

THE CITY OF TAKOMA PARK, MARYLAND

Executive Meeting of the Mayor and City Council
September 9, 1974

City Officials Present

Mayor Roth	City Administrator Pridgen
Councilman Faulkner	Asst. City Admin. Gilsdorf
Councilman Forshee	Recreation Dir. Ziegler
Councilman Garcia	Public Works Dir. Barile
Councilwoman Medina	Corp. Couns. Gingerich
Councilman Ricks	Asst. Corp. Couns. Culpepper
Councilman Webb	Dep. City Clerk Pusti
Excused: Councilman Nishimoto	

The Mayor and Council met in Executive Session, Sept. 9, 1974, at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Pledge of Allegiance, a motion to approve the minutes of the Aug. 26 meeting and dispense with the reading was made, seconded, and unanimously adopted.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

Mayor Roth reported on the Rec. Dept. summer program; counsellors from both Counties participated, and children attending the programs expressed their pleasure. The Mayor noted with sadness that Mr. Brook Fetty had passed away; Mr. Fetty supplied the P.A. system for the 4th of July parade for many years. He reported that a pedestrian bridge has been erected on Juniper Street. The Mayor welcomed former Councilman Ian Burgess to the meeting.

ADDITIONAL AGENDA ITEMS:

Councilman Webb requested authorization to obtain bids for partitions for the 2nd floor meeting room in the Municipal Bldg.

Mr. Pridgen reported receipt of a bid on a vacuum leaf collecting machine, and requested authorization for purchase.

CITIZENS' REMARKS:

Allan Marsh, 7405 Maple Ave., as Pres. of the OTCA, thanked Mayor Roth for attending the Assn's. meeting last week, and stated that members felt it was a beneficial session; the meeting was a joint effort of the OTCA and the NTCA. Spoke of the many comments regarding the "unusual architecture" of the house at 7050 Carroll Ave, and reported that, according to Rockville, no building permit had been issued; requested that the City look into this. As a citizen, he referred to the discussion of speed control devices (8-26 Council meeting), and requested that the "alert strips" be investigated; noted places along Maple where these strips would be beneficial. Mayor Roth reported indications that the County may take action on the house at 7050 Carroll, and expressed hope that the Council will soon have more information.

Ethel Bowers, 41 Philadelphia Ave., supported Mr. Marsh's statement about 7050 Carroll; mentioned other properties in the City owned by the same person. Spoke regarding speeders on Phila.; noted the absence of marked traffic lanes and suggested marking the street. After discussion among the Council regarding ownership and maintenance of that section of 410, Mayor Roth requested the City Administrator and the P.W. Director to work on this.

Ian K. Burgess, 7405 Wildwood Drive. Noted that he was unable to attend the budget hearing, but had a copy of the budget; he requested that the salary of the Recreation Dir. be reviewed to reflect the many hours and the energy that

Mrs. Ziegler devotes to the Rec. Dept. He mentioned that Mrs. Ziegler's salary is below that of the P.W. Dir. and the Police Chief. He emphasized that he is speaking only in regard to the Rec. Dir., and suggested that perhaps money from the Mayor and Council fund could be used to increase her salary.

Joe Ferrier, 7413 Maple Ave., supported Mr. Burgess' statement regarding the Rec. Dir. salary. Thanked the Mayor and Council for their efforts to have the temporary Juniper St. pedestrian bridge constructed. Complimented Mr. Gilsdorf for his "on the spur of the moment" action regarding Pepco workers who were cutting trees on Pepco property across from the Mun. Bldg. The supervisor agreed not to cut down trees not damaged or diseased; Mr. Ferrier requested the Mayor and Council to contact Pepco regarding this. Mentioned the parking meters and the loading zone signs on Carroll Ave., and requested action on this. Stated support of the T.P. Sr. Citizen's group for the proposed expansion of the Holy Cross and SDA hospitals in Mont. Co., and called on citizens to back these proposals. Noted that the number of people participating in the lunch program for the elderly at PBMS may have to be reduced because of inflation and stated that he may request help from the Mayor and Council on this.

Sue Tavala, 303 Ethan Allen Ave., mentioned boarded up houses at 6909 and 7107 Woodland; 6909 is partially burned, and 7107 has been vacant for some time. Stated concern that children play around these houses and requested appropriate action. In response to a question from the Council, she said that the sidewalk in front of 6909 is buckled and cracked, and the roof does not appear safe. Mayor Roth noted that the City can require boarding up and requested further comment from Mr. Pridgen. Councilman Faulkner mentioned Ord. 1946, which requires property owners to keep houses safe and in good repair. Mr. Pridgen stated that the City has full condemnation and demolition powers, but there has been a problem concerning 6909. C.E. Officer Olson elaborated - this property has been tied up in estate settlement for some time. The Mayor noted that in cases where 60% of a house is destroyed, it cannot be rebuilt. Councilman Faulkner requested that this be added to the agenda.

Mrs. Curtis, 45 Philadelphia Ave., asked who is responsible for maintaining the grass strips along the curbs. Mr. Pridgen noted that property owners are customarily responsible for cutting the grass. She reported that the house next to the Pepco bldg. has garbage cans and garbage on the grass strip and it is overgrown with grass and weeds. Mr. Pridgen stated that this will be investigated. In response to a question from Mayor Roth, Mrs. Curtis identified the two houses next to Pepco and the two by the park across the street as the main offenders. Mayor Roth stated that action will be taken on this.

Phil Vogel, 7117 Garland Ave., mentioned the lack of crosswalks at Phila. and Carroll and requested that crosswalks be painted there; Mayor Roth asked Mr. Pridgen to consult Chief Porter about this. In response to a statement by Mr. Vogel, the Mayor noted that the Kass parking lot is leased, not owned, by the City. Mr. Vogel reported 2 abandoned vehicles and some litter there; the Mayor mentioned the constant effort of the P.D. to keep the lot free of abandoned cars and stated that this program will continue. Mr. Vogel commented on the upcoming (9-12) Mont. Co. Planning Bd. discussion of nomination of Garrett Park and Poolesville as Historic Districts, and inquired about the proposed T.P. Hist. Dists.; requested that this be put on the agenda. Mayor Roth said this is with Mr. Marschalk's committee and the Council is waiting for a report from a Md. U. professor; he mentioned the legislation proposed by

Park & Planning which would include control of exterior changes of properties in historic districts. The Mayor agreed to Mr. Vogel's request for periodic Council reports on the T.P. Hist. Dists. Mr. Vogel mentioned a letter he wrote in July to the M & C on the proposed half-way house on Red Top Rd.; the Mayor stated that action (in this case, a reply to Mr. Vogel) had been taken. Copies of the correspondence were distributed to the Council. Further discussion between the Mayor and Mr. Vogel regarding correspondence addressed to the M & C.

Kathryn Simpson, 7300 Cedar Ave., mentioned that the boarded up properties on Woodland and 3 HUD properties were reported to the Mayor and Council in March; she hopes the conditions have been corrected. She asserted that these boarded up properties are definitely not assets to the City.

FINANCIAL STATEMENT: City Admin. Pridgen reporting.

Bank Balances as of August 31, 1974

Suburban Trust Co - General Funds		
Balance: July 31, 1974	197,379.91	
*August receipts	<u>371,917.33</u>	569,297.24
**August disbursements		<u>432,096.23</u>
Balance: August 31, 1974		<u><u>137,201.01</u></u>
Suburban Trust Co - Payroll Account		
Balance: July 31, 1974	11,760.24	
August receipts	<u>81,816.43</u>	93,576.67
August disbursements		<u>80,842.19</u>
Balance: August 31, 1974		<u><u>12,734.48</u></u>
Citizen's Bank of Md - General Funds		
Balance: July 31, 1974	277.05	
August receipts	<u>622.70</u>	
Balance: August 31, 1974		<u>899.75</u>
Citizen's Bank of Md - Sp. Asses. Fund		
Balance: July 31, 1974	196.60	
No transactions during August	<u>- 0 -</u>	
Balance: August 31, 1974		<u>196.60</u>
Citizen's Bank of Md - Pub Imp Fund		
Balance: July 31, 1974	534.53	
No transactions during August	<u>- 0 -</u>	
Balance: August 31, 1974		<u>534.53</u>
Citizen's Bank of Md - Savings Acct.		
Balance: July 31, 1974	175.61	
No transactions during August	<u>- 0 -</u>	
Balance: August 31, 1974		<u>175.61</u>
American National Bank - General Funds		
Balance: July 31, 1974	80.73	
Cash receipts	<u>237.38</u>	
Balance: August 31, 1974		<u>318.11</u>
Petty Cash		<u>200.00</u>

<u>U.S. Treasury Bills</u>		<u>Cost</u>	<u>Maturity Value</u>
Purchased: 6/21/74	Maturity Date: 9/12/74	98,228.19	100,000.00
" 6/21/74	" 10/22/74	97,362.78	100,000.00
" 8/2/74	" 3/31/75	94,123.89	100,000.00
" 8/20/74	" 2/13/75	95,614.58	100,000.00
" 8/22/74	" 1/16/75	96,340.00	100,000.00
		<u>481,669.44</u>	<u>500,000.00</u>

* Treasury Bill matured 8/22/74, cost \$98,680.28

** Treasury Bills purchased during month of August, cost \$286,078.47;
maturity value \$300,000.00

ITEMS FOR COUNCIL CONSIDERATION:

(1) Communications:

Harriet Bernstein, Pres., Mont. Co. Bd. of Ed., Reply to City letter regarding request to examine conditions at SSI; stated desire of Bd. of Ed. and Supt. of Schools to maintain SSI until a final decision about its future use is made. Copy of City letter was sent to Supt. of Schools for follow-up; mentioned that the building is used by Title I school system staff and the gym is used by MC. Mr. Gilsdorf clarified that the Title I use is for storage only. Discussion by the Council; conditions at SSI will be checked each week and reported on to the Council; will be kept on the agenda. Further communications will be directed to the Supt. of Schools.

Copy of letter to Dep. Dir., Dept. of Hwys. & Traffic, Wash., D.C., from Vernon Garrott, Jr., Off. of Engineering, WMATA. Regarding City letter stating opposition to design for Cedar & Eastern (WMATA contract 1B0065); requested approval of City proposal (Alternative #4, 8/14/74).

MNCPPC, Riverdale, Md. Notice of petition for reclassification from C-1 to C-G, 1513 Univ. Blvd., adjacent to City limits; Mayor Roth requested that this be added to the agenda.

Office of Comprehensive Health Planning, Mont. Co., Md. Notice of public meeting, 8 PM, 9/19/74, in the COB first floor auditorium regarding recertification of Psychiatric Inst., a private hospital. Persons wishing to speak should call OCHP (340-2773); speaking time - 3 min. for individuals, 5 min. for organization representatives. Written comments may be sent to OCHP, 611 Rockville Pike, Rkv., Md., 20852.

Garfield I. Kass, Kass Realty Co., Inc., Wash., D.C. Notice of cancellation of month-to-month basis lease with the City for the "Kass Parking Lot"; mentioned prospective buyers and offered to sell the property to the City. Mayor Roth requested that this be added to the agenda.

Memo from Chief Porter to all Special Police Officers, regarding Att'y. General's ruling to require all SPO to turn in their service weapons by 12 noon 9/16/74. Although there will be no scheduling of SPO after 9/16, volunteers for duty without weapons may contact Cpl. Winkler. A program to qualify SPO under Md. law to return to duty as armed, sworn SPO will be looked into. Mr. Pridgen noted that the SPO were informed of this at a meeting prior to the issue of this memo.

(2) Administrative Reports & Recommendations for Council Action.

COG car pool program. Asst. City Administrator Gilsdorf reported that the City staff contacted Mr. Bill Canup (head of COG's Wash. Metro Car Pool Prog.)

The goal of this centralized, computerized program is to match interested persons with others living nearby with compatible destinations and similar working hours. Mr. Gilsdorf recommended that this service and its "Action Number" (659-6488) be publicized through the Council minutes and the Newsletter and that promotional literature be available at the City offices. Councilwoman Medina requested that Takoma Park support and endorse the program; encouraged citizen participation and urged workers to interest their employers also. An official communication will be addressed to TESS, asking them to help publicize the car pool.

Authorization to solicit bids on curb and gutter repair. Mr. Pridgen requested authorization for the P.W. Dept. to solicit bids for about \$40,000 of street and gutter repair and noted that approximately \$40,000 in RSF was earmarked for this in the Planned Use Report; there is a balance of about \$11,000 of the \$20,000 authorized in the current capital outlay budget for street and curb repair. The following repairs are proposed:

Street	Feet (Lin.)	Cost
Kennebec (Flower to Maple)	210 at \$13.00	\$ 2,730
Maple (Tulip to Val. View-one side)	1584 " 13.00	20,602
Maple (Kennebec to Edin. La.)	154 " 13.00	2,002
Lincoln (Carroll to Jackson)	150 " 13.00	1,950
Jackson (Lincoln to Boyd)	625 " 13.00	8,125
Park (Spruce to Carroll)	340 " 13.00	4,420
Total		<u>\$39,829</u>

Mr. Barile noted that specifications for bid are not ready yet, but will be this week. in response to a question from Mayor Roth, he stated that this is one of the most expensive projects facing the City, and that the periodic resurfacing of streets has cut down the curbs in some places. Councilman Forshee's motion to authorize solicitation of bids was seconded by Councilman Faulkner and unanimously approved.

Authorization to solicit bids on 2 salt spreaders. Mr. Pridgen requested authorization for the P.W. Dept. to issue specifications for two salt spreaders. In response to a question from Mayor Roth, Mr. Barile stated that these are replacements (approximate life of the spreaders is 3 - 4 years); this will equip the City with a total of four spreaders. In response to Councilman Garcia, Mr. Barile said that he does not know the approximate cost of the spreaders. The motion by Councilman Faulkner to authorize specifications for bid was duly seconded and unanimously approved.

Authorization to solicit bids for 2 Police cruisers. Mr. Pridgen reported that this item will be postponed to permit further discussion.

Ordinance authorizing purchase of A-V equipment for Library. Councilman Garcia moved that the following Ordinance, presented by Mr. Gilsdorf, be adopted. The motion was duly seconded and adopted by a roll call vote as follows. Aye: Councilmembers Faulkner, Forshee, Garcia, Medina, Ricks, Webb. Nay: none. Excused: Councilman Nishimoto.

ORDINANCE #2318

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

SECTION 1. THAT prices on a 16mm sound-film projector and screen for use in the Municipal Library were solicited, with the lowest price being obtained from Prince George's County; AND

- SECTION 2. THEREFORE THAT the purchase of one Bell and Howell 16mm sound projector and one 60 x 60 screen through the Prince George's County Central Purchasing Division is hereby authorized; AND
- SECTION 3. THAT funds to cover this purchase be appropriated from Federal Revenue Sharing Funds in the amount of THREE HUNDRED FIFTY-SEVEN DOLLARS (\$357) to Budget A/C 19.1031.

Ordinance appropriating \$50,000 to Rehabilitation Loan Fund. Mr. Gilsdorf recommended that \$50,000 be allocated from the RSF for a housing rehabilitation loan fund. The motion by Councilman Forshee to adopt the following Ordinance was seconded by Councilman Ricks and adopted by a roll call vote as follows. Aye: Councilmembers Faulkner, Forshee, Garcia, Medina, Ricks, Webb. Nay: none. Excused: Councilman Nishimoto.

ORDINANCE #2319

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

- SECTION 1. THAT whereas Ordinance No. 2313, adopted July 8, 1974, formally set up the Rehabilitation Loan Fund and allocated \$50,000 in Federal Revenue Sharing Funds to finance its operation; AND
- SECTION 2. THAT funds be appropriated from Federal Revenue Sharing Funds in the amount of FIFTY THOUSAND DOLLARS (\$50,000) to the Rehabilitation Loan Fund account.

219. Beer & wine license, Nicolino's, 916 East-West Hwy. Mr. Gilsdorf reported that when Mr. Mercantonio spoke at Council workshop meeting on 7/15/74, he was advised of the Council's consistent stand against the issuing of liquor licenses in Takoma Park. He suggested that the Council present a negative recommendation to the P.G. Board in keeping with the established precedent on the licensing of beer, wine or liquor outlets in Takoma Park. Councilman Faulkner moved that the recommendation be approved. The motion was duly seconded and unanimously approved. Mayor Roth noted that this is not before the P.G. Board, and the reply should be addressed to Mr. Mercantonio, not to the County.

240. Petition req. City acquisition & development of lots bet. 104 & 120 Grant as minipark. Mr. Gilsdorf reported that due to the prohibitive acquisition cost and the opposition of several nearby residents, it is not recommended that this property be developed as a minipark. He noted that the lots were cleaned in June and several abandoned vehicles were removed by the P.D.; the owner has been requested to again cut the weeds. A motion was made to accept the recommendation to delete this item from the agenda, and for periodic checks on the property by the C.E. officers was duly seconded and unanimously approved.

242. Req. for hearing on BOCA citation, 105 Elm Ave. Mr. Pridgen stated that because of recent developments, the report on this item will be postponed.

256. Proposed bicycle path along Sligo Creek. Councilman Faulkner moved that the City request MNCPPC to construct a bike path, through the City, along Sligo Creek Pkwy to be coordinated with the WSSC sewer line plan. The motion was seconded by Councilman Garcia. Councilman Ricks suggested that the City request to be kept informed of developments in construction; Councilman Faulkner noted that, according to the contract drawings, part of the line will

be in the creek, so the bike path cannot strictly follow the sewer line. Mayor Roth suggested requesting MNCPPC to construct a bike path that will relate to the path of the sewer lines. Councilman Faulkner mentioned that Sligo Pkwy is a designated bike way, and it will be safer to have a separate bike path than to have bikes and cars share the road; he supported Councilman Ricks' suggestion to contact MNCPPC and suggested offering comments from the City. The motion was unanimously approved.

Ordinance authorizing purchase of vacuum leaf collector for P.W. Mr. Pridgen reported that one bid was received, from the John C. Louis Co., and recommended that purchase be authorized. Councilman Forshee's motion to adopt the following Ordinance was seconded by Councilman Faulkner. In response to a question from Councilman Garcia, Mr. Pridgen stated that a time limit was set for receiving bids and no additional bids could be accepted after that time. In response to a question from the Mayor, Mr. Pridgen noted that invitations to bid were sent to Internat'l Harvester, John C. Louis Co., McClung-Logan Co., and Tarrent Mfg. Mr. Barile mentioned the long period of time between the bid and delivery dates and said this may have deterred other companies from bidding. The Ordinance was adopted by a roll call vote as follows. Aye: Councilmembers Faulkner, Forshee, Garcia, Medina, Ricks, Webb. Nay: none Excused: Councilman Nishimoto.

ORDINANCE #2320

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

- SECTION 1. THAT bids were solicited on one vacuum leaf collector, and were opened on September 9, 1974, with the only bid being received from John C. Louis Company, Inc., Fairfax, Virginia; AND
- SECTION 2. THAT the bid of the John C. Louis Company, Inc. be accepted for one TARCO BIG-T-VAC, Model TTL-1, Type 87-W, for the sum of FIVE THOUSAND, SEVEN HUNDRED SIXTEEN DOLLARS (\$5,716); AND
- SECTION 3. FURTHER THAT the sum of \$216 be transferred from the Reserve Fund to A/C 12.3232 to cover this purchase.

Authorization to solicit bids for folding partitions. Councilman Webb requested authorization to solicit bids for folding partitions to be used in the 2nd floor meeting room in the Mun. Bldg. In response to Mayor Roth's request for additional information, Mr. Gilsdorf noted that the meeting room will be subdivided into 4 separate areas by sliding partitions on casters, preferably with a wood-type finish; it is expected that the cost will be about \$5,000. The partitions will divide the main room into 2 small and 2 larger rooms which will be soundproof as long as P.A. systems or musical instruments are not used. The Council unanimously approved the request to solicit bids.

In response to an earlier question from Mr. Ferrier, Councilwoman Medina read that portion of the 8/26 meeting regarding item #171, req. for removal of parking meters at 7040-42 Carroll & designation as a loading zone. Mr. Ferrier noted that the request was withdrawn because the petitioner had suffered a heart attack and was unable to pursue the matter further; he requested the Council to reconsider this.

ADJOURNMENT: 9:45 PM. The Council to reconvene Monday, Sept. 23, at 8:00 PM.

APPROVED: _____

Mayor

ATTEST: _____

City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
September 23, 1974

City Officials Present

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

City Administrator Pridgen
Asst. City Admin. Gilsdorf
Police Chief Porter
Fire Prevention Off. Williams
Corp. Counsel Gingerich
Asst. Corp. Couns. Culpepper
Dep. City Clerk Pusti

The Mayor and City Council met in Regular Session, Sept. 23, 1974, at 8:05 PM, in the Council Chambers, 7500 Maple Ave., Takoma Park, Maryland. The invocation was given by the Rev. F. Bailey Phelps of Grace Methodist Church. Following the Pledge of allegiance, a motion to approve the minutes of the Sept. 9 meeting (with a request to correct the spelling of Mr. Nicolino Marcantonio's name) and dispense with the reading was made, seconded, and unanimously adopted.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth read a Proclamation naming the week of Oct. 6-12, 1974 as Fire Prevention Week in the City of Takoma Park; copies of the Proclamation were presented to Fire Prevention Officer I.T. Williams and to C.J. West (representing the T.P.V.F.D., Inc).

ADDITIONAL AGENDA ITEMS

Mr. Pridgen said he would request authorization to advertise for bids for an automobile for the Police Dept.; bids to be opened Oct. 10, 1974. He reported that bids for curb and gutter repair were opened on Sept. 20, 1974, and would request Council approval of an ordinance awarding the contract.

Councilman Webb said he would request authorization to purchase a new ambulance for the T.P.V.F.D., Inc.

Councilwoman Medina reported that there will be public hearings on the proposed Metrobus unified fare zone structure at Northwestern High School at 7:30 PM, Oct 2, and at the Mont. Co. Off. Bldg. at 7:30, Oct. 9.

Councilman Ricks announced that there will be a TESS Comm. meeting at 8:00 PM, on Sept. 24.

CITIZENS' REMARKS

Kathryn T. Simpson, 7300 Cedar Ave. Referred to the minutes of 4/8/74 which reported the order of the Mont. Co. Circuit Court in the City's case against the 16th St. Woods Devel. Corp. (Winchester-Takoma); the order required correction of BOCA and Fire Code violations at the W-T and posting of a security bond to insure correction of certain violations within 90 days and others within 120 days or 4 months. At the Council meeting of 9/9/74, Councilman Ricks reported that these corrections were not completed within the specified time and recommended that the Mayor and Council request forfeiture of the security bond. She stated that the CIB supports Councilman Ricks' suggestion, and commended him for his concern with this problem.

Curtis Ferguson, representing Shannon & Luchs (new management agent for the W-T). Read a letter from Mr. Shapiro agreeing to provide the necessary funds and authorizing Shannon & Luchs to bring the W-T into compliance with the BOCA and Fire Codes in order to forestall further legal action by the City. He requested additional time to correct the violations at the W-T; a new resident manager has been employed, almost all the Fire Code violations have been corrected, and BOCA violations are

9/23/74

being corrected. A tenant selection procedure and a tenant education program will be instituted to help combat the vandalism. Requested City help in removing abandoned vehicles from the parking lot. Code violations that are being worked on now will be corrected within 60 days; R.C. Dawes will be contacted to install additional trash dumpsters and installment of trash chutes by Construction Products, Inc. is being investigated. A regular maintenance program has not been set up yet, but 6-8 maintenance men, including a qualified maintenance engineer, are employed at present and there is a daily inspection of the fire alarms to insure that they are in working order. Councilman Ricks stated that he is pleased with the proposed program and commended S & L for their present efforts and future cooperation. In answer to a question from Mayor Roth, Mr. Ferguson stated that contracts are usually for 3 years and a resume of the contract between S & L and Mr. Shapiro will be sent to Mr. Culpepper. The Mayor stated that the City has confidence in S & L, but there is also a great concern with the condition of W-T. Mr. Ferguson stated that S & L will bring the W-T into compliance with the Codes and make it compatible with the other buildings on Maple.

Nancy Shallhorn, 7401 Maple. Reported that she saw two people putting the papers she had left for the special trash collection into their car. She questioned them and was told they were taking them to be recycled; she informed them that the papers were for the City pick-up. Mentioned the Newsletter article about the City's recycling program and stated that perhaps it will make more citizens aware of this City project. Chief Porter noted that there is no law against an individual picking up trash left out for collection.

Faith Stern, 103 Grant. Commented on agenda item #240 (petition for City to build mini park on Grant Ave.); thanked the Mayor and Council for having the lots cleaned up. She asked how the acquisition figure of \$80,000 was arrived at and asked if the Council had sought the help of any other gov't. agency in acquiring this property. She stated that, to her knowledge, only one family refused to sign the petition. She noted that the grass needs cutting again. Councilman Ricks requested the C.E. officers to see that the property is brought into compliance.

Allan T. Marsh, 7405 Maple. Thanked the Mayor and Council and Mr. Gilsdorf for the prompt action at 7050 Carroll Ave; the construction there has stopped as a result of the City's efforts. Stated that he had requested installation of alert strips on Maple, not "investigation." Commented on the slow progress of the proposed designation of Historic Districts in Takoma Park. In response to a question from Councilman Nishimoto, Mr. Marsh stated that the area under consideration is the original town of Takoma Park (the area of the OTCA and NTCA and possibly the other side of Carroll). The Mayor stated that when the study being conducted by Md. U. is returned, a public hearing will be scheduled.

Robert Moore, 7314 Willow. Commented on the proposed Hist. Dists. Stated support for item #129 (req. for ped. all-direction traffic signal at Phila & Maple). Thanked Councilman Ricks for his efforts at the W-T. In answer to a question from Mr. Moore, Councilwoman Medina noted that she has studied the commuter parking ordinances in Arlington, D.C., and Mont. Co; there was a discussion regarding a Takoma Park parking ordinance between Mayor Roth and Mr. Moore. The Mayor stated that the Council will study various parking ordinances and watch their effects in other areas in order to be ready to implement a workable plan when the time comes.

Phil Vogel, 7117 Garland. Congratulated all members of the Council who have worked on the H & CE programs. Thanked Councilwoman Medina and Mayor Roth for attending the "walk-through" in Sligo Pkwy. Commented on the proposed Hist. Dists.; noted that an Hist. Dist. could have a positive effect on the City. Suggested designating, at first, a limited area to study the effects. Councilman Nishimoto and Mayor Roth both stated that they are in favor of Hist. Dists., but only after proper study and consideration. Requested incorporating all correspondence addressed to the M & C into

Council meeting records. Read a letter he had sent to the Mayor and Council which stated his opposition to the proposed half-way house on Red Top Road.

Ellen Marsh, 7405 Maple. Commented on the parking ordinance; noted that when Mont. Co. discussed its ordinance, the impact of Mont. College was mentioned. Stated that there is a need for an ordinance now in the Takoma campus area.

ITEMS FOR COUNCIL CONSIDERATION

(1) Communications:

Allan T. Marsh, Pres., OTPCA. Letter expressing appreciation to the Council for the HRLF ordinance; commended Mrs. Ferry for helping to promote the passage of this ordinance.

(2) Administrative Reports and Recommendations for Council Action.

14. Winchester-Takoma housing code violations-progress report. Councilman Ricks read portions of Fire Prevention and Code Enf. reports to Corp. Couns. which listed the number of inspections and fire calls to the W-T; between the two departments, the City has spent an excess of \$10,000 in salaries on the W-T. Mr. Pridden noted that normally, rental units are inspected about once a year. A court order on 6/73 set forth specific orders for repairs; a hearing on 3/74 held Mr. Shapiro personally responsible for compliance with court directives and a \$5,000 security bond was posted; the time for compliance has expired and the violations still exist. Corp. Couns. stated that a hearing is scheduled for 10/10 and requested that the Council consider the following points: (1) requirement of reimbursement of City funds by Mr. Shapiro, (2) increasing the security bond, (3) whether to delay the court date to allow S & L additional time for repairs. Councilman Ricks stated that since the City has expended more than \$5,000, the bond should be increased, and that the correction of some of the violations by S & L has no bearing on the fact that Mr. Shapiro neglected to comply with the court order. Mr. Culpepper stated that the possibility of 16th St. Woods reimbursing the City for some of the expenses incurred at the W-T has been informally mentioned, but only the expenses incurred since the court order will be taken into account by the court. In response to Councilman Ricks Mr. Culpepper stated that the security bond is based on actual damages and is not a penalty or fine as such. Councilman Faulkner asked the advantage of reimbursement of City funds rather than forfeiture of the bond. Mr. Culpepper noted that the City would have this money to help defray expenses, an extension on the corporate surety bond, and the contempt petition will still be in effect. He said the Corp. Couns. is not making any recommendations, they are just explaining the alternatives; this would not be an exchange of money for an extension of time, it would be an acknowledgement that failure to comply has cost the City money. Mr. Culpepper stated that all these elements will be contained in any consent order; he requested Council direction because there will not be another meeting before the court date. Councilman Ricks moved that Corp. Couns. be given authority to continue the case in court. Mr. Culpepper enumerated the things that could be done in court and stated that the court judgement will only determine whether Mr. Shapiro can formally be charged with contempt; he emphasized that nothing has been formally offered in the way of a settlement. Councilman Nishimoto asked if it would not be more desirable to go to court first and then negotiate. Mr. Gingerich stressed that the City has always sought compliance, not punishment, and S & L appears to desire to comply with the court order. He suggested that the points Mr. Culpepper brought up be considered and that some member or members of the Council be appointed so that the Corp. Couns. can have someone to consult, and based on that consultation, make a decision. Councilman Ricks' motion to proceed with the court date of 10/10/74 was seconded by Councilman Faulkner. Councilman Forshee suggested that the City Admin., the Mayor and Councilman Ricks be appointed to work with the Corp. Couns. Councilman Nishimoto moved to amend the original motion to include the suggestion of Councilman Forshee; the motion to amend was seconded by Councilman Garcia. Councilman Ricks noted that

9/23/74

the Council has two weeks before the court date and can consider any new proposals. He stressed that the present court date should be kept. Mr. Culpepper stated that the attorneys for Mr. Shapiro requested an estimate of the expenses the City has incurred at the W-T since the last court date; he said the possibilities are that they may seek to reimburse the City, increase their bond, agree to contempt proceedings if compliance is not within a certain number of days, etc., if the City will consent to a postponement of the court date. Mayor Roth stated that no offer will be accepted without the consent of the entire Council. There was further discussion among the Council regarding the merits of appointing a committee, with Councilman Ricks expressing opposition to a committee, preferring a special meeting of the Council instead. The Mayor called for a vote on the motion to amend Councilman Ricks' proposal by appointing a committee to advise the Corp. Couns. The amendment was passed by a voice vote as follows. Aye: Councilmen Forshee, Garcia, Nishimoto, Webb. Nay: Councilmembers Faulkner, Medina, Ricks. The motion by Councilman Ricks to continue with the court date (with the amendment) was passed by a voice vote as follows. Aye: Councilmen Forshee, Garcia, Nishimoto, Webb. Nay: Councilmembers Faulkner, Medina, Ricks.

At this point, the Council recessed for a ten minute break; the meeting resumed at 10:35PM.

Recreation Report. The Rec. Dept. will offer the following courses beginning in Sept. and Oct.: beginning sewing, beaded flowers, cake decorating, slimnastics, leaded stained glass, teen and adult drawing and painting, guitar, roller skating. For further information, call the Rec. Dept. at 270-4048. The Takoma Park Community Band will play the last free outdoor concert Sun., Oct. 13 in the Library parking lot at 5:00 PM.

213. Amend. to Sp. Ex. S-328 (beauty shop) to incl. barber shop, 7600 Maple. Mr. Gilsdorf reported that on 6/10/74 the Council concurred with the request for Sp. Ex. S-328, based on the absence of citizen objection, precedent established for this use at this location (1969), and the innocuous nature of the proposed exception (from a zoning standpoint). Since then, the original petitioners have requested permission to amend the petition to include a barber shop. Councilman Faulkner moved to accept the recommendation that the City send a letter of concurrence to the Board of Appeals. The motion was duly seconded and unanimously approved.

231. Dumping problem-Poplar and New Hamp. Aves. - progress report. Mr. Pridgen reported that he has contacted Mr. Edwards, Chief Administrative Officer of P.G. Co., and will speak to the Asst. Co. Atty regarding this; the present owner is an out-of-state resident and can't be contacted. The former owner offered to sell or donate the property to the County but before the County could act, the property was sold. The County P.W. Dept. has estimated that it will cost approximately \$50,000 to clean the property and fill it in; only a small portion of this property lies within the City. In answer to a question from Councilman Ricks, Mr. Pridgen stated that only after the owner has been notified can a contract to clean and fill the property be made and the cost attached in the form of a tax lien.

Report on Meeting with Mr. John Forrest, St. Hwy. Admin., re the following:

Installation of signal at intersection of 410 & Carroll; rebuilding of traffic signal at 410 & Maple; rebuilding of traffic signal at Ethan Allen & Carroll: these are promised for Jan., 1975 and will be operational by June, 1975. Councilman Ricks questioned the long delay and Mr. Gilsdorf replied that there is difficulty obtaining equipment and the Dept. of Hwys. has not set the same priorities that the City has. Mr. Pridgen noted that some decision must be made regarding Sycamore Ave. by Oct.

Installation of curb and gutter on SE side of 7100 block of Carroll: ready for bid

Installation of signal at Larch & New Hamp.: installed & soon to be operational.

Yield sign for southbound New Hamp. traffic onto Sligo Pkwy: installed June, 1974.

9/23/74

6. Req. for left-turn arrow or delayed green on New Hamp. & Sligo: will be studied in connection with entire signalization of New Hamp. in summer of 1975.
76. Req. for traffic light at Takoma & Phila: will be installed June, 1975.

130. Req. for ped. all-direction traffic signal, Phila & Piney Branch; 129. Req. for ped. all-direction traffic signal, Phila & Maple: under study but all-dir. ped. movements unlikely because of the difficulty of moving cars through the area.

3. Alleviation of traffic situation at Ritchie & Piney Br (poor visibility): since the owner has repeatedly refused to cut the bushes, nothing can be done unless the property is acquired through condemnation.

Updating of traffic signal on New Hamp. at entrance to Langley Prof. Bldg.: to be studied in connection with entire signalization of New Hamp., summer, 1975.

53. Ped. crossing at Takoma Towers: ready for installation. Mr. Gilsdorf reported that before the crosswalk is installed, a no parking zone of 100 feet in either direction of the crosswalk must be designated; the no parking zone cannot be designated until the Hwy. Dept. has indicated where the crosswalk will be installed. He stated that Mr. Forrest will be in contact with the City about this.

Authorization of bid for automobile for the Police Dept. This will replace car #5, a 1972 Pontiac with 80,000 miles which is presently out of service; bid opening is to be on Oct. 10 at 3:00 PM. In response to a question from the Mayor, Mr. Pridgen noted that the new car will be an intermediate size; the P.W. pumps do not have lead free gas because there are only two pumps and storage tanks and not enough cars that can use this type of gas at present. The motion to authorize advertising for bids for a replacement car for the Police Dept. was made, seconded, and unanimously approved.

Proposed ordinance to contract for curb and gutter repairs. Mr. Pridgen reported that during the Sept. 9 Council meeting, the P.W. Dept. was authorized to advertise for bids for curb and gutter repair (detailed in the 9/9/74 minutes) and that funds for this were provided in the RSF. The motion by Councilman Faulkner to approve the following ordinance was duly seconded and adopted by a roll call vote as follows.
Aye: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, Webb.
Nay: none. Excused: none.

ORDINANCE NO. 2321

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

SECTION 1. THAT, after having been duly advertised according to law, bids were publicly opened on September 20, 1974, for replacing curbs and gutters along selected streets; AND

SECTION 2. THAT the low bid contract be awarded to Francis O. Day Co., Inc., Rockville, Maryland, in an amount not to exceed FORTY THOUSAND DOLLARS (\$40,000), at the unit cost not to exceed THIRTEEN DOLLARS AND FIFTY CENTS (\$13.50) per linear foot; AND

SECTION 3. THAT the sum of TWENTY-NINE THOUSAND THREE HUNDRED NINETY-TWO DOLLARS (\$29,392) be transferred from Federal Revenue Sharing Funds to A/C 12.3231(a), to supplement funds provided in the current Fiscal Year's budget.

Request to purchase a new ambulance for the TPVFD, Inc. Councilman Webb requested authorization to purchase a new box-type ambulance for the TPVFD to replace the 1969 hearse-type Oldsmobile ambulance presently in use; the present ambulance is not equipped to effectively utilize the services of the 12 paramedics at the FD. He reported that Mont. Co. has purchased three of the new type ambulances and is placing them in areas of the County where they will serve the largest number of residents; because of its geographical location, Takoma Park is not one of those

areas and it will probably be about 5 years before the City can get this type of ambulance. The WAH and Holy Cross are equipped for radio communication with the new ambulances; for instance, an EKG can be monitored from the ambulance to the hospital and doctors can advise the paramedics what procedure to follow on the way to the hospital. The equipment for the ambulance can be leased for about \$350 a month. He reported that when the FD was still under the City's jurisdiction, \$12,000 was set aside from the RSF for the purchase of a new ambulance; additional funds can be transferred from the RSF. Councilman Webb moved to propose an ordinance authorizing the purchase of a new box-type ambulance for the TPVFD, Inc. and leasing of telemetry equipment for one year, with the stipulation that the VFD take over the rental and maintenance after one year; the motion was seconded by Councilman Nishimoto. There was a lengthy discussion among the Councilmembers concerning the following: (1) responsibility of the County and the TPVFD, Inc. to maintain the level of service that the City provided; (2) the probability that the County will not provide the TPVFD with this type of ambulance for some time; (3) assurance that any equipment purchased by the City will remain with the TPVFD. Councilman Webb restated his motion that the City provide funds to purchase a new box-type ambulance for the TPVFD and to pay for the leasing of the necessary equipment for one year at a cost of about \$3,880. Councilman Faulkner moved to amend the motion to state that the City purchase the ambulance with the assurance that the equipment will stay in the City and the provision that the City retain title and lease the equipment to the volunteers; motion to amend was seconded by Councilman Ricks. The amendment was defeated by a voice vote. Councilman Garcia moved to amend the motion by stipulating that the ambulance and equipment must remain in the City with the TPVFD. Motion to amend was duly seconded and passed by a voice vote of six in favor and one against. Councilman Forshee moved to amend the motion to state that the funds not exceed \$25,000. The motion to amend was seconded by Councilman Garcia and was passed by a voice vote. Councilman Webb's motion for the City to provide funds for a new ambulance for the TPVFD (with amendments) was passed by a roll call vote as follows. Aye: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, Webb. Nay: none. Excused: none.

ORDINANCE NO. 2322

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

SECTION 1. THAT the Mayor and Council have given exhaustive consideration to the purchase of a modular type ambulance and bio-medical telemetry equipment for use of the Takoma Park Volunteer Fire Department, Inc.; AND

SECTION 2. THAT funds be hereby authorized not to exceed TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for

- (a) the purchase of a paramedic modular type ambulance and
- (b) the fees for rental not to exceed one year of bio-medical telemetry equipment for use of the Takoma Park Volunteer Fire Department, Inc. with the following stipulations:

- I. That the Takoma Park Volunteer Fire Department, Inc. be responsible for the maintenance of the vehicle,
- II. That the Takoma Park Volunteer Fire Department, Inc. be responsible for the rental fees for the period after one year,
- III. That the vehicle and equipment be maintained as a unit of the Takoma Park Volunteer Fire Department, Inc. and be housed therein to provide basic service within the fire-rescue service area assigned to the Department; AND

9/23/74

7

SECTION 3. THAT funds for this authorization be ear-marked from the Federal Revenue Sharing Funds to be specifically appropriated when final details of the transaction are fully developed.

There being no further business to come before the Council, the meeting was adjourned at 11:45 PM, to reconvene at 8:00 PM, Monday, October 14, 1974.

APPROVED: [Signature]
Mayor

ATTEST: [Signature]
City Administrator

ADDITIONAL AGENDA ITEMS

CITIZEN'S REMARKS

There were no items to be added to this agenda. ...
Cynthia L. Simpson, 2321 Cedar Ave., speaking as Chairman of the CIM, Mr. Simpson presented the first annual report from the CIM. There have been 12 reports of delinquencies with 63 convictions as of 9/15; 76 cases of apprehension have been sent out. Thanked the C.E. Officers and Mr. Gilsdorf for their cooperation with the CIM efforts. Mentioned three agenda items initiated by the CIM and requested action on them: 1) 24-hour parking at multi-family units; 2) 24-hour parking at commercial district; 3) 24-hour authority to require maintenance of commercial property. The CIM also requested that some decision be made regarding abandoned gas stations; these were left in the future and the City should protect itself against this kind of delinquency. Recommended that the CIM should annually submit a report to the City Council. The center will be a joint effort of all governments in COG. Councilman Ricks suggested that the agenda items be referred to the committee studying the 1975 Area Master Plan (agenda item #22); Mayor both assigned the items to the committee (Councilmembers Paulmer, Medina, Ricks). Councilman Rishoro suggested that the City take action regarding surfaced parking before an outside agency gets involved and makes recommendations. He stated that he will present the recycling center idea to the Mont. Co. MNL. Councilman Paulmer supported prompt action on hard surfaced parking.