

THE CITY OF TAKOMA PARK, MARYLAND
EXECUTIVE MEETING OF THE MAYOR AND COUNCIL
May 10, 1976

City Officials Present:

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

City Administrator Gilsdorf
Asst. to the City Administrator Nichols
City Clerk Pusti
Recreation Director Ziegler
Chief of Police Porter
Public Works Director Barile
Asst. Corporation Counsel Culpepper

The Mayor and Council met in Executive Session on May 10, 1976 at 8:00 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 April 26 meeting was made, seconded and approved unanimously. Councilman Forshee commented on Mrs. Leary's remarks at the last meeting; stated that City Department heads had not been given an opportunity to respond and that he felt both the Public Works and Recreation Departments did deserve a word of commendation.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth praised Mr. Dove's display of flowers in his yard on Maple Avenue. The Council was delighted with the publicity in the Montgomery Journal (by Elizabeth Bateman) reflecting this beautification of Takoma Park.

May 9, the Takoma Park Horticulture Club and Azalea Committee held their annual Flower Show. The Mayor thanked them for their work and noted that there was a successful turnout.

May 15-16, Prince George's County Executive Winfield Kelly and staff are promoting a County-wide clean up. Mayor Roth urged everyone to participate. A facility for depositing litter will be located at the Takoma Park Fire Station (Carroll Ave.).

Information has been received by the Mayor that TPES has received the \$60,000 for planning of renovation. There was some concern that the school could not be renovated while occupied nor completed during a summer vacation period which meant moving the children. Since this is undesirable, it may lead to the staff's recommending to the school board that a new school be built on Hodges Field, eventually tearing down the present building and developing a new ball field on that site. If the School Board should decide on this, the City would hold a public hearing for citizen input.

The curbs on Philadelphia Avenue between Maple and Carroll Avenues have been completed and grounds resodded by the City. The Mayor explained that this type of work does take a great deal of time. He thanked Public Works Employees for improving the visual appearance of this street.

Mayor Roth said that the Library's Bicentennial Film series has been very interesting. It is held on the first Wednesday of each month in the Council Chambers at 7:30 PM.

The Mayor announced that the hearing on the City Budget will be held on May 24 (combined with Council Meeting). He said the tentative budget is available and the Council looks forward to hearing citizens' remarks and comments.

CITIZENS' REMARKS

1. Kathryn Simpson, 7300 Cedar Avenue said that Mr. George M. Swenson is interested in serving in Zone 5 on the Community Improvement Board and asked that the Council appoint him to this position. She noted that Edward Hutwre has been transferred to Zone 4.
2. Mary Anne Leary, 7301 Takoma Avenue thanked Mr. Gilsdorf and Public Works Dept. for their prompt action on cleaning up the playground at Jequie Park. Insisted that she did not mean to insult Public Work Dept., only to direct a problem to the correct department to expedite service.
3. Maria Stephens, 7906 Takoma Avenue presented a petition asking that the portion of Takoma Avenue bounded by the City limits and Boston Avenue be eliminated from the parking permit boundaries (Montgomery College area) requested in the petition submitted on April 26. She felt the permit was unnecessary at this time and would greatly inconvenience the seven residents in the above-described area. Pointed out that people using the SSI Gymnasium will need a place to park. Ms. Stephens noted problems in receiving the newsletter and was told it would be remedied.
4. Mrs. E.N. Bozarth, 7326 Willow Avenue was pleased with the House and Garden Tour adding that everyone appreciated the use of the Mini-buses.
5. Ellen Marsh, 7405 Maple Avenue thanked the City departments and especially Belle Ziegler and the Recreation Dept. for their help with the House and Garden Tour. On behalf of the Old Takoma Park Citizens Association, she thanked the City for work done on Park Ave; 122 Park Avenue; curbs on Philadelphia Avenue. Complained of house at 410 Philadelphia Avenue with mattresses piled by the driveway.
6. Faith Stern, 103 Grant Avenue also had problems with receiving the newsletter. In reference to the article in Newcomer's Guide, Dr. Stern commended Councilman Ricks for having put this on the agenda. She read a letter she had sent to the Mayor and Council on Jan. 11 about the same article, which is being used again this year. She felt this was harmful to the City image; such detractions as this should not be allowed to go on; rumors can hurt the City. Commended the Council for doing something about it.
7. Allan Marsh, 7405 Maple Avenue said that some months ago he had asked the Mayor and Council for a listing of property currently owned by the General Conference and affiliated organizations and has yet to receive this information. Recently Columbia Union College purchased property on Greenwood Avenue. He found it difficult to believe that any organization with multi-million dollar property investments in the City has no plans for expansion, and that this possibility is a threat to citizens. He asked for information regarding the General Conference's future plans. He noted that Dr. William Fox is retiring, saying he was a charter member of Montgomery College who had contributed much to the school.
8. James Gallagher, Dept. of Communication, General Conference of SDA said he had unofficially asked officials if they would be willing to provide this information; they felt it was a discriminatory request unless all churches in the City were asked to do the same. Mayor Roth said that City's response had been delayed because of staff work priorities. He added that the Maryland State Assessors Office determines tax exempt status and not the City. Mr. Marsh expressed great desire in knowing what type of pattern the SDA is following in purchasing properties. Councilmen Faulkner and Nishimoto requested that any listing include all tax exempt properties. There followed a dialogue between Mr. Marsh and Mayor

Roth on whether or not the General Conference had been totally candid in statements made concerning future development.

9. Laura Dennison, 7411 Aspen Court tenant in Takoma Park. Has attended the Landlord/Tenant Committee meetings and feels that a great deal of work was done on the recommendations. She said that there were a few points she disagreed with and asked that citizens be allowed to participate when this is discussed.

10. Joe Ferrier, 7413 Maple Avenue mentioned that Louie Allen, weatherman for Channel 7, recently deceased, at one time attended school in Takoma Park; asked if Mr. Gilsdorf received a copy of the brochure prepared by Phil Vogel; was pleased that the dirt pile in Memorial Park was leveled; commented on how beautiful the Flower Show was; was glad to see the Metro bus shelter on the corner of Philadelphia and Maple Avenues; and commended the library for their excellent work.

FINANCIAL STATEMENT

Mr. Gilsdorf, City Administrator, gave a brief summary of the City's financial statement.

ITEMS FOR COUNCIL CONSIDERATION:

Communications

Montgomery County Board of Appeals, Case A-292, appeal for 3.8' variance to permit addition of bedroom at home of Clayton D. Forshee, 722 Kennebec. Public hearing will be held on June 17, 1976, 9:00 AM, Rockville, Md. 10:00 AM

D.C. Zoning Commission-Notice of public hearing, June 8, at Takoma Park Baptist Church. Case 76-3B, application of Bruce Winston for a planned unit development at 7415-7423 Blair Road. He requests a change in the zoning to permit an increase in density. He plans to put in 39 (3 bdrm.) townhouse, 12 (3 bdrm.) duplexes and 9 (2 bdrm.) flats on that land and in order to do this he must have the less restrictive zoning. There has been no staff report from their planning department as yet.

Administrative Reports and Recommendations for Council Action:

Administrative report on clean up campaign (Mr. Gilsdorf)

The Pathfinders of the Seventh Day Adventists will be picking up trash along the Longbranch/Sligo Parkways, Thursday afternoon which will be the City's kick-off for the Prince George's County-wide clean up. There may be as many as 50 youths participating.

Appointment of Community Improvement Board member

Councilman Ricks moved that Gregory M. Swenson be appointed to the Community Improvement Board in Zone 5. Councilman Forshee seconded and the motion was approved unanimously.

Report and Recommendations from Landlord/Tenant Committee

Councilman Nishimoto requested that the Mayor send letters to those who served on the committee. He expressed appreciation to Dr. Evans, Howard Bernstein and Councilwoman Medina for their work on the subcommittee. Recommendations were presented to the Mayor and Council with much emphasis placed on the importance of the Mediation Committee and its role to strive for reconciliation between landlords and tenants rather than to seek legal action. Councilwoman Medina said there was a consensus to make Code Enforcement as realizable as possible and more known to the people. Tenants were hoping to approach the code enforcement problems through rent control. There was a fear that low income people might be priced out of the rental market if prices continue to rise. Many felt that while rents were

increased the maintenance did not get better. Councilman Faulkner was concerned about the connection between rents and code violations and its implication that the City codes were not enforced. Councilman Ricks explained that the grid would be a performance review, hopefully giving some landlords an incentive to bring their apartments up to standards. The following recommendations were presented to the Mayor and Council and the Corporation Counsel for review:

Recommendations:

- (1) Require that a summary of code violations be posted conspicuously until such conditions have been abated.
- (2) Require that information from the City on code enforcement standards and procedures be stated in a lease or agreement to be made available to tenants of all rental units.
- (3) Require that public notification in a newspaper of general circulation be posted on apartment buildings where code violations have not been abated by the closing date of the second notice.
- (4) That the Mayor appoint a Mediation Committee to be composed of:
Mayor and/or Council Representative
City Administrator or Assistant to the City Administrator and/or
Code Enforcement Officer
Landlord and Tenant advisors/consultants where appropriate at the discretion of the Committee.

ROLE: Mediation Committee - To address problems that cannot be addressed the Landlord Tenant Commission and to try to resolve major problems that affect an entire building or the morale of an entire building.

- (5) That the City begin an aggressive campaign by way of appropriate media to inform tenants of rights and responsibilities of both landlords and tenants, code enforcement standards and procedures for reporting violations if landlord is unresponsive, and availability of services to tenants offered by the counties to address individual grievances.
- (6) Regulation of rate and frequency of rent increases:
The committee agreed that the issue should be addressed but could not agree on the most appropriate method of doing so.
 - (a) Legislate a rent increase grid that permits certain percentage increases tied to the level of code compliance of the building. In addition, there was a request to set a base rent with rebates permissible if code compliance fell below an acceptable level.
 - (b) Encourage the negotiation of voluntary agreements either by contract (lease modification) or verbal understanding as to the rate and frequency of increases.

Both suggestions acknowledge the desirability of allowing certain pass-through increases, i.e., utilities, taxes, and fuel.

Voluntary contractual agreements could be based on some proportion of the consumer-price index, the cost-of-living index, or any other mutually agreed-upon measure for rent increases.

If voluntary agreements could be incorporated into the lease, they would then be enforceable in court.

The Council was urged to review the recommendations before the next Council meeting so some decision could be made before the 90 day voluntary restraint program expired. It was agreed that the matter be carried over to the next meeting; the Corporation Counsel was asked to give an opinion on legal aspects prior to that time.

Report on (temporary) ad hoc committee on the City's image

The ad hoc committee, after some research, offered the following suggestions to the Mayor and Council:

- (1) That a small advisory body be appointed (five to ten members) with an interest in as well as expertise in public relations. This group would advise the Mayor and Council on programs or projects.
- (2) Adopt a slogan, such as "Take Pride In Takoma".
- (3) Prepare a brochure for distribution to real estate firms, prospective new residents, and other parties.
- (4) Place informative ads in real estate section of major papers.
- (5) Promote original photography or art contest with local theme.

Elizabeth Bateman suggested that ads could vary from Sunday to Sunday using some of the previous points Councilman Ricks made about the City. Councilman Ricks felt that this would be the best time for publicity, since many move during the Spring and Summer months. Councilman Forshee moved that the Mayor appoint the above described committee (1). Councilman Nishimoto seconded. Councilwoman Medina suggested that a number of people be drawn into this to obtain several forms of expertise. After some discussion the motion was approved unanimously. Items 2-5 were turned over to the new committee for their recommendation.

Denial by Zoning Hearing Examiner of ZMA A-8971 (C-1 to C-G), print shop, 6844 New Hampshire Avenue Takoma Park had previously opposed the zoning change of C-1 to C-G for the print shop, even though the property was not within the municipality. The application was denied by the Zoning Hearing Examiner for Prince George's County. The Council felt it was reassuring to hear supportive reference made to the Takoma Park Master Plan.

Administrative reports (City administrator):

Citizens' response to request for removal of parking restrictions in the 300 and 400 blocks of Boyd Avenue Seventy-two residents in the described area were sent mail inquiries for their reaction to proposed removal of parking restrictions on their street. Thirty-four responses were received from Boyd Avenue. Twenty-seven were in opposition, mainly because the street was so narrow. Seven residents were in favor. The Lincoln/Valley Citizens' Association, by telephone, also opposed. Councilman Faulkner asked the Mayor to allow Councilmen Garcia, Webb and himself to look over the original complaint for some alternative.

City Administrator's findings re parking permit petition (Montgomery College Area)

The City Administrator was responsible for applying the first three sections of the guidelines to the petition. Of the 188 units in the designated area, 122 have less than 2 off-street parking spaces (well within the guidelines). The 50% occupancy was in effect through the entire area the last week in April between the hours of 8 AM - 5 PM. However, between 5 PM - 6:30 PM there was not a 50% occupancy on the 600 block of Albany Avenue, 7700 block of Takoma Avenue, or 500 block of New York Avenue. The streets did fill up after 6:30 PM due to the 7:00 PM classes at the

College. It was found that non-residential parkers did make up 50% of existing on-street parking. These findings did meet the requirements as set up in the guidelines. There was some discussion on the location of the boundaries; Councilman Garcia thought the map presented was very vague and requested a more specific map. Mr. Gilsdorf reviewed the boundaries as described in the petition. Councilman Nishimoto moved that the hearing be held at the proper time. Councilwoman Medina seconded. She asked that the Council keep in mind that many people will be on vacation during the summer and the record should remain open long enough to get everyone's response. After some discussion as to when the hearing will be held, Councilman Nishimoto amended his motion to add that the Mayor and City Administrator will set a date for the hearing. Councilwoman Medina seconded and the amended motion was approved unanimously.

Reminder of Public Hearing on Proposed 1976-77 Budget and Planned Use of Federal Revenue Sharing Funds, 8:00 PM, May 24, 1976.

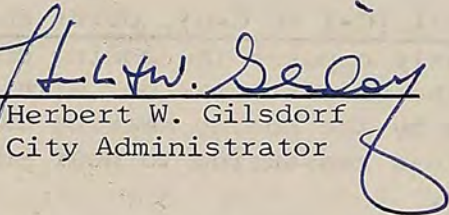
ADDITIONAL AGENDA ITEMS

Mayor Roth appointed Councilman Faulkner and Councilwoman Medina to an ad hoc committee to advise the Council on the building plans and increased density at Blair Road as mentioned above in agenda items. Councilman Ricks added that some time ago he attended a public hearing (Takoma, D.C. Master Plan) about the increased density at the Blair Road area and recalls there was opposition from citizens groups.

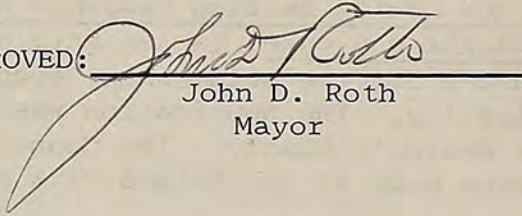
Mayor Roth thanked those serving on the Landlord/Tenant Committee for completing their work within the time limit.

ADJOURNMENT: 10:45 PM - Council to reconvene Monday, May 24, 1976 at 8:00 PM.

ATTEST:


Herbert W. Gilsdorf
City Administrator

APPROVED:


John D. Roth
Mayor

THE CITY OF TAKOMA PARK, MARYLAND
REGULAR MEETING OF THE MAYOR AND COUNCIL
and
PUBLIC HEARING ON PROPOSED 1976-77 BUDGET
AND PLANNED USE OF GENERAL REVENUE SHARING FUNDS

May 24, 1976

City Officials Present:

- | | |
|---------------------|---|
| Mayor Roth | City Administrator Gilsdorf |
| Councilman Forshee | Asst. to the City Administrator Nichols |
| Councilwoman Medina | City Clerk Pusti |
| Councilman Garcia | Recreation Director Ziegler |
| Councilman Ricks | Chief of Police Porter |
| | Public Works Director Barile |
| | Library Director Barclay |
| | Corporation Counsel Gingerich |

Councilmen Faulkner, Webb and Nishimoto were excused.

The Mayor and Council met in Regular Session on May 24, 1976 at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Rev. Floyd W. Kester, Good Samaritan Baptist Fellowship, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the May 10 meeting was made, and seconded. Councilwoman Medina asked that the Mayor's Comments on TPES, page one, last sentence be revised to read "If the School Board should decide to consider this option, the City would hold a public hearing for citizen input." With this revision the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

The Mayor read the following Resolution of Commendation which was moved by Councilman Ricks, seconded by Councilman Garcia and passed unanimously by voice vote:

R E S O L U T I O N

WHEREAS, the Pathfinders is an organization sponsored by the Seventh-day Adventist Church whose purpose is to foster the development of character and good citizenship among boys and girls through participation in a variety of group activities and community projects; AND

WHEREAS, the Sligo Challengers--a member group of the Pathfinders--served their community on May 14, 1976 by engaging en masse in a County-wide clean-up campaign, sponsored by Prince George's County Executive Winfield Kelly, in which their efforts were directed at picking up litter along Long Branch and Sligo Creek.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland do hereby commend the Sligo Challengers and their leaders, Mr. Jack Olson and Mrs. Merrilyn Hill, for their enthusiastic response to this worthwhile project.

Mayor Roth along with Mayors in Prince George's County met with the Prince George's County Fiscal Committee of the County Council and presented a bill of legislation to the County Council proposing a tax rebate to cities for services the County does not supply to the City. Mayor Roth said the bill did not pass and hopefully next year the County Council can be persuaded by the elected officials as well as by citizens.

The Mayor was notified that TPES has been selected for a new program called Project Continuity (similar to that of Head Start) because of its integrated variety of students. Mrs. Schallhorn said the school received \$100,000 for the first operational year; has been approved for a second year; and, hopefully the project will continue for two more years. Mayor Roth thanked Bob Anastasia and Mrs. Schallhorn for their work on this project.

The following people were appointed to the Advisory Committee for Public Relations:

Chairman Medina
Elizabeth Bateman
Duncan Wall
Mary Anne Leary
Pinky Vahovich

The purpose of this committee is to advise the Council on programs or projects. Those who are interested in helping with operational roles are welcome. Mayor Roth said a letter was sent to the Washingtonian Newcomers Guide suggesting sources of constructive material from which to work. The committee could possibly work with the magazine in developing material that is useful to them and that aids the City.

ADDITIONAL AGENDA ITEMS

Appointment to the CIB (Councilman Ricks)

PUBLIC HEARING ON PROPOSED 1976-77 BUDGET AND PLANNED USE OF GENERAL REVENUE SHARING FUNDS

The proposed budget is based on the existing tax rate of \$1.30 per hundred dollars of assessed value. In spite of sharp increases in operating costs, it is anticipated that for Fiscal Year 76/77, the revenue generated from the current tax rate plus revenues from other sources should provide ample funds to maintain or improve the present level of service delivery.

Mayor Roth opened the meeting to the citizens at 8:30 PM and welcomed them to make comments or suggestions on the proposed budget.

1. Robert Mandel, 7003 Woodland Avenue inquired about the CETA Program (3.5095) on page 2 of the proposed budget. Mayor Roth explained that this was the Comprehensive Employee Training Act Program which supplies money to hire people who are unemployed or possibly socially disadvantaged. The administrative work is carried out through the County.
 - Mr. Mandel noted that the Code Enforcement budget (11.3) was cut. The City Administrator said that the \$5000 drop represented an employee that served that department by answering the telephone which is now being handled by the administrative office.
 - He noticed an increase for employees in the introduction but saw no change in the budget for the Sanitation Division (12.4). Mr. Gilsdorf explained that two years ago the City underestimated the fee for dumping on County grounds. To be safe, last year \$50,000 was added to cover any increase that might occur. There was no increase allowing the budget to be dropped back for Fiscal Year 76-77. He was glad to see that the City building is being paid off (14.9 Debt Service). Mr. Mandel inquired about salaries for the Police Department. The City Administrator said there will be a salary increase for the Police Dept. and explained that four officers will be paid through a LEAA Grant 11.121 in a separate account.

- Mr. Mandel asked the purpose of the Motor Vehicle Flagging Program (11.12261). It was explained that this was a program to make sure that violators pay their outstanding tickets or their car registration cannot be renewed.

- Referring to the Public Image Campaign mentioned that if Takoma Park is too favorably publicized then reassessment may take place and taxes increased.

2. Russell Romer, 702 Chaney Drive spoke of more frequent robberies and crimes and asked if the police force had been increased. Mr. Gilsdorf said that the LEAA Grant provides for four officers to address some of the problems he mentioned. At present there are 31 sworn officers. Mayor Roth added that the City has almost 2 police officers per 1000 people which is above average and taxes are also paid to the counties for police service.

3. Joe Ferrier, 7413 Maple Avenue noted salary increases in the recreation department (18.111, page 12) and expressed great hopes of seeing an increase for Belle Ziegler, Recreation Director, commensurate with other department heads and her responsibilities.

4. Joanne Sidell, 606 Boston Avenue (Representative of Friends of the Library) thanked the City for the proposed amount for the Library and hoped to see this continued. She was pleased with the services offered by the Library and expressed desire to maintain its high standards.

5. Phil Vogel, 7117 Garland Avenue felt that the lack of attendance by the Council reflected their interest in the budget; pointed out that attendance was the same at last year's budget hearing. Was disappointed that the budget again offered no choices. He noted that Montgomery and Prince George's Counties find ways of making deletions and additions to their budgets, offering citizens a choice.

- Mr. Vogel inquired about the pay increase for employees and asked why the increase was not listed in the budget. The City Administrator said he had proposed a 7% cost of living increase based on national and metropolitan area figures. Mr. Vogel felt that the proposed salary increase should have been publicized because it represents a large segment of the budget.

- Mr. Vogel said the budget did not explain certain items and gives very little details such as on Page 5, TOTAL: GOVERNMENT ADMINISTRATION, where the budget does not explain if the increase from \$188,540 to \$207,740 is for personnel services or operating expenses.

- Referring to Page 6, 10.9126, Gas for Heat and Water, Mr. Vogel asked the reason for such a decrease. It was explained that this was due to a billing error, now corrected.

- In answer to Mr. Vogel's question, the Mayor assured him that there was no cut in the number of Code Enforcement Officers.

- Mr. Vogel was curious to know the reasons for such a drastic increase in the Recreation Departments salaries. The City Administrator explained that it is primarily due to the SSI facility as discussed at previous meetings. Park & Planning will be responsible for outdoor physical improvements; Montgomery County will handle building renovation and Capital Expenses; the City will furnish staff to operate the facilities that service Takoma Park residents. Mr. Vogel said he supports recreation but feels the City is assuming management of a program that will benefit County people more than the City residents.

- Mr. Vogel asked if 24.9032, Page 14, DUE TO OTHER AGENCIES, was an over payment of State income taxes. The City Administrator replied in the affirmative.

- He reiterated the need for more explanations in the proposed budget pointing out that \$50,000 was allotted for streets, curb repairs and sidewalks but the budget did not specify how much of the funds would be allocated for each of these divisions.

- He asked what plans have been made for GENERAL GYMNASIUM IMPROVEMENTS, last page of budget. Mr. Gilsdorf said this was for painting, corrective work on a wall, and a door replacement on the Fire House Gym.

- Mr. Vogel supported the 7% salary increase as long as it keeps worthwhile employees. He added that department heads deserve more than the 7%; felt the budget was a foregone conclusion and urged the Council to change the format of the budget by offering textual information.

6. Dr. Stanley Evans, 7520 Maple Avenue was glad to see the increase for the Library and hopes to see funds directed toward periodicals and materials that aid the students and serve the community; appreciated information and help provided to citizens by the CONCENTRATED CRIME REDUCTION TEAM, Page 8, and expressed desire to see an overall increase for this program.

7. Ellen Marsh, 7405 Maple Avenue suggested that the budget (Capital Improvements) provide for a City-County program equivalent to the Neighborhood Improvement Program of the Montgomery County Office of Community Development as described on Page 31 of the Sector Plan for the Transit Impact Area in Takoma Park. She felt this program which is designed to protect and stabilize neighborhoods adjacent to Central business districts and Metro Stations would be very effective in the 7100 block of Willow Avenue. The City could enlist the help of a urban planner from Park and Planning to redesign the public portion of the block and yet be in keeping with the historic district. Mrs. Marsh pointed out that the City is receiving assistance from the County for improving Laurel Avenue shopping center. The Mayor urged Mrs. Marsh to make suggestions to and discuss this with Councilman Ricks who serves on the Advisory Committee with the County for Community Development.

8. Edward Hutmire, Pres., Recreation Council, noted that the budget format is the one traditionally used; supported the capital requests of Recreation Department; said that the Recreation Council has an interest in seeing that the Public Works Department has some supervision over the contracting for improvements of the gymnasium, since Recreation Dept. has no expertise in this area; said that each year the Recreation Council asks that the Council look kindly on a salary increase for Belle Ziegler, Recreation Director, as her salary never seems to be equal to other City Department heads. The Council again requests an increase.

9. Charlene Cohen, 7815 Takoma Avenue
Under Fines and Forfeitures, Page 3, Mrs. Cohen asked if she could assume that the fines were from the College area. City Administrator Gilsdorf said that a small portion of it was from the College area.

- Mrs. Cohen asked what type of Fiber Glass tub was to be used, referring to Page 15, RECREATION. Mr. Gilsdorf explained that the tub will go in the basement and pipes will have to be installed to allow the plumbing to go up. Mrs. Cohen said this should have been explained as laundry tub plus installation.

- Under Public Works, Page 15, Streets, Curbs, Sidewalks, Mrs. Cohen asked how much of these funds will be used in each county of the city. Mayor Roth said that in the past 8 years the City has had an extensive program to upgrade the streets and Montgomery County section was worked on first applying a coat of black top over the concrete to cut down on deterioration. Mrs. Cohen replied saying she was speaking of sidewalks and curbs which are in need of repair in the North Takoma Park area. She added that now that school has slacked off, this would be a good time to clean the streets in the College area.

10. Harry Wickline, 7812 Takoma Avenue agreed with Mr. Vogel's criticism of the budget.

-Mr. Wickline referred to page 14 - 24.9029 Education and Training, and suggested that \$500 go to the Library and \$3000 to the Police Department. He added that about five years ago the Police force was considered inadequate; many recommendations were made that were never put in effect. Mayor Roth said that some of those recommendations have been put into effect.

11. Gwen Nash, 702 Chaney Drive noticed that on page 15, the Landlord/Tenant Program has not been increased. Mr. Gilsdorf explained that this money was to pay Montgomery County for inclusion in their Landlord/Tenant coverage. The expenses incurred by the Landlord/Tenant Committee will be taken from the General Administration Funds. Councilwoman Medina said that the recommendations made by the Committee do not necessarily imply an increase in staff. Councilman Forshee noted that there are funds in the budget for contingencies.

12. David Gray, 700 Chaney Drive pointed out that the agenda does not include a discussion of recommendations of the Landlord/Tenant Committee. Said he did not consider the Landlord/Tenant Program costs to Montgomery County as Capital Expenditures but one of Operating Expenditures. Mr. Gray would like to see the Landlord/Tenant Committee be given a listing in the Budget.

13. Edward Hutmire, 21 Columbia Avenue said the Recreation Council would like to emphasize the need for money in the budget for the Parks Division.

14. Ralph Sidell, 606 Boston Avenue felt that the low attendance was not due to apathy on the part of citizens, but trust that the Mayor and Council are doing a good job.

15. Russell Romer, 702 Chaney Drive said the U.S. Congress has been striving to get away from this type of budget and move to one that is functional which would list City programs by functions rather than a cold listing. He recommended that the Mayor and Council investigate the format of a functional budget and amend the proposed budget accordingly. Mr. Romer felt that many items were repetitive and unnecessary. Mayor Roth said he would direct Mr. Romer's suggestions to the City Administrator.

The Public Hearing closed at 9:50 PM and was immediately followed by citizens comments on other topics.

CITIZENS COMMENTS ON OTHER TOPICS

1. Kathryn Simpson, 7300 Cedar Avenue reported that Mrs. Pinky Vahovich would like to serve on the Community Improvement Board in Zone 7B and asked that the Council appoint her to this position. She added that this would fill the last vacancy on the Board.

2. David Gray, 700 Chaney Drive asked if the Council was going to consider the recommendations of the Landlord/Tenant Committee as promised in the last meeting minutes. Councilman Garcia agreed that this should be discussed. Councilwoman Medina said it would be helpful if there was a full Council present but expressed no objections to discussing the matter.

3. Russell Romer, 702 Chaney Drive pointed out that the voluntary restraint program expires May 29 and would like to see some action taken as soon as possible or ask for an extension to give the Council time to debate the issues. Understood the major criteria in judging the necessity for rent control is the rate of vacancy which has been estimated that the danger point ranges from 3 to 4%; statistics provided by the City indicated a rate of 2.8% to 3%. If this is true there should be no doubt about the need for rent control. Read an article about Rockville supporting rent control, shortly after the expiration of the Federal Rent Control Bill, because of a housing shortage and excessive rent increases in the City. The article gave reasons for having rent control that would apply to Takoma Park; reiterated the need for rent control in Takoma Park. He asked that the Mayor and Council take into account humanity.

4. Mrs. Kirkpatrick, 1109 Holton Lane complained of undesirable activities by neighbors. She was in disagreement about circumstances under which she received a ticket and expressed discontent and fear with the police officers' procedures in handling the matter. Mayor Roth asked Mrs. Kirkpatrick to refer the problem to the City Administrator.

5. Princess Chapman, 7902 Takoma Avenue felt that it was terrible that a person in the United States must fear the judgement of a police officer. She said that a formal investigation should be made with results being reported at the Council meetings. Councilman Ricks felt that there should be an investigation of facts before something like this is printed in the minutes.

6. Joe Ferrier, 7413 Maple Avenue expressed a concern with Mrs. Kirkpatrick's problem. He felt that her statement should be documented and her protection considered.

7. Emmanuel Alexander, 116 Lee Avenue felt that public meetings were to give citizens the opportunity to bring problems to the Mayor and Council. Mr. Alexander said it was the Council's responsibility to help Mrs. Kirkpatrick with her problem. He added that the Police Force's main concern should be to protect life and property and expected a response in the form of some kind of commitment (whether by the Council or the Chief of Police) that something would be done.

8. Mrs. Dawson, 411 Boyd Avenue made a correction in her letter of May 12, second page, second line. The 300 block of Boyd Avenue should be changed to the 400 block.

9. Phil Vogel, 7117 Garland Avenue
In reference to Mr. Vogel's question, the City Administrator said that the first week in April, the City received word that construction of Takoma Urban Park will begin this summer. Mr. Vogel was concerned whether or not Montgomery County's recent cut back in their Capital Budget would affect the park.
- Mr. Vogel asked the status of the Historic District. Mayor Roth replied saying that there was some delay because of the map, but has now been completed, sent to the State, and forwarded to the National Register. Mr. Vogel requested that the Mayor inquire further into this.
- He urged the Council to oppose Case 73-3P, 7415-7423 Blair Road due to problems involved with increased density. Mayor Roth appointed Councilmembers Faulkner and Medina to inform the Council on this activity.

Appeal A-292, variance of 3.8 feet, 722 Kennebec Ave. (Clayton D. Forshee)

The City Administrator noted that Park & Planning will make no staff recommendation, he had reviewed the area, and as long as it poses no threat to adjacent properties recommended support of the appeal. In accordance with similar cases, Mayor Roth said he would favor leaving the matter to adjacent property owners. Councilwoman Medina said she would make no comment since there was no staff report. Councilman Forshee said he wanted to add a bedroom onto the rear of the house which would extend the limit by 3.8 feet. He had discussed this with his neighbors and found no objection.

Case 76-3P, D.C. Zoning Commission, 7415-7423 Blair Road, N.W., Petition for rezoning to increased density (Hearing: 10:00 AM, June 8, Takoma Park Baptist Church)

The Zoning Commission staff report recommendation has not been formalized. The Asst. to the City Administrator Nichols found that the Senior Staffman has indicated recommending something less than 30-90 units which means he will probably oppose this petition. Councilwoman Medina said that the Takoma, D.C. draft Master Plan of March 75 does mention closing Blair Road to through traffic and wondered how this would affect the development plans. She said since the Juniper Street access into Takoma Park has been closed the Council may want to consider reassessing the density of the Blair Road area. Mayor Roth pointed out that when that plan for rezoning came up some time ago Councilman Ricks appeared to present testimony opposing this. Councilwoman Medina referred to the appendix C of the Sector Plan for the Transit Impact Area for Takoma Park which recommended that the Blair Road area not be developed to attract those with school age children and noted that it was contrary to their earlier recommendations. After some discussion Councilman Ricks moved that the Council reiterate their opposition to increased density. Councilwoman Medina seconded and the motion was approved unanimously. Mayor Roth asked Councilwoman Medina to work with the City Administrator to draft a letter to the D.C. Zoning Commission.

Community Improvement Board Appointment (Councilman Ricks)

Councilman Ricks moved that Pinky Vahovich, 7217 Spruce Avenue, be appointed to the CIB as a member in Zone 7B. Councilman Garcia seconded and the motion was approved unanimously.

Approval of Tax Rate

Earlier during the Citizens Remarks on the Budget Hearing some had questioned if the budget was already predetermined; Mayor Roth commented that this was not true. He added that the Council must advise Montgomery and Prince George's Counties of the tax rate so they can prepare tax bills. However, the Council has until the end of the fiscal year to decide on the budget and to review the citizens' comments. Councilman Ricks moved that the Counties be notified that the City approves of the current tax rate for the City. Councilwoman Medina seconded. Councilman Garcia was happy to see some modest improvements without any increase in the City taxes. Councilman Forshee pointed out that there were increases in County taxes and he had hoped to see City taxes lowered to help the citizens; he felt the budget could have been cut a little closer in some places. Councilwoman Medina felt the taxpayers were getting a lot of service for their taxes; Takoma Park is doing as well as any municipality; favored the current \$1.30 tax rate. Mayor Roth said there is a continuing increase in taxes even though the City taxes have not been raised. After some discussion the Ordinance below was adopted by roll call vote as follows: AYE: Councilmembers Forshee, Medina, Garcia and Ricks; NAY: none; EXCUSED: Councilmen Faulkner, Nishimoto, and Webb.

ORDINANCE #2383

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

SECTION 1. THAT a general tax rate of ONE DOLLAR THIRTY CENTS (\$1.30) on each ONE HUNDRED DOLLARS (\$100) assessed valuation be and is hereby levied and approved, and the City Treasurer is hereby authorized to collect taxes on the basis of the \$1.30 tax rate on all real and public property lying within the corporate limits of the City of Takoma Park, Maryland, and to proceed to advertise for sale such delinquent properties that may be in arrears on the date specified by law; and

SECTION 2. THAT the tax rate of the City is for the purpose of any and all general expenses of the City for the Fiscal Year beginning July 1, 1976.

Discussion on the recommendations by the Landlord/Tenant Committee

The Council began reviewing the recommendations by the Landlord/Tenant Committee and the Corporation Counsel's advice in regard to their legality. Councilwoman Medina said the Committee attempted to come to a consensus in their recommendations and carefully reviewed each one before presenting to the Council. Items 2 & 5 (See Council Minutes of 5-10-76) were an attempt to inform tenants of Code Enforcement procedures. There was some discussion of how tenants should be informed of these procedures and where to direct their problems. Councilwoman Medina said the committee spent some time trying to decide what rent control would accomplish for the City. She said after reviewing the matter she would go along with the voluntary rent control but could see no justification for the rent control and would encourage landlords and tenants to negotiate without legal action. Councilman Ricks noted that May 29 is the expiration date of the voluntary rent freeze and moved that the voluntary rent freeze be extended. Councilman Garcia seconded. The motion failed, with the following votes being recorded: AYE: Councilman Ricks; NAY: Councilmembers: Medina, Garcia, and Forshee. Councilman Garcia added that Prince George's County should be considered when decisions are made on the recommendations.

ADJOURNMENT: 11:50 PM - Council to reconvene Monday, June 14, at 8:00 PM.

ATTEST: Herbert W. Gilsdorf
Herbert W. Gilsdorf
City Administrator

APPROVED: John D. Roth
John D. Roth
Mayor

ITEMS FOR COUNCIL CONSIDERATION: City Administrator GilsdorfCOMMUNICATIONS

Letter from Elizabeth T. Weih describing an incident with a group of juveniles, asking that the 200 block of Grant Avenue have police supervision. Mr. Gilsdorf noted that juveniles participating in this incident have been identified and conferences have been held with their parents; the Takoma Park Jr. High has been informed and the Police are observing the situation closely. Mayor Roth suggested that a letter be sent to Mrs. Weih expressing the Councils' regrets that this occurrence took place.

Mayor Roth received a letter from Metro concerning the retention of the temporary pedestrian bridge at Juniper Street. As part of the contract the temporary bridge was to be removed upon completion of the new bridge. WMATA estimates that construction of Metro in this area should be complete in August 1976 after which time they will no longer assume the responsibility for the temporary bridge. WMATA asked that the City or County maintain ownership and maintenance of the temporary bridge until the completion of the new bridge. WMATA reported that the permanent pedestrian bridge will be constructed when the agreement on the funding responsibility is reached. The development of a new design of the permanent pedestrian bridge will be fully coordinated with the City of Takoma Park as well as with the other affected jurisdictions. Mayor Roth said that according to the letter the temporary bridge will be torn down if the City doesn't arrange some type of agreement with Metro by August. It was agreed that the Council would respond to Metro asking for a schedule of conferences.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTIONAnnouncement of Public Hearing and Forums:

Public Hearing: Parking Permit Petition, Montgomery College area (8:00 PM, June 14, City Council Chamber, 7500 Maple Avenue). The City Administrator said that notification will be sent to all in this area and slightly beyond.

Public Forums: Takoma Park Master Plan Task Force Reports

--7:30 PM, June 9 (cont. on June 10, if necessary):

- Transportation Task Force;
- Public Services, Education & Related Task Force

--7:30 PM, June 16 (cont. on June 17, if necessary):

- Housing and Code Enforcement Task Force;
- Zoning and Land Use Task Force

The City Administrator noted that reports are being compiled from each of the four task force committees and will be available in the Library or City Office.

Report from Special Council Committee on Boyd Avenue parking petition

Councilmen Garcia, Webb and Faulkner surveyed the area and found that many citizens opposed the removal of parking restrictions because they were afraid it might encourage speeding and produce blind spots. Councilwoman Medina said that until there is documented evidence that residents favor the change she would recommend the street as it is now. Councilman Garcia suggested that no action be taken until there is a full council. The Council was in agreement.