

THE CITY OF TAKOMA PARK, MARYLAND

Meeting of the Mayor and City Council
August 9, 1976

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	Asst. to the City Administrator Nichols
Councilman Forshee	Corporal Goetz
Councilman Garcia	Recreation Director Ziegler
Councilwoman Medina	Public Works Director Barile
Councilman Ricks	

Councilmen Nishimoto and Webb were excused.

The Mayor and Council met on August 9, 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 July 26 Meeting was made and seconded. It was requested by Councilwoman Medina that the permit parking area as discussed at the July 26 meeting read as stated in the proposed ordinance. (See Agenda item). She asked that on Page 7, line 9, under Juniper Street Bridge, "Silver Spring Central Business" be added just before the word District. Mayor Roth asked that on page 4, under "Report on Park Avenue," #1, recommendation, "On Spruce" be inserted after stop sign. Referring to page 5, line 4, under Update on Japanese Beetle Research, Mayor Roth asked that on be corrected to own. With the above requests and corrections the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

- Mayor Roth regretfully reported that there have been several rapes in the City (on Cedar and Valley View areas). Mayor Roth, City Administrator and Acting Chief of Police Sherman met with several women from the affected area to discuss the situation. There will be a follow-up meeting, Tuesday, August 17, at 8:00 PM in the Municipal Building. The Police Department feels that this will require extraordinary surveillance in these areas and are doing everything they can to control the matter.
- Mayor Roth noted that Senor Umberto Biondi spent 10 days in Takoma Park sight-seeing within the City and Washington, D.C. The Mayor said he enjoyed Senor Biondi's visit very much.
- The Mayor has been appointed to the Legislative Action Committee of the Maryland Municipal League for the year beginning July 1, 1976. He will be attending meetings on Saturdays until the Legislative Conference.
- Mayor Roth announced that August 9 was Councilman Garcia's 55th birthday.

ADDITIONAL AGENDA ITEMS

Juniper Street Bridge
Library roof repairs (Mr. Gilsdorf)

CITIZEN'S REMARKS

1. Jack Mitton, 501 Philadelphia Avenue spoke in opposition of the proposed permit parking ordinance. Felt it was making second-class citizens out of some people. Stated that by adopting this ordinance in the summer would not allow students to be heard.

2. Bill Strome, 36 Columbia Avenue felt that the people in Takoma Park should not be penalized because the students don't have parking spaces. Said that the College should bear the full responsibility to the students. Concerned that his friends might be ticketed when they visit this home. Mayor Roth explained that Columbia Ave. is not in the impact area. Mr. Strome objected to being a tax payer and not being allowed to park near the College.
3. Walt Penney, 7422 Buffalo Avenue questioned the constitutionality of Permit Parking. Felt it was invading his privacy by revealing what he thought was personal information to obtain the permit. Students are supposedly creating the problem and citizens have to suffer. Said Permit Parking was no solution to the problem; it will only push the problem to streets further away.
4. Morelyn Weisman, 7701 Takoma Avenue spoke in behalf of Parking Action Group who did not attend the meeting because they had faith in that the Mayor and Council would respect the wishes of the citizens who had worked so hard for permit parking. Pointed out that the recommendations of July 26 omitted mention of the hours of permit parking. Urged the Council to be responsive to the citizens of Takoma Park and pass permit parking.
5. Ron Rosewicks, Buffalo Avenue objected to the idea of restricting the number of visitors to each residence. It was explained that extra temporary visitor permits may be obtained through the Police Department upon request.
6. Judi Bari, 7420 Buffalo Avenue stated that permit parking was not the solution to the problem. The College provides only a few spaces in Silver Spring to park and should find a solution. This an inconvenience to taxpayers. Councilwoman Medina said this was discussed with the College; as long as the students could park on the streets then the County felt there was no need to provide parking. Permit Parking will be necessary to persuade the County to provide parking for the students.
7. Joe Ferrier, 7413 Maple Avenue
 - Congratulated the Mayor for being selected to serve on the Legislative Action Committee.
 - Wished Councilman Garcia a happy birthday.
 - Was glad to hear the Mayor note that rapes have occurred in the City and identifying the areas in which incidents occurred. Mr. Ferrier felt that citizens should be informed.
 - After hearing people speak in opposition of permit parking, Mr. Ferrier displayed a degree of satisfaction in hearing citizens take interest in what is happening in the City.
8. Karen Krokman, Buffalo Avenue asked if she could have more than two guests at a time. Mr. Gilsdorf explained that she could obtain an unlimited number of permits for social events through the Police Department.
9. Mary Pennifield, 7305 Takoma Avenue stated that residents have been working for permit parking for a long time. Said she would like to see this applied to her street.
10. Unidentified Citizen asked how many permits would be issued per house. Mr. Gilsdorf stated that any Maryland registered vehicle at an address designated for permit parking in this area would be issued a permit. Councilman Ricks added that the fee was \$5.00 per vehicle.

11. Paul Huebner, Buffalo Avenue was told that the \$5.00 fee would be placed in a general fund to defray expenses of permit parking. Mr. Huebner felt that since he paid taxes for the building and maintenance of these streets, he should not have to pay a \$5.00 fee to park. Asked if the fee was tax deductible. (No). Mayor Roth pointed out that when the City began considering permit parking the College did set aside funds to buy property on Fenton Street for parking. Students will park on the streets as long as they are not restricted.

12. Mr. Strome was concerned that the City intends to begin a program that is expensive to implement. Stated that many people are on fixed incomes and may not be able to pay the permit fee. Mayor Roth told Mr. Strome than any modification or ideas that he might have that would possibly improve the permit parking situation are welcome.

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

ITEMS FOR COUNCIL CONSIDERATION:

Communications

At the previous Council meeting a request was made for skate-board areas to be built in Longbranch Park before reconstruction of the playground area ends.

Prince George's County Park and Planning Commission reported to the City that in spite of the popularity of skateboarding, the sport is somewhat dangerous. There are several law suits pending throughout various states involving injuries in skate-board related accidents which results in a question of liability and insurance in such incidents. Until this issue has been resolved it will not be possible to incorporate such a facility at Longbranch. Councilman Garcia noted that Ocean City's skate-board facility reported only two accidents in one year.

Letter from Mary Anne O'Boyle Leary, 7301 Takoma Avenue requesting a parking change in the 7300 block of Takoma Avenue. She suggested restricting parking to one to two hours a day to discourage commuters.

Library Roof - The Library was closed Monday because of a leaky roof. The books are protected but the recent rains have caused problems. After close examination the Public Works Department recommends replacing the roof. (See Additional Agenda items.)

Administrative Reports and Recommendations

(1) Ordinance implementing Permit Parking in the Montgomery College Area
Councilwoman Medina moved that the Mayor and Council adopt permit parking at the location designated in the proposed ordinance from 8:00 AM to 5:00 PM, Monday through Friday, to be effective August 18, 1976. Councilman Faulkner seconded. Councilman Forshee moved that the proposed ordinance be amended to allow two hour parking on the South side of Boston Avenue from Chicago to SSI boundary. Councilman Faulkner seconded. The amendment was approved by all Councilmembers except Councilman Ricks. He felt that after 5 PM enforcement might be a problem in that area. Councilman Ricks then moved that the ordinance be amended to make permit parking effective from 8 AM to 7 PM because of night school at the College. Councilman Garcia seconded. Councilwoman Medina suggested that the hours remain 8 AM to 5 PM and later, if needed, extend the hours. After some debate the amendment was not passed. Councilman Ricks asked that the record reflect his support for the ordinance with the exception of two hour parking on Boston Avenue, South

side, through the east boundary of SSI. The Council adopted the ordinance as amended by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Medina, Garcia, and Ricks; NAY: none; EXCUSED: Councilmen Nishimoto and Webb.

ORDINANCE #2395
(See Attachment)

(2) Administrative Reports:

- Report on Parking in 7300 block of Takoma Avenue

Upon request, a survey was taken of the 7300 block of Takoma Avenue and it was found that with parking on both sides of the street it is difficult for emergency vehicles to pass. A letter was received from Mrs. Ferry suggesting this block be designated two hour parking. Councilwoman Medina moved that there be two hour parking from 9 AM to 5 PM on the South side of the 7300 block of Takoma Avenue. After Councilman Ricks statement that even with two hour parking it will still be difficult for emergency vehicles to pass, Councilwoman Medina withdrew the motion and moved that there be no parking from 8 AM to 5 PM in the above mentioned block and that the following proposed ordinance be the first reading:

FIRST READING OF A PROPOSED ORDINANCE

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

SECTION 1. THAT parking on the South Side of the 7300 block of Takoma Avenue shall be prohibited; AND

SECTION 2. THAT the Director of Public Works is hereby requested to erect the appropriate signs to effect the directive of Section 1, above; AND

SECTION 3. THAT this ordinance shall become effective upon the completion of the signing; AND

SECTION 4. THAT the penalty for violation of this ordinance shall be as stated in Sec. 1-17 of the Code of Takoma Park, Md., 1972, as amended.

- Report on suggested Refuse Warden

The City Administrator suggested that Tom Williams, Fire Prevention Officer, be assigned also to the position of Refuse Warden in hopes of eliminating problems with special trash pick up. Many problems now are due to the lack of a central authority. Councilman Ricks agreed that this would be a good idea but suggested that the position be titled something other than refuse warden. Mayor Roth pointed out that the Police Department is responsible for enforcing the present codes and the Public Works Department is responsible for picking up the trash. After some deliberation he asked that Public Works and the Police remain responsible for observing and reporting violations. He added that Tom Williams should notify the two depts. when on leave. Councilman Faulkner noted that on occasion special pickups have been scheduled and the trucks did not collect. Mr. Barile, Public Works Director, admitted that sometimes people put the trash out after the trucks have come by but some problems are with people who complain about their trash not being picked up when they have failed to make an appointment. There was some discussion about preparing a handout explaining what can be picked up and procedures for pickup. Councilman Faulkner moved that an ordinance be drawn up for the next council meeting to appoint Mr. Williams to the new position. Councilwoman Medina seconded and the motion was approved unanimously by voice vote.

(3) Ordinance appropriating Revenue Sharing Funds for landlord-tenant program
Councilman Ricks moved that the ordinance be approved. Councilwoman Medina seconded and the below ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, and Ricks; NAY: none; EXCUSED: Councilmen Nishimoto and Webb.

ORDINANCE #2396

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

SECTION 1. THAT WHEREAS, on June 6, 1975, the Mayor and Council adopted a resolution authorizing the Montgomery County Office of Landlord-Tenant Affairs to enforce in the Montgomery County section of Takoma Park, Articles I, II, IV, and V of the Montgomery County Fair Landlord-Tenant Relations Act;
AND

SECTION 2. THAT WHEREAS, the above-mentioned Act has been enforced and will continue to be enforced in the Montgomery County section of the City for the period January 1, 1976 through December 31, 1976 at a total cost to the City of \$13,941 (\$4.50 per rental dwelling unit).

SECTION 3. THAT WHEREAS, the entire charge \$13,941 for the above-mentioned services will presently become due and payable; AND

SECTION 4. THAT WHEREAS, currently there is a balance of SIX THOUSAND, FIVE HUNDRED TWENTY NINE DOLLARS AND FIFTY CENTS (\$6529.50) in Federal Revenue Sharing Funds reserved for Landlord-Tenant Services provided by Montgomery County.

SECTION 5. THAT WHEREAS, an additional appropriation of SEVEN THOUSAND, FOUR HUNDRED ELEVEN DOLLARS AND FIFTY CENTS (\$7411.50) is required in order to meet this obligation.

SECTION 6. THEREFORE THAT the sum of SEVEN THOUSAND, FOUR HUNDRED ELEVEN DOLLARS AND FIFTY CENTS (\$7411.50) be appropriated from Federal Revenue Sharing Funds and transferred to the reserve fund for the Landlord-Tenant Program for the Fiscal Year 1976 to total the THIRTEEN THOUSAND, NINE-HUNDRED FORTY ONE DOLLARS (\$13,941) requested.

Mayor Roth asked the City Administrator to give a quarterly report on the number of cases handled by the County.

(4) Action on Special Exception #3030, 1011 Elm Avenue, operation of day care center
Councilman Faulkner reported that this special exception would allow up to 10 children in the day care center. On July 2 the City Administrator sent letters to 32 citizens of which 21 responded favorably. Due to no objection by citizens in the area, Councilman Faulkner moved to recommend approval of the special exception. Councilman Garcia seconded and the Council approved unanimously.

ADDITIONAL AGENDA ITEMS

Juniper Street Bridge. WMATA has asked that someone else take over the responsibility of the maintenance of the temporary bridge. The City has discussed the matter with the County. James Gleason, County Executive, asked that the City enter into an agreement with the County to share equally the cost of maintenance until completion of the permanent pedestrian bridge. Councilwoman Medina moved to accept the agreement. The motion was seconded and approved by voice vote.

The City Administrator noted that WMATA has designed a permanent pedestrian bridge and will forward plans to the City later on for comments. They are firmly committed to replacing the bridge. Councilman Ricks asked that the agreement be clear so that later the temporary bridge will not become noted as a permanent bridge. Mayor Roth said he wrote a letter to Royce Hanson, Chairman, Montgomery County Planning Board, to give reasons why people use the bridge. The Planning Board responded saying they had no objection to the pedestrian bridge as long as it was of sightly condition.

Library Roof Repairs

The City Administrator reported that the 21 year old roof is in need of repairing. He requested that the roof be replaced. Councilman Forshee moved that money be taken from Federal Revenue Sharing Funds to make the necessary repairs and that the City Administrator be authorized to solicit bids. The motion was seconded and passed unanimously. Mr. Gilsdorf said that an ordinance was not prepared because this was an emergency request but one would be prepared for the next council meeting.

ADJOURNMENT: 11:05 PM - Council to reconvene August 23, 1976 at 8:00 PM.

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

APPROVED: John D. Roth
John D. Roth
Mayor

Attachment #1

ORDINANCE #2395

- WHEREAS, the Mayor and Council have found that the health, safety and welfare of many residents of the City of Takoma Park are adversely affected by burdens placed on them by virtue of the existence of major public facilities and programs; AND
- WHEREAS, for a number of years, the residents in the area of Montgomery College in North Takoma Park have been burdened with problems emanating from the use of streets and parking spaces by students of Montgomery College to such a degree as to deny the residents parking spaces adjacent to or nearby their homes, oftentimes blocking their driveways, overburdening roads and creating hazardous traffic conditions, as well as causing serious noise and air pollution problems; AND
- WHEREAS, the Mayor and City Council of Takoma Park, Maryland in recognition of the above-cited conditions, adopted Ordinance No. 2382 on March 22, 1976, amending Article 7 of the Takoma Park Code, 1972, by the addition of a new section, 13-63A, entitled "Parking Permit Areas," which stipulated the method by which parking permit areas may be established; AND
- WHEREAS, on April 26, 1976, the Mayor and Council were formally petitioned by residents of the North Takoma section of the City to establish a Parking Permit Area in the general vicinity of Montgonery College; AND
- WHEREAS, the City Administrator, following a survey of the area petitioned for Permit Parking designation and determining that all criteria of Sec. 13-63A, City Code, had been met, recommended to the Mayor and Council that a Parking Permit Area be established.

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

SECTION 1. THAT a Parking Permit Area be hereby established, which area shall be bounded as follows: Boundary Avenue from Chicago Avenue to Alfred Drive; Alfred Drive from Boston Avenue to Ray Drive; Ray Drive from Alfred Drive to Piney Branch Road; Piney Branch Road from Ray Drive to Takoma Avenue; Takoma Avenue from Piney Branch Road to Fenton Street; Fenton Street from Takoma Avenue to Chicago Avenue; Chicago Avenue from Fenton Street to Boundary Avenue; AND

SECTION 2. THAT parking within the boundaries designated in Section 1, above, shall be as indicated below, with existing regulations to remain in effect where no specific designation is made:

A. NO PARKING AT ANY TIME:

- (1) Baltimore Avenue, West side, between Takoma and Philadelphia Avenues;
- (2) Buffalo Avenue, West side, between Takoma and New York Avenues;
- (3) Takoma Avenue, West side, between New York and Philadelphia Avenues;
- (4) Chicago Avenue, East side, between Philadelphia and Boston Avenues;

- (5) Philadelphia Avenue, both sides, between Chicago Avenue and Piney Branch Road;
 - (6) Albany Avenue, South side, from Takoma Avenue to Buffalo Avenue;
 - (7) New York Avenue, North side, between Chicago and Takoma Avenues;
 - (8) New York Avenue, South side, between Takoma and Baltimore Avenues;
 - (9) Takoma Avenue, North side, between Albany and Buffalo Avenues;
 - (10) Albany Avenue, North side, between Buffalo and Baltimore Avenues;
 - (11) Takoma Avenue, East side, between Albany and New York Avenues;
- B. GENERAL PARKING AT ALL TIMES:
- (1) Fenton Street, North side, from Chicago to Takoma Avenues;
 - (2) Chicago Avenue, East side, from Fenton Street to Philadelphia Avenue, except those spaces designated in C(7) below as "Parking by Permit Only";
 - (3) New York Avenue, South side, from Chicago Avenue to Takoma Avenue;
 - (4) Takoma Avenue, West side, beginning with 7904 Takoma Avenue (Lot 91, Block 67, TPL&T Subdivision) to City boundary;
 - (5) Takoma Avenue, East side, beginning with 7903 Takoma Avenue, (Lot 13, Block 71, TPL&T Subdivision) to City boundary;
 - (6) Boston Avenue, both sides, from Alfred Drive to Philadelphia Avenue;
 - (7) Alfred Drive, both sides, from Boston Avenue to City boundary;
 - (8) Dundalk Road, both sides and including cul-de-sac;
 - (9) Takoma Avenue, West side, between New York and Fenton;
 - (10) Boston Avenue, South side, from Chicago Avenue to East property line of former Silver Spring Intermediate School site (except between 8 AM and 5 PM which will be designated as two hour parking only)
- C. PARKING BY PERMIT ONLY FROM 8:00 AM to 5:00 PM, MONDAY THRU FRIDAY
- (1) Baltimore Avenue, East side, between Takoma Avenue and Philadelphia Avenue;
 - (2) Buffalo Avenue, East side, between Takoma Avenue and New York Avenue;
 - (3) Takoma Avenue, Northeast side, between Piney Branch Road and Buffalo Avenue;
 - (4) Takoma Avenue, East side, from New York Avenue thru 7901 Takoma Avenue (Lot 12, Block 71, TPL&T Subdivision);

- (5) Takoma Avenue, West side, from Philadelphia Avenue thru 7902 Takoma Avenue (Lot 90, Block 67, TPL&T Sub.);
- (6) Margaret Drive, both sides, from Boston Avenue to City boundary;
- (7) Chicago Avenue, East side, in front of 7707 and 7709 Chicago Avenue (between New York and Philadelphia Avenues);
- (8) Chicago Avenue; East side, between Boston and Boundary Avenue;
- (9) Boston Avenue, North side, from Chicago Avenue to Alfred Drive;
- (10) Boston Avenue, South side, from East property line of former Silver Spring Intermediate School site to a point opposite the intersection of Alfred Drive with Boston Avenue;
- (11) New York Avenue, North side, from Takoma Avenue to Baltimore Avenue;
- (12) Albany Avenue, South side, from Buffalo Avenue to Baltimore Avenue;
- (13) Albany Avenue, North side, from Takoma Avenue to Buffalo Avenue;
- (14) Cleveland Avenue, both sides, from Baltimore Avenue to dead end; AND

SECTION 3. THAT the Police Department and Public Works Department are hereby directed to work with the City Administrator to fully implement the provisions of the ordinance at the earliest possible date; AND

SECTION 4. THAT permits will be sold annually at a cost of \$5.00 per year each by the Police Department. Such funds collected by the Police Department shall be deposited with the City Treasurer daily, along with a listing of the corresponding serial numbers of permits sold; AND

SECTION 5. THAT this ordinance shall become effective on August 18, 1976; AND

SECTION 6. THAT all ordinances which conflict with the provisions of this ordinance are herewith repealed.

SECTION 7. FURTHER THAT the penalty for violation of the directives of Section 2 of this ordinance shall be as stated in Article 7, Section 13 of the Code of Takoma Park, 1972, as amended.

Adopted by the Mayor and City Council of Takoma Park, Maryland on August 9, 1976.

- (2) Takoma Avenue, West side, from Philadelphia Avenue to 7902 Takoma Avenue (Lot 50, Block 07, 1st Sub.);
- (3) Belmont Drive, both sides, from Boston Avenue to City Parkway;
- (4) Chicago Avenue, East side, in front of 7701 and 7709 Chicago Avenue (between New York and Philadelphia Avenues);
- (5) Chicago Avenue, East side, between Boston and Boundary Avenues;
- (6) Boston Avenue, North side, from Chicago Avenue to Allied Drive;
- (7) Boston Avenue, South side, from East property line of former Silver Spring Intermediate School site to a point opposite the intersection of Allied Drive with Boston Avenue;
- (8) New York Avenue, North side, from Takoma Avenue to Baltimore Avenue;
- (9) Albany Avenue, South side, from Buffalo Avenue to Baltimore Avenue;
- (10) Albany Avenue, North side, from Takoma Avenue to Buffalo Avenue;
- (11) Cleveland Avenue, both sides, from Baltimore Avenue to dead end; AND

SECTION 3. THAT the Police Department and Public Works Department are hereby directed to work with the City Administrator to fully implement the provisions of the ordinance at the earliest possible date; AND

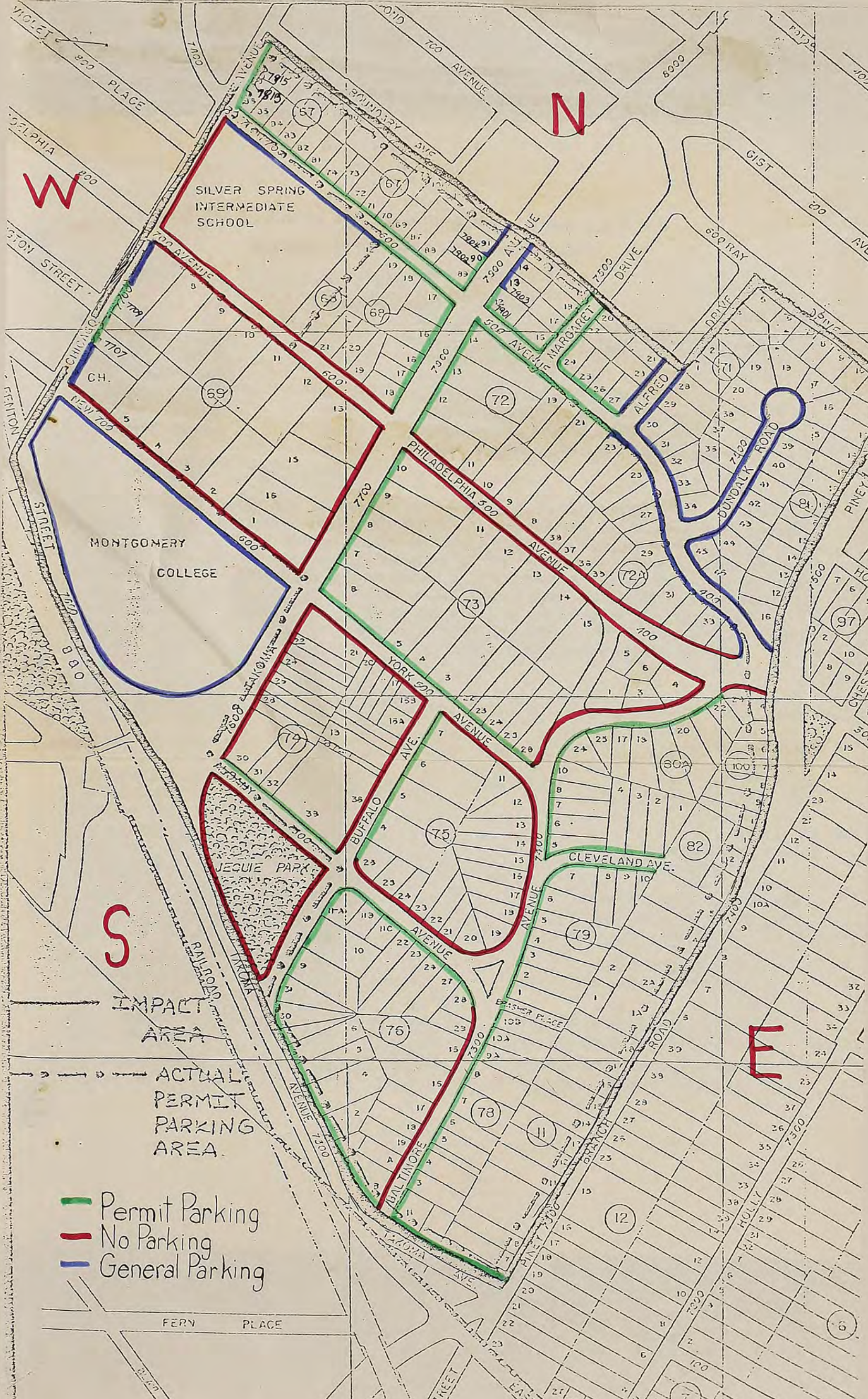
SECTION 4. THAT permits will be sold annually at a cost of \$2.00 per year each by the Police Department. Such funds collected by the Police Department shall be deposited with the City Treasurer daily, along with a listing of the corresponding serial numbers of permits sold; AND

SECTION 5. THAT this ordinance shall become effective on August 15, 1976; AND

SECTION 6. THAT all ordinances which conflict with the provisions of this ordinance are herewith repealed.

SECTION 7. FURTHER THAT the penalty for violation of the direction of Section 2 of this ordinance shall be as stated in Article V, Section 13 of the Code of Takoma Park, 1975, as amended.

ADOPTED by the Mayor and City Council of Takoma Park, Maryland on August 9, 1976.



SILVER SPRING
INTERMEDIATE
SCHOOL

MONTGOMERY
COLLEGE

JEQUIE PARK

IMPACT
AREA

ACTUAL
PERMIT
PARKING
AREA

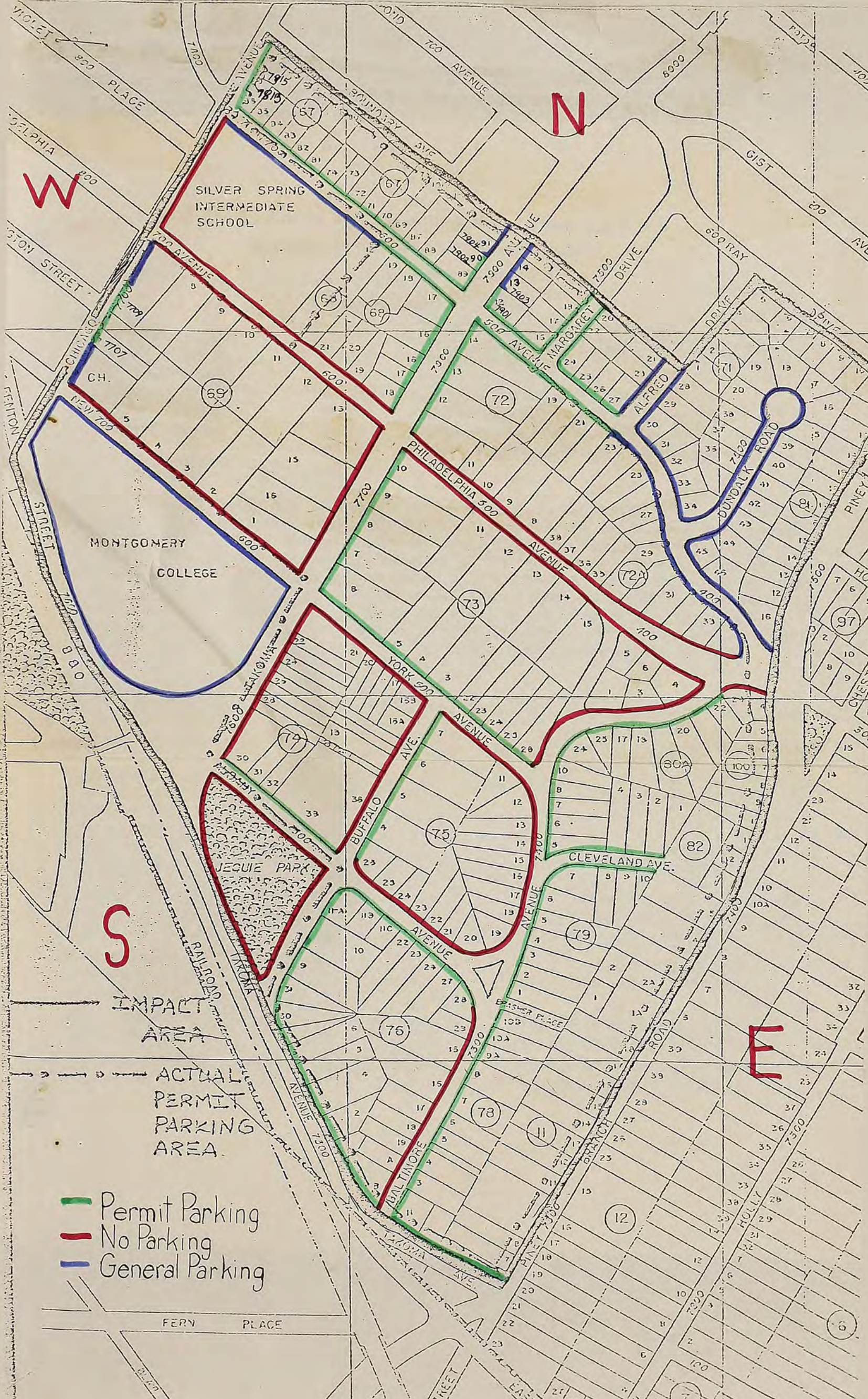
- Permit Parking
- No Parking
- General Parking

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THE CITY OF TAKOMA PARK, MARYLAND

Meeting of the Mayor and City Council

August 23, 1976

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Forshee	Asst. to the City Administrator Nichols
Councilman Garcia	City Clerk Pusti
Councilwoman Medina	Police Chief Porter
Councilman Nishimoto	Recreation Director Ziegler
Councilman Ricks	Public Works Director Barile
Councilman Webb	Corporation Counsel Gingerich
	Asst. Corporation Counsel Culpepper

Excused: Councilman Faulkner

The Mayor and Council met on August 23, 1976 at 8:05 PM in the Council Chambers 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Reverend Theron Snyder, Trinity United Church of Christ and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the August 9, 1976, meeting was made and seconded. Councilwoman Medina asked that on Page 4, "Mrs. Ferry" be changed to Mrs. O'Leary. Councilman Garcia, referring to Page 4, Section 1, of the proposed ordinance, asked that the word "prohibited" be changed to restricted. Councilwoman Medina suggested that it remain prohibited but indicate from 8 AM to 5 PM. With these corrections and additions the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth stated that he met with citizens, Tuesday, August 17, to discuss the two unfortunate rapes that occurred recently in the City, and had agreed to let citizens know when a serious offense, such as rape, has taken place. Also, Chief Porter had summarized the type of protection provided by the Police Department; reported the size of the Police Force; and described some of the procedures used for all types of offenses. He added that the Burglary Apprehension Team will be handling rape surveillance. The team is also prepared to instruct citizens on how to protect their homes from burglaries. Both rape cases took place where the doors were easily forced open. Often there is confusion when calling the Police through the 911 number. Mayor Roth suggested that Takoma Park citizens call 270-1100 for Police calls as the 911 number is through the County and involves a delay in transferring the message. Mayor Roth felt confident that the Police will handle the problem professionally. The Takoma Park Police have had a good record in closing cases (40%) which is far better than the national record of 21%.

He reported that the Maryland National Capital Park & Planning Commission is holding a public hearing in the Takoma/Langley Recreation Center, November 7, at 8:00 PM to discuss the Capital Budget.

There will be a public hearing September 14, at 8:00 PM in Rockville (County Office Building) to discuss the needs for Community Development and Housing.

The Bicentennial Committee will be holding a Hoe-down Picnic on Labor Day, at Jeque Park. Everyone is invited (See Citizens' Remarks, Edward Hutmiere).

The Mayor was pleased to report that as the result of the City's correspondence with Montgomery County, 7055 Eastern Avenue will be converted to a single family dwelling.

ADDITIONAL AGENDA ITEMS

Second Reading of Proposed Ordinance restricting parking in the 7300 block of Takoma Avenue.

CITIZENS' REMARKS

1. Edward Hutmire, 21 Columbia Avenue announced that there will be a Labor Day Hoe-down picnic at Jequie Park. Everyone is encouraged to come enjoy the old fashioned games and prizes. Bring your picnic lunch; beverages will be furnished. It is hoped that this will be a special Bicentennial event. Mr. Hutmire thanked the City Administrator for informing the Recreation Council of the BOE's suggested plans for a new Elementary School to be build on Hodges Field. The Recreation Council does not meet during the Summer, but is concerned with the impact this project might have on the recreation facilities in the City and hopes to have some input before the Council makes a final decision. Mayor Roth explained that the BOE is willing to try to obtain funds in FY-77 for a new school but will have to apply to the State IAC in September. He described the design, roughly, and the plans for a new ball field at the present site of TPES. Mr. Hutmire urged the Council not to be pushed into making a decision without knowing all the details. Mayor Roth said the Azalea Gardens would remain undisturbed. If the BOE built the new school on the present site of TPES the children would have to go to another school during construction which would be undesirable to most residents and strategically bad. Mr. Hutmire suggested that temporary facilities be built on Hodges Field and build an addition onto the new portion of the TPES. Councilman Ricks noted that there would be a problem of square footage and the County will not put up temporary structures. Mr. Hutmire stated that if Hodges Field is used he would like to see priority of usage for Takoma Park over other recreational activities. He urged the Council to take a long look at the schedule set up for this construction; asked to see materials and letters that have been presented to the City concerning this matter.

2. Lt. James Jarboe, Takoma Park Volunteer Fire Dept.

As Manager of the TPVFD soft ball team, was concerned that there will be a shortage of ball fields if Hodges Field is used for a new school. He added that Takoma Park Jr. High has a field but is already quite crowded. Mr. Jarboe announced that the Fire Department is trying to raise \$5000 by Sept. 6, for the Muscular Distrophy Foundation. On Labor Day there will be a fund raising "Climb-a-thon." He added that there are hopes of breaking a world record for climbing ladders. Responding to the Mayor's question, Mr. Jarboe stated that emergency calls can be made at 270-4242 but service for Fire Calls could be handled just as well through the 911 number.

3. Mrs. Kirkpatrick, 1109 Holton Lane reiterated problems she has had with the Police Dept. concerning a ticket she received. Said she asked for help from the Council at the May 24 meeting and has yet to receive any response. Asked for Police protection from undesirable neighbors. Mrs. Kirkpatrick thanked a Police Officer (name not given) who did attempt to help her.

4. Harry Wickline, 7812 Takoma Avenue representing the Takoma Park Boy's Club expressed opposition to the BOE's suggested use for Hodges Field. There are only three places that the boys can utilize. Mr. Wickline was certain that it might take three years to build a new school, tear down the old one, and level off the grounds for a ball field. Felt that the BOE did not act in good faith; concerned about long deprivation of recreation facilities. He asked why the Mayor and Council did not tell the citizens of this problem earlier. Mayor Roth stated that this was discussed at the July 26 Council Meeting.
5. Ellen Marsh, 7405 Maple Avenue was glad to see that the bus shelter at the corner of Philadelphia and Maple Avenues was levelled. Noted an accumulation of trash at that shelter and suggested that the City place a trash can nearby. Mrs. Marsh said she was happy to hear that the Rodriguez house (7055 Eastern Ave.) is being converted to single family dwelling. Complimented Chief Porter for his explanation at the August 17 meeting referred to by the Mayor. Mrs. Marsh suggested that the Takoma Park Police Dept. telephone number be printed on stickers to be placed on telephones. She added that the procedure for calling in an emergency is disturbing. Mayor Roth said he would explore the possibility of having the stickers printed. In reference to the new elementary school, Mrs. Marsh felt that with a good teaching staff, students could get a good education in an old school as well as a new school.
6. Dr. Raymond Leibsohn, 7811 Wildwood Drive understood that the Police have endeavored to curb the speeding on Wildwood but there must be additional ways and means in correcting this situation. Figures from traffic checks show an increase of 5% in violations in August over July. Residents of Wildwood are disturbed that people are using their street for a short cut. Mr. Leibsohn presented a statement to the Mayor and Council for practical solutions to the traffic problem.
7. Bob Adams, 7901 Wildwood Drive pointed out that there has not been a big improvement in cars obeying stop signs. Added that he is having difficulty in entering and leaving his driveway because of speeding cars. Concerned for the safety of bike riders and children. Felt there was a lack of communication between Police and residents; was certain that residents on Wildwood Drive would be willing to cooperate with the Police to help with the traffic situation.
8. Joe Ferrier, 7413 Maple Avenue agreed with Mr. Adams that there is a lack of communication between residents and the Police; suggested that Police get to know residents by name and know more about them. Mr. Ferrier expressed confidence in the Police Department.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf
Administrative Reports and Recommendations for Council Action:

- (1) Discussion of Montgomery County School Board proposal for use of present site of Hodges Field for (new) Takoma Park Elementary School Mayor Roth reported that eight weeks ago the BOE asked the City Council if they would consider a trade of the present site (TPES) for Hodges Field (a new school would be built on Hodges Field). At that time Mayor Roth told the BOE that he would not get into a discussion on this matter until the public has been notified of the proposal.

The proposal was discussed at the July 26 Council Meeting. The BOE and the City must be in agreement before applying for State IAC funds, which must be done as soon as possible. Councilman Ricks said he would like to see that there is a clear understanding of the exchange of properties (legally). He hoped to see the City get an equal trade and have these facilities in the name of the City of Takoma Park. Councilman Ricks felt that the agreement should state that the City will have jurisdiction and first priority on a new site and that the BOE will assist the City in finding additional recreational facilities during construction. Said he favored the new school for Takoma Park since in the past a larger proportion of money has been spent in upper Montgomery County. He insisted that the City exercise good judgement in the legal agreement. Councilwoman Medina felt that Councilman Ricks' suggestions were constructive. She added that the IAC will not fund renovation and that if a new school is not built then probably Takoma Park children would be sent to another school. Must face the political realities; if City insists on a school at the present site, children would have to be transferred to another school during construction period; they would probably be sent to the Jr. High, which could mean eventual closure of that school. In talking with representatives from the school board, Councilman Forshee was informed that if the City did not allow a new school to be built then there would be a chance that TPES would eventually be closed. Councilman Forshee moved that the Council inform the BOE that the City favors the concept and are willing to go ahead with negotiations but wish to hear citizen input (which will be considered before final signing) while negotiations are being carried out. Councilwoman Medina seconded and the motion was approved unanimously. Councilman Nishimoto noted that the agreement is with the suggestions made by Councilman Ricks. The Corporation Counsel and City Administrator were asked to represent the City in these negotiations.

(2) Ordinance appropriating Revenue Sharing Funds for Library roof repair (\$4449)

Mr. Gilsdorf reported that the new roof should last 10 years. He noted that the bid was under what had been estimated. Mr. Brarile said it should take approx. 15 days to complete the roof. Upon motion and a second, the ordinance below was approved unanimously by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb; NAY: none; EXCUSED: Councilman Faulkner.

ORDINANCE #2397

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

- SECTION 1. THAT pursuant to the authority granted by the Mayor and Council on August 9, 1976, the City Administrator solicited bids and contracted with Superior Contracting Company to make emergency repairs to the Library roof; AND
- SECTION 2. THAT the said repairs consisted of installing a 2-ply roof on the old section of the roof (approximately 5500 square feet) and repairing flashings for the sum of \$4449; AND
- SECTION 3. THAT funds to cover the above-described work in the amount of FOUR THOUSAND, FOUR HUNDRED FORTY-NINE DOLLARS (\$4449) be appropriated from the Federal Revenue Sharing Account and transferred to the appropriate Government Buildings Account.

(3) Ordinance authorizing purchase of leaf collector from Federal Revenue Sharing Funds (\$6722) Councilwoman Medina moved that the ordinance be adopted. The motion was seconded and the ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb; NAY: none; EXCUSED: Councilman Faulkner.

ORDINANCE #2398

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

- SECTION 1. THAT the Planned Use Report for Federal Revenue Sharing Funds earmarked \$6,000 (estimated cost) for the purchase of a Leaf Collector; AND
- SECTION 2. THAT, in accordance with authorization given by the Mayor and Council on July 26, 1976, bids were solicited and opened at 3:00 PM, August 19, 1976, with John C. Louis Co., Inc., Baltimore, submitting the low bid of \$6,722, with delivery within 60-75 days; AND
- SECTION 3. THEREFORE THAT the bid of John C. Louis Co., Inc. is hereby accepted for one Tarrant Leaf Collector (Vacuum), Model TTL-1, Type 87W, equipped in accordance with specifications, for a sum of SIX THOUSAND, SEVEN HUNDRED TWENTY-TWO DOLLARS (\$6,722); AND
- SECTION 4. FURTHER THAT funds for this purchase in the amount of SIX THOUSAND, SEVEN HUNDRED TWENTY-TWO DOLLARS (\$6,722) be appropriated from the Federal Revenue Sharing Fund Account and transferred to the appropriate Public Works Account.

(4) Administrative Reports:

-- Report on Parking Permit area implementation Permit Parking went into effect Wednesday, August 18. Warning tickets have been issued. Monday, August 23, was the first day of school, approximately 60 tickets were written. There was not a general run of solid parked cars. The Police Dept. has issued 119 permits. The College sent letters to all registered students explaining the locations for permit parking and the penalties for violation. Councilwoman Medina commented that there was a definite improvement in the parking situation and expressed hopes that the County will build a parking garage for the students. A discussion ensued, in which it was the consensus of the Mayor and Council that the Permit Parking Ordinance would not be enforced on legal holidays.

-- Report on Landlord-Tenant Affairs program The Landlord/Tenant Affairs Commission has 55 actual cases out of several hundred calls. Fifty of these cases were filed by tenants; five by the landlords. Of those filed by tenants, 44 were closed and three were closed by landlords. Most tenant complaints concerned building maintenance, leases, and security deposits. Landlord complaints were with leases and multiple occupancy. Mayor Roth asked that the City Administrator give a quarterly report on cases filed to the Landlord/Tenant Commission.

-- Informational report on refuse collection (Mr. Barile) At the last Council Meeting there was a question why citizens were not informed of where to take certain items that could not be picked up by the City. This information will be printed in the next Newsletter. Special Collection information will be updated in this publication. In answer to Councilwoman Medina's question, Mr. Barile stated that toxic materials and building materials were not acceptable for special trash pickup as the Montgomery County landfill will not accept such items. Councilman

Nishimoto suggested that citizens call public works if they are not sure about the trash schedule of items that are questionable for trash pickup. Mr. Barile noted that persons may call Public Works for a list of firms that will help them with items the City does not pick up.

(5) Ordinance establishing the authority of an Environmental Enforcement Officer
After some discussion Councilman Ricks moved the establishment of an Environmental Enforcement Officer to be effective Sept. 7, 1976. Councilwoman Medina seconded and the ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina, Nishimoto, Ricks and Webb; NAY: none; EXCUSED: Councilman Faulkner.

ORDINANCE #2399

WHEREAS, one of the most important services which the City of Takoma Park extends to its citizens is that of refuse control; AND

WHEREAS, the citizens of Takoma Park are entitled to the most effective and expedient refuse control program possible; AND

WHEREAS, it has been determined that the effectiveness of the City's refuse control program could be greatly enhanced by the designation of a single officer who would: (1) act as a coordinator of the refuse related duties of the Public Works and Police Departments, (2) act as a liaison between the citizens and the Public Works and Police Departments, (3) be empowered to assist the Police Department in enforcing the City's refuse control codes, (4) be a positive influence on the relationship between the citizens and the City's refuse control program, and (5) act as a cohesive force in preventing departmental fragmentation and the resultant effect of reducing the efficiency in the delivery of refuse control services; AND

WHEREAS, the duties of the existing position of Fire Prevention Officer are similar enough in scope to the aforesaid description so as to form a natural, practical and logical functional bond; AND

WHEREAS, it has been determined that expansion of the duties and responsibilities of the position Fire Prevention Officer to encompass the refuse control related duties outlined above would not reduce the effectiveness of the position of Fire Prevention Officer.

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

THAT the position of Fire Prevention Officer be expanded to encompass the refuse control related duties outlined above, and that subsequently in order to continue the relationship of title-of-position to duties performed, the title Fire Prevention Officer be expanded to Fire Prevention and Environmental Control Officer.

(6) Discussion of #8 Sherman Avenue

This building was formerly used by the Recreation Department and the Library. The City Administrator recommended that the Council consider selling this property since it is not being used. Councilwoman Medina felt that the street needed the stability of permanent residents; moved that the City Administrator be authorized to put the house on the market to be sold. Councilman Forshee seconded. Mayor

Roth pointed out that there was sufficient space in the Municipal Building for meetings; that the building had been designed with this in mind. There was a concensus by the Council to make the necessary improvements on the house before selling. It would be left for the City Administrator to decide whether or not to tear down the garage which is in need of repair. Councilwoman Medina pointed out that there was a motion on the floor to sell the house. Councilman Ricks stated that the agenda was acheduled for discussion of this item rather than for action. After some debate the motion to sell the house was passed by roll call vote as follows: AYE: Councilmembers Medina, Garcia, Forshee, and Webb; NAY: Councilman Ricks; EXCUSED: Councilman Faulkner; Councilman Nishimoto deferred his vote until input is received from the Recreation Council.

(7) Authorization to solicit bids on two Public Works trucks

Mr. Barile explained that a van is to replace the 1965 vehicle used for custodial services and the truck is to replace a 1966 truck in the Streets Department. Councilman Forshee moved for the authorization to solicit bids. Councilman Nishimoto seconded and the Council approved unanimously by voice vote.

(8) Discussion of Prince George's County Council Bill #116-1976:

A Zoning Ordinance amendment clarifying procedures and providing for municipal review of District Council consideration of less intensive zoning than that originally applied for. Currently if someone proposes a rezoning from R-60 to R-10 it will be sent to Park & Planning, Municipalities, and then on to the District Council for action. The R-10 might not be granted but a less intensive zoning could possibly be granted without the municipal review. Councilman Faulkner recommends the support of the Bill (presented by Frank Casula). Councilman Ricks moved. Councilman Forshee seconded and the Council agreed unanimously in favor of the bill. Mayor Roth commended County Councilman Casula for his sponsorship of the bill, which had been a goal of the Prince George's Municipal Association.

ADDITIONAL AGENDA ITEMS

Second Reading of the proposed Ordinance - 7300 Takoma Avenue

After some discussion concerning the parking situation on Takoma Avenue a motion was made and seconded to prohibit parking from 8 AM to 5 PM on the South side of the 7300 block of Takoma Avenue. The ordinance below was approved by roll call vote as follows: AYE: Councilmembers Garcia, Medina, Forshee, Nishimoto, Ricks, and Webb; NAY: none; EXCUSED: Councilman Faulkner.

ORDINANCE #2400

- BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND
- SECTION 1. THAT parking on the South Side of the 7300 block of Takoma Avenue shall be prohibited from 8 AM to 5 PM, Monday through Friday; AND
- SECTION 2. THAT the Director of Public Works is hereby requested to erect the appropriate signs to effect the directive of Section 1, above; AND
- SECTION 3. THAT this ordnance shall become effective upon the completion of the signing; AND
- SECTION 4. THAT the penalty for violation of this ordinance shall be as stated in Sec. 1-17 of the Code of Takoma Park, Md., 1972, as amended.

ADJOURNMENT: 11:00 PM - Council to reconvene Sept. 13, 1976 at 8:00 PM.

APPROVED: John D. Roth
John D. Roth
Mayor

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