

THE CITY OF TAKOMA PARK, MARYLAND
Meeting of the Mayor and Council
October 12, 1976

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	Asst. to the City Administrator Nichols
Councilman Garcia	City Clerk Pusti
Councilman Nishimoto	Public Works Director Barile
Councilman Ricks	Corporation Counsel Gingerich
Councilman Webb	Recreation Director Ziegler

Councilman Forshee and Councilwoman Medina excused.

The Mayor and Council met on October 12, 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 Sept. 27, 1976 meeting was made, seconded, and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth reported that the Montgomery County School Board approved the plans for rebuilding Takoma Park Elementary School for the FY'77-78 budget. The project must now be approved by the State Inter-Agency Committee.

CITIZENS' REMARKS

1. Report on Takoma Park Seventh-day Adventist Church's plans for constructing a Church Center at Laurel Street and Eastern Avenue, N.W. (Pastor Jaecks)

The building will serve as a Church Center covering roughly 17,000 Sq. Ft. and will probably be built at the cost of \$750,000. Bible education for elementary through college will be held in this new building. Midweek services, senior citizen functions and other community services such as health lectures were some of the activities mentioned by Pastor Jaecks that will be held in the Center. The Church office and board room will also be housed there. The landscaping and architectural set-up was described as being very attractive. Existing trees along Second Avenue will be kept and shrubs will be planted along the front side of the building. Adequate parking will be available across the street at the Review & Herald lot. Mayor Roth thanked Pastor Jaecks for informing the Council of the Church's plans.

2. Other Remarks by citizens

1. Kathryn Simpson, 6300 Cedar Avenue asked if social services now held in Takoma Park would be moved to the new building. Pastor Jaecks stated that some activities would remain at the present location, but health screening programs and classes on child care would be moved to the Center. As Chairwoman of the CIB, Mrs. Simpson expressed interest in stabilizing the community. Two years ago she visited University City, Missouri, where she became interested in the requirements set by the Code Enforcement Office there which aided in preventing deterioration and encouraged stability. University City is comparable to Takoma Park in that many of the buildings are old and large and the area is heavily wooded. She presented literature to the Council describing an occupancy permit ordinance and a volunteer residential service (real estate service). She invited the Council to attend the October 21, CIB meeting to discuss this program. Mrs. Simpson said she hopes to persuade the City Council to send a City official to Univeristy City to investigate their program.

2. Donald Ramsey, 8116 Roanoke responded to the Occupancy Permit Ordinance described by Mrs. Simpson, stating that parts of Detroit has adopted a similar requirement which is quite legal and well received. Felt there are many items in the Housing and Code Enforcement Task Force Report that need to be reviewed by the City. Suggested that the City be specific about its operating plans for the near future in terms of the Budget, Captial Improvements, etc.; that a 5 year plan could be put into effect allowing the City to indulge in City-level Master Planning. Mayor Roth explained that the letter (see attached) to Park & Planning gives comments on the Transportation Task Force and the Housing and Code Enforcement Task Force Reports. Mr. Ramsey suggested the City form a statement of policy, subject to revision, to deal with some City problems.

3. Faith Stern, 103 Grant Avenue responded to comments on the Advisory Task Force report on Secondary Schools (Montgomery County) made at the Sept. 27 Council Meeting. She agreed with Councilwoman Medina that the major problem involved is that it would leave Takoma Park with one extra school facility. Disagreed with the comment that the City would have no problem convincing the Board of the need for the School. Opening up the whole controversy would get the City into a lot of problems. The City has just made a change (now K-3,4-6, Jr. High, and Blair High). Dr. Stern felt that parents would not like 4th & 5th grades put back into elementary; there would not be enough room for that many children. The LEC Area Planning Committee was in favor of middle schools. It is true that in many areas of the County the recommendation would be applicable, but not for Takoma Park. The City now has one middle school; it is not likely the County would allow two middle schools. Grades 6-8 were discussed as being housed at Piney Branch Middle School; it was felt that there would not be adequate facilities there for the needs of 7th & 8th graders. If citizens and Council support the idea of middle schools they should be aware of the fact that the recommendation of the committee was written mainly from the perspective of schools which have traditional or elementary classrooms, K-6. This is not the case in Takoma Park. Piney Branch Middle School has the kind of transition that the Task Force is recommending. The Jr. High is ^{not} like the standard Jr. High; they have worked very hard to incorporate some of the recommendations and are aware of the pre-adolescent needs. Dr. Stern felt that the recommendation for restructuring schools was not desirable. Mayor Roth was glad that Dr. Stern presented her point of view. He explained that Councilwoman Medina's report at the Sept. 27 Council Meeting was not intended as a recommendation but rather a report to the Council and citizens on the report. Mayor Roth noted that Council will need some input from citizens, since Council lacks expertise in this area. Dr. Stern was sure that the PTA, Jr. High LEC, etc. would respond.

Councilman Nishimoto arrived at this point.

4. Edward Hutmire, 21 Columbia Avenue, representing the Recreation Council, thanked the Mayor for discussing with the Recreation Council the Community Development Block Grant proposal and hoped that the City is successful with this application. He also tha ked the Mayor, Mr. Gilsdorf, and Public Works Director Barile for their cooperation in response to a request for help in connection with Halloween party preparations.

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

ITEMS FOR COUNCIL CONSIDERATION:

Communications

Letter from Longbranch/Sligo Citizens Association expressing appreciation to Corporal Winkler for his prompt attention in removing an abandoned vehicle in the Central Avenue-Long Branch Area. Mayor Roth thanked Corporal Winkler for his actions.

Letter from Karen Bourke, 521 Albany Avenue thanking Officer Scott for relocating a crossing guard to cover the corner at Piney Branch and Philadelphia Avenue.

Montgomery County School Safety Section, Department of Police-Letter of appreciation to Officer Scott for his support at the school safety patrol camp at Summit Lake during the 1976 session.

Administrative Reports and Recommendations for Council Action:

A. Administrative Reports:

---Montgomery County's smoke detector legislation--applicability in City.

Takoma Park is covered by the legislation which is effective July 1, 1978. Each new and existing unit will be required to have the smoke detectors. Mayor Roth asked if the County would inform all citizens of this action adding that there should be steps taken to inform citizens through the City Newsletter or by other means. Councilman Faulkner asked how this would be enforced in the City. Mayor Roth asked the City Administrator to provide further information on the matter. Councilman Nishimoto pointed out that there have been several articles in the local newspapers about the smoke detector legislation.

---Status report on Takoma Park Elementary School/Hodges Field proposal

Stated earlier in the meeting by Mayor Roth, the School Board did approve the plans for rebuilding TPES. The State Inter-Agency Committee meets Oct. 14 to make their decision. The School Board will meet with the County Council later in the week.

---Report on code violations at 1st and Westmoreland Avenues

The City Administrator reported that these places (pointed out by Mrs. LaVaute at the Sept. 27 Council Meeting) have been inspected and notices have been sent to the owners. The City Administrator said that Mrs. LaVaute had been informed of this action and of details on smoke detector legislation, as she requested.

---103 Sheridan Avenue (Appeal A-178, Maissonneuve): Circuit Court hearing on unauthorized addition to house

The present appeal has been a concern since 1974. An October 6 Court hearing resulted in the owner agreeing that stipulations charged against him were correct. Corporation Counsel Gingerich said that the Judge will make the decision as to whether or not the addition to the house must be torn down. Mayor Roth reviewed the case and indicated that the Council would probably appeal if action is not taken against the owner. Councilman Ricks requested that the Council be briefed by Asst. Corporation Counsel Culpepper at the next Council meeting.

2. Discussion of Takoma Park Master Plan Task Force Reports: Zoning and Land Use; Housing and Code Enforcement A letter (see attached) has been prepared indicating items the Council wishes to point out to Park and Planning. Councilman Faulkner moved that the letter be sent. Councilman Garcia seconded and the Council approved the motion unanimously. Mayor Roth said that a number of items contained in the Task Force reports should be placed on the agenda for City Council discussion. Those mentioned were: Operation of Code Enforcement Division; how buildings become rehabilitated; Historic District; parking in front yards; public information; nonconforming uses; University City visit.

3. Zoning Map Amendment Petition A-9209, R-55 to C-C, 2 lots in 6900 block of New Hampshire Avenue, 1 lot in 900 block of East-West Highway (two lots with a mutual rear property line). Councilman Faulkner reported that neighboring property owners were sent letters requesting their comments on the above mentioned petition. Twenty-seven requests were mailed; 8 replies were received (3 opposed, 4 unopposed, 1 unopposed providing that his property could also be rezoned). Upon unanimous consent of the Council a citizen was allowed to speak on the subject.

Velma Winegar, 6921 New Hampshire Avenue expressed opposition to the rezoning because of the turnover of businesses and deteriorating buildings left behind. She urged the Council to support residential zoning for this area. Councilman Faulkner pointed out that the City does not have the authority to change zoning; this is done by the County. The Council is just providing some input to the County. He added that there is a patchwork of zoning in this area which should be discussed in regard to the Master Plan. Said he was opposed to the rezoning but felt the Council should defer their decision until this is studied and compared with the Master Plan. Councilman Nishimoto moved that the Council oppose rezoning and request the County to defer action so that it can be included in the Takoma Park Master Planning process. Councilman Ricks seconded and the motion was approved unanimously. Councilman Faulkner suggested that a letter be prepared for review at the next Council meeting. Mayor Roth asked that those who were contacted by the City of this possible rezoning be notified of the hearing date, when scheduled.

SPECIAL REPORTS

Group Homes- Mayor Roth reported that there is a bill before the Montgomery County Council on Group Homes. There are advantages and disadvantages to group homes. The Mayor asked that the City Administrator's recommendations be presented at the next Council meeting. This bill is intended to prevent certain types of group homes from being established without special exception or permit which would be an advantage to the City. There was some concern with outside jurisdictions establishing group homes within the City.

Councilman Garcia announced that Mayor Roth was recently elected by the MML as the District 8 Vice-President.

Mayor Roth stated that Councilman Garcia and City Administrator Gilsdorf appeared before the Prince George's County Community Development Officer to present the City's proposal for Block Grant Funds. Councilman Garcia commented that Takoma Park's needs seemed just as urgent as those presented by other municipalities.

ADJOURNMENT: 9:37 PM, Council to reconvene TUESDAY, October 26, 1976 at 8:00 PM.

ATTACHMENT

Council Meeting Minutes
October 12, 1976

Letter to Maryland National Capital Park & Planning Commission

The Mayor and City Council have reviewed the citizen Task Force reports providing citizen input for staff use in the Takoma Master Plan statements on the subjects of (1) Zoning and Land Use and (2) Housing and Code Enforcement. The comments below were unanimously approved by the Mayor and City Council at the October 12, 1976 Council Meeting.

At this point we do not believe it would be proper for the City Council to make a pre-judgement on all the topics covered in the Task Force Reports--particularly in the light of the normal process which covers a progression from staff work to a general citizen public hearing, which is then considered as a totality of input before the final statements are prepared. Consequently we have focused our comment on:

- 1) any items that should be added for consideration by the professional staff
- 2) any item that in our judgement warrants clarifying comments, and
- 3) any item which we believe should be omitted.

Any item not receiving specific comment should be considered as being referred to the professional staff for their review and consideration based on their experience, knowledge, and judgement in relation to normal master planning staff work.

Specific Comments on Zoning and Land Use

- Regarding items 3 and 4 on page 2 of the task force report perhaps the staff will want to arrange for a planning discussion with representatives of the Columbia Union College and the Washington Adventist Hospital. If such a discussion is arranged the City would like to be advised and have a representative present.
- Item A-2 on page 3 needs to be considered by the staff in conjunction with the section on page 15 of the Housing and Code Enforcement Report.
- An item needs to be added to give a careful review of the triangle bounded by Ethan Allen, New Hampshire, Kentland and Hopewell to stabilize the area and protect single family homes and the churches.
- Item C-10 on page 7 should be supplemented with the information that the County is no longer using this property for a community service center.

Specific Comments on Housing and Code Enforcement

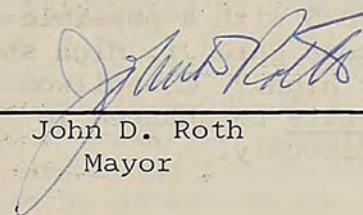
- Regarding pages 4 thru 10 on Code Enforcement and Community Improvement Board the comments and proposals generally relate to City operations and City ordinances (and not to master planning) but planning staff ideas are invited. The items will be studied by the Council.

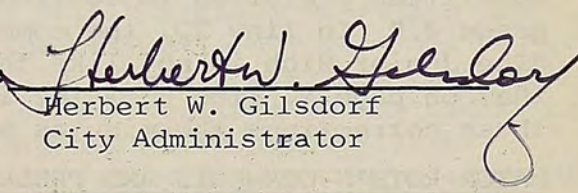
- Regarding Rehabilitation on pages 11 and 12, the principal responsibility for rehabilitation loans has rested with the County and the State since they have been the authorized recipient of funds for this purpose. However, in an effort to supplement and reinforce County and State activity, the City has recently applied for Community Development Block Grant funds that will be helpful for rehabilitation in Takoma Park if the funds are approved.
- Page 14, Historic Perservation, will be studied by the City.
- Pages 15 thru 24, on Non-conforming Use, Parking, Housing, and Commercial needs study by the planning staff and the Council, and in some subjects the most feasible and realistic alternatives (perhaps on a neighborhood-by-neighborhood basis) need to be identified and made the subject of further citizen discussion, and in particular discussion by the citizens who would be affected by the alternatives.
- Regarding pages 26 thru 28 in Public Information is generally material for City Council consideration rather than for master plan purposes.

If you need additional information or clarification of any of these comments please do not hesitate to get in touch with Mr. Gilsdorf.

Sincerely,

John D. Roth
Mayor

APPROVED: 
John D. Roth
Mayor

ATTEST: 
Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND
MEETING OF THE MAYOR AND CITY COUNCIL
October 26, 1976

City Officials Present:

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

Excused: Councilmembers Faulkner and Forshee.

The Mayor and Council met on October 26, 1976 at 8:05 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Reverend Robert P. Wummer, Our Lady of Sorrows Catholic Church and the Pledge of Allegiance to the Flag, a motion to approve the minutes of Oct. 12 was made by Councilman Garcia and seconded by Councilman Webb. The following corrections were requested by Dr. Faith Stern: Page 2, line 9 (her statement) should read "although the Area IV Planning Committee favored middle schools containing grades 6-7-8, the Takoma Park Elementary LEC and the Piney Branch LEC did not favor this grouping. Both of these committees preferred to continue grades 5-6 in PBMS with a possible inclusion of grade 4." In line 20, the comment regarding Takoma Park Jr. High should read, "The Junior High is not like the standard junior high." Councilwoman Medina asked that on page 4, line 8 of the item 2, the word years be changed to "yards". With these corrections the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

- Mayor Roth reminded citizens of the Nov. 2 elections and urged everyone to exercise his privilege to vote.
- Commented that Nov. 1977 is the projected date for opening the Takoma Park and Silver Spring Metro Stations. Mayor Roth noted that Metro's current daily deficit is \$60,000, saying that this is due in part to the fact that the total system is not yet in operation.
- A public hearing will be held on November 4 (8:00 PM, 8787 Georgia Ave.) on the Silver Spring East Master Plan. The plan does contain some entries relating to Takoma Park. A copy of the report is available in the Library and City office.
- A citizen requested information concerning the Mo. County Smoke Detector Legislation and whether this would be applied in Takoma Park. Mayor Roth replied that this law will be enforced in Takoma Park. Prince George's County is considering application of a similar law.

ADDITIONAL AGENDA ITEMS

- Silver Spring Master Plan
- Community Development Block Grants (Councilmembers Medina and Garcia)
- TPES

CITIZENS REMARKS

1. Charlene Cohen, 7815 Takoma Avenue said that the majority of the people were satisfied with permit parking and felt that the students have been cooperative. The only problem she noted was with evening parking and asked that the Mayor and Council extend the hours past five PM. Mrs. Cohen reviewed the court proceedings of Oct. 19 on contested tickets in the Parking Permit Area. She was disturbed with the actions by the Judge and felt that he had left the impression that the students had not violated the law (see Mr. Culpepper's report below). Mrs. Cohen presented the Mayor and Council with a letter she sent to the Administrative Judge of the District Court in protest of the Judge's actions. She urged the Council to send a form of written protest. She asked why the parking enforcement official was not supported by other members of the department. The Parking Action Group feels this Judge manipulated the laws. Mrs. Cohen asked Mr. Culpepper to clarify his role and if the City deserved a right to appeal; asked for the number of tickets that are going to court; notify citizens of future court dates. She added that PAG concurred with proposed temporary ban on daytime parking on the South side of New York Avenue, between Takoma and Chicago Avenues. Mayor Roth thanked Mrs. Cohen for her role on supporting the Parking Permit Ordinance, television appearances, and informal contacts with news media.

-- Report on District Court hearing on contested tickets issued in Parking Permit Area (Mr. Culpepper) It was explained that a traffic ticket is a criminal proceeding but of a minor nature. The prosecution of criminal cases is within the jurisdiction of the State's Attorney; therefore, the City Attorney was in attendance at the court case in a supportive or informative role. He had provided certified copies of the permit ordinance, minutes which reflected enactment of the ordinance, codes, etc. Regarding the morning session, Mr. Culpepper said Judge Klavan explained that he dismissed the 8:30 AM cases because there was no one representing the City.* He also cited "lack of uniform citation" (the ticket format).

Judge Klavan said reason for finding "not guilty" in the afternoon cases was lack of proof of ownership. Mr. Culpepper said proof of ownership is indicated by a gold seal certification which is obtained through the Motor Vehicle Administration and that the Judge was within his rights to request this. The State's Attorney "nol prossed" the cases (chose not to prosecute), but this should have been explained to the students and that this action was due to technicalities. The State's Attorney's nol proesse action precludes the City's right to appeal. Mr. Culpepper added that the City has ordered new tickets to take care of the problem of "uniform citation", and the gold seal process will be implemented, though it has not been required heretofore. Mr. Culpepper noted that there was a monthly schedule set in advance listing the presiding Judges. Assuming rotation is current, one should be able to determine which two Judges will preside at the Silver Spring Courthouse.

Councilman Nishimoto arrived during the above presentation.

*There was some ambiguity as to time scheduled.

2. Lawrence Mack, 523 New York Avenue understood that the Police Dept. had been told once before that the City would have to use new tickets; felt the court action would not have happened if the Police had followed this advice. Chief Porter stated that in processing some 16,000 tickets since 1972, he had never received warning to use a different form. Mr. Mack was concerned that there wasn't a police officer on duty to ticket cars after 3:00 PM; said if residents are paying for permit parking they should get full coverage. Asked that permit parking be extended to 7:00 PM.

3. Mrs. Cohen, adding to her previous comments, said the Judge must have had a preconceived idea that he was not going to uphold Takoma Park laws.

4. Mary Pennifield, 7305 Takma Avenue said she too witnessed the Oct. 19 court proceedings and was displeased with the judge's actions. Felt permit parking should be extended to 6 or 7 PM in order to fully handle the parking problem.

5. Delores Stowell, 7704 Takoma Avenue asked how long it would take to prove ownership of a vehicle after it has been ticketed. Chief Porter indicated it takes ten days to two weeks.

6. Joe Ferrier, 7413 Maple Avenue agreed with Mr. Mack that if residents are paying for permit parking they should have spaces in which to park. Urged the Council to extend the permit parking time for the benefit of those residents who work late.

7. Kathryn Simpson, 7300 Cedar Avenue, General Chairwoman for CIB, stated that she has written a letter to the Mayor and Council in response to the October CIB meeting. There was a concensus among the CIB members to ask the Mayor and Council to have a city official investigate and study the Occupancy Permit Ordinance designed by University City, Missouri and to determine the feasibility of its application to Takoma Park.

8. Delores Stowell, supports temporary daytime parking ban on the South side of New York Avenue, between Takoma and Chi ago Avenues.

9. Mr. Mack, complained of dirt that washes down from the construction at the College and settles in front of his home. Mayor Roth asked the City Administrator and Councilwoman Medina to investigate the situation and find a way of controlling the problem.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications

- Letter from Kathryn Simpson (CIB) asking the Mayor and Council to study the feasibility of applying the Occupancy Permit Ordinance as used in University City, Missouri to Takoma Park. Mayor Roth asked that the City Administrator explore, in principal, this ordinance with the assistance of Councilman Forshee and the Mayor. He also asked that the Corporation Counsel explore with the City Administrator the question of whether the City can persue a certificate of compliance or certificate indicating compliance with the housing ordinance requirements and BOCA Code and to explore the process of Occupancy Permit. The Mayor noted the problem whereby the County preempts licenses, preventing the City from issuing licenses in this field.

2. Administrative Reports and Recommendations for Council Action:

1. Administrative Reports:

-- Quarterly report from Montgomery County Office of Landlord-Tenant Affairs

At the end of the first quarter of 1976, 19 of the complaints received at the County Office during the fourth quarter, 1975, and the first quarter, 1976, had been resolved. During January, February, and March of 1976 a total of 13 complaints were filed (Landlord initiated - 1; Tenant initiated - 12). Of those initiated by Tenants, 7 were conciliated and the one introduced by the Landlord was conciliated. Since July 1, 1975, 43 cases have been filed by tenants and 3 by landlords. Of the total 46 cases, 32 have been conciliated.

-- Tentative schedule for first leaf collection (Mr. Barile). The first leaf collection begins Monday, November 1, 1976, ending November 19, 1976. Streets that have previously had leaf collection on Saturdays will now be scheduled on weekdays. Due to requests, the area of Longbranch Parkway will be covered two weeks earlier than the normal schedule. As of November 1, there should be three leaf collecting machines in operation. In response to Mayor Roth's question, Mr. Barile said that collection is begun in the Montgomery County section first since there are more older trees than in the Prince George's section.

-- Report on District Court hearing on contested tickets issued in Parking Permit Area (Mr. Culpepper reported earlier in citizens remarks.) After hearing comments by citizens and receiving Mrs. Cohen's letter, Mayor Roth suggested that the Council defer any action until after consulting the Corporation Counsel.

-- Briefing on court case re unauthorized addition to 103 Sheridan Avenue

Mr. Culpepper reported that the court date was scheduled October 6, with Judge Mitchell presiding. Pictures and statements by the Board of Appeals, Code Enforcement Officer Olson and County Building Inspector have been filed and are on the court record. The record will remain open until October 27 at 3:00 PM after which Judge Mitchell will review the record. He gave no indication of when he would make a decision. The owner is presenting his side on the fact that the building is up and it looks nice and that the owner is ill. Mr. Culpepper stated the owner had a permit to enclose a porch; he was given a stop order when it was discovered that he was making an addition to his house without a valid building permit, but the owner continued with construction.

2. Discussion of comments to be made on Zoning Map Amendment Petition A-9209 R-55 to C-C, 2 lots in 6900 block of New Hampshire Avenue, 1 lot on 900 block of East-West Highway (two lots with a mutual rear property line)

The City Administrator presented a rough draft of a letter to the Zoning Application Office of Maryland National Capital Park & Planning Commission requesting that no action be taken on the ZMA Petition No. A-9209 at this time and that it be considered in the over-all context of the Takoma Park Master Plan. After Mayor Roth made some additions to the letter, Councilwoman Medina moved that the letter be sent, Councilman Garcia seconded and the motion was passed unanimously.

3. Discussion of position on Montgomery County's Group Home Legislation (Council Bill 49-76 and Zoning Code Amendment 76022) Public Hearing: 11-10-76, 8:00 PM, 3rd floor, COB, Rockville

The City Administrator explained that the Bill 49-76 removes the vagueness of the Group Home concept placing certain restrictions on the home. It provides a review board; puts group homes in the special exception category on a yearly renewal basis; provides a neighborhood grievance committee; suspension and revocation is possible on a 24 hours' notice. Mayor

Roth asked if this bill would in any way make it easier for the establishment of a group home. The City Administrator replied by saying that the fee was lower but the special exception process might be discouraging. Mayor Roth asked the City Administrator to study the new bill and report any other aspects that might make establishment of a group home easier. Councilwoman Medina was concerned that the bill would exempt existing group homes. Said she would approve of the bill if it were changed to allow existing homes to gradually be brought up to the same standards and phased in the program. Councilman Nishimoto felt that the new law should be more specific on what neighborhood standards are. Mayor Roth expressed concern with proximity and asked the Corporation Counsel to review the law to see what the provisions are for contiguity. Councilwoman Medina, too, said proximity should be considered as Takoma Park has its share of group homes now and the proximity should be broad so as not to cause hardship to any community. She suggested that a $\frac{1}{2}$ mile radius be enacted. Councilman Ricks stated that a lot of people in group homes are disadvantaged and should have the opportunity to mingle with advantaged people; felt that group homes could be placed in the upper portion of the county as well as Takoma Park. He suggested a one mile radius for proximity, pointing out that there would be no control over the District placing a group home in a location that would border Takoma Park City limits. Mayor Roth asked that the draft letter to the Montgomery County Council on group homes be changed to include the following: the bill should be applied to all group homes whether government or individually sponsored; asked for a proximity provision of $\frac{1}{2}$ or 1 mile radius; each jurisdiction should handle only its fair share of group homes; procedure should allow for municipality to be notified when a group home application is filed.

4. Authorization to solicit bids on two replacement police cruisers

Councilman Nishimoto moved that the Police Chief be authorized to solicit bids on the two police cruisers. Councilman Ricks seconded and the motion was approved unanimously by voice vote.

5. Consideration of request by Montgomery County Department of Transportation to ban daytime parking on the South side of New York Avenue, between Takoma and Chicago Avenues.

The blue route minibus has been relocated to New York Avenue between Chicago and Takoma Avenues because of construction on Fenton. The buses are unable to pass because of parked cars. The Dept. of Transportation asks that the City remove parking from 7 AM to 7 PM at the above mentioned location. Dean Wiley of Montgomery College said he has no objection but asked that the City have the no parking ban from 7 AM to 5 PM to allow parking spaces close to the building for female students' safety. Councilwoman Medina moved that there be an ordinance drawn up allowing a parking ban on New York from 7-5 and 7-7 in the center of the block (by Library) for a by-pass for buses. Councilman Webb seconded. Councilman Ricks moved that the motion be amended to ban parking for the entire block from 7 AM to 7 PM Monday through Friday. The motion failed due to lack of a second. Mr. Gilsdorf said the blue route was only temporarily rerouted to New York for construction on Fenton Street, however, the concentration of student life around New York may lead to a permanent situation. After some discussion the Council voted in favor of drafting an ordinance for the parking ban as proposed by Councilwoman Medina. Councilman Ricks voted against this action and again moved that an ordinance be drafted banning parking on the South side of New York Avenue between Chicago and Takoma Avenues between the hours of 7 AM and 7 PM. Motion failed due to lack of a second.

ADDITIONAL AGENDA ITEMS

-- Silver Spring Master Plan - A Public Hearing will be held Nov. 4 to discuss this item. Mayor Roth requested, with Council concurring, that the City Administrator look over the Silver Spring East Master Plan to see if there is any conflict with the City's Master Plan and if so, provide some appropriate entry into the record at the public hearing. Mayor Roth also suggested that other Councilmembers review the plan.

-- TPES - A letter was received from Mr. William MacRaw, 7506 Holly Avenue expressing some disagreement with the idea of constructing a new school at Hodges Field. Mr. Gilsdorf said he hoped to give a fuller report at the next Council Meeting as the State Interagency Committee will have made a decision by that time. Councilwoman Medina said she had talked with the PTA president a week ago and at that time the site plans had been approved but the building plans had not yet been agreed upon. The BOE did give its consensus of approval to a recommended list of projects on which TPES was included.

-- Community Development Block Grants (Councilwoman Medina and Councilman Garcia) Councilman Garcia reported that on October 13 there was a special meeting of the Prince George's County Community Development Advisory Council. A preliminary draft was presented for the neighborhood improvement strategies in connection with the County's Neighborhood Improvement Plan for the third planning year beginning in July 1977. The applications for the next fiscal year (77-78) were presented and it included Takoma Park's list of projects. Councilman Garcia reiterated his comments that Takoma Park's needs and priorities were just as urgent as others presented. Councilwoman Medina said the Montgomery County Citizens Advisory Panel has been meeting regularly. They recently viewed the site project areas for both ongoing and proposed projects in Montgomery County. Councilwoman Medina met Oct. 20 with two citizens groups to discuss the plans. Most of the projects have been reviewed and those that do not qualify have been eliminated. Of those projects, three from Takoma Park were eliminated (Portals project, Highway project; Gymnasium) because they were identified as community-wide projects and to be eligible under HUD guidelines the community must have a population smaller than 10,000. Several Takoma Park projects have been incorporated into the County proposal such as the rehabilitation program, tool bank, and apartment neighborhood project (a County program that would include Takoma Park). The County is still reviewing projects and assessing priorities. The next meeting of the Block Grant Advisory Committee will be on Nov. 11 at 8:00 PM. The committee will also meet on Nov. 18 & 23.

Mayor Roth announced that the City will have its usual Halloween festivities October 30, 1976.

Councilman Ricks asked if there was any information on the right-of-way problem regarding the signalization at 410 and Carroll Avenue. Mr. Barile said the SHA has possibly located the owner of the property in question but it is still estimating approximately six months before the right-of-way problem can be settled and installation of the signal completed. Mayor Roth suggested that the City Administrator consult with the SHA and see if the process could be expedited.

ADJOURNMENT: 11:14 PM, Council to reconvene Monday, November 8, 1976, at 8:00 PM.

ATTEST:

Herbert W. Gilsdorf
Herbert W. Gilsdorf
City Administrator

APPROVED:

John D. Roth
John D. Roth
Mayor