property had been turned over to the property managing firm of Shannon & Luchs who would complete the repairs. Shannon & Luchs had requested additional time to bring the property into full compliance, and there were now the following two alternatives: 1) the stern approach, stating no compliance and directing the Corporation Counsel to proceed for forfeit of the \$5000 Bond, or 2) giving Shannon & Luchs an opportunity to have all the work done. Councilman Ricks stated that, as he saw it, the only alternative was the first one, the stern approach, his reasoning being that the owner had 2½ years to bring the property into compliance but had in fact ignored the City up until the Court order was issued. His recommendation was that Mr. Shapiro NOT be allowed to get away without paying the penalty which he himself had made necessary. There was some discussion, during which it was brought out that while Shannon & Luchs had a good reputation as property managers, it would take at least an additional 3 months to bring WINCHESTER-TAKOMA into full compliance.



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Councilman Ricks pointed out that it should be kept in mind that what had to be dealt with now were the old violations, for which the \$5000 Bond was forfeited. If in the future Shannon & Luchs did not get the property up to standards, then it would be time to deal with them - but the owner of the property was still Mr. Shapiro, and he was the one responsible for past neglect. Mayor Roth wondered as to what might be a better motivation for the owner or management to get the still remaining work done. Councilman Ricks felt that if necessary the City could still get another \$5000 or \$10,000 Bond to hold over the head of the owner or management to get further repair work done. If, however, the City did not claim the forfeited \$5000, the impression would be that the City was unwilling to prosecute, while if the City moved forward with the claim, this would serve as an example to other property owners that the City is serious about enforcing its Code. Councilman Faulkner agreed, that NOT to prosecute would certainly show weakness, and Councilman Ricks moved to authorize Corporation Counsel to proceed with the case, as there had not been compliance with the violations due to have been corrected as of July 27, 1974. The motion was seconded by Councilman Faulkner. Before voting on the motion Councilman Garcia requested that Corporation Counsel report on the matter, and Corporation Counsel Culpepper proceeded to re-state the City's case against WINCHESTER-TAKOMA, giving the deadline, set by the Court order for correction of all violations, as July 27, 1974, at which time an inspection had showed only 50% compliance. The City had taken no action on the Bond issue at the expiration time, and there was some question as to whether the Bond was still in effect. Mr. Culpepper counseled that if the City wanted to go ahead on forfeiture proceedings, it should be done immediately. At the same time he pointed out, however, that Mr. Shapiro could also be held in contempt of Court - the Bond was not the only remedy. Councilman Webb wondered about the legal procedure, and Councilman Faulkner expressed concern as to whether the City could still petition the Court for the Bond money or whether the inaction in this respect meant that it was lost. Once more Mr. Culpepper stressed that the Bond was not the only remedy, but that it was one which might be lost if the City did not move forward. Mayor Roth suggested to Councilman Ricks that he might wish to change his motion, since at this point it was not clear whether the City could still claim the Bond money. Councilman Ricks amended his motion to include whatever the Court order stated and Corporation Counsel advised; to "pull all the stops" and take every possible action against the owner. Councilman Faulkner seconded the motion as amended, and it was adopted by roll call vote as follows: AYE: Councilmen Faulkner, Forshee, Garcia, Ricks, and Webb; NAY: None; EXCUSED: Councilmembers Medina and Nishimoto. Councilman Ricks added that Code Enforcement should be instructed to have everything ready for the Corporation Counsel to proceed without delay.

Item #215 - Proposal of one-way traffic on Anne Street betw. Glenside Drive and Carroll Avenue.

Assistant City Administrator Gilsdorf reported that at the direction of the Council he and Public Works Director Barile had studied the situation anew. Their recommendation (Mr. Barile's brainchild) was twofold: 1) to trim the vegetation back, which would improve the sight distance on Carroll Avenue, and 2) to widen Anne Street 3-5 feet on the north side of the street, which would cost abt. \$1000 and do no damage to the park. Councilman Ricks was in favor of trimming the vegetation, provided it did not mean cutting down any trees; but he was against any widening of the street. Councilman Garcia suggested having a warning sign for DANGEROUS INTERSECTION, or a sign limiting the speed to 25-30 mph for the stretch on Carroll Avenue from Anne Street toward University Boulevard, where, he had observed, people tended to speed. Councilman Webb stated that there was a STOP sign at the corner of Anne and Carroll, and that if people would bear right, as

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they come out from Anne, there was plenty of space. He suggested erecting a warning sign: BEAR RIGHT. The consensus of the Council was to trim the vegetation, as suggested, and then have another look at the situation. As to erecting signs City Administrator Pridgen pointed out that this would come under the jurisdiction of the State Highway Administration.

Item #249 - Request for one-way traffic on Kentland Avenue.

This request had come from the State Highway Administration, and City Administrator Pridgen reported the result of a survey, where the residents had voted 16 to one, to retain Kentland Avenue as it is and NOT change it to one-way. This was in agreement with Police Chief Porter's original recommendation. Councilman Garcia moved that the street be retained as it is, and the motion was seconded and passed unanimously by voice vote.

At this point Mayor Roth returned briefly to the question of the school bus stop, brought up earlier by Mr. Beall, and the consensus of the Council was for Councilmen Faulkner and Garcia to write to the Board of Education - possibly suggesting an alternative site for the stop. Councilman Garcia added, that since there was a good representation present from Hopewell Avenue, they might - after the Council meeting - like to offer their ideas and suggestions, or write a letter, which would be of great help.

City Administrator Pridgen suggested discussing the bus stops for the new route on Piney Branch Road, mentioned earlier, and Councilman Ricks told of conducting a house-to-house inquiry on Ritchie Avenue, which had shown all the residents to be in favor of having an additional bus stop at the corner of Ritchie Avenue. He too recommended that as otherwise the residents of Ritchie Avenue, many of them elderly, would have to walk quite far in order to use the METRO Transit System, something he felt should be encouraged. He found the other stops well placed and made a motion to ask for an additional stop at Ritchie and Piney Branch, for both directions. The motion was seconded, and - after some discussion - adopted unanimously by voice vote.

Item #250 - Flaring of Cedar Avenue.

Assistant City Administrator Gilsdorf recommended that the already discussed Alternative #4 be adopted. Councilman Forshee so moved, and Councilman Ricks seconded the motion. There was considerable discussion regarding possible bus entrances and whether to place the traffic island in D.C. (Alternative #4) or in Takoma Park (as proposed in the plan submitted by Mr. Bernardi). Finally the motion was adopted unanimously by voice vote, and Mayor Roth stressed that the City should move with dispatch in this matter.

SPECIAL REPORTS:

Police Chief Porter gave progress reports on Holly and Colby Avenues. On Holly Avenue there had been 12 moving traffic arrests during the last 3 weeks, 5 criminal arrests, and 31 suspicious persons had been stopped on the street for questioning. There had been less complaints, and the impression was that conditions had improved. On Colby Avenue Police had removed 9 abandoned cars, and 3 persons had been arrested for disorderly conduct. Police surveillance would be continued on both streets.

Referring to Mr. Marsh's inquiry, Mayor Roth asked what had been found out concerning the "rumble bumps", which had been described by Councilman Nishimoto at the last Council meeting as a possibility for slowing down traffic on Maple Avenue. Public Works Director Barile said they were called "traffic dividers" and that he would NOT recommend using them in a narrow street such as Maple

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Avenue. The Mayor directed Mr. Barile to check further and find out whether possibly there were several types, and also how they were evaluated in other cities, and to report back to the Council at the next meeting.

ADJOURNMENT: at 10:15 PM. The Council to reconvene Monday, August 26, at 8:00 PM.

APPROVED: *James P. Kelly*  
Mayor

ATTEST: *Haynes M. Pudge*  
City Administrator

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

August 26, 1974.

City Officials present:

Mayor Roth	City Administrator Pridgen
Councilman Faulkner	Assistant City Administrator Gilsdorf
Councilman Forshee	Police Chief Porter
Councilman Garcia	Public Works Director Barile
Councilwoman Medina	Recreation Department Director Ziegler
Councilman Ricks	Corporation Counsel Gingerich
	Deputy City Clerk Pusti

Councilmen Nishimoto and Webb were excused.

The Mayor and Council met in Regular Session on August 26, 1974, at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the invocation by Rev. James D. Ross, Jr. of Parker Memorial Baptist Church and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the August 12 meeting and dispense with their reading was made and seconded. Mayor Roth, however, directed that the following corrections be made: 1) In the second paragraph of the MAYOR'S COMMENTS, the minutes read: "He assigned to Councilman Faulkner the leadership in developing any comments the citizens might care to make" - while he had intended to say: "...any comments the Council might care to make" - the citizens' viewpoints would, of course, also be taken into consideration. 2) On page 6, in explaining procedure to Mrs. Wakelyn, the last line reads: "...it would be read at a Council meeting" - it should read: "...it would be summarized or read at a Council meeting." With these corrections the minutes were unanimously adopted by voice vote.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

The Mayor reported having been in touch with the chairman of the Bicentennial Committee, and that - due to vacations - a meeting would be held in September rather than August. All the appointed members of the Committee had received a letter summarizing the purpose of the Bicentennial Committee and thanking them for their willingness to participate.

ADDITIONAL AGENDA ITEMS: None.

CITIZENS' REMARKS:

Joseph Cangialosi, 7001 Poplar Avenue, said that, unless he had misunderstood the Mayor, there seemed to be a certain inconsistency between what the Mayor had said at the July 22 Council meeting in talking about the conditions on Holly Avenue and not condoning unlawful activities, and his attitude at the August 12 meeting, not wanting to collect the \$5000 bond money from the owner of WINCHESTER-TAKOMA, who for 2½ years had flaunted the laws of Takoma Park. Mr. Cangialosi was incensed about this possibility. Mayor Roth confirmed that this was a misunderstanding, perhaps due to not having explained himself fully at the time. However, he wanted to leave no doubt about his feelings in the matter and stressed that he had no sympathies whatever for the owner of WINCHESTER/TAKOMA. The question in his mind was how best to motivate the owner to bring the building into compliance with the Code - what would be the best incentive. Mr. Cangialosi assured the Mayor that if he were in the owner's position, having to pay out \$5000 would be a very good incentive indeed.

ITEMS FOR COUNCIL CONSIDERATION:(1) Communications - City Administrator Pridgen reporting.

David B. Weissman, Vice President, North Takoma Citizens Association, 7701 Takoma Avenue, Takoma Park, Md. Letter urging the Mayor and Council NOT to grant the petition (agenda item #244) from Montgomery College students for additional parking in the campus area.

As to further correspondence, administrative action had been taken and copies provided to the Council.

(2) Administrative Reports and Recommendations for Council Action.

Recreation Department Director Ziegler announced the following activities:

September 2, Labor Day Monday, at 10:00 AM - Greenbelt Labor Day Parade, in which the Takoma Park July Fourth float had been asked to enter.

" 15, Sunday, 12 Noon to 6:00 PM - the 8th annual Antique Show and Sale would be held on the Library grounds. It will be open to the public and free of charge, except for those wishing to sell. For further information call the Recreation Department. In case of rain, it will be held on Sunday, September 22.

In September and October classes will start in: Sewing - Beaded Flowers - Tennis - Cake Decorating - Slimnastics - Leaded Stained Glass - Drawing and Painting - Oil Painting - Guitar - Roller Skating. For further information call the Department : 270-4048.

Assistant City Administrator Gilsdorf reported on Speed Bumps, Traffic Dividers and "Wake Ups", explaining that TRAFFIC DIVIDERS are miniature islands placed at intervals at 45° angles to the centerline to keep traffic in a given lane, while the ALERT STRIP or WAKE UP - mentioned by Councilman Nishimoto - consists of a series of small asphalt ribbons extended across the width of a road and making a distinct vibrating sound to alert motorists to conditions ahead. They are generally used near the termination of high speed highways, where a hypnotic, trancelike condition sometimes occurs with motorists. SPEED BUMPS - the real topic of the report - are generally mounds of concrete or asphalt, placed all the way across the street, giving a severe jolt to a speeding car. Experts in traffic engineering generally oppose this device, which they consider a hazard and a possible source of legal liability, and it was felt that they created one danger to prevent another, which is not in accord with public safety. Hence, it was strongly recommended that speed bumps NOT be used on any public roadway within the jurisdiction of Takoma Park. He added that according to an Opinion from the Montgomery County Attorney to the Department of Transportation, the County does not have the authority to use raised obstructions or speed bumps to regulate traffic and could possibly be liable for damage caused by such devices. Sect.15-106 of Article 66-1/2 of the Annotated Code of Maryland was cited as providing that all traffic control devices shall conform to the State Manual and Specifications, and the State Manual does not provide for raised obstructions such as speed bumps. Mayor Roth expressed his appreciation of the information ascertained on speed bumps; he was, however, also interested in getting information on the various types of ALERT STRIPS, mentioned by Councilman Nishimoto at a previous meeting. There was some discussion, and Councilman Garcia pointed out that the staff report was evidently to show the several alternative devices available and had been developed in response to a citizen request to put a stop to speeding traffic on Maple Avenue. Councilman Ricks was against traffic bumps and wondered how effective ALERT STRIPS would be in a one block area. Attention was also called to the fact that they make noise, and

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Councilman Ricks suggested as a better solution that the City get a good radar unit, which he knew from personal experience worked well. Police Chief Porter said that the Police Department already has a radar unit which, however, is not used extensively. He would be in favor of getting an efficient new radar unit and 3 additional policemen to operate it. Councilman Ricks thought it could be operated by one man and felt it would be good publicity, traffic-wise, if Takoma Park became known as a City where speed limits were strictly enforced. Police Chief Porter thought that might already be the case since in 1973 Takoma Park Police had written 6300 tickets for traffic violations. Councilman Ricks proposed posting that fact on a sign where motorists entering the City could see it. There was further discussion, and the consensus of the Council was to accept the staff report on speed bumps, to consider the other aspects of it, and also to look into the question of using radar units more extensively - possibly getting a new and more up-to-date radar unit.

City Administrator Pridgen read a memorandum from Public Works Director Barile about a trailer load of pine bark having been purchased for the Azalea Gardens at a price of \$450.00, which amount had been paid entirely by the Azalea Committee's funds. Councilman Forshee moved that the Council go on record expressing its appreciation to the Azalea Committee for this contribution. The motion was seconded by Councilman Ricks and carried unanimously by voice vote. Mayor Roth expressed his pleasure at the Azalea Committee's suggestion and was grateful to Public Works for carrying it out.

On behalf of Public Works Director Barile City Administrator Pridgen requested authority to advertise for bids on a leaf machine, approved under the current budget with \$5,500. Councilman Garcia so moved. The motion was seconded, and some discussion followed, during which Councilwoman Medina and Mayor Roth inquired about the mulch derived from the collected leaves, where it was kept, how it was used, etc.. Public Works Director Barile explained that the leaves were kept in a pile across the street from the Public Works Department, and that after 5 years, the mulch was brought up for the citizens of Takoma Park to use in their gardens; it was in fact so much in demand that it was used as quickly as it was brought up. Since the amount of leaves collected was increasing, the extra machine was needed. Mayor Roth directed Mr. Barile to notify the Council if ever the pile grew out of proportion, possibly necessitating advertisement in the City Newsletter that the mulch was available. The motion, to authorize the issuance of specifications and advertising for bids on a leaf machine, was carried unanimously by voice vote.

City Administrator Pridgen proposed an Ordinance concerning re-surfacing of certain streets in Takoma Park, requesting that the contract for this project be awarded the A.H.Smith Co., as the lowest bidder.

#### ORDINANCE NO. 2317

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

- SECTION 1. THAT bids on the resurfacing of certain streets were solicited and opened on August 14; AND
- SECTION 2. THAT the low bid in an amount not to exceed \$9,000 (NINE THOUSAND DOLLARS) was submitted by the A.H.Smith Co. for inter-alia re-surfacing of the following streets: Laurel Avenue, from Eastern to Carroll Avenues; Lincoln Avenue, from Maple to Carroll Avenues; and Maple Avenue, from Kennebec to Edinburgh Lane; AND
- SECTION 3. THAT the contract is hereby awarded to A.H.Smith Co. for a sum not to exceed \$9,000 (NINE THOUSAND DOLLARS); AND
- SECTION 4. THAT funds for this work have been provided in the current fiscal budget A/C 12.3231.

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A motion was made to adopt the proposed Ordinance, seconded, and passed by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; NAY: None; EXCUSED: Councilmen Nishimoto and Webb.

Police Chief Porter gave progress reports on Colby and Holly Avenues. As to Colby Avenue - all abandoned vehicles had been removed, including a vehicle hull; the Uniform Division had handled 2 complaints in the area and patrolled the location whenever possible, primarily in the evening hours; the Crime Control Team had spent a total of 40 man-hours in the area, supplemented by periodic checks by the Detective Bureau, and the latter had recovered stolen property (a lawn mower stolen from the Public Works Department), valued at \$247.00; 4 written warnings had been issued for traffic violations in the area. As to Holly Avenue - Plainclothes officers had spent a total of 42 manhours in the area; the Uniform Division had been on routine patrol in the area over 10 hours and had handled 6 incidents, primarily disorderly conduct; 2 traffic citations had been issued; the assigned detective will continue working with the Assistant Fire Marshall on the open arson investigation. Mayor Roth voiced his pleasure at the good progress made on both streets.

Item #34 - Proposed service awards for City employees.

Assistant City Administrator Gilsdorf stated that this question was brought up in a staff effort to remove old items from the agenda. In view of the fact that the City provides for longevity pay and more vacation time for employees with long-time service, besides giving such employees preference when considering promotions, he could NOT recommend that service awards be given based solely on years of service. What he did recommend was that, upon honorable separation from City service, employees with more than 10 years of service be recognized by councilmanic resolution, and that those with more than 15 years of service receive a suitable plaque. Mayor Roth suggested revising the wording to: "... those with more than 15 years of significant service to the City", but later withdrew this revision as Councilman Ricks pointed out that 15 years of service to the City - in any capacity - was significant. Councilman Garcia wondered about the award - could it be something else besides a plaque, but both the Mayor and Councilman Ricks felt that the award should be standardized. It was pointed out that apart from the capacity in which an individual served, there could be various degrees of service, and the Mayor felt that service "over and above the line of duty" should be rewarded in some special way so as to distinguish the individual who had given more than could be expected from those giving only marginal service. Councilwoman Medina considered the staff recommendation reasonable and felt it should be left at the discretion of the City Administrator. The consensus of the Council was to accept the staff recommendation.

Item #162 - Silver Spring Intermediate School closing.

Assistant City Administrator Gilsdorf reported that all avenues to have the school reopened had been exhausted - with the possible exception of suits by private parties - and suggested deleting the item from the agenda with the understanding that Council would maintain an active interest in all matters connected with the disposition and use of the school building and grounds. Councilwoman Medina stated that basically she would go along with the recommendation but would like the Council to go further than just keeping an eye on the school building. The whole school situation in Takoma Park should be watched closely as critical questions were coming up for consideration by the Montgomery County School Board, which might necessitate that the Council make recommendations as to the type of schools desirable for Takoma Park. Mayor Roth said that the school building should still be useful as a community center, and Councilwoman Medina suggested in that connection that David Weissman report on

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the last meeting of the Future Use of the SSIS Site Committee, and with the consensus of the Council Mr. Weissman reported that the school building had been considered for use by STREET 70 - an artistic group, producing plays and musicals, at present operating in Rockville - but that the cost of repairing the vandalism etc. (abt.125 windows had been broken at the last count) would be too high. It had been stated as \$185,000 but had kept going up so that now, according to Mr. Hussman, Chief Administrative Officer, Montgomery County, it was \$550,000. The group had now given up the idea of using the building. Councilman Ricks moved to appeal to the Board of Education for immediate action in having the school building renovated. The motion was seconded by Councilman Faulkner and some discussion ensued. Mr. Weissman stated that the gymnasium was still in fairly good condition and could be used for sports. He thought the grounds could be used for much needed tennis courts. Mayor Roth declared himself in full accord with Councilman Ricks's motion but would also like to get the Recreation Council involved in the question of using the school building for City programs rather than County programs. Councilwoman Medina suggested for consideration possibly a coordination of City and County activities and mentioned in this connection plans for creating an Arts and Humanities Council with headquarters at the school. It was the consensus of the Council that the Recreation Council should be asked for advice on the use of the school building. Councilman Ricks' motion, to send a forceful letter to the Board of Education, attention Mrs. Bernstein, that the building be kept in good repair so as to be useful to the City and not develop into an eyesore, seconded by Councilman Faulkner, was adopted unanimously by voice vote. Recreation Department Director Ziegler was asked by the Mayor to express her viewpoint. She reported that at the last meeting of the Committee Mr. Neil Ofsthun, Director of the Montgomery County Department of Recreation, had volunteered to go back to Mr. Hussman to discuss the problem. As to the repair costs going up, this was caused mainly by the Fire Marshall's office - to meet fire regulations. Besides STREET 70 being interested in the building, it had also been discussed to use it for art shows, art classes, meetings, etc., and the feeling was that even if it was decided to tear down the school building, the gymnasium could still be kept and used for sport activities. The Committee was now waiting for Mr. Ofsthun's report of his meeting with Mr. Hussman, probably in the fall; but the Board of Education had stated that any group who wanted the facility would have to have the funds to renovate it, and that would probably apply to the City of Takoma Park as well. Councilman Faulkner commented that in other words the County had just closed the school and left it to go to ruin, having no intention to do otherwise. Councilman Ricks said that it should be stressed in the letter to the Board of Education that the City did not want the building boarded up with plywood but kept to look as part of the neighborhood. In this connection Mayor Roth said that it could be pointed out in the letter that in Takoma Park plastic had often been used at broken windows as this looked much better than boards. Councilwoman Medina thought that carbon copies of the letter should go to the County Council and Executive to make them aware of the situation. Mayor Roth added that the letter should request that the building be maintained by the County as it was before the school was closed, and Councilman Forshee concurred. As to the grounds, it was pointed out that there was a steep embankment which might prevent their use for sports, but Mrs. Ziegler thought they could be used for tennis courts, while they were not large enough for a soft ball field - there had also been plans of having shuffle boards.



Item #171 - Request for removal of parking meters at 7040-42 Carroll Avenue and designated as loading zone.

Police Chief Porter reported that the request had been withdrawn by the originator, GLORIA'S MARKET. Councilman Ricks stated that he could still not see any reason for having a loading zone in front of a roominghouse. City Administrator Pridgen pointed out that the strip was zoned for commercial use, either as C-1 or C-2. There was some discussion, and Councilman Faulkner wondered how the other merchants in the area felt about it. Police Chief Porter replied that they concurred in the recommendation that new loading zone signs be installed reading: NO PARKING - LOADING ZONE 8:00 AM to 6:00 PM and clearly designating the location of the loading zone. After some additional discussion Councilwoman Medina moved that the item be removed from the agenda; the motion was seconded and carried by voice vote 3 to 2 with Councilmen Ricks and Faulkner against it.

Item #244 - Petition from Montgomery College students re parking in campus area.

Police Chief Porter reported that Fenton Street had been found to be too narrow in places to allow for parking on both sides. Courtesy had been shown today, first day of classes, in issuing only "warnings", but from now on tickets would be issued for parking violations in the area. Since the Mayor had appointed him as representative to the Montgomery Community College Parking Study Task Force, the parking request could be incorporated in the meetings of the Task Force, and he, therefore, recommended that the item be removed from the Council agenda. The first meeting of the Task Force was scheduled for Thursday, September 5, at 2:00 PM, and he would submit regular progress reports to the Council. Mayor Roth stressed that the Council was very much interested in reaching some solution of this long standing parking problem. There was some discussion, and Councilwoman Medina asked whether residents have a legal right to park in front of their own homes. The reply was that they have the same right as anybody else to park on a public street.

SPECIAL REPORTS:

Mayor Roth told of reading in the Montgomery County Reporter about a Bill, introduced by a Montgomery County Councilmember, setting up Community Councils in the County. This, he felt, could create ambiguity with relationship to the City Council's operation, as there would be a question as to what would be the business of the Community Council, and what the business of the City Council. The Community Councils would have mandatory referrals from the County Council on many matters such as zoning map amendments, section map amendments, The 60 Year Capital Improvement Program, The 20 Year State Highway Need Study, sites for fire stations and other government buildings, bus routes and -schedules, designs of major County buildings, etc.etc., and he felt that within the City the citizens and the City Council should be consulted on such matters. Consequently he was concerned as to where the boundaries would be drawn and hoped the City of Takoma Park would not be included. He had as yet not read the entire Bill but wanted to alert the Council to this development. He planned to discuss all legal aspects with the City Administrator and would report back to the Council.

NEW BUSINESS:

Councilman Ricks referred to a statement by Governor Mandel that he would work for the cities and moved to write a letter to the Governor stating that the City was very disenchanted with the Department of Transportation which had not lived up to its promises to deliver a number of light signals and had not even given any date for their delivery. Councilwoman Medina seconded the motion. There was considerable discussion, and Councilman Forshee would prefer to have the City Administrator take up the matter with the proper authorities and try to work out something. Councilman Ricks stated that this approach had been tried without

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success, and the Mayor asked Assistant City Administrator Gilsdorf to report on his meeting with the State Highway Administrator concerning the signal lights and other matters. Mr. Gilsdorf said that the excuse given at the time was that those light signals were not readily available. He had checked this out with D.C. officials, who had told of having the same problem. As to other pending questions, the Administrator had promised a written response, which as yet had not been received. Councilman Ricks again urged that the Mayor send a strongly worded letter to the Governor. Mayor Roth stressed the importance of keeping on good terms with Mr. Caltrider who, it should be kept in mind, had supported the City's wishes NOT to have Rt.410 widened in Takoma Park. It was his feeling in general that persuasion worked better in the long run than having to fight on every issue. Councilman Garcia suggested a follow-up letter to the State Highway Administrator, and only if that did not bring results, to go one step higher, to the Secretary of Transportation. He felt it was too strong to write to the Governor at this point. Councilman Faulkner requested that the Council receive a report showing all the facts such as what was promised where and when. The motion was defeated by voice vote and a show of hands with 3 against and 2 in favor (Councilmembers Medina and Ricks). Mayor Roth said that he agreed with what Al Smith used to say: "Let us take a look at the record", and the consensus of the Council was that a status report be provided for the next meeting.

Councilman Faulkner presented an agenda item for the next Council meeting: a request that National Park & Planning Commission construct a bicycle path through the City along Sligo Creek, and that this be coordinated with the WSSC's plan to put in a sewer line along the creek.

Councilman Garcia reported that he and Councilman Faulkner had prepared a letter concerning the school bus stop on Hopewell Avenue, proposing another site for the stop.

ADJOURNMENT: at 9:55 PM. The Council to reconvene Monday, September 9, at 8:00 PM.

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

*John W. Roth*  
 Mayor

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

*Hayesman Lopez*  
 City Administrator