

THE CITY OF TAKOMA PARK, MARYLAND  
MEETING OF THE MAYOR AND CITY COUNCIL  
January 10, 1977

City Officials Present:

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

EXCUSED: Councilmen Forshee and Nishimoto.

The Mayor and Council met on January 10, 1977 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 December 13 Council Meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth suggested that citizens join the consumer advocates and switch from coffee to an alternate drink.

--Several students, with the aide of Colin Standish (President), from the Columbia Union College helped build a church for a small community in Mexico over the Christmas holidays.

--Wednesday, January 12, the General Assembly will be going into session. Mayor Roth noted that he along with others will be encouraging them to be helpful to municipalities.

--Mayor Roth stated that a reception was given on January 9 for Fire Chief LaScola who is retiring. He announced that a testimonial dinner will be held January 22, at the Silver Spring Holiday Inn. The dinner will be \$10.00 per person. Those who wish to attend should contact the Fire Dept.

--Mayor Roth presented proclamations of appreciation to the Bicentennial Committee Members for their work throughout the Bicentennial year. The members are as follows: Edward Hutmire, Chrm.; Ellen Marsh, Mary Roth, Jack Mitton, Henry Marshcalk, Jenner Mandel, Richard Osborn, Aurel LeMay, James Murphy and Kathryn Simpson. Proclamations were also presented to Allan Marsh for his artwork on the Bicentennial Calendars and to Jack Hammond for his work on the montage.

PRESENTATION OF HISTORICAL PLACQUES TO OWNERS OF SEVERAL PRE-1900 HOMES

(Takoma Park Historical Society) Henry Marshcalk, President of the Historical Society, noted that the placques were to identify homes which meet certain age and construction criteria. John Barber designed the placques and Roderic Davis produced the mold pattern. The finished product was done by the Frederick Iron and Steel Co. Placques were presented to the following people:

- 1) Burnt orange placque (Unaltered pre-1900 homes)
  - a) Roderic Davis, 703 New York (home was built about 1890)
  - b) Mrs. Ayesha Smith, 7301 Piney Branch (home built about 1880)

- 2) Yellow-gold placque (homes built prior to 1900 but slightly changed)  
Mr. & Mrs. John Degen, 20 Montgomery (built about 1888)
- 3) Blue placque (homes built prior to 1900 with extensive alterations)  
Mr. & Mrs. Ralph McGee  
7203 Holly (built in 1887)  
7207 Holly (built in 1889)

Those who feel their homes qualify, should contact Ellen Marsh (270-5348), Secretary of the Historical Society, for details.

#### ADDITIONAL AGENDA ITEMS

- Prince George's County Community Development Block Grant Advisory Panel
- Minibus expansion

#### CITIZENS REMARKS

(1) Ann Vogel, 7117 Garland Avenue representing Longbranch/Sligo Citizens Association, reported on a new beautification project for their neighborhood and requested help from the City. The Association will be purchasing three planters and some ground covering. They ask that the City provide concrete slabs to place the planters on and soil by April 15. Mayor Roth felt the City would be able to handle this request and asked Mrs. Vogel to consult with the City Administrator. Mrs. Vogel asked that a block be barricaded in her neighborhood (on Jackson Ave.) for sledding. Mayor Roth noted problems with those who might not want the streets barricaded and suggested that Mrs. Vogel obtain a petition expressing the feelings of those on that block.

(2) Allan Marsh, 7405 Maple Avenue president of the Old Takoma Citizens Association commended the Longbranch/Sligo Citizens Association for the beautification idea. Mr. Marsh said the Old Takoma Citizens Association has discussed Old Philadelphia many times, considering the possibility of dead ending the street at Rt. 410 because cars use this street as a short cut. The Association is opposed to the idea of doing away with parking; accidents are caused by moving vehicles - not parked cars. Said he was sorry to read Councilman Forshee's proposal to reexamine parking on Maple Avenue since the Association had fought so hard to keep parking on that street. Mr. Marsh reiterated his own request for a survey of church-owned properties in the City. He expressed his concerns that these properties are tax exempt. Mayor Roth noted that they are not all exempt. Mr. Marsh attended a Park & Planning meeting and found that the Columbia Union College had purchased more property on Greenwood Avenue for expansion; felt this was a threat to residential neighborhoods. Mayor Roth said he did suggest to the College they have a public briefing on their plans. Councilman Garcia reported that often property is donated or willed to the College. Mr. Marsh noted that there is still the threat that these properties will eventually become tax exempt.

(3) Nancy Moore, 7314 Willow Avenue due to a recent bad experience, requested that the Police Dept. notify the schools of school bus accidents that involve students, as parents usually call the school when their children are late coming home.

(4) Charlene Cohen, 7815 Takoma Avenue complained that Boston Avenue, which is usually barricaded for sledding, had been plowed. She also pointed out that Takoma Avenue had not been sanded and was very dangerous when it snows. Mr. Barile explained that all streets are plowed when it snows more than two inches. Mrs. Cohen said she called the Police Dept. to report several cars parked on Takoma Avenue without permits or visitor tags and was told that college classes have not begun so this was not enforced. Chief Porter explained that the Parking Enforcement Officer was working part time in the administrative offices due to a recent illness of one of the officers, however, the permit parking has been patrolled by car whenever possible.

Mrs. Cohen had read in the November 22 minutes that Fenton Street had been repaved. She mentioned that the street had not all been paved. Mayor Roth explained that Fenton Street between the pedestrian bridge and Takoma Avenue had been repaved. Mrs. Cohen pointed out that there is a problem of parked cars, etc., along Fenton (outside City). She was pleased to report that Judge Claven was presiding at a recent trial where the Takoma Park Parking Enforcement Official presented the gold seal (proof of ownership) on a traffic violation and the Judge found the defendant guilty.

(5) Roderic Davis, 703 New York Avenue questioned the status of parking restrictions on New York Avenue between Chicago and Takoma Avenue. Mr. Barile said that special signs are being made to effect the ordinance recently adopted and should be up by January 24.

(6) Lou D'Ovidio, 7311 Piney Branch Road noted that Fenton was dangerous because it becomes a one lane that is only partially repaved. Mr. D'Ovidio was quite concerned that signs have been placed (by the SHA) on Philadelphia allowing a right turn on red. He emphasized the danger this poses for pedestrian children. Councilman Ricks suggested that a request be made to have these signs removed until the pedestrian walk lights are installed at that intersection. [This was added to the agenda.] Mr. D'Ovidio commended Ann Vogel's beautification idea and added that he felt Allan Marsh should have an answer to his request on church-owned property.

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

ITEMS FOR COUNCIL CONSIDERATION

Communications

--Montgomery County Board of Appeals, notice of public hearing, February 24, 9:00 AM, COB, Rockville, on case S-540, Vaughan and Hill, 7600 Maple Avenue, request for a non-resident medical practitioners' office within a multiple family structure (Park Ritchie Apts.). Mayor Roth asked Councilmembers Medina and Nishimoto to consider this zoning request and reach a conclusion with the City Administrator as to whom should be notified for citizen response. Councilman Ricks reminded the Council that a special exception (No. S-328) was granted for a beauty shop within the same complex with good results.

--Special Exception #3030, Olive M. Kreinbihl, day care nursery at 1011 Elm Avenue Prince George's County Hearing Examiner has recommended approval of this special exception without conditions.

--Letter from Cathrine Wakelyn, 7419 Maple Avenue commenting on the proposed prohibition of parking on Old Philadelphia, feels that this would encourage short-cutting while present parking slows down traffic. Says she needs the present parking for guests and if parking is removed the value of her home will diminish.

Administrative Reports and Recommendations for Council Action

--Report on Kass Parking Lot problem After receiving notice from the City, Kass Realty cleaned up the back part of the lot with a general overall sweep up. On Dec. 12, tickets were placed on the junked vehicles on the lot which will allow the owners 30 days to have them removed or the City will impound the vehicles. Neighbors have been notified along with several commercial businesses that this lot is not a junking place. Councilman Ricks was interested in knowing who would bear the cost of having such lots cleaned and cars towed; asked that the City Administrator pursue the arrangement of passing the cost to the owner. After Chief Porter explained the procedure for having abandoned cars removed (noting that the cost of towing is not borne by the City), Mayor Roth asked that the Kass lot be monitored periodically.

--Report on appeal by City on Special Exception Renewal Case #247, 7311 Piney Branch Road (Miller Board House). Public Hearing on Appeal (#A-349) 3-3-77, 9:00 AM, COB, Rockville Corporation Counsel Gingerich has prepared an appeal which will be heard on the above date by the County Board of Appeals. Mayor Roth felt that citizens should be encouraged to turn out to oppose the continuation of this boarding house. He asked that letters be sent to various citizens' associations for their assistance at this hearing. Mr. Gingerich asked that those who plan to give testimony call his office. He emphasized the importance of eye witness testimony and noted that "hear say" accounts would be useless.

--Report on Piney Branch Road speeding problem (Chief Porter)

Since Dec. 16, 139 man hours have been spent on Piney Branch with 200 traffic stops. Approximately 100 citations, 14 repair orders, 26 letter warnings and 6 verbal warnings have been issued. Several people have been stopped for running the stop light. Police will continue to patrol the street approximately 28 hours a week not only through rush hours but also at night, seven days a week. Chief Porter added that he felt the speeding problem has improved since Dec. 16.

--Administrative report on Fire Department (Mr. Gilsdorf)

Mr. Gilsdorf reported that the Fire Chief will be retiring soon and there is the question of whether or not the Dept. will be allowed to replace the Chief, full time, etc. The Executive Committee of the Montgomery County Fire Board will make this decision. He explained that the operational performance would be affected if a full-time Chief is not in the position. Councilman Ricks pointed out that when the Fire Dept. was turned over to the County the City was assured the level of service would be maintained; to not grant the dept. a full time Chief would be a breach of contract. Councilwoman Medina said Takoma Park is a quite densely populated area and demands are large for a fire dept. Councilman Garcia also expressed concern for the safety of citizens with the hope that the position of Chief will be retained and with someone from the area. Councilman Faulkner moved that the Council communicate their feelings by letter to the Fire Board. Councilman Ricks seconded and the motion was approved unanimously. Mr. Gilsdorf said that the Fire Board will be meeting the middle of this month; he was to attend this meeting to present this request along with the Council's support.

--Announcement: Montgomery County Council & Executive Public Hearing on Proposed Community Development Block Grant application, FY-77-78, 8:00 PM, 1-12-77, COB, Rockville. Councilwoman Medina said this will be a public hearing for presentation of the proposal to the County Executive and County Council. There will be a citizen effort to get people to the hearing. Mayor Roth asked that several civic associations such as Old Takoma Citizens Association, Ritchie Ave. Assoc. and North Takoma Citizens Association be asked to attend to support the City's proposal.

--Prince George's County Community Development Block Grant Advisory Panel

Councilman Garcia reported that on Dec. 1, a public hearing was held on the block grants in Upper Marlboro. As a result the proposals were taken into consideration on Dec. 8 and presented to County Executive Kelly on Dec. 29. Approximately \$185,000 has been proposed for Takoma Park for 1977-78; \$145,000 in 1978-79; and \$100,000 for the last year. The submissions will be reviewed January 15 by the County Council with subsequent review before April 15, when application is due for submission to HUD.

(2) Discussion of Juniper Street pedestrian bridge

Some time ago the City was called upon to comment on the design of a pedestrian bridge. After receiving citizen input, WMATA was asked to present a more scaled down plan. The City is in receipt of the new plan and citizens' view points are welcome. Councilwoman Medina suggested that those who have had considerable interest in the bridge be contacted and a time limit (30 days) be set for public comment, noting that plans may be viewed in the City Administrator's Office. Mayor Roth asked that the plans be discussed at the January 24 Council meeting with final comments being formulated at the Feb. 14 meeting.

(3) Discussion of Citizens Advisory Body for Community Development Block Grant Program

After several meetings with citizens and lengthy discussion, it was suggested that one approach to organizing a Citizens Advisory Body for community development would be to ask for nominations of one or more members from the organizations listed below, from which the Mayor and Council would appoint one representative of each group: Spring Park Citizens Association, North Takoma Citizens Association; Old Takoma Citizens Association, Colby Avenue Citizens Association, Ritchie Avenue Citizens Association, B.F. Gilberts Citizens Association, Lincoln Valley Citizens Association, Hampshire Greens Citizens Association, Hillwood Manor Citizens Association, Longbranch-Sligo Citizens Association, Community Improvement Board, Azalea Committee, and Recreation Council. Also volunteers or nominees from the Lee-Grant, Westmoreland-Allegheny, and west of Flower Avenue neighborhoods would be sought; and possibly three at-large appointments would be made. Councilwoman Medina said that other neighborhoods could organize groups and nominate someone to represent their area. Mayor Roth thought the idea was good but that he did not want to close any avenues to suggestions. Councilwoman Medina said she would like to see Neighborhoods Together participate but that the Mayor and Council need some clarification as to the geographic area they represent; who makes up their membership, their charter, etc. She suggested that organizations be given 30 days to make their nominations and hopefully an advisory board could be ready to meet by the end of February. There was consensus that groups be contacted right away and that it be understood that the first term would be irregular in that those appointed would be serving on the Board probably through June 1978. Mayor Roth added that subcommittees should not at this point be established outside the original committee, though any person or group could meet with the body to discuss views.

(4) Proposed ordinance prohibiting parking on North side of Old Philadelphia

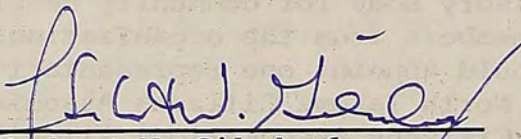
After receiving some opposition to removing parking there was one suggestion to modify the proposal by taking parking off just part of the street. Councilwoman Medina said that if all parking is removed, access to the park would also be removed. She felt that the situation could be looked at further for other solutions. It was agreed that a letter be sent to those living on Old Philadelphia, and the adjacent blocks of Cedar and Maple eliciting their views on the following: 1) take off all parking; 2) permit limited parking; 3) close the street to through traffic at Route 410.

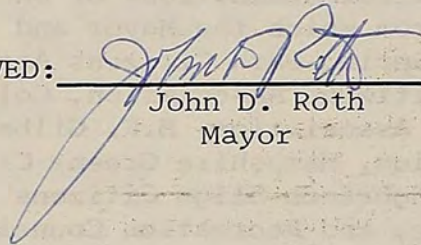
ADDITIONAL AGENDA ITEMS

--Minibus expansion January 13, the Montgomery County Council will hold a public hearing on the expansion of minibus service. There is a proposal to purchase 40 additional minibuses to expand the ride-on service from its current 6 routes to approximately 19 routes in the down-county area to coincide with the scheduled opening of the Silver Spring and Takoma Park Metro-Rail stations. The new buses will have a seating capacity of 25 and 35 and will be compatible with neighborhoods. Councilwoman Medina suggested that the Council make a favorable presentation at the hearing.

--Right Turn On Red There was concern that a right turn on red sign had been placed at the already dangerous intersection of Philadelphia and Piney Branch Road. Councilwoman Medina said this posed a threat to pedestrians and asked that Chief Porter see if the signs could be removed. Councilman Ricks felt the SHA should make the necessary improvements to the signalization before placing such a sign. After some discussion there was concensus among the Councilmembers to contact the appropriate people to have the signs removed due to the danger they pose especially to school children that cross at this intersection.

ADJOURNMENT: 11:00 PM - Council to reconvene January 24, 1977, 8:00 P.M.

ATTEST:   
Herbert W. Gilsdorf  
City Administrator

APPROVED:   
John D. Roth  
Mayor

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MEETING OF THE MAYOR AND CITY COUNCIL  
January 24, 1977

City Officials Present:

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

EXCUSED: Councilman Webb.

The Mayor and Council met on January 24, 1977 at 8:01 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Pastor Lenard D. Jaecks, Takoma Park Seventh-day Adventist Church and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the January 10 Council meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth congratulated everyone for coming out on such a snowy night to attend the Council meeting.

ADDITIONAL AGENDA ITEMS

--Petition by Citizens of Cole Avenue (Councilman Garcia)

CITIZENS' REMARKS

(1) Mary Roth, 7605 Hammond Avenue, representing the Bicentennial Committee, reported that there was a balance in the Bicentennial Committee budget from the Calendar sales. The Committee has suggested that the funds be spent toward a locking cabinet to be placed in the basement of the municipal building for the purpose of storing and preserving items collected by the Historical Society. Any remaining funds could be spent to purchase a plexiglass cover for the montage to protect it from vandalism. Councilman Ricks asked that this be discussed during the business session of the meeting.

(2) Ellen Marsh, 7405 Maple Avenue noted an article in the January issue of Antiques Magazine depicting the historic value of Annapolis' restored commercial area. Mrs. Marsh felt that ideas such as this could be applied in Takoma Park. On January 21, she attended the Fourth Annual Conference on Antique Studies at George Washington University where she heard several interesting speakers discuss historical places in Maryland which included Takoma Park. Robert Bachman from Silver Spring also spoke. Representatives from the National Association of Home Builders spoke of high prices of building new homes and financial advantages of restoring old homes. Mrs. Marsh commented that she did not like the article on Takoma Park in the January 24 Washington Star.

(3) Mary D'Ovidio, 7324 Piney Branch Road said the Police Department's promise to have a concentrated coverage of Piney Branch road for 28 hours a week has not been maintained during the past week. She requested that coverage be kept at the level promised. The City Administrator said the City would like to control speeding on Piney Branch as well as all the streets in the City but have been plagued by bad weather during the past few weeks. Police Chief Porter reported the following summary of concentrated coverage on Piney Branch during the past two week period: January 9, 4 hours; January 10, 4 hours; January 14, ½ hour; January 18, 41 minutes; January 21, 2½ hours; January 22, 3 hours; January 23, 2½ hours; January 24, 2 hours and 45 minutes. The total coverage was 20 hours. A total of 12 citations,

6 repair orders and 9 written warnings were issued during that time. Chief Porter said that the Police Department intends to work Piney Branch for 28 hours a week. He added that there have been requests by residents for concentrated coverage on 13 different streets other than Piney Branch Road. Mayor Roth noted that sporadic controls appear to be most effective. He said he was sorry that this coverage was not more visible but that it would continue.

(4) Lou D'Ovidio, 7324 Piney Branch Road inquired about the "Right turn on Red" sign at Piney Branch and Philadelphia. The City Administrator reported that the pedestrian walk light will be installed on March 1, and the sign will be removed at that time. Councilman Ricks said that he would like to see the sign removed now and so requested. Mr. D'Ovidio asked that the City consider participating in a Montgomery County Public Schools student internship program.

(5) Elaine LaVaute, 240 Park Avenue complained of a hole in the roadway at 122 Park Avenue that seeps water. The City Administrator explained that this was a broken water line which is now being repaired. Mrs. LaVaute also asked what the problem was in front of the Library which caused so much construction. Mr. Gilsdorf said that a storm drain is being replaced under the street. Mayor Roth further explained that the Spring rains caused considerable damage to the storm drain. The only way it could be repaired was to tear up the street and rebuild the structure. Mrs. LaVaute then questioned the City's office procedure when receiving letters, saying that her letter of Nov. 17 (re: appointments to the Community Improvement Board) was not answered. Recalling his telephone discussion with Mrs. LaVaute regarding her letter of Nov. 17, Mr. Gilsdorf said he has always responded to Mrs. LaVaute's letters either by phone or by mail. After some debate Mayor Roth explained that the CIB has been around since 1969 and is comprised of volunteer citizens. He also explained their ride around procedure. Mrs. LaVaute requested that in the future, responses to her letters be in writing.

(6) Bryan Green, 7410 Piney Branch Road Some time ago the City wrote a letter to Washington, D.C. to inform them of the traffic situation, signalization, etc, on Piney Branch Road. Mr. Green asked if the City had received any reply. Mr. Gilsdorf said no reply has been received. Mr. Green asked if FAST could receive copies of Police Dept. summaries in the future.

(7) Allan Marsh, 7405 Maple Avenue reiterated previous comments opposing the idea of doing away with parking on Old Philadelphia. Said Old Takoma Citizens Association favors closing Old Philadelphia to thru traffic and place a temporary barricade on that street. Mr. Marsh supports the idea of traffic checks being sporadic rather than one full concentrated week and suggested that the City perform an over-all traffic study to see what can be done to protect neighborhoods. Mr. Marsh felt his remarks were misinterpreted in the January 10 Council Minutes. Said taxes were not his primary reason for requesting a survey of church-owned properties in the City. The main reason is because of the strange kind of zoning that exists allowing church-affiliated properties to operate as they please. After making some investigation on his own, Mr. Marsh presented several addresses of properties owned by or affiliated with the Seventh Day Adventist Church, noting their close proximity. Mayor Roth pointed out that the information requested by Mr. Marsh is public and could have been obtained in Rockville. He added that he has looked into this personally and will make an appointment with Mr. Marsh when the material requested is obtained. Councilman Ricks asked that when this information is gathered it be made available for anyone through the City Office.

[ Councilwoman Medina was excused at this time. ]



(8) Anthony Russo, 106 Philadelphia Avenue said he received a letter from the City Administrator calling attention to the parking situation on Old Philadelphia suggesting three alternatives. Said he also received a letter from Allan Marsh which expressed viewpoints about the problems on Old Philadelphia with which he did not agree. Mr. Russo felt that as long as automobiles are in use there will be excessive traffic. He said the parked cars prevent him from exiting his driveway. Mr. Russo urged the Council to prohibit parking on Old Philadelphia between Maple and Cedar Avenues.

(9) Joseph Ossi, 7215 Maple Avenue favored closing off Old Philadelphia Avenue suggesting that the City paint the curb yellow near Mr. Russo's driveway. Mr. Ossi also favored a continuous sporadic police surveillance of Piney Branch and Allan Marsh's idea of a traffic survey of the City. Mayor Roth said he anticipates that Park & Planning will include traffic surveys in the Takoma Park Master Planning process.

(10) Elaine LaVaute, referring to Mr. Russo's problem, pointed out that people are not allowed to park less than 5 feet from a driveway. Councilman Faulkner explained that Mr. Russo's problem was with cars parked across the street from his driveway.

#### ITEMS FOR COUNCIL CONSIDERATION

##### Communications

--Letter from Thomas J. Wade, 7204 Willow Avenue urging the Council to clear the snow from Willow because of the hazardous condition it presents. The City Administrator noted that Willow is a sledding street and suggested that Mr. Wade get views from the residents on that street.

--Petition of Relief from residents of the 300 block of Lincoln Avenue protesting the barking and intimidation by the German Shepard Dogs at 326 Lincoln. Mr. Gilsdorf said that some action has been taken. The owners have been notified of the problem. Chief Porter has passed the information on to his watch commander and if the barking continues the owners will be charged. Mayor Roth asked that each person on the petition be informed of the steps being taken.

--Petition from citizens in the 7800-7900 blocks of Cole Avenue protesting Cole Avenue being barricaded for sledding.

--Four responses, including telephone calls, were received from the mailing to area residents re parking on Old Philadelphia. A resident at 7416 Maple felt the street should not be closed to all traffic because of the minibus and said parking is needed for nearby residents; two favored present condition; residents at 7419 Cedar preferred that the street be closed to thru traffic, but found the status quo situation acceptable.

##### Administrative Reports and Recommendations for Council Action

(1) Report on Kass Parking Lot problem - At the last Council meeting there was discussion on the problem of the abandoned vehicles on the Kass lot. The vehicles have been tagged with an identification number and if the cars are there longer than 30 days they will be impounded. The City is now in the process of contacting the owners of the Kass lot to secure permission to remove the vehicles. One problem does exist: part of the lot is being leased to a gas station that is placing cars on the lot until they can be repaired. Mayor Roth suggested the City inquire as to whether the service station is operating the appropriate business for the type of zoning for that lot. Mr. Gilsdorf said it would take some time to get the lot as clean as the City would like.

(2) Proposed parking restrictions on North side of Old Philadelphia Avenue

Mayor Roth said he was in favor of attempting to resolve the problem and moved that an ordinance be drafted for action at the next Council meeting to permit three parking spaces on the North side of Old Philadelphia at the Maple Avenue end. Councilman Forshee seconded and the motion was approved unanimously.

(3) Discussion of parking problem on East side of Grant Avenue, adjacent to Piney Branch Middle School

There has been a problem where two cars cannot pass at a certain point when cars are parked on both sides of Grant Avenue. The problem mainly exists when parents are dropping their children off at the Piney Branch swimming pool. The City Administrator suggested that parking at the narrow point of the street be limited to 5 minutes for the purpose of dropping off and picking up children at the pool. Councilman Nishimoto moved that an ordinance be prepared limiting the parking to 5 minutes at that point. Councilman Ricks seconded and the motion was approved unanimously.

(4) Discussion of redesigned Juniper Street pedestrian bridge.

At the last Council meeting Councilwoman Medina reported that the redesigned plans for the bridge would be available in the City Office. A second matter was the authorization allowing the Mayor to accept the Juniper Street Bridge plans. (This document has to be signed before the company can begin the construction.) An agreement has been made with Montgomery County Executive Gleason whereby the County and City will share the costs of maintaining the temporary bridge. Councilman Nishimoto was told by the Corporation Council that the City would be liable for the portion of the bridge that lies within the City limits only and that there should be an agreement with Montgomery County to make sure that this is clear. The Council anticipates making a decision on the new bridge plans at the next Council meeting. Citizens may see the design at the City Office.

(5) Ordinance appropriating Revenue Sharing Funds for landlord-tenant program

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

ORDINANCE #2411

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

SECTION 1. THAT 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 funds in the amount of \$13,500 were set aside for this purpose in the Federal Revenue Sharing Planned Use Report, FY-77, said funds being an estimated total; AND

SECTION 3. THAT a bill for the calendar year 1977 in the amount of \$13,941 (\$4.50 per rental unit) has been received, with one-half of that amount now being due and payable; AND

SECTION 4. THEREFORE THAT the sum of SIX THOUSAND, NINE HUNDRED SEVENTY DOLLARS AND FIFTY CENTS (\$6,970.50) be appropriated from the General Revenue Sharing Fund Account and transferred to the appropriate account for payment to the Montgomery County Office of Landlord-Tenant Affairs for the period January 1 through June 30, 1977.

(6) Cole Avenue Petition

A petition was received in the City Office complaining that since the first snow fall their street has been barricaded for sledding which has imposed a burden on the residents of Cole Avenue. The residents requested that sledding be removed from their street. Councilman Garcia proposed that Cole Avenue be taken off the list of streets for sledding and the Council concurred. After some discussion, a proposal was made whereby streets would be barricaded for sledding for no more than 48 hours, after which time the Public Works Dept. will clear the streets. Citizen response was invited. The Recreation and Public Works Directors were asked to find alternative locations for sledding. Streets currently listed for sledding are as follows: Boston Avenue (Margaret Drive to Dundalk Road), Willow Avenue (Tulip Avenue to Valley View), Prince George's Avenue (Ethan Allen to Elm Avenue), Baltimore Avenue (New York to Philadelphia Avenue), Hopewell Avenue (Larch Avenue to Kentland Avenue).

(7) Bicentennial Committee Funds

At the end of the Bicentennial year the Bicentennial Committee had a balance of \$360. A request was made that these funds be used toward the purchase of a cabinet to be used by the Historical Society and a plexi-glass panel for the montage. Councilman Ricks moved that the Bicentennial Committee be allowed to make the two purchases provided the costs don't exceed the \$360 a great deal. Councilman Faulkner seconded and the motion was approved unanimously.

ADJOURNMENT: 9:45 PM - Council to reconvene February 14, 1977 at 8:00 PM.

ATTEST:

*Herbert W. Gilsdorf*  
Herbert W. Gilsdorf  
City Administrator

APPROVED:

*John D. Roth*  
John D. Roth  
Mayor

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EXCUSED: Councilmen Forshee and Faulkner.

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MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth presented a certificate of appreciation to Helen and Robert Stoltz in recognition of their outstanding work in creating the azalea garden at the end of Central Avenue. Mayor thanked Mr. & Mrs. Stoltz for their continued service in various functions within the City.

--The Mayor expressed his sympathy to Mr. & Mrs. Shaffer whose home on Elson Place recently burned. The Shaffers asked that Mayor Roth communicate their thanks to the Fire Department and all of those who have helped them.

--Mr. John A. Miller, Executive Vice-President of Citizens Bank and Trust Company, presented plaques to Police Officers Carter, Duvall, Holford and Reid for their involvement in the apprehension of bank robbers in the Nov. 16 robbery of Citizens Bank. Mayor Roth expressed his appreciation and congratulated the officers.

ADDITIONAL AGENDA ITEMS

- TPES (Councilwoman Medina)
- Corporation Counsel explanation of Court Case re permit parking (Councilman Ricks)

CITIZENS' REMARKS

1. Mary Pennifield, 7305 Takoma Avenue, told the Council of problems with children damaging the azaleas and trees in Upper Portal Park with bikes and balls. Suggested that signs be erected prohibiting certain sports and recreational activities that might cause damage to the trees and plants. Volunteered her husband's service to act as a park warden to discourage this type of behavior.

2. Mary D'Ovidio, 7324 Piney Branch Road, was still concerned about the lack of surveillance for speeding on Piney Branch. Mrs. D'Ovidio addressed the problem of the sign allowing right turn on red at Piney Branch and Philadelphia Avenue. Representing the Executive Committee of the Takoma Park Jr. High P.T.A., she read a letter sent to Mr. Caltrider (SHA) expressing their concern over the safety hazard. The City Administrator said he had (on Feb. 9) called Mr. Plemens (S.A.) who told that he had issued an order, in writing, to have the signs removed pending further signalization at that intersection. Mrs. D'Ovidio asked that Mr. Plemens be called if the signs were not removed by Friday.

3. Mary Roth, 7608 Hammond Avenue, representing the Azalea Committee, stated that the triangular park (Bliss Garden) at the intersection of Albany, Takoma and Fenton is scheduled for planting this spring. The Committee would like to have the boundaries staked out. Asked that the City discuss this with the College. Mrs. Roth said the Committee feels the design for the new Juniper Street Bridge is satisfactory but wondered when the construction would begin and be completed. The Committee has funds set aside to replant that area. Mr. Gilsdorf said he estimated completion to be approximately two years away; that the timetable will be dependent on how soon the City, Park & Planning and Montgomery County reviews the plans. Mrs. Roth asked that consideration be given to the regrading of the Juniper Street area. The Committee understands that the City is not responsible for the construction of TPES but asked if the following had been considered: 1) placement of temporary buildings on the ball field and rebuild on the present site; 2) possibly using land that was purchased by the School Board behind the Jr. High; 3) if built on Hodges field, where will buses load and unload children (suggested that consideration be given to redesigning the exit situation whereby children could exit from the rear of the building). She noted that the area of the right of way lines need to be regraded and asked if some legal arrangement could be drawn up to give the City control of the land between the building line to the azalea bed.
4. Edmund Longen, 7516 Holly Avenue, explained that people in his area have joined together seeking some resolution to their concerns about the impact of the new TPES in their area. A letter was sent to William Wilder, Director, Montgomery County Department of School Facilities (See attachment #1) and a response was received (See attachment #2), asked that they be included in the minutes. Mr. Longen felt that Mr. Wilder's response was not fully adequate. As a result, residents are forming a group called Hodges Heights Citizens' Association and probably will be meeting March 2 to discuss the TPES. Councilwoman Medina pointed out that if the school is not built on the Hodges Field it could well mean that the City would not get an elementary school. Mr. Longen said he was aware of this fact and did not object to the school, but would like to see a number of problems resolved. Mayor Roth added that the City fought hard when threatened with the closure of the school. Then the P.T.A. asked that TPES be remodeled but the State Interagency Committee has a policy of not remodeling schools over a certain age. After long persuasion there was an agreement with the BOE and City to plan a new school on the Hodges site. The site of the building has been discussed but there has been very little investigation as to the construction of the building. Mayor Roth said he would review the idea of temporary buildings but that it would have to be supported by the P.T.A.
5. Joseph Ferrier, 7413 Maple Avenue, noted that the original proposed reason for restricting parking on Old Philadelphia Avenue was for the safe operation of the Mini buses, which later showed not to be a factor. Now a resident would like parking restricted so it will be easier for him to exit his driveway. Mr. Ferrier claimed that those on Maple Avenue have no trouble exiting their driveway with cars parked on the street adding that he would like to see parking retained on Old Philadelphia Avenue. Mr. Ferrier said he would oppose any ordinance prohibiting parking on Grant Avenue adjacent to the Middle School, since many senior citizens buy lunches at the school and need to park close to the building.

6. Allan Marsh, 7405 Maple Avenue, thanked Mayor Roth for the long-awaited survey of church-affiliated properties in the City. Said the map was very informative. He expressed hope that the City will keep this information up to date. Mr. Marsh was concerned with a tract of land around Erie and Maplewood Avenues where few homes are in private ownership. He fears that the hospital could tear down the homes or use them for institutional purposes, where regular zoning would not be applicable. Mr. Marsh asked that the City investigate a problem of parking on the grass strip along Erie Avenue roadway. Mayor Roth asked that the City Administrator check into this problem, give warnings to violators and follow up with tickets.

7. Lou D'Ovidio, 7324 Piney Branch Road, supported enforcing the prohibition on lawn parking. Said he read an article about property owners in California being ordained and claiming their homes as tax-exempt churches. Mr. D'Ovidio warned that this idea might catch on. Thanked the City Administrator for his attempts to get the SHA to act quickly in regard to the "right turn on red" sign. Said he has got some response from the SHA concerning their work on Piney Branch. Hoped that the City will continue its surveillance on Piney Branch Road. Mr. D'Ovidio reminded the Council that the Miller property appeal will be coming up on March 3. Said a group from Piney Branch Road will be attending. There has been a great concern about apartment use in private homes; said he had voluntarily converted his home to single family. Mr. D'Ovidio said a friend of his looking for such a home was told by a real estate agent that he could find such a place in Takoma Park. Mayor Roth explained that the City is trying to discourage this form of advertising and requested the name of the agent that gave him this information. The City Administrator has been looking for such ads in newspapers and checks to see if the places advertised with apartments are registered and, if not, the agent or person that placed the ad is asked to change the advertisement.

8. Kathryn Simpson, 7300 Cedar Avenue, General Chairwoman, Community Improvement Board, reported that the CIB has begun its ride-arounds. The reports are due March 1st but there might be some delay due to the bad weather.

9. James Gallagher, Dept. of Communication, General Conference, responded to Mr. Marsh's comments on church-owned property by saying that the SDA is not eager to make parking lots and sometimes the organization has a positive influence: a man came to him asking for his opinion on purchasing a home in Takoma Park. Mr. Gallagher informed the man that this was a stable neighborhood and resulted in the man's purchase of the home. Mr. Gallagher explained that the reason this person came to the SDA for information was because he had SDA friends at his former residence.

10. Russell Romer, 702 Chaney Drive, said that the City Charter was not up to date. Mr. Gilsdorf said that a current copy of the Charter may be seen in the City Office. In response to Mr. Romer's question, the City Administrator explained that an annual supplement is published to the 1972 codification. Mr. Romer had further questions, at which point Mayor Roth asked that he get together with Mr. Gilsdorf to discuss the matter.

11. Mary D'Ovidio, 7324 Piney Branch Road, said that some time ago she reported a dead tree between Baltimore and Holly Avenues on Piney Branch. Now there are numerous dead trees in this area. In response to Mrs. D'Ovidio's question, Mr. Barile explained that this is all privately owned property and is the responsibility of the owner; that WSSC has an easement for their storm drainage system in this area.

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

ITEMS FOR COUNCIL CONSIDERATION

Communications

--Letter from Beatrice Malatesta, 7807 Cole Avenue, thanking the Mayor and Council for removing Cole Avenue from the sledding list.

--Letter from Herbert Brawley, 7302 Birch Avenue, requesting that the 7300 block of Birch be placed back on the sledding list. The City Administrator was instructed to explain the procedure of obtaining a petition with names of those residents who wish the street to be placed back on the list.

--Letter from Dave Weisman, 7701 Takoma Avenue, expressing satisfaction with the new design for the new Juniper Street Pedestrian Bridge, but asking that lighting to the ramps and bridge be installed.

--Letter from Delores Stowell, 7704 Takoma Avenue, President, Old Takoma Citizens' Association, stating that the Juniper Street Bridge plans are satisfactory; asked that permanent lighting be attached to the bridge.

Mayor Roth asked the City Administrator to write to each citizen thanking them for their comments and the Mayor and Council will look into the lighting of the bridge.

Administrative Reports and Recommendations for Council Action

(1) Administrative Reports:

--Code Enforcement summary of activities, calendar year 1976

(See attachment #3) It was explained that after second notices were sent and codes are not complied with, the matter is turned over to the Corporation Counsel for legal action. Mayor Roth asked that after this year's ride-arounds are completed a comparison be made with previous years. Councilwoman Medina noted that sometimes properties cited for exterior deficiencies were found to be rental properties with problems inside. She emphasized the importance of having rental properties registered to make sure these places are being properly maintained.

--Fire Calls from Winchester Takoma Apartments

Councilman Ricks noted that the Fire Prevention Office has reported a significant decrease in fire alarms at the Winchester-Takoma Apartments. He asked that all citizens exercise safety especially during the cold months when some are prone to use space heaters; many fires are caused by the faulty use of these devices. Mayor Roth added that there has been a 90% decrease in the number of calls since 1973 at the Winchester-Takoma.

--Piney Branch Road traffic problem

On February 8, the City Administrator, Jack Hartley, Asst. Director, D.C. Bureau of Traffic Engineering Operations, Steve ~~Flemens~~ : (SHA), Councilman Nishimoto, Councilwoman Medina and Bryan Green ~~(ASA)~~ met to discuss the signalization at Piney Branch and Eastern Avenue. Representatives from the D.C. Government introduced plans on the project they intend to put to bid this Spring to expand Piney Branch Road (South of Eastern Avenue) into four lanes going into the District. ~~Mt.~~ ~~Flemens~~ discussed the plans for the Maryland side of that intersection. There was some discussion on the number of vehicles expected with the Metro opening. The Maryland representatives are considering a design to be coordinated with the District's signalization plan. Mr. Green had the opportunity to request the removal of the "right turn on red" sign at Piney Branch Road. Councilman Nishimoto was pleased that the City brought the two highway departments together on this project.

(2) Discussion of redesigned Juniper Street pedestrian bridge

The City Administrator recounted the history of the plans submitted for the Juniper Street pedestrian bridge. The redesigned bridge is equally as functional as the original but not as elaborate. It has an 8% grade with 100 feet across the track. He noted that citizens and civic associations have expressed approval of the design and suggested that the Council indicate their feelings to WMATA so they can proceed. Councilwoman Medina moved that the plans be accepted. Councilman Garcia seconded and the Council approved the motion by unanimous vote. Councilman Ricks pointed out that the Juniper Street bridge plans are similar to the pedestrian bridges on Cabin John Parkway. Councilwoman Medina asked that a copy of the letter to WMATA be sent to Park & Planning Commission and Montgomery County.

(3) Special Exception S-540, medical practitioners' office, Park Ritchie  
Public Hearing: 9:00 AM, 2-24-77, COB, Rockville

Councilwoman Medina and Councilman Nishimoto looked at the area and concluded that since there is already designated office space in the building and it does not interfere with stability or security of the residents there, they recommend that the special exception be granted. Councilman Nishimoto said that there is already a beauty and barber shop there and the lot can handle considerable parking. Councilwoman Medina moved that there be no objection to this special exception. The motion was seconded and approved unanimously by voice vote.

(4) Preliminary Subdivision #1-77016, Biow property, Hudson Avenue & Sligo Creek

Mr. Biow has five lots (approximately 2 acres) which has one rental property. The preliminary subdivision requests ~~combining the five lots into one~~. Councilman Ricks said this was zoned R-20 and wondered if there would be any height restrictions. He added that if the lots are combined, the owner would be allowed to build something with a medium density which might cause some problems. Councilwoman Medina said the area is already a mixed density and adding density might impact the area. Until the zoning can be reexamined she asked that the area not be changed. Councilman Ricks moved that the Council not support this change and requested that the Planning Board take into consideration the Master Plan and Councilwoman Medina's suggestion on the possibility of rezoning for a lower density. Councilwoman Medina seconded and the Council approved the motion by unanimous vote.

(5) Discussion of Citizens' Advisory Committee for Community Development Block  
Grant Program

Citizens and Civic Associations were asked to submit names of nominees to serve on the Citizens' Advisory Committee. Councilman Nishimoto said there is a new organization (Hodges Heights Citizens' Association) that should be included in the list. Mr. Gilsdorf said he would send them a letter. Mayor Roth appointed the following persons who had been nominated by their organizations, and Bill Strum and Clarence Boatman from among those who had volunteered:

Longbranch-Sligo Citizens' Association  
Community Improvement Board  
B.F. Gilbert's Citizen Association  
Lincoln Valley Citizens' Association  
North Takoma Citizens' Association  
Ritchie Avenue Citizens' Association  
Old Takoma Citizens' Association  
Spring Park Community Association  
Recreation Council  
Colby Avenue Citizens' Association  
Takoma Park Azalea Committee

Phil Vogel  
Kathryn Simpson  
Dr. Stephen Hiten  
James Hash  
Lou D'Ovidio  
Dorothy Stark  
Ellen Marsh  
Harold Woodyard  
Opal Daniels  
Alice Mathews  
Mary Roth



Hampshire Greens Citizens' Association  
 Millwood Manor Citizens' Association  
 West of Flower Neighborhood  
 Westmoreland-Allegheny Neighborhood  
 Lee-Grant Neighborhood

Betty Cook  
 Hobart C. Smith  
 Dennis Seekins  
 Virginia Wade  
 Karen Maury

Mayor Roth asked that the Council consider having a representative from among themselves to serve on the committee. Councilman Nishimoto asked that he be appointed to serve in that position. There was some discussion on the size of the group and length of terms. Mayor Roth said the members would be appointed for one year and then the committee could make recommendations on length of service.

(6) Discussion of "Operation Turnaround" (CDBG) and appointment of advisory committee Operation turnaround is a provision of \$65,000 (Block grant funds) for the purpose of buying a multi-family house, renovate, and sell as a single family home. The Council is in the process of considering a committee for this specialized aspect of the CDBG. The Council hopes to have some specific recommendations at the next Council meeting.

(7) Proposed ordinance restricting parking on North side of Old Philadelphia Avenue to three spaces Councilman Garcia moved that the ordinance be passed. Councilman Nishimoto seconded, and the below ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Garcia, Medina, Nishimoto, Ricks and Webb; NAY: none; EXCUSED: Councilmen Faulkner and Forshee.

ORDINANCE #2412

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

- SECTION 1. THAT parking on the North side of Old Philadelphia Avenue shall be restricted to three spaces from its intersection with Maple Avenue; AND
- SECTION 2. THAT the Director of Public Works is hereby requested to erect the appropriate signs to effect the directive of Section 1; 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.

Councilman Garcia and Mayor Roth pointed out that this ordinance was a compromise response to two points of view: (1) to retain present parking and (2) to remove all parking. Councilman Ricks asked that the Police Dept. watch Maple Avenue during the rush hour. He said that when cars are lined up on Maple many people cross the yellow line, drive down the wrong side of the street and turn onto Old Philadelphia. Police Chief Porter agreed to observe that intersection.

(8) Proposed ordinance prohibiting parking on Grant Avenue adjacent to Middle School Mr. Gilsdorf said that this would affect only two spaces. If a car is parked at these two locations it makes the street almost impassable and with school children moving around it makes a dangerous situation. Councilman Nishimoto moved that the ordinance be adopted. Councilman Webb seconded and the ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Garcia, Medina, Nishimoto, Ricks and Webb; NAY: none; EXCUSED: Councilmen Faulkner and Forshee:

ORDINANCE #2413

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

- SECTION 1. THAT parking on that portion of Grant Avenue adjacent to Piney Branch Middle School be prohibited; AND
- SECTION 2. THAT the Director of Public Works is hereby requested to erect signs to effect the directive of Section 1; AND
- SECTION 3. THAT this ordinance shall become effective upon 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, Maryland, 1972, as amended.

ADDITIONAL AGENDA ITEMS

TPES

There was some misinterpretation regarding questions raised by citizens, leaving the BOE with the feeling that there is very little support left for TPES. Councilwoman Medina said citizens' concerns for TPES are genuine and that some of the issues they raise are serious. However, to assure the BOE that citizens still want the school, support must be reinforced. She added that the BOE needs very little excuse to drop the whole project. Councilwoman Medina said there was a briefing with the school staff to review the site plans where she had the opportunity to talk with the staff; they are making every attempt to address questions by citizens and respond to the best of their ability. They want to continue to be open to their kinds of problems but they didn't want to feel that the support was eroding. Therefore, Councilwoman Medina moved that the Council send a letter to the BOE indicating continued support for the building at the Hodges site; express appreciation for the meetings with the school staff to review the site plans; assure them that citizen concerns are genuine but that some of their fears may be greater than the severity of the problem and must not be misinterpreted; continued relationship with the City, School Board, and Staff will assure that the problems that have surfaced will be worked out to the satisfaction of all concerned. Councilman Ricks seconded the motion. Mayor Roth felt the new members of the School Board were in harmony with the City, recalling a survey letter sent to them before their election to see if they favored retention of Takoma Park Elementary School. He said that as a result of a meeting with the man in charge of facilities from the School Board, an understanding was reached that the Azalea garden would be protected and every effort would be made to protect the maximum number of trees during construction. There was a proposal of a fence or wall to protect the Azalea beds from the children. After some discussion, Councilwoman Medina reiterated her motion to send a letter to the BOE and the Council's support for the school facility. The Council approved the motion unanimously. Referring to Mr. Longen's meeting with the BOE, March 2, Mayor Roth said that the letter should not preempt any discussion they want to have at that meeting. Councilwoman Medina said that the letter is mainly to affirm the Council's original support for TPES.

H  
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Corporation Counsels' explanation of Court Case re Permit Parking

On February 1, the District Court of Maryland held a case where a woman was charged with violating the "Parking by Permit Only" sign on December 14. She received a ticket in front of her house. (She had not purchased a permit because she was utilizing the driveway.) Judge Stanley Klavan declared the ordinance invalid.

B  
2

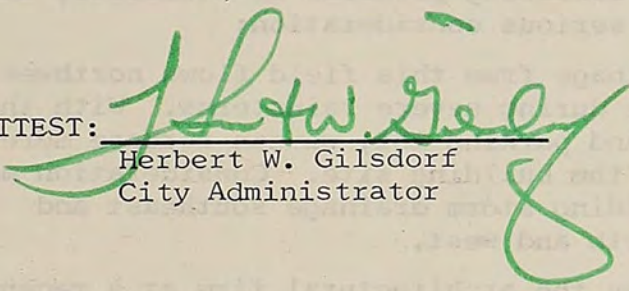
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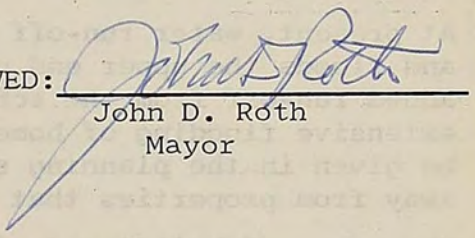
The Corporation Counsel said he plans to talk with the Administrative Judge to get a further explanation. He said as a practical matter, the Chevy Chase case (scheduled to be heard in the Circuit Court on March 16) will test the constitutionality of the "parking permit" concept in Montgomery County.

Piney Branch Road (Montgomery County Enforcement)

Councilman Ricks pointed out that the County presently has a very rigorous enforcement on Piney Branch. Chief Porter said the County has been working their part of the street and the City has been working just below that area with successful results.

ADJOURNMENT: 10:45 PM - Council to reconvene February 28, 1977 at 8:00 PM.

ATTEST:   
Herbert W. Gilsdorf  
City Administrator

APPROVED:   
John D. Roth  
Mayor

Letter from residents from the Hodges Field area to Mr. William Wilder, Director, Department of School Facilities, Montgomery County Board of Education.

January 28, 1977

Dear Mr. Wilder:

The undersigned are citizens of Takoma Park, Maryland whose residences either front, or are near, the proposed site of the new Takoma Park Elementary School to be constructed on the Holly Avenue playground known as Hodges Field. As the residents most affected by the new school, we would like to call your attention to a number of significant problems that must be considered during the planning stages of the new school. It must be recognized that the size of Hodges Field is too small for a school, and siting problems cannot be avoided. We are therefore forwarding this letter to petition that the following problems be addressed, and our recommendations for resolution be given serious consideration:

1. At present, water run-off and storm drainage from this field flows northwest and floods the upper end of Holly Avenue during severe rainstorms. With the added run-off from the school building and parking lot, we can foresee more extensive flooding of homes adjacent to the building site. Consideration must be given in the planning stages to providing storm drainage southeast and away from properties that lie to the north and west.
2. The proposed building design presented by the architectural firm at a recent PTA meeting provided space for parking 50 cars in front of the building. As a consequence, all of the parking area is placed in front of residences facing the building site. Thus the view for most of the neighborhood is a sea of cars or a large parking lot. Despite the planting screening promised, we maintain even this cannot completely block a view that can only result in lowering of nearby property values. We therefore request that the building design place this parking area away from the residential side of the site. At the very least, alternatives should be examined that will minimize the amount of parking space on the residential side of the site, e.g., parking space at the rear of the building utilizing the parking lot space in front for additional building space and thereby allowing a reduction in the width.
3. The present building plans provide a community room, the use of which will attract large groups and generate a need for on-street parking. Holly Avenue is a street that measures only feet in width. This obviously is not sufficient space to provide parking and still allow traffic to flow in both directions. We can predict rather serious traffic problems and the loss of resident parking spaces when groups gather at the school. To our knowledge, this is a problem that has not been addressed by either the City of Takoma Park or the local planning committee assisting in the formulation of plans for the school. This should be a subject for study by the City of Takoma Park, the planning committee or your staff to determine the street traffic impact of this building and plans made accordingly.
4. The steep grade on Holly Avenue leading down to Philadelphia Avenue is virtually impassable during snow or ice conditions. As planned, however, the entrance (or exit) is on this very steep grade and is the principal access to the school parking lot. We maintain this presents further argument for an alternative parking area such as at the rear of the building where an entrance could be developed that would not be hazardous and would not have grade problems.

ATTACHMENT #1 continued...

A representative group or designated individuals will be glad to meet with you to discuss these problems which we feel are of vital concern to the neighborhood. Your response would be appreciated.

A copy of this letter is being forwarded to the Mayor and City Council, Takoma Park and to Mr. Bedi, Principal of the Takoma Park Elementary School and chairman of the local planning committee.

Sincerely,

Addressing the concerns in the order of listing in the petition  
1. Planned development of the new site will include an on-site storm  
drainage system designed to carry off water from various rainstorms.  
Such design is required under regulatory provisions of applicable  
codes and ordinances. Storm water management and erosion control  
plans must be designed, approved, and implemented under control of  
appropriate county agencies. It is our belief that construction of  
the new school, instead of worsening drainage conditions in neighbor-  
ing down-stream properties, will improve them.  
2. Considering the site limitations and grades, relocation of the  
parking area is not feasible. The building design is adapted to  
these conditions. Care has been taken in the plan's design to  
minimize removal of trees. The architect is now revising the plan  
for parking in the northwest corner. Our goal is to further reduce  
the total number of parking cars to be removed. We believe that  
this can be achieved with only a slight reduction of parking spaces.  
The observation that the screen planting to be provided cannot com-  
pletely block the view is correct. However, the plant material se-  
lected is evergreen, fast growing and dense and would provide an  
effectively pleasing barrier against visual impact.  
3. It is not believed that some serious air quality concerns will result  
from use of the currently toxic in the new building than those occurring  
in the present building. Access to the new building is restricted  
to a paved driveway over the Philadelphia Avenue space to the  
present school. Many schools exist throughout the county on streets  
ranging 30, 35, and 50 feet of width. Airtightness and wider parking is more  
desirable. However, the access and number of on-site parking spaces  
are considered suitable. On several past occasions the architect and  
members of the school facilities staff consulted with City officials  
concerning access, safety, traffic counts and movements. It is our belief  
that the plan complies with normal applicable standards. It was recently  
revised and approved by the Montgomery County Planning Board.  
4. The severe grade condition on Holly Avenue, between the new school and  
Philadelphia Avenue, is well known and has existed for a long time. The  
alternate route of Grant Avenue from Piny Street to Holly Avenue  
provides adequate grades and is considered to be safer for both entering  
and exiting traffic to and from the new school. School related transpor-  
tation should use this route. Additionally, the existence of the road  
between the new school and Philadelphia Avenue assures that it will be used  
for the same reasons that some people claim a mountain "because it's  
there." We believe that the more rational safety of drivers will avoid

Mr. William Wilder's letter of February 4, 1977

This letter was sent to persons signing petition dated January 28, 1977.

Your January 28 letter expressing concern about the proposed new Takoma Park Elementary School is appreciated. School facilities staff ~~may best~~ deal with problems of this nature in the early stages of plan development. It is our aim to eliminate or minimize conflicts with our neighbors. In some cases, revisions to the plans may be necessary; in others, a clearer understanding of the plans, alternatives and constraints tends to diminish serious objections.

Addressing the concerns in the order of listing in the petition:

1. Planned development of the new site will include an on-site storm drainage system designed to carry off water from severe rainstorms. Such design is required under regulatory provisions of applicable codes and ordinances. Storm water management and erosion control plans must be designed, approved, and implemented under control of appropriate county agencies. It is our belief that construction of the new school, instead of worsening drainage conditions to neighboring down-stream properties, will improve them.
2. Considering the site limitations and gradients, relocation of the parking areas is not feasible. The building design is adapted to these conditions. Care has been taken in the plan's design to minimize removal of trees. The architect is now revising the plan for parking in the northwest corner. Our goal is to further reduce the actual number of mature trees to be removed. We believe that this can be achieved with only a slight reduction of parking spaces. The observation that the screen planting to be provided cannot completely block the view is correct. However, the plant material selected is evergreen, fast growing and dense and should provide an aesthetically pleasing buffer against visual impact.
3. It is not believed that more meetings or more attendance will result from use of the community room in the new building than those occurring in the present building. Access to the new building is considered to be a great improvement over the Philadelphia Avenue access to the present school. Many schools exist throughout the county on streets having 20, 24, and 26 feet of width. Admittedly a wider paving is more desirable. However, the access and number of on-site parking spaces are considered suitable. On several past occasions the architect and members of the school facilities staff consulted with City officials concerning access, safety, traffic counts and movements. It is our belief that the plan complies with normal applicable standards. It was recently reviewed and approved by the Montgomery County Planning Board.
4. The severe grade condition on Holly Avenue, between the new school and Philadelphia Avenue, is well known and has existed for a long time. The alternate route of Grant Avenue from Piney Branch Road to Holly Avenue provides moderate grades and is considered to be safer for both entering and exiting traffic to and from the new school. School related transportation should use this route. Admittedly, the existence of the road between the new school and Philadelphia Avenue assures that it will be used for the same reasons that some people climb a mountain "because it's there." We believe that the more rational majority of drivers will avoid

ATTACHMENT #2 continue ...

Council meeting minutes  
February 14, 1977

use of the steep segment of Holly Avenue in gaining access to or exiting from the school.

I hope the above discussion will improve your understanding of our efforts to provide the best school possible for Takoma Park residents. It is our desire to remain good neighbors and we will make every reasonable effort to reconcile problems that may arise. I will be pleased to arrange a meeting with representatives as you may select. I may be reached by phone at 279-3425.

Sincerely,

William M. Wilder, Director  
Department of School Facilities

CODE ENFORCEMENT ANNUAL REPORT FOR CALENDAR YEAR 1976

a. Number of rental units inspected.....	4,100
b. Number of units in violation.....	451
c. Number of re-inspections of units in violation.....	451
d. Number of Second Notices issued.....	40
e. Number of Second Notice compliances.....	32
f. Code Enforcement checks on CIB ride-arounds.....	309
g. Number of CIB checks in violation.....	155
h. Code Enforcement re-checks of CIB ride-arounds.....	155
i. Number of ride-arounds in compliance.....	70

NOTE: Sub-paragraphs f, g, h, and i, represent a consolidation--source data developed by the CIB and the Code Enforcement Division.

Rental Units.....	4,100
Re-inspection of First Notices.....	451
Re-inspection of Second Notices.....	40
CIB ride-arounds.....	309
Fall re-check of CIB violations.....	<u>155</u>
TOTAL.....	5,055



THE CITY OF TAKOMA PARK, MARYLAND  
MEETING OF THE MAYOR AND COUNCIL  
February 28, 1977

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	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 Cuipepper

EXCUSED: Councilman Forshee.

The Mayor and Council met on February 28, 1977 at 8:04 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Chaplain Gordon Creighton, Washington Sanitarium Chapel, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the February 14 Council meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth said several important fiscal matters were discussed at a Prince George's Municipal League seminar held on Feb. 26. He was pleased to learn of County Executive Kelly's decision to place in his budget tax rebate money for municipalities. County Councilmembers Casula, White and Glendening spoke on the tax differential problems. Delegates Gerald Devlin and John Garrity are supporting several bills that will be helpful to municipalities. Mayor Roth moved that the Council express by letter their pleasure for the Delegates' support of these bills. Councilman Nishimoto seconded and the motion was approved unanimously. Congresswoman Gladys Spellman also attended to give a brief report on Congressional activities.

--Mayor Roth said he read in the Star that Mr. Walter Prichard, resident of Takoma Park for 54 years, celebrated his 94th birthday. He asked that a letter be sent to Mr. Prichard expressing the hope that he would be in attendance at the next July 4th parade, as in the past, and to congratulate him on his recent birthday.

--The Mayor said that Evelyne Ferry had written a letter to the Editor on the virtues of Takoma Park which appeared in the Feb. 22 Washington Star.

--Mayor Roth reported that he had read in the Post that Georgetown has a situation similar to that of Takoma Park with respect to conversion apartments. Both require apartments to be registered; Georgetown's law was enacted in 1958 and Takoma Park's in 1953.

--The Mayor announced that the Hodges Heights Citizens' Association will be meeting with the Council on March 9, in the Municipal Building at 8:00 AM, to discuss the building of TPES on the Hodges site.

ADDITIONAL AGENDA ITEMS

Congressman Joseph Fisher's Bill on Diplomatic Immunity (Mayor Roth)

CITIZENS' REMARKS

(1) Robert Mandel, 7003 Woodland Avenue, said J. Enos Ray Elementary School has been a source of pride for many years and is an exceptional school. Mr. Mandel complimented the staff, faculty and even the cooks. Said he would not like to see J. Enos Ray closed and urged the Council's support to retain the school.

(2) Charlene Cohen, 7815 Takoma Avenue, had attended a meeting called by the Parking Coalition of D.C. (Takoma Park, Chevy Chase, East Bethesda, Georgetown, Friendship Heights, Neighborhoods, Inc., Walter Reed Area and others attended). The meeting was called to form another group of citizens to help Arlington in their permit parking case, for which papers will be filed with the U.S. Supreme Court on April 14, with the hope that it might be taken up next year. Some felt this is not the best case to defend at that level, but it is the only one that has made it to a State Supreme Court. Many organizations and citizens plan to join. Government agencies have not been asked to participate, but Mrs. Cohen said she was taking this opportunity to inform the Council in case the Corporation Counsel wished to contact others involved. Mrs. Cohen said she was disappointed that the Parking Action Group was not informed of Judge Klavan's recent Court action. Said she must know what is going on in order to fight. Mayor Roth suggested that Mrs. Cohen consult with Mr. Culpepper on this particular case. Councilman Nishimoto thanked Mrs. Cohen for her information.

(3) Vincent Russo, 106 Philadelphia Avenue, said he had talked with the Police Department several months ago about a mobile home parked adjacent to his lot that extends onto the public right of way. Mr. Russo said that after nothing was done he contacted Corporation Council Gingerich and found that there was a possibility that the City does have some jurisdiction over the matter. He asked that if this is in violation of some City code that it be removed. Mr. Gilsdorf explained he had verified that the vehicle did extend some three to five feet over the right of way and had directed a letter to the owner approximately two weeks ago, with no response. Mr. Russo read an article in the Washington Post which gave examples of cars that have been ticketed for extending over the public right of way when parked in owner driveway. Mayor Roth asked that the City Administrator discuss this matter with the Corporation Counsel to see if there is anything in the City code that will help Mr. Russo.

(4) Frances Phipps, 7210 Holly Avenue, said she was glad to see a citizens' advisory committee appointed for the Community Development Block Grant Program. Noted that for the first two years of the program the City decided not to apply for funds, resulting in citizens forming an ad hoc committee which decided to petition the County to send some of those funds to Takoma Park. Soon people met to discuss what they thought would be the most significant criteria that would apply to various projects within the City. Some of those people who worked extensively on the project were Mrs. Phipps, Ellen Marsh and Richard Bernardi (who originally proposed Project Turnaround). Mrs. Phipps recalled a presentation by Mr. Bernardi on the impact and necessity of programs now seen in Project Turnaround, attended by Mayor Roth, Councilwoman Medina and many others. Noted that she and Mr. Bernardi have attended many hearings to testify on behalf of the Block Grant programs and was surprised that neither was asked to serve on the Advisory committee. Said she would like to be appointed to the Operation Turnaround Board. Mrs. Phipps noted that her job involves Congressional liaison and she is familiar with the criteria for renewal of money; said it was very important that the City learn to get on the Federal gravy boat train. Funding in future years will be determined by how the initial money is used. Said she would like to see the programs concentrated, not disbursed; would like to see an immediate impact. Felt that Operation Turnaround funds should be used for several houses; suggested the City discuss ways to accomplish this with local banks. Mayor Roth responded to Mrs. Phipps by saying that, although many citizens played a big part in the block grant program, the City

also had a role in the planning. During the first two years of the program the City was advised that the County wanted to give high priority to several intense minority pockets indicating that, if the City would wait, the County would later support the City's requests.

(5) Richard Bernardi, 7111 Cedar Avenue. Mr. Bernardi, citing as qualifications his job as director of CDBG in Howard County, nominated himself and Frances Phipps to serve on the Operation Turnaround Board. Said he did play a part in the organizing of operation turnaround. Noted that if the program works it will set an example for others. Mr. Bernardi complained of 7106 Cedar (later identified at 7100 Cedar) that is presently being occupied as an apartment building which is not licensed. Said it was a source of aggravation for him because of wild parties being held there, parked cars on the lawn, etc. Mr. Bernardi said the Police responded well, but it is a bad situation. Commented that he is interested in getting people to buy in Takoma Park which is one reason he would like to serve on the Operation Turnaround Board. Mr. Gilsdorf reported that he received a complaint two weeks ago on 7100 Cedar Avenue; numerous code violations (exterior and interior) have been cited, i.e., repairing autos, improperly vented stove, etc. The property is registered as a legal non-conforming use. Mr. Gilsdorf will keep Council informed on the progress.

(6) Lou D'Ovidio, 7324 Piney Branch Road was pleased to report that the SHA has finally contacted the members of FAST and set up a meeting for March 1, at the SHA office in Greenbelt at 1:00 PM. He was also glad to see the "right turn on red" signs removed and said that the SHA has promised a walk light at that intersection around March 1st.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf  
Communications

--Letter from Edmund Longen, President, Hodges Heights Citizens' Association, noted a misunderstanding on his comments at a previous council meeting; a request for a meeting with the Mayor and Council had been made, which has now been scheduled for March 9.

--Letter from Clifford Waldron, Spring Park Community Association expressing strong opposition to the closure of J. Enos Ray Elementary School and urging the Council's support.

--Mr. Gilsdorf reported that during the past two weeks a total of 27 hours, 15 minutes of police activity was spent on Piney Branch Road. During that time 52 citations, 3 repair orders, 20 verbal warnings and 5 written warnings were issued.

Administrative Reports and Recommendations for Council Action

(1) Administrative reports:

--TPES Mr. Gilsdorf reported that at the last Council meeting two questions were asked regarding the location of the new TPES: A citizen asked if temporary classrooms could be erected on the Hodges site while a new school could be built on the present grounds. Mr. Gilsdorf said that school officials discarded this idea because the cost of erecting tempos and supplying utilities would make it prohibitive. In response to the question of building TPES on the property purchased by the School Board at Travis Drive, Mr. Gilsdorf explained that this tract is too small and that it was purchased to enlarge the Jr. high site to meet state size requirements. Councilwoman Medina added another perspective: said she attended

several meetings with the school staff and some of the parents. Those present discussed their program in the existing building and feel it is very innovative and responsive to the children in spite of the physical limitations of the existing building. The program is based on the idea of the continuity of development of the children and the design of the new building will meet the requirements needed to continue the program effectively. If the school staff were asked to subject their program to temporary buildings and that type of classrooms, Councilwoman Medina felt the staff would find it intolerable.

--Relief sewer project--along Sligo Creek from Piney Branch Road to Riggs Road  
WSSC is preparing a major project to replace the existing sewer lines along Sligo Creek from Piney Branch Road to Riggs Road. They plan to tunnel under Heather Avenue to maintain a minimal disturbance of the trees. The project will begin around May 15 and will probably continue on until the winter season. Mayor Roth said that about a year ago, he, along with Phil Vogel, Councilmen Ricks and Faulkner, had accompanied WSSC representatives along the path of the proposed sewer line and extracted an agreement from them to disturb as few trees and shrubs as possible. Councilman Faulkner understood the plans to include the replanting of grass and possibly bike paths. After some discussion there was concensus among the Councilmembers to remind the appropriate agencies of the promised bike paths. Mr. Gilsdorf was asked to prepare a letter to them.

--City's appeal of Sp. Ex. Renewal #247, 7311 Piney Branch Road (boarding house) Hearing: 9:00 AM, 3-3-77, COB, Rockville (Case A-349)

Mayor Roth thanked those who attended a meeting with Mr. Gingerich earlier Feb. 28 to discuss the appeal. Upon unanimous consent of the Council, Mr. Woodrow Miller (owner of 7311 Piney Branch Road) was permitted to speak. He requested withdrawal of the Council's opposition to his home, since he felt both sides of the story had not been heard. Mr. Miller questioned the Council's procedures leading up to such action, pointing out that according to the corporate charter, a case like this should be referred to a committee to hear both sides before the Council takes action. In response to Councilman Nishimoto's questions, Mr. Miller said he had rented his 9-room boarding home for 13 years to clientele (from 18 to 70 years of age) that have come from a variety of places including County agencies, Montgomery General Hospital and detention centers. Said this was a place for people who needed help to live. The home is licensed by the County Dept. of Environmental Protection, which requires an inspection every year. After putting the question of withdrawal to the Council, Mayor Roth, in the absence of such a motion, said it was the sense of the Council not to withdraw action.

(2) Authorization for Mayor to sign "opting in" agreement with Montgomery County's Community Development Block Grant Program. Councilman Ricks moved that the Mayor be authorized to sign the agreement with Montgomery County. Councilman Nishimoto seconded and the motion was approved unanimously.

(3) Appointment of Operation Turnaround Board  
When the Operation Turnaround proposal was originally submitted to the Montgomery County CDBG Advisory Committee a determination was made by the staff that they would be unable to grant funds for this project to a private group (\$65,000 for the purchase and renovation of one or more multi-family homes to single family homes) and the City was requested to take it on. Mayor Roth said the Council had agreed on a five member board and appointed the following: Councilwoman Medina, Councilman Faulkner, Allan Marsh, Cathrine Wakelyn and Mr. Gilsdorf to serve for a one year period. The Board will be asked to make recommendations to the Council

as to the general procedures and policies they wish to follow. By unanimous consent of the Council, Mr. Bernardi was recognized and said he felt it was not appropriate for a City staff member to serve on the Board; that it would constitute a conflict of interest. He pointed out that the City had the option of obtaining the services of Neighborhood Development Corporation, which he and others are in the process of incorporating and which would be staffed by architects, lawyers, etc., who are familiar with such a project.

(4) Discussion of J. Enos Ray School (Councilman Faulkner)

Councilman Faulkner reported on the future of J. Enos Ray Elementary School which is one of the 9 schools in study area 3B. Others are Hyattsville, Ager Road, Brentwood, Chillum, Parkway, Mt. Ranier, Thomas Stone and Ridgecrest. Hyattsville is scheduled for complete replacement. Ager Road, Ridgecrest and Chillum are in need of major renovation to meet State standards and Mt. Ranier will be getting a replacement school this fall. There is a Community Task Force consisting of five members from each school which will recommend how many schools, if any, will be closed. They are projecting 1300-2000 empty seats in this area by the early 1980's. They are recommending that when these schools are closed, that the students not be placed in schools outside area 3B. Two weeks ago the Task Force set forth criteria on which the recommendations would be based and began evaluating each school. J. Enos Ray is not in danger of being closed. Councilman Faulkner said he spoke with the principal and P.T.A. President and found that they feel Ray school is in good shape. However, it appears that Ager Road and Brentwood will be closed. Carroll Highlands (outside, but serving, the City) is very overcrowded; a boundary change will be recommended to the BOE to reduce the enrollment. Councilman Faulkner moved that a letter be sent to the Prince George's County BOE stating that citizens are concerned about J. Enos Ray school and urging them to support retaining the school. Councilman Nishimoto seconded and the motion was unanimously approved.

(5) Representative Joseph Fisher's Bill on Diplomatic Immunity

At present all members of staff at embassies have diplomatic immunity which means they can ignore parking tickets, insurance, etc. Congressman Joseph Fisher, from Arlington County has presented a bill to eliminate diplomatic immunity which has been in effect since the late 1700's. Mayor Roth moved that a letter be sent to the Senators and Congressmen indicating the Council's support for this legislation and ask that they also support this bill. Councilman Garcia seconded and the motion was approved. Councilman Faulkner suggested that copies of this correspondence be sent to Congressman Fisher.

ADJOURNMENT: 9:41 PM - Council to reconvene March 14, 1977, at 8:00 PM.

ATTEST:

Herbert W. Gilsdorf  
Herbert W. Gilsdorf  
City Administrator

APPROVED:

John D. Roth  
John D. Roth  
Mayor