

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

March 10, 1975.

City Officials present:

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

The Mayor and Council met in Executive Session on March 10, 1975 at 9:00 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 February 24 meeting and dispense with their reading was made and seconded; however, Councilman Faulkner requested that on page 5 of the minutes, where he commented on Mr. Anderson's briefing on bikeways, "Long Branch" (appearing in lines 3 and 5 of the paragraph) be replaced by SLIGO CREEK, as the discussion had nothing to do with Long Branch. With this correction the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

- The Mayor announced a hearing: March 18 at 7:30 PM at Montgomery College, Takoma Campus, on the National Health Act and how it should be carried out in the Washington metropolitan area. The issues revolve around whether the entire area should be under one plan or divided into jurisdictional segments. Decisions on where new hospitals will be built, etc. are involved.
- At the November 11 Council meeting the TESS Master Plan had been discussed, and it was agreed that Park & Planning would be asked for a plan exclusively for the City of Takoma Park. There have been staff level discussions which indicate that Park & Planning will respond to that request, i.e. to develop a plan for Takoma Park to include both Prince George's and Montgomery County sections of the City. A Public Forum is scheduled for April 9 at 7:30 PM (City Council Chamber) to get the citizens' first input into the process. An article has been drafted for the March issue of the City Newsletter, inviting all citizens to attend. Councilman Nishimoto added that a tentative plan has been developed for the TESS area and that this plan will now be adjusted to exclude the City of Takoma Park.
- The Mayor presented a Proclamation to members of Cornerstone Chapter, Order of DeMolay, to the effect that March 16 - 23, 1975 be observed as International DeMolay Week in the City of Takoma Park, Maryland, on the occasion of the 56th Anniversary of the Order. Present to receive the Proclamation were: Douglas R. Wolf, State Master Counselor, David Davis and Donald Jones.

ADDITIONAL AGENDA ITEMS: Comments concerning TESS and TCAC

CITIZENS' REMARKS:

1. Joe Ferrier, 7413 Maple Avenue, requested the following correction in the minutes of the February 24 meeting as his statement concerning TESS (page 2 of the minutes) had not been quoted in full. He asked that the record quote him

as follows: "After the words: He supported the Mayor and Council's proposal now to withdraw - continue: However, I do not agree that all the problems of Takoma Park citizens before the TESS Commission have been solved, nor do I believe that there will be no future problems. I would therefore recommend that the TESS Commission be continued with the present 2 members from the Takoma Park Council being replaced by 2 TCAC delegates from Takoma Park civic groups." Mayor Roth stated that he disagreed with the proposal but accepted the correction to be incorporated into the record. */

2. Joe Cangialosi, 7001 Poplar Avenue, voiced his wife's and his own opposition to granting a Special Exception to a "home operation" on Elm Avenue (see communications) and added that if more opposition was wanted, he thought most of his neighbors would sign a petition.

- He congratulated Public Works on being able to slow down traffic on Poplar Avenue where stop signs had not worked - by digging trenches.
- He wanted to know where to report missing stop signs on week-ends when the Public Works Department cannot be reached and mentioned an emergency case. It was agreed that the Police Department would be the proper place to report it.

*/According to the tape of the Febr.24,1975 Council meeting, Mr.Ferrier's remarks concerning TESS were verbatim as follows:

"Last of all I am interested in the fact that our Mayor and Council after helping to create the TESS Commission feel that their job has reached its climax. They have solved many of the problems that they set out to and they feel the time has come now to withdraw from the Commission, and I am in favor of that for 2 reasons. First, I don't think that a person or an organization that creates something should have to remain a party to it longer than they wish to, and I think that their decision should be binding and without argument. Secondly, I have watched with growing interest the results of the TESS Commission, and they have solved some problems - they have not solved them all - I think that you may have been unduly optimistic about that, nor do I believe that no further problems would arise in the future which might call for something of the kind, but, yes, you have done a good job on the whole and one that needed doing and one that was creative and worthwhile. In the meantime I have seen the TCAC grow from an organization like a bunch of little birds sitting on a fence wire, nodding their heads, and at the time my organization sent me as a delegate, I was told that they did not believe I would meet their requirements, and I asked what they were. They didn't have any requirements. They had no body of organization; they had no by-laws. Their requirements apparently were that I didn't get in; but they were kind enough to reconsider that, and not too long ago I was over at the County Council at Rockville, and some of the delegates to TCAC were there, and they felt that the organization had exceeded its original purpose, that is was no longer advisory, that it had become an - and I use their term - that it had become an advocate organization. Frankly, I am in favor of advocates; I think every U.S.citizen should be an advocate, and if we do no more than recognize that in 1976 when we renew our recognition of what started this country, that would be a good thing, but I believe our Mayor and Council have done us a favor, I feel that you have shown the way, you carried the torch and now you are passing it on, and I for one am going to recommend to our County Council that they find some method of selecting from TCAC two TESS Commissioners to continue the good work which you have done so well and started and to a great extent, yes, completed - but it is not complete. I want to thank you for all you have done in the past; I want to thank you for showing the way, and I hope that part of the burden of government will be passed on to future TESS Commissioners, and while you take no official part in it, I hope you will take an official interest. Thank you! "

as follows: "After the words: He supported the Mayor and Council's proposal now to withdraw - continue; However, I do not agree that all the problems of Takoma Park citizens before the TESS Commission have been solved, nor do I believe that there will be no future problems. I would therefore recommend that the TESS Commission be continued with the present 3 members from the Takoma Park Council being replaced by 3 TCAC delegates from Takoma Park civic groups." Mayor Roth stated that he disagreed with the proposal but accepted the correction to be incorporated into the record. */

Mr. Joe Cangialosi, 7001 Poplar Avenue, voiced his wife's and his own opposition to granting a special exception to a "home operation" on Elm Avenue (see communications) and added that if more opposition was wanted, he thought most of his neighbors would sign a petition.

- He congratulated Public Works on being able to slow down traffic on Poplar Avenue where stop signs had not worked - by digging trenches.
- He wanted to know where to report missing stop signs on week-ends when the Public Works Department cannot be reached and mentioned an emergency case. It was agreed that the Police Department would be the proper place to report it.

✓ According to the tape of the Febr. 24, 1975 Council meeting, Mr. Perrier's remarks concerning TESS were verbatim as follows:

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3. Phil Vogel, 7117 Garland Avenue, stated that he heard what Mr. Ferrier said at the February 24 Council meeting and had been disturbed at the way it was reported in the minutes - the minutes should fully reflect what was said.

- He commented at length on the Council's decision to withdraw from the TESS Master Plan, calling it deceitful without prior public discussion and after having permitted citizens and Councilmembers to participate in it for over a year. He suggested the action was perhaps precipitated because of the dearth of development contained in the TESS plan and characterized the Council's desire for autonomy as parochial and predicted a worsening of problems for the City if it wants to follow the course of "going it alone". Mayor Roth disagreed with the use of the term "deceitful" and the reference to development, saying that both were inaccurate and explaining that when the City entered into planning for the TESS area, there was a very uncertain relationship with the Park & Planning Commission. Since then a better relationship has developed with the Commissioners, but there had been considerable dissatisfaction with the proposed Master Plan. Furthermore the entire matter had been discussed at Council meetings, and Mr. Vogel would be welcome to work with the Council on further developments. Councilwoman Medina expressed her regrets at the level of suspicion present among the citizens and assured them that the Council is trying to be open and to do right by everybody.

4. Joe Ferrier, 7413 Maple Avenue, reported a traffic hazard near his house on Maple Avenue where cars tend to break out of line for a left turn, thus being in danger of a head-on collision. He expressed the hope that something could be done before an accident occurs. Various solutions were offered by Councilmembers, such as: making it a one-way street - prohibiting left turns at the bottom of the hill between 4 and 6 PM - making it an agenda item for further study - painting a double line down the center of Maple Avenue, and stricter law enforcement. Mayor Roth directed Police Chief Porter to conduct a survey and report to the Council on the situation.

FINANCIAL STATEMENT - City Treasurer Pridgen reporting:

Bank Balances
February 28, 1975

Suburban Trust Company - General Fund

Balance January 31, 1975	\$131,217.11	
*(1) February Receipts(192,191.02-138.25+10.00)	<u>192,062.77</u>	\$323,279.88
*(2) February Disbursements		<u>221,343.53</u>
Balance February 28, 1975		<u><u>\$101,936.35</u></u>

Suburban Trust Company - Payroll Account

Balance January 31, 1975	\$ 13,941.03	
February Transfers from General a/c	<u>75,887.62</u>	\$ 89,828.65
February Disbursements		<u>82,271.83</u>
Balance February 28, 1975		<u><u>\$ 7,556.82</u></u>

Citizens Bank of Maryland - General Fund

January/February Balances - No Transactions		<u><u>\$ 12,528.06</u></u>
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Citizens Bank of Maryland - Special Assessment Fund

Balance January 31, 1975	\$ 196.60	
February Receipts	<u>670.07</u>	
Balance February 28, 1975		<u><u>\$ 866.67</u></u>

Citizens Bank of Maryland - Public Improvement Fund

January/February Balances - No Transactions		<u><u>\$ 534.53</u></u>
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Citizens Bank of Maryland - Savings a/c

January/February Balances - No Transactions \$ 180.01

American National Bank - General Fund

January/February Balances - No Transactions \$ 751.79

- *(1) Treasury Bill (\$100,000) matured 2/14/75(Cost \$95,614.58)
- *(2) Certificate of Deposit \$100,000, purchased 2/25/75 Maturity 5/25/75(6.3/4%P.A.)

U.S.Treasury Bills:

<u>Purchased:</u>	<u>Maturity Date:</u>	<u>Cost</u>	<u>Maturity Value</u>
9/6/74	3/11/75	\$ 95,473.33	\$100,000.00
8/2/74	3/31/75	94,123.89	100,000.00
9/27/74	5/6/75	95,415.83	100,000.00
10/3/74	6/3/75	94,687.50	100,000.00
10/1/74	6/30/75	94,013.33	100,000.00
10/9/74	6/30/75	94,388.00	100,000.00
<u>Total Treasury Bills:</u>		<u>\$568,101.88</u>	<u>\$600,000.00</u>
2/25/75 Certificate of Deposit 5/25/75		100,000.00	101,687.50
<u>Total Investment a/cs:</u>		<u>\$668,101.88</u>	<u>\$701,687.50</u>

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf reporting.

(1) Communications:

A memorandum from Elizabeth Scull, Member, Montgomery County Council and TESS Commission, was read in its entirety as follows:

"Re: Phase-out and replacement of TESS Commission and TCAC

In response to proposals made by the County Executive and Takoma Park's Mayor and Council (see attached memo from Mr.Gleason), the County Council is considering a resolution that would, by joint action of the Executive, the Council, and the Takoma Park Mayor and Council, do the following:

1. Terminate the TESS Commission and TCAC (with an honorable discharge).
2. Establish a body of technical advisors to the Silver Spring Center, to be composed of high level staff from the Center, the City of Takoma Park, the Board of Education, and the Planning Board.
3. Establish a Citizens Advisory Board for the Silver Spring Center (and for each such center established in the future) appointed by the County Executive and confirmed by the County Council. The membership of said Board will be large enough that it can be divided into area subcommittees as needed; i.e.East Silver Spring, Rosemary Hills, etc.. The Advisory Board is proposed to reflect the varying points of view within the community, not to be an advocate for a majority position.
4. Establish a roving commission, or task force, composed of one member of the Board of Education, the Planning Board and the County Council, with a representative of the County Executive who shall be the Chairman. It shall be the duty of this commission to meet with the citizens of a given community where acute problems appear to require coordinated inter-agency action, upon the request of that community and with the approval of the County Executive and the County Council, in order to determine the nature and the extent of community problems and to propose what corrective action should be taken. It shall further be the duty of the commission to meet on a quarterly basis with those present TCAC members who are from East Silver Spring, at the TESS Center, for one year following adoption of this resolution.

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5. Affirm continued support of the TESS Center at the Flower Avenue Shopping Center and of the "Georgetown Clinic" at the Piney Branch Middle School, by all parties to this resolution.

The County Council would appreciate receiving your comments as soon as possible."

Notice from Montgomery County Board of Appeals concerning a public hearing, May 8, 1975 at 1:30 PM at the County Office Building in Rockville, on case S-403 - mentioned by Mr. Cangialosi - : Special Exception for a home occupation (Beauty Shop) at 108 Elm Avenue, an R-60 zone. Citizens and Citizen Associations in the area will be notified of the petition, hearing date, etc. and asked for comments.

Notice from Board of Appeals for Prince George's County, that Appeal No. 4116: Request for variance at Gasoline Station on East-West Highway between New Hampshire Avenue and Kentland, has been granted, and that the City's request for 10' landscaping in front of the station was waived. There was some discussion, and Councilman Ricks moved to send a letter protesting the Board's disregard for Council's requested planting strip. The motion was seconded by Councilman Nishimoto, who, along with Councilman Faulkner and Mayor Roth, made several suggestions for inclusion in the letter. The motion was passed unanimously by voice vote, and the Mayor directed that the letter go out over his signature.

(2) Administrative Reports and Recommendations for Council Action.

Upon motion by Councilman Forshee, duly seconded, the ordinance quoted below was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb; NAY: None; EXCUSED: None.

ORDINANCE No. 2336

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

SECTION 1. THAT funds in the amount of \$27,000 be appropriated from Federal Revenue Sharing Funds to General Funds for the construction of previously approved Public Works Department sheds, said funds to be expended on necessary materials and equipment, as well as specialized labor not available among City forces.

Upon motion by Councilman Nishimoto, seconded by Councilman Garcia, the ordinance quoted below was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb; NAY: None; EXCUSED: None.

ORDINANCE No. 2337

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

SECTION 1. THAT the Municipal Library is hereby authorized to purchase additional Estey shelving for the Children's Room from Young and Watson, Inc., Washington, D.C. (the local Estey agent), at a price not to exceed SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$775), plus freight charges; AND

SECTION 2. THAT funds for this purchase be appropriated from Federal Revenue Sharing Funds and transferred to Budget A/C 19.1031.

Councilman Ricks reported that according to his observation, there is not enough storage space for southbound traffic at the 4-way stop sign at the intersection of Maple and Tulip Avenues, and that this creates an unsafe situation. He moved that the following ordinance be adopted:

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ORDINANCE NO. 2338

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

- SECTION 1. THAT no parking be permitted on the West side of Maple Avenue from its intersection with Tulip Avenue in a northerly direction for a distance of 165 feet(+ or -); said no parking zone may be further described as that portion of Maple Avenue opposite the Takoma Park Presbyterian Church property; AND
- SECTION 2. THAT the Public Works Director is hereby authorized to erect appropriate signs to effect the directive in Section 1; AND
- SECTION 3. THAT this ordinance shall become effective upon the completion of the work described in Section 2.
- SECTION 4. FURTHER THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17 of the City of Takoma Park Code 1972.

The motion was seconded, and some discussion followed concerning the requested 165 feet for storage and also on whether the ordinance should be in effect on a 24-hour basis or only during rush-hours. In this connection Councilman Garcia raised the question of whether the residents have off-street parking, and, at the request of Councilwoman Medina, Police Chief Porter reported on accident statistics. There had been 17 accidents in the 7200-7400 block of Maple Avenue in 1974 - he did not have separate figures for the intersection in question. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb; NAY: None; EXCUSED: None.

Report from Corporation Counsel Gingerich on Appeal (Case A-178)- 103 Sheridan Avenue. The Montgomery County Board of Appeals had denied an application for variance; owners have until July 1, 1975 to bring the property into compliance. On a question from Councilman Nishimoto as to what happens if they don't comply, Corporation Counsel Gingerich stated that they could be taken to Court. Some discussion followed as to responsibility for Court expenses (plaintiff's). The Board opinion was given on February 26, 1975; the owners may file an appeal within 30 days of that date. The Mayor said that this was an important case because the owners had flagrantly defied County regulations and proceeded building without electric and plumbing permits, continuing even after a Stop Work Order had been issued. He expressed surprise that none of the Citizen Associations had taken any initiative in this matter.

Item #191 - Progress Report on Special Exception 2853 - Extension of Day Nursery at 7208 Flower Avenue (playground). A technical staff report had been prepared on this subject, and the recommendation was that the application be approved, provided the following conditions are met: 1) an off-street debarkation area for children and 3 off-street parking spaces be provided and 2) that the site plan is approved prior to issuance of building and occupancy permit. It may be some time, however, before a public hearing can be held, since the Hearing Examiner's office has a 6-months backlog of cases. The Center has been operating under a non-conforming use permit since 1967. Councilman Faulkner found that it would have been preferable for the Council to have made its decision before the staff report and proposed asking the citizens in the area for their comments and get more information about the Center in order that the Council could develop its own view to be communicated to the Board. It was stated that the item had been on the agenda since November 1973. Mayor Roth concluded that the consensus was to proceed with the case in the usual manner.

Announcement concerning TRIP : The minibus service is scheduled to begin on April 14, 1975. Some routes have been curtailed by lack of funds but not the one serving Takoma Park! Schedules are being printed and should be available prior to the commencement of the service. Councilman Faulkner requested that the schedules be published in the next couple of City Newsletters, perhaps with a map showing the routes, and Councilwoman Medina added that this information should also be available where people congregate, at stores, at TAKOMA TOWER, and at the Library. Councilman Nishimoto agreed but felt that the County would see to it that the project was well advertised, since the goal was to have it pay for itself.

REPORT ON THE CITY BULLETIN BOARD: Recreation Department Director Ziegler reported that various difficulties had been encountered, resulting in delays, but that now it looks like the Bulletin Board will be ready by summer. There had been a problem getting the correct size letters - large enough to be seen from the street - and prices had gone up considerably. However, the Antique Seminar Group had agreed to bear the additional expense. Councilman Ricks suggested that the City Council's Vote of Thanks go to the Antique Seminar Group for this gesture. Mayor Roth instructed the City Administrator to make sure that Mr. Barile has the base ready for the Bulletin Board when it arrives.

SSI : Mrs. Ziegler furthermore reported that the Montgomery County Council had tentatively approved an amount of \$48,000 for SSI: \$3000 for planning, design and supervision; \$10,000 for site improvements and utilities, and \$35,000 for construction. Councilwoman Medina inquired about specific plans as to how the SSI money would be spent. Mrs. Ziegler had not seen a definite plan as yet but would furnish copies to the Council as soon as such information is received.

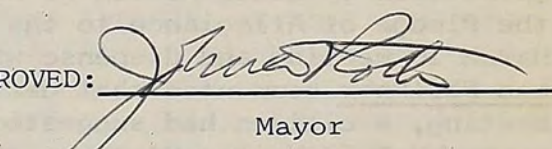
BIKER/HIKER TRAIL HEARING: Mrs. Ziegler announced that the MNCPPC, Prince George's County, would hold a Biker/Hiker Trail hearing Wednesday, March 19, 1975 at 7:30 PM at 6600 Kenilworth Avenue.

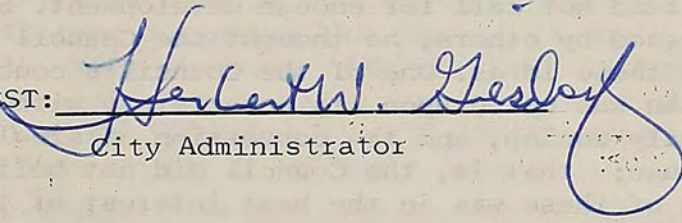
As an additional agenda item, the memorandum from Montgomery County Council concerning phase-out or replacement of the TESS Commission and TCAC was discussed. Councilman Garcia was in favor of County Councilwoman Scull's proposals but wanted to make it clear that Takoma Park does not intend to "go it alone" - as a citizen had expressed it; - the City will still support a program which will meet the needs of citizens in that area. Councilman Ricks stated that he was NOT in favor of disbanding the TESS Commission. Councilman Nishimoto was in favor of having a representative from Takoma Park (City Administrator) work with the Director of the Silver Spring Center to coordinate what is being done in the Silver Spring area with what is done in Takoma Park. In connection with the proposed Citizens Advisory Board to the Silver Spring Center, he stressed that it should NOT act as an advocate for a majority position but reflect individual points of view. Councilman Faulkner felt that the TESS Center and the Georgetown Clinic should continue to be supported by the City Council. Councilman Nishimoto did not consider it a matter of support - the Center WILL continue - however he suggested re-naming it THE FLOWER AVENUE CENTER or another name to reflect the area. Councilman Ricks disagreed with that. He thought it would only confuse people to change the name, especially since many people using the Center might anyway have a language problem. Councilman Garcia supported that viewpoint. Councilwoman Medina commented that she had hoped for an opportunity for more dialogue with the County Council on this subject. However, she was in agreement with the essence of the proposal, although she would have preferred doing things somewhat differently. She felt that the Citizens Advisory Board was very important to the Center and hoped its representation would be broad-based with emphasis on persons using the services of the Center. City Council ought to receive periodic reports of Board activities. Councilman Faulkner wanted it

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emphasized that the Citizens Advisory Board should concern itself only with the services of the Center and NOT with matters, where the City should be the primary spokesman. Councilman Nishimoto thought that the answer was, for the City and the County Council to come together and issue a joint Resolution. Mayor Roth instructed the City Administrator to consider the various ideas discussed and prepare a draft response to the County's memorandum, to be reviewed by the City Council for a consensus of viewpoints. Councilman Nishimoto suggested giving citizens an opportunity to express their opinions at the next Council meeting, prior to official action; the Mayor agreed.

ADJOURNMENT: at 9:45 PM - the Council to reconvene on Monday, March 24 at 8:00 PM.

APPROVED: 
Mayor

ATTEST: 
City Administrator

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THE CITY OF TAKOMA PARK, MARYLAND

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL

March 24, 1975.

City Officials present:

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

City Administrator Gilsdorf
Police Chief Porter
Public Works Director Barile
Recreation Dept. Director Ziegler
Corporation Counsel Gingerich
Corporation Counsel Culpepper
Deputy City Clerk Pusti
Fire Prevention Officer Williams

Councilman Nishimoto was excused

The Mayor and Council met in Regular Session on March 24, 1975 at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the invocation by Elder Melvin W. Sickler of the Washington Sanitarium Church and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the March 10 meeting and dispense with their reading was made and seconded. Councilman Faulkner commented that during the CITIZENS' REMARKS at the last Council meeting, a citizen had suggested that the reason the Council objected to the proposed TESS Master Plan was that it did not call for enough development. Since he had also heard this opinion expressed by others, he thought the Council ought to try to disabuse the citizens from these ideas. One of the Council's concerns and objections to the TESS Master Plan was based upon its uncertainty with regard to the use of R-T, multiple family zoning, and the conversion of single family dwellings to multiple family use; that is, the Council did not believe that excessive or indiscriminate use of these was in the best interest of the City. Furthermore, the Council is on record in several places as being opposed to an increase in the City's population density. He requested that tonight's minutes reflect these views. Councilman Ricks so moved, and Mayor Roth concluded that if this was the general consensus, the comments should be included in the minutes. The minutes of the March 10 meeting were then unanimously approved.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS:

- The Mayor called attention to two important public hearings to be held by the Montgomery County Council on April 10 and 15 in Rockville (7:30 PM - Council Hearing Room), dealing with proposals for alternative revenue raising processes, including: increase in property tax; a property appreciation tax - an extra tax on property sold for considerably more than its assessed value; increase in hotel/motel tax; 50% increase in fuel - energy tax and telephone tax; \$4 per ton increase in the County's dumping charges - something which will affect the City - and an increase in amusement tax to 10%. Montgomery County citizens may want to attend the hearings, and the Council may wish to discuss the proposed increase in dumping charges.
- He presented a PROCLAMATION to the Lions Club of Takoma Park, proclaiming April 26 - May 3, 1975 official LIONS WHITE CANE WEEK, and calling upon the citizens to participate in this community program and make the annual fund-raising drive to finance sight conservation a success. He also called attention to the Lions Club's eye bank, to which abt. 600 eyes are pledged annually, most of them being used to restore sight.
- The Mayor presented CERTIFICATES OF APPRECIATION for 5 years of service on the Community Improvement Board to the following: Austin T. Brown - Vivian D. Giesey - Mildred Riley - Duncan Wall; - Kathryn T. Simpson,

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General Chairwoman of the C.I.B., added her thanks for the services rendered. Mayor Roth pointed out the importance of the function of the C.I.B. in connection with the City's efforts to keep up the exterior appearances of houses. This - in the end - would also affect the real estate values. The C.I.B. members come from the various sections of the City with 3 representatives from each Zone, and this in turn means that the City officials who follow through on these matters feel that they have the approval and support of a good number of the citizens.

ADDITIONAL AGENDA ITEMS:

Councilman Ricks stated that at a recent TESS Commission meeting he had been asked by the president of TCAC and the Secretary to request that the item on tonight's agenda: Discussion of Council position on TESS - be postponed because of the upcoming religious holidays and school holidays.

CITIZENS' REMARKS:

1. Allan T. Marsh, 7405 Maple Avenue, complained about speeding commuter traffic on Maple Avenue, urging immediate action. He did not think that VASCAR had been of any help. There was considerable discussion about this problem, involving Police Chief Porter, who explained that VASCAR was not yet fully operational but that 7 police officers were now qualified as operators and that it would be fully utilized beginning this week. It would be put to use on Maple Avenue to, hopefully, slow down the traffic. He reported that there had been a large number of accidents on Maple Avenue, particularly between Philadelphia Avenue and Sligo Creek Parkway. Mayor Roth suggested giving the VASCAR system a chance to show what it can do on Maple Avenue.

2. Joe Ferrier, 7413 Maple Avenue, also referred to speeding traffic on Maple Avenue and added that undoubtedly there were many accidents on the street - involving pet dogs and cats - which were never reported. He commented on other matters as follows: thanked Mayor and Council for having his statement on TESS reported verbatim in the minutes - praised the Memorial Park for its beautiful spring flowers and commented on the tree planting program - suggested including an "Alleycat" truck with Public Works men in the Fourth-of-July parade - praised the luncheons for senior citizens - told of a Rockville program where they have two busses especially for the transportation of senior citizens, added that 5 days a week Rockville offers breakfast to 30 senior citizens. He suggested this for Takoma Park.

Mayor Roth reminded the citizens of the upcoming anniversary of the City's incorporation -- April 3, 1890.

ITEMS FOR COUNCIL CONSIDERATION - City Administrator Gilsdorf reporting:

(1) Communications

a. Takoma Limited Committee, Monte R. Edwards, Delegate to TCAC. Letter concerning TESS and the Mayor and Council's expressed wish to withdraw from the TESS Commission, mentioning some of the achievements of the Commission and stating that it has provided a broad-based and effective vehicle for citizen input and urging the City to continue its support of TESS.

b. Leslie Giordano, 7310 Willow Avenue. Letter urging Mayor and Council NOT to withdraw from TESS.

c. Congresswoman Gladys Noon Spellman. Letter promising to co-sponsor legislation that will return truck weights on Interstate Highways to lower and safer limits.

d. Congressman Edward I. Koch. Letter thanking for supporting his bill to repeal truck weight increases.

g. Congressman Robert E. Jones, Chairman of Committee on Public Works and Transportation. Letter thanking for the interest taken in the legislation to repeal truck weight increases.

f. Clarence M. Kelley, Director F.B.I., Letter in praise of Takoma Park Detectives Gary Sherman and John Duvall in connection with a case involving the Maryland State's Attorney's Office. The Mayor asked that copies of the letter be placed in the personnel files and that the Chief of Police express the Mayor's and the Council's appreciation.

g. Edward T. Hanlon, Esq., Silver Spring, Md. Letter expressing his appreciation of the way Officers George F. Gamble and Daniel N. Wortman handled a case in which he had been the defense attorney. Mayor Roth directed the same procedure as above.

(2) Administrative Reports and Recommendations for Council Action.

Item #266 - Sp.Ex. 5-403 - Beauty Shop at 108 Elm Avenue.

Of the 68 neighbors - including two citizens associations - asked for an opinion in this case, only 24 had responded. Of these, 16 were against the granting of a Special Exception while 8 had no objections. The B.F.Gilbert Association had opposed it. Councilman Faulkner moved that the Council oppose the granting of the Special Exception; the motion was seconded by Councilman Garcia and carried unanimously by voice vote. Mayor Roth suggested that the Gilbert Association send a representative to the hearing on May 8, 1975 at 1:30 PM in Rockville.

Authorization to scrap Public Works truck (1956 International, G-17735, Serial No. PR 39279 - Truck No.A-12).

The City Administrator explained that this truck had been stripped for all usable parts; he requested authorization to scrap the remains. It was moved and seconded to grant the request, and the motion was carried unanimously by voice vote.

Report on traffic problem on Maple Avenue. Police Chief Porter referred to a citizen request at the March 10 Council meeting that the traffic situation at Maple and Old Philadelphia Avenue be studied. The problem was one caused by impatience as lined-up cars pull out of line to make a left turn onto Old Philadelphia Avenue, instead of making the proper turns at the intersection. - 16 tickets had been issued - and the Chief's recommendation was to intensify surveillance and law enforcement at the intersection. There was much discussion, but the consensus was to wait and see what could be achieved by the proposed strict law enforcement.

Appointments to the Community Improvement Board. Mayor Roth announced the following reappointments and new appointments:

REAPPOINTMENTS:

- Kathryn T. Simpson, General Chairwoman for two more years (77)
- Duncan Wall, General Vice Chairman for another year (76)
- Frances Phipps, Chairwoman, Zone 1, for another year (76)
- Arthur L. Catudal, Zone 1, for another year (76)
- John D.Loxley, Zone 1, for another year (76)
- Michael Bray, Chairman, Zone 2A, for two more years (77)
- Mary Ann McGuire, Zone 2A, for another year (76)
- Eugene Snedden, Zone 2A, for another year (76)
- Marion Florin, Zone 2B, for two more years (77)
- Lewis D. Cross, Zone 2B for two more years (77)
- Charles Cooper, Zone 4, for two more years (77)

- Doris Stelle, Zone 6, for another year (76)
- Eleanor Burgess, Zone 6, for two more years (77)
- Austin T. Brown, Chairman, Zone 7A, for another year (76)
- Ann Grice, Zone 7A, for two more years (77)
- James H. Jones, Zone 7A, for two more years (77)

NEW APPOINTMENTS:

- Charles D. Potter, Zone 3, for one year (76)
- Virginia W. Egan, Zone 3, for one year (76)
- Juanita O. Penn, Zone 4, for one year (76)
- Robert W. Calhoun, Zone 5, for one year (76)
- Paul Chappell, Zone 5, for one year (76)
- Robert Turner, Zone 7B, for one year (76)
- Martha S. Jewett, Zone 7B, for one year (76)

and moved that they be approved. The motion was duly seconded and carried unanimously by voice vote. Mayor Roth thanked all the newly appointed and the reappointed members of the C.I.B., especially Mrs. Simpson, for agreeing to serve.

Discussion of TESS.

Councilman Garcia moved that the City Council agree in principle with the items covered in County Councilwoman Scull's memorandum, proposing to phase-out the TESS Commission and have the Silver Spring Center serve in lieu thereof; and state that the functions of the proposed Citizens Advisory Board be limited to the services of the Silver Spring Center. The motion was seconded by Councilwoman Medina. Councilman Ricks disagreed with the memorandum as he felt TESS had done a good job and should not be phased out. He realized that there might have been problems and misunderstandings with TCAC. Due to the present financial situation he feared that the TESS Center might suffer. While he recognized the City's desire for autonomy, he felt that the problems of neighbors across the boundaries should also be kept in mind and urged the Council not to abandon TESS. Mayor Roth recognized that Councilman Ricks had been deeply involved in helping the people of Quebec Terrace and commended him for his good work; he felt, however, that Takoma Park should get out of TESS now. Councilman Faulkner pointed out that there was no proposal to abandon the TESS Center- one of the points of the memorandum called for continued support of the TESS Center and of the Georgetown Clinic. Councilwoman Medina also voiced her disagreement with Councilman Ricks and stated that after listening to opinions and after considerable soul searching she felt that the dissolution of the TESS Commission was a progressive move; what began as an experiment had now become institutionalized, and work will now be handled at staff level at the Silver Spring Center, which will also have a Citizens Advisory Board. Furthermore, problems can still be taken to the City Council, the County Council or the School Board if necessary. She felt that these political groups have now been working together and understand the problems of the area, and that this relationship will not break up but be strengthened even more. Councilman Ricks agreed with that and stressed that people preferred not to have to go through pipelines. When they came to the TESS Commission they had felt they were dealing with people who could help them and would not have to refer them to someone else. He would hate to see the Center turned into a bureaucratic type office. Councilman Faulkner wanted to make sure that neither the memorandum nor the proposed motion would in any way preclude, hinder or discourage Takoma Park citizens from participating in the Silver Spring Center Citizens Advisory Board. Councilman Ricks asked whether - if the City withdraws from the TESS Commission - the present members from Takoma Park, who are appointed by the County Executive, would have

to leave also. Mayor Roth responded by reminding the Council that the TESS Commission had been created by a Joint Resolution, and that the proposal was that it be phased-out. If anything else is established by the County, the City would have no say, and it would have to be an ESS Commission. Councilwoman Medina stated that Mrs. Bernstein had mentioned a roving commission or task force with members from the Board of Education, Park & Planning, the County Council and perhaps also from the County Executive's office, which would go to the various areas in the County where they felt there was a perceived need, either on their own initiative or responding to calls. - Mayor Roth added that this was described in point 4 of the memorandum from which he read the last sentence: "It shall further be the duty of the commission (meaning the roving commission) to meet on a quarterly basis with those present TCAC members who are from East Silver Spring, at the TESS Center for one year following adoption of this resolution" and pointed out that in effect there would be an ESS Commission for a period of one year. Councilman Faulkner said that it also meant that Takoma Park citizens were denied the right to sit on that commission. Mayor Roth stressed that they could still sit on the Advisory Board to the Silver Spring Center if they wished, and that since the roving commission would meet with the various communities, the Mayor and Council could also ask the commission to come to Takoma Park and meet with them. - Councilman Ricks referred to a meeting with the County Council on January 29, where it had been agreed to have further joint discussions concerning TESS, and moved to postpone action until such discussion had taken place. The motion died for lack of a second. There was some discussion.

Councilman Ricks again moved to table action until further discussions with the County Council had taken place. This time his motion was seconded by Councilwoman Medina but defeated in a voice vote (4 to 2). The discussion on the original motion continued with Councilman Ricks attempting to have it delayed because Councilman Nishimoto was not present and ought to have input as he was an important link with TESS. Mayor Roth pointed out that at the last Council meeting Councilman Nishimoto had clearly stated his position on TESS. Councilman Garcia's motion was carried by voice vote with all in favor but Councilman Ricks who voted NAY.

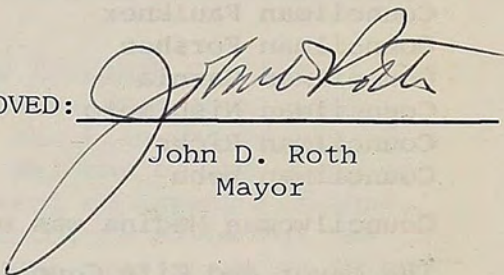
SPECIAL REPORTS:

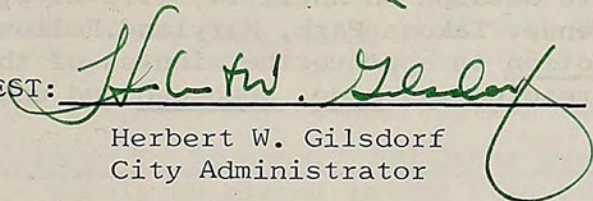
Councilman Garcia called attention to where Carroll and Flower Avenues are in need of fresh paint of the center lines. Mayor Roth directed the City Administrator to write the State Highway Administration about it over the Mayor's signature. Councilman Ricks suggested that the letter include a reference to the signal light problems in the City.

Mayor Roth reported for the record on developments in State legislation, stating that the City gets abt. \$200,000 in revenue share from the income tax paid and abt. \$17,000 from gasoline taxes and licenses and also gets a share of tax revenue from the State's horse racing, thus has an interest in what is done at State level with regard to taxes. Referring to the projected deficits in Prince George's and Montgomery Counties and the effect it may have on the tax rate, he told of both County Executives having joined with the Executive of Baltimore County and the Mayor of Baltimore City in an effort to obtain an increase in the sales tax from 4 to 5 cents, but that this effort seemed to have failed. An increase in income tax is still being considered, and it appears that legislation will be passed raising the cigarette tax from 6 to 10 cents, which would hopefully bring additional revenue, also to the City - possibly for police aid. Furthermore it was hoped that the City would get credit for the rebate now given to citizens over 65 - amounting to roughly \$20,000.

Councilman Ricks announced that School Superintendent Elseroad is resigning and proposed that the Council establish relations with the new superintendent. Mayor Roth agreed that this would be advantageous with a view to retaining TPES.

ADJOURNMENT: 9:45 PM. The Council to reconvene Monday, April 14, 1975 at 8:00 PM.

APPROVED: 
John D. Roth
Mayor

ATTEST: 
Herbert W. Gilsdorf
City Administrator