

THE CITY OF TAKOMA PARK, MARYLAND
Meeting of the Mayor and City Council
March 14, 1977

City Officials Present:

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

EXCUSED: Councilman Webb.

The Mayor and Council met on March 14, 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 February 28 Council meeting was made and seconded. The following correction was made by Councilman Faulkner: Page 4, line 6 re relief sewer project should exclude Councilman Faulkner's name. With this correction the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

- Mayor Roth reported that he had read in the Star (Real estate section) that Takoma Park and part of Silver Spring were in the area with the second largest increase in home prices. The highest was Chevy Chase, Potomac and Bethesda. Mayor Roth said this indicates that there are a sufficient number of people that want to buy homes in Takoma Park.
- The Mayor announced that Parker Memorial Baptist Church held their dedication ceremony for the new building, March 13. Mayor Roth congratulated Rev. Ross, Mr. Lee Jordan (Chairman of the Building Committee) and church members that helped with the dedication. He added that contributions toward the mortgage are welcome.
- Montgomery County held a hearing on the expansion of the Ride-On bus service on March 10. The Mayor and Council conveyed their pleasure with the proposed expansion of the service and expressed the hope that it will retain enough flexibility to provide a good feeder bus system for Metro when it opens.
- The County Council approved the East-Silver Spring Master Plan and, as part of their approval, the Park & Planning Commission and the Montgomery County Dept. of Environmental Protection have been requested to work up an ordinance that will cover apartments existing since 1954 that are not in conformance with zoning. Mayor Roth said it was not clear if they would propose a phase-out or recognition as continuing exceptions.
- The Mayor complimented John Degen for his volunteer work at WAH with cardiac patients. After his own heart surgery in 1974, Mr. Degen has spent many hours working with and reassuring those who are about to undergo similar surgery.
- Mayor Roth commended Officer Scott for his work on the School Patrol (a letter was received from Miriam Tymeson indicating her pleasure with his cooperation on the School Patrol). Also complimented Officer Holford for his persistence in locating a stolen car.
- Mayor Roth presented a proclamation to the Cornerstone Chapter of Demolay designating the week of March 13 - 20, 1977 as International Demolay Week in the City of Takoma Park (observing the 58th anniversary of the Order). Brian Cox and Richard Freedman accepted the proclamation.

--Councilman Nishimoto reported that the March 4, Suburban Record noted that Montgomery College, Takoma Park Campus has received National Architectural award in recognition of its superior design.

ADDITIONAL AGENDA ITEMS

- Appointment of additional members to the Community Development Block Grant Advisory Committee (Mayor)
- Opening of pre-council and workshop meetings to the public (Councilman Nishimoto)
- Providing procedures for placing items on the agenda (Councilman Nishimoto)
- Appeal of renewal Case 247, 7311 Piney Branch Road, Woodrow Miller Case (Mayor Roth)
- TPES

CITIZENS' REMARKS

(1). Richard Amt, 7111 Sycamore Avenue, inquired about the traffic signal at Carroll, Ethan Allen and Sycamore. Mr. Barile explained that this was a malfunction. (Maintenance of this signal was turned over to the SHA about two months ago.) Chief Porter said the Police Dept. has tried to get the light to function properly but without success. The SHA informed him that a new part is on order and the situation will be corrected as soon as possible. Councilman Nishimoto suggested that the City Administrator attempt to have it repaired at the City's expense, if necessary. Councilman Ricks asked that he also inquire about the new light the SHA promised the City for that intersection. Mayor Roth said these requests should remain as two different issues.

(2) Clarence Hubbard, 214 Hodges Lane, The Hodges Heights Citizens Association met with the Mayor and Council on March 9 to discuss some modifications of the plan re parking, traffic, and safety problems in the area of the proposed new elementary school on Hodges Field. In response to his question, Mayor Roth said the Council has been looking into the questions raised; said they have determined that a ball field could be placed on the replacement field by including an additional 50 feet of available property; that he has not yet got back to the BOE staff or architect on whether they intended to include the extra footage; the Travis Drive area does not appear to be big enough for a ball field, but exact dimensions will be obtained. The matter of giving Takoma Park priority scheduling for use of ball fields is also a topic for discussion with BOE staff.

(3) William MacRae, 7506 Holly Avenue, said he had discussed the idea of a ball field on the present TPES site with the architect. A 2% slope would be necessary for the ball field, which would require increasing the hill behind the City Library at least another 5 or 6 feet. If the ball field is placed at another angle it will run into the part of TPES that will remain standing. Mr. MacRae said this was why he wanted better utilization of the grounds for parking and a playground and also to save the cost of ripping up the road until they know what they are going to do with the portion of the building to be retained. Mayor Roth said that when the question of building a school on another site first came up, the County said they would leave the new section of TPES standing and suggested that the City might want to buy it; that a new municipal building had just been erected, and was intended to meet the City's needs. The BOE Staff indicated that if a building is declared surplus the School Board is required to turn it over to the County. At that time, the Council would have the option of asking for the building. However, Mayor Roth pointed out that it would be a potential cost item to the City. Mr. MacRae said it was really the parking that concerned his group. Said he realizes that changes mean additional costs, but Takoma Park should get everything they can. The City should try to get the best buffer zone possible between Holly Avenue and the school.

- (4) Lawrence Robinson, 7504 Holly Avenue, said he would like to know what the BOE thinks of Mr. MacRae's comments and asked if they had been approached by the City. Mayor Roth said he has not yet talked with the BOE. ~~Some citizens have talked with Blair Ewing (BOE member) but the Council is waiting to investigate all recommendations and proposals before talking with him.~~ The Mayor expressed hope of completing these explorations by the end of the week. Councilwoman Medina said this was a difficult situation, citing the small site and the exceptions being made for the school. According to State requirements, there must be 10 acres for an elementary school and the area on the Hodges site is only 4 acres. Emphasized the fact that if any play area is lost the site will no longer meet requirements even with the exception. Councilwoman Medina said it would take approximately $\frac{1}{2}$ acre (reducing play area by 20%) to accommodate the Hodges residents' request to move parking from front of building to the rear. She added that she was sympathetic to their problem but that she would not support anything that would jeopardize the school.
- (5) William MacRae, said the Board had told Mr. Wilder (Director, Mo. Co. Dept. of School Facilities) to cooperate with the Council and civic associations to see what he can do to iron out the problems. He pointed out that Mr. Wilder indicated to the Board that they had made very rough schematic sketches of the parking plan; suggested the Council check into these sketches. Urged the Council to get the most out of this situation. Said it would be important to know what use would be made of the remaining section of TPES.
- (6) Lawrence Robinson, said he would reiterate Mr. MacRae's comments; he said that at the meeting with school officials, no mention was made of how the parking would affect the school by reducing the play area. The only comments made were that by placing a parking lot in back of the facility it would prevent the establishment of a ball field. Said the 10 acre figure was solely a guideline. Councilwoman Medina agreed that it was a guideline, but that when the State is putting up the money for a school they can withhold it if they perceive the site to be too small. Councilman Nishimoto said that 200 feet would not provide enough space for a ball field; he acknowledged that Councilwoman Medina had legitimate concerns about the future of the school, but that the concerns of the Hodges Heights Citizens should also be considered. If they felt they had not been apprised of all the facts, then those facts should be presented to them as they are received so that, jointly, some decision could be reached. Said that he, too, was concerned about losing the school, but that the citizens' feelings should also be weighed. Councilwoman Medina said she resented the implication that citizens have been dealt with in other than a forthright manner. As soon as the Council has received information it was shared with them. Felt there has been a willingness to discuss the matter and the Mayor and Council have expressed their feelings openly. Requests have been explored and checked to see if they would comply with State requirements. Councilwoman Medina said she was very concerned about losing the school. Reiterated her earlier statement that she respects citizens' requests, but if those requests jeopardize the school she cannot support them. Councilman Forshee said he supported Councilwoman Medina's statement.
- (7) Mr. Hubbard disagreed that all things have been explored, saying problems have not been taken up with the School Board. Felt the City was not losing the new TPES and that residents have done nothing to jeopardize the school. Councilwoman Medina explained that if the Council supports the idea of placing the parking lot on the Hodges site, the plans for the school will go back to the County and the State for review, providing the State with an excuse to withdraw the money for the school.

(8) Mrs. Longen, 7516 Holly Avenue, said that if residents had been told about what was happening on Hodges Field the design could have been planned so that part of the service area could have been arranged to please everyone. Councilwoman Medina noted that citizens in that area were sent letters in October regarding the proposal to use the Hodges Field site and that the Council was considering it. Mrs. Longen said she did not receive a letter. Mayor Roth said that letters were sent to residents on Holly, Grant and Hodges Lane. He added that the Council has been given very little information about the design of the building itself.

(9) Mr. Robinson said he was not questioning anyone's integrity, but that there was a need to get "off the plane of conjecture"; to get back with the County BOE and establish with them what would be the result if residents make a demand for parking. If the County should claim that the State makes the final decision, then a representative from the State should talk with the Council and citizens.

(10) Kathryn Simpson, 7300 Cedar Avenue, Chairman of the Community Improvement Board, said she received a notice that Charles Beard has been appointed to the position of Director of the Montgomery County Silver Spring Center. The CIB will be meeting at the Silver Spring Center for their March 17 meeting to talk with Mr. Beard about the services offered by the County. Mrs. Simpson invited the Council to attend.

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

ITEMS FOR COUNCIL CONSIDERATION

1. Communications

--Letter from Mariam Tymeson, Principal, John Nevins Andrews Elementary School, commending Officer Sid Scott for his work with the School Patrol.

2. Administrative Reports and Recommendations for Council Action

--Additional appointments to the Community Development Block Grant Advisory Committee
Mayor Roth appointed Leora Hubbard as representative of the Hodges Heights Citizens' Association to the CDBG Advisory Committee. He also appointed Frances Phipps and Richard Bernardi, noting that they were active in developing the program. Councilman Nishimoto requested that a charter be prepared for appointees to include procedures, restrictions, etc., and clarifying their role as advisory to the Council. Mayor Roth and Councilman Nishimoto discussed limitations the committee would have since the current program has already been decided upon. Plans will have to be worked up for submission to the Council by September for the following year. Mayor Roth said that the initial submission for this year still needs some input on the grant-loan program and park sites. Councilman Garcia suggested that the committee be given some background on the block grant program and procedures to aid them in making their recommendations.

--Report on planned bikepaths in Takoma Park area

Mr. Gilsdorf reported that a bikepath is planned (from Piney Branch to Maple Avenue) along the Sligo Creek WSSC replacement sewer line. There will also be a bikepath on Longbranch from Carroll Avenue to Piney Branch. Prince George's County has no plans for bikepaths in the City because funds for the project have been cut from the budget. Mayor Roth asked Councilman Garcia to seek funds via the Prince George's County CDBG Advisory Committee. Councilman Ricks discussed problems of locating bikepaths along some portions of the creeks.

--7100 Cedar Avenue

Mr. Gilsdorf said that Mr. Bernardi had called attention to several code violations at this property at the last Council meeting. This property has been under surveillance by the City since Feb. 18 for fire violations. The owners have been cited. The City Administrator and Chief Porter checked the property March 14 and found that the old vehicles were gone, most of the debris was removed from the exterior, and violations around the garage were cleared. Mr. Gilsdorf said he felt optimistic about getting 7100 Cedar cleaned up.

--106 Philadelphia Avenue

Mr. Russo, 106 Philadelphia Avenue, had complained some time ago about a mobile home adjacent to his lot that extended onto the public right of way. Mayor Roth reported that this vehicle had been moved within the property line.

--Appeal of Special Exception Renewal #247, 7311 Piney Branch Road (boarding house)

Mayor Roth reported that the hearing on the boarding house was held March 3. There were a number of residents that attended. There was some delay in the beginning because of a legal question but as the hearing continued citizens testified and there was considerable discussion by the Board of Appeals. There was some question as to the type of people that lived in the boarding house. Mr. Miller (owner) commented at the hearing that he has tried to discourage County social and welfare centers from sending people to his home. The hearing ended just before 6:00 PM. It will be 5 or 6 weeks before a decision will be reached; meanwhile the boarding house will remain in operation.

--TPES

Councilman Nishimoto pointed out that there were citizens attending the Council meeting to learn what the Council plans regarding the Hodges Field site for the new TPES. Mayor Roth said he hoped to clear the matter up this week. Efforts will be made to get the facts and relay them on to the Council and citizens.

(2) Proposed Ordinance: crosswalk on New York Avenue between Takoma and Chicago Avenues. Montgomery College has painted, at their own expense, a crosswalk on New York Avenue (between the Library and fine arts building). Many vehicles park on the crosswalk but cannot be ticketed because it is not a legal crosswalk. Councilman Ricks questioned the school painting a walk on City property and why it was painted in the middle of the street rather than at an intersection. Corporation Counsel Gingerich said that it did not matter where the walk was located. Councilman Ricks said that if the school took the liberty of painting the walk that they should also pay to place a crosswalk warning sign for motorists. After some discussion Councilman Nishimoto moved that the ordinance be enacted. Councilwoman Medina seconded and the ordinance was approved by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Nishimoto; NAY: Councilman Ricks; EXCUSED: Councilman Webb.

ORDINANCE #2414

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

SECTION 1. THAT a pedestrian crosswalk shall be established on New York Avenue between Takoma Avenue and Chicago Avenue, approximately 400 feet from its intersection with Takoma Avenue; AND

SECTION 2. THAT the provisions of the Code of Takoma Park, Md., 1972, as amended, concerning pedestrian right-of-way and parking shall be applicable; AND

SECTION 3. THAT this ordinance shall become effective upon adoption.

(3) Appeal #4804, request for 4' side yard variance in connection with construction of addition to 1203 Kingwood Avenue A hearing will be held on this appeal March 24, 6:30 PM, County Service Building, Hyattsville, Councilman Garcia said that if the addition is to be on the West side of the house it would be very close to the next property. The City Administrator was asked to find out the exact location of the proposed addition, notify residents of the hearing, get their opinions, and report back to the Council.

ADDITIONAL AGENDA ITEMS

--Opening of meetings of the Council to the public

Councilman Nishimoto felt that the idea of opening pre-Council meetings and work sessions should be discussed by the Council. He pointed out that even though decisions were not made at these sessions, ideas and thoughts should be shared with the public. Councilmen Forshee and Ricks said that decisions were made only at Council meetings. Other meetings are merely for informational purposes. Mayor Roth said a bill has been introduced in the State Legislature which would make all meetings of this type public and if passed it would apply to all governmental bodies. He agreed to place the matter on the agenda for discussion at a subsequent meeting.

--Providing procedure for placing items on the agenda

Councilman Nishimoto explained that when someone wants a particular topic discussed at a Council meeting it should first be placed on the agenda for public information. He asked that a procedure for placing items on the agenda be drawn up for Council consideration.

ADJOURNED: 9:52 PM - Council to reconvene Monday, March 28, 1977 at 8:00 PM.

ATTEST: Herbert W. Gilsdorf
Herbert Gilsdorf
City Administrator

APPROVED: John D. Roth
John D. Roth
Mayor

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

City Officials Present:

Councilman Forshee (Mayor Pro tem)	City Administrator Gilsdorf
Councilman Garcia	City Clerk Pusti
Councilwoman Medina	Police Chief Porter
Councilman Nishimoto	Recreation Director Ziegler
	Asst. Corporation Counsel Culpepper

EXCUSED: Councilman Faulkner, Councilman Webb and Mayor Roth.

The City Council met on March 28, 1977 at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Monsignor Patrick Begley, Our Lady of Sorrows Catholic Church, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the March 14 Council meeting was made, seconded and approved unanimously.

Councilman Forshee said he was serving as Mayor Pro tem to permit Mayor Roth to attend a hearing (before the Prince George's County Council) in support of continuing the Municipal Tax Differential program, using the present method of distribution.

Presentations

--Mayor Pro tem Forshee presented certificates of appreciation for five years of service on the Community Improvement Board to the following members: Arthur Catudal, Michael Bray, Marion Florin, Ellen Zervos, Edward Hutmire, Henry Daniels, Frances Phipps and Ann Grice. Kathryn Simpson, General Chairwoman of the CIB expressed her appreciation to the members for their devoted service.

CITIZENS REMARKS

- (1) Evelyne Ferry, 24 Hickory Avenue, representing the B.F. Gilberts Association, requested that the ordinance for keeping dogs on a leash be enforced. She complained of dogs running loose in her yard. The City Administrator said he would check into the problem. Councilman Ricks asked that an article on the City's leash ordinance be placed in the Newsletter.
- (2) Leatrice Harpster, 512 New York Avenue, complained of a bus converted into a recreational vehicle that is parked on the street near her home. Said it prevented cars from passing on the street. Said she was informed by the Police Dept. that it was not in violation of the law. Mrs. Harpster said she was concerned that any vehicle could be converted and parked on the street. Requested a redefinition of commercial vehicles to include recreation vehicles.
- (3) A.J. Fahey, 510 New York Avenue, pointed out that the so-called recreational vehicle has South Carolina tags indicating that it is a bus; it also uses a permit parking visitor's permit. Suggested setting limits on the size of vehicles that may be parked on residential streets as well as in driveways; noted their unsightliness. After further discussion, Mayor Pro tem Forshee asked that the City Administrator and Chief Porter check into possible solutions to the problems raised by Mr. Fahey and Mrs. Harpster.

(4) Mary Pennifield, 7305 Takoma Avenue, expressed opposition to the parking sign change on her street. Said the sign was changed from "No Standing" to "No Parking, 8 AM to 4 PM". She requested, that instead a sign be erected to read "No parking here to corner" at a point apposite her house. Mr. Gilsdorf explained that an ordinance authorizing the signing was passed some time ago, but signs were on special order and erected only recently.

(5) Clarence Hubbard, 214 Hodges Lane, Hodges Heights Citizens Association, read the following statement and requested that it be included in the record:

"Members of the Hodges Heights Citizens Association noted the item in the March issue of 'Takoma Park City Services' which stated that a motion was approved by the Mayor and City Council to send a letter to the Board of Education assuring continued support for construction of the new Takoma Park Elementary School on the Hodges Field site. In order to further eliminate the possibility of misinterpretation of purpose, the Hodges Heights Citizens Association has also approved a motion to forward a letter to the Board of Education to again reaffirm our support for the construction of the new elementary school. Perhaps other civic groups and individual citizens should also be encouraged to write similar letters of support".

(6) Edmund Longen, 7516 Holly Avenue, President, Hodges Heights Citizens Association, stated that some time ago the Association pointed out to various officials, including the City Council, the impact problems arising from the construction of TPES on Hodges Field. The purpose was to generate constructive dialogue to find a mutually agreeable resolution. Information and specific recommendations were presented at meetings with the School Board planning staff and city officials for their consideration. Mr. Longen felt that their efforts have been misinterpreted, causing citizens' groups to take opposite sides, which may have created the impression that the neighborhoods have serious internal problems. Reiterated original position that the recommended modifications were constructive, reasonable and in no way intended to be disruptive. Stated that in some respects the group has tended to focus attention on problems that were not considered previously; noted that a number of them have been solved. The Association would continue to work in a constructive way to resolve problems stemming from increased traffic and location of the school parking area. Mayor Pro tem Forshee said that, hopefully, these problems could be worked out as time passes.

(7) Lou D'Ovidio, 7324 Piney Branch Road, said his wife, as member of the Neighborhoods Together Steering Committee, received a letter asking her support for the TPES. Said it is important that the City be familiar with the steering committee's role. This is not a group that makes decisions about what the neighborhoods should do but rather one that discusses issues. However, Mr. D'Ovidio said he and his wife totally support the school and it being built in the community. Expressed appreciation for the Council and City Administrator attending a meeting with the SHA on the issue of Piney Branch Road. Asked the Council to send a message to SHA endorsing citizens' opposition to the SHA proposal to create three 12-foot reversible lanes on Piney Branch Road between the District and Philadelphia Avenue and to recommend one parking lane and three 9-foot traffic lanes (the Piney Branch residents' recommended alternative). Mayor Pro tem Forshee indicated he would defer action on this request to permit the Mayor and all Councilpersons to have some input. Councilwoman Medina said the Mayor was checking on another alternative that would provide better protection of pedestrians; that she was not sure of the implications of some of the alternatives (costs, time frame, etc.); suggested further discussion after City Administrator produces some figures on the costs which would be borne by the City. Councilman Ricks suggested comparisons with Master Plan proposals and checking on whether alternatives would interfere with Minibus operations.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf(1) Administrative Reports:

--Citizens response to Appeal #4804, 4-foot side yard variance at 1203 Kingwood Drive
The City Administrator reported that the addition was to be on the East (Church) side. Residents adjacent to and across from 1203 Kingwood Drive were informed, by the City, of the proposed addition and expressed no opposition. This being the case, it was the concensus of the Council that no objections be raised to granting the variance.

--Report on granting of Special Exception S-540 to permit non-resident medical practitioner to operate in Park Ritchie Apartments. The City Administrator reported that the Board of Appeals has approved the request for Special Exception which would permit the operation of a dentist's office in the Park Ritchie, under the following conditions:

- (1) hours of operation are limited to 9 AM to 8 PM, Monday through Friday and 9 AM to 6 PM, Sauturdays;
- (2) eight parking spaces to be marked and designated for patients' use on the apartment house parking lot; and
- (3) the space to be granted only to the two petitioners and not transferrable without approval of the Board of Appeals.

(2) Takoma Park Elementary School (Councilwoman Medina)

Councilwoman Medina said she was pleased to hear the Hodges Heights Citizens Association reaffirm their support for the TPES on Hodges Field. As a response to their concerns, the BOE directed their staff to meet with the City Council and the Association to address problems and attempt to find a solution. In order to continue with the plans for the school the City must transfer property to the BOE. Councilwoman Medina said this would not eliminate further modifications. She moved that the Mayor be authorized to execute an agreement, subject to ratification by the City Council, to transfer Hodges Field to the Montgomery County BOE for the purpose of building a new TPES, subject to the following conditions: (1) that the present school site, exclusive of the 1968 edition, be redeveloped as play area to include a 250 foot soft ball field; (2) that this play area be developed and maintained by the BOE with the clear understanding that leasehold control of this space during other than school hours be vested in the City of Takoma Park; and (3) if the Hodges Field site ever ceases to be used as a school site it shall revert to the City of Takoma Park. Councilman Ricks seconded and the motion was approved unanimously. After further discussion, Councilman Nishimoto said the procedure followed gave the Hodges Heights citizens an opportunity to participate in the negotiations. It was the concensus that the transfer agreement would be made a part of the public record and that citizens should continue to bring their concerns to the attention of the Mayor and Council.

(3) Appointment of Community Improvement Board Members

Councilman Ricks moved that the appointment of one new member to the CIB and re-appointment of 16 members be accepted by the Council. The motion was seconded and carried unanimously. There was concensus among the Councilmembers that the members of the CIB have done a very good job. The following persons were appointed to serve for the time indicated:

ZONE 1	Frances Phipps	March 31, 1978
ZONE 2A	Michael Bray	March 31, 1979
ZONE 2A	Mary Ann McGuire	March 31, 1978
ZONE 2B	Frances Womack	March 31, 1978
ZONE 3	Edward Hutmire	March 31, 1979

ZONE 4	Charles Cooper	March 31, 1979
ZONE 5	Robert Calhoun	March 31, 1979
ZONE 5	George Swenson	March 31, 1978
ZONE 6	Doris Stelle	March 31, 1978
ZONE 6	Eleanor Burgess	March 31, 1979
ZONE 7A	James Jones	March 31, 1979
ZONE 7A	Ann Grice	March 31, 1979
ZONE 7B	Robert Turner	March 31, 1979
ZONE 7B	Pinky Vahovich	March 31, 1978
ZONE 7B	William Everett	March 31, 1978
	Duncan Wall	March 31, 1978
	Kathryn Simpson	March 31, 1979

(4) Ordinance appropriating Federal Revenue Sharing Funds for Police Department capital outlay items. Councilman Nishimoto moved that the ordinance below be adopted. Councilman Ricks seconded and the ordinance was adopted by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina, Nishimoto and Ricks; NAY: none; EXCUSED: Councilmen Faulkner and Webb.

ORDINANCE #2415

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

SECTION 1. THAT the FY-77 Planned Use Report for Federal Revenue Sharing Funds earmarked funds for Police Department capital outlay items; AND

SECTION 2. THAT the prices on articles listed below represent the lowest cost for items which meet all specific compatibility requirements from quotations solicited from competitive suppliers, and are hereby approved for purchase:

1 - 5-watt low band portable radio (Motorola, Inc.).....	\$ 657.00
1 - 50-watt low band mobile radio (Motorola, Inc.).....	1,010.00
1 - Adler Universal 200 manual 13" typewriter (Mitchell Business Equipment).....	239.00
1 - Low band UHF & VHF 10 channel monitor, Model 3633 (Sears).....	185.00
1 - Ready room roll-call table, 30"x 96" (Adirondack Business Furniture).....	42.75+
1 - Narcotics safe file, locking, fireproof, 4-drawer (Fidelity Products Company).....	shipping 384.95
TOTAL.....	
\$2,518.70	

SECTION 3. FURTHER THAT the sum of TWO THOUSAND, FIVE HUNDRED EIGHTEEN DOLLARS AND SEVENTY CENTS to cover the above-listed items shall be appropriated from the Federal Revenue Sharing Fund Account and transferred to the appropriate Police Department account.

(5) Kite Flying Contest

Councilman Ricks thanked all the volunteers and Recreation Director Ziegler for their work on a successful Second Annual Kite Flying Contest, Sunday, March 27. He added that there were approximately 150 people in attendance. Mayor Pro tem Forshee commended Mrs. Ziegler for all the fine work of the Recreation Department.

ADJOURNMENT: 9:01 PM - Council to reconvene Monday, April 11, 1977 at 8:00 PM.

ATTEST: Herbert W. Gilsdorf
Herbert Gilsdorf
City Administrator

APPROVED: John D. Roth
John D. Roth
Mayor

THE CITY OF TAKOMA PARK, MARYLAND
MEETING OF THE MAYOR AND COUNCIL
April 11, 1977

City Officials Present:

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

The City Council met on April 11, 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 March 28 Council meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth said he attended a hearing March 28 (before the Prince George's County Council) to support the continuation of the Municipal Tax Differential program. The ordinance Mayor Roth advocated was passed and will be very beneficial to the City. He thanked Councilman Forshee for serving as Mayor in his absence.

--The Mayor thanked those who have served on the Community Improvement Board and congratulated members who were reappointed.

--He noted favorable publicity in the Star concerning the House and Garden Tour to be held May 1, from 1:30 to 5:30 and the Flower Show on May 7 & 8.

--Announced that the Takoma Park Boys Club will be selling candy (\$1.25) for their annual fund raising project for the purpose of purchasing new equipment. Mayor Roth encouraged everyone to support them.

--Congratulated recipients of various awards at the Annual Takoma Park Volunteer Fire Dept. Awards Banquet held April 2. He added that 15 volunteer firemen had received awards for responding to 400 or more alarms.

--The Mayor said he had written letters to members of the Steering Committee of Neighborhoods Together, Inc. (Dolores Stowell, Morelyn Weisman, Katherine Pappas, Lou D'Ovidio, Robert Bachman, and Doris Schuman) to request their support for the TPES. Only one response has been received. Mayor Roth reiterated his request for their public statement of support.

--April 23 - 30 was proclaimed Lions White Cane Week in Takoma Park. The Lions will be selling miniature white canes in an effort to raise funds for sight preservation and assistance to the blind. Mr. Jack Mitton accepted the proclamation from Mayor Roth.

ADDITIONAL AGENDA ITEMS

--Appointment of William Hoffman as Asst. Corporation Counsel

--7700 Takoma Avenue

CITIZENS REMARKS

- (1) William MacRae, 7506 Holly Avenue, expressed concern with the Hodges Field transfer agreement for TPES: said the approval of the agreement appears contrary to the codes of Takoma Park; Chapter 8-40 indicates the use of Hodges Field as a ball field. Suggested codes be rescinded before signing the agreement. Said the agreement should provide some protection against reversionary rights with additional debts to the City. Felt that the agreement should list details such as the entrance to the ball field from the Library, fencing on the North side of the building, sidewalks to the East and a buffer zone on the South side of the building to protect the Azaleas. Mayor Roth asked the Corporation Counsel to check into Mr. MacRae's concerns re the Code.
- (2) Mary Ann Leary, 7301 Takoma Avenue, presented tickets to the Fifth Annual House and Garden Tour (May 1, 1:30 - 5:30) to the Mayor and Council, Mr. Gilsdorf and Mr. Nichols. She noted that May 8 - 14 is National Historical Preservation Week and requested that the Mayor proclaim this particular week as such for Takoma Park.
- (3) Charlene Cohen, 7815 Takoma Avenue, said that the Parking Action Group is now a member of an area-wide coalition which will support Arlington when they go to the U.S. Supreme Court on their permit parking case. She added that the EPA has requested to join the coalition. Mayor Roth wished Mrs. Cohen success in their efforts. She requested that the yellow line at the curb on Boston Avenue where it intersects with Piney Branch Road and Philadelphia Avenue be extended a few feet.
- (4) Ellen Marsh, 7405 Maple Avenue, asked when 7050 Carroll Avenue would be bulldozed. The City Administrator responded by saying that it had been delayed because of litigation between the owners and the insurance company. When that court case was over there were problems securing a demolition permit because the gas company was running behind in getting the service disconnected due to bad weather. He was hopeful that the house would be down by the end of the month. Mrs. Marsh inquired about the status of 7300 Maple Avenue, asking if the house would be sold as single-family or multi-family, pointing out that it has been vacant for more than six months. Mr. Gilsdorf said it was to have been renovated, then sold; that he would try to get some information on the status of the house.
- (5) Morelyn Weisman, 7701 Takoma Avenue, said that CURE has formed a subcommittee (Neighborhood Carroll House Committee) in an effort to obtain funds for renovation of the house (7700 Takoma Avenue). Mrs. Weisman read a resolution asking that the Mayor and Council contact the Montgomery College Board of Trustees and the County Council and request these funds be made available in the 1978 Capital Budget. She said that the CIB has cited the house as a structure needing immediate attention. Mayor Roth indicated it would be handled by the Code Enforcement Office with the same degree of attention as others that have been cited.
- (6) Jim Welu, 7330 Piney Branch Road, discussed the SHA proposals for Piney Branch Road from Eastern to Philadelphia Avenues. Mr. Welu felt that the majority of citizens would favor the current status. Currently there is parking on both sides at all times except on the West side from 7 AM - 9 AM and then reversed to the East side for the evening rush hours. This current mode of operation is working--traffic flows freely; additional lanes would encourage speeding. He noted that with three lanes of traffic and no parking lane, an accident or vehicle breakdown could tie up traffic. He added that without a parking lane it would be difficult for those with driveways to exit on such a busy street; said a parking lane would also provide a buffer for pedestrians. Mr. Welu said that a reversible center lane

could cause confusion as to the direction of use. In response to Councilman Faulkner's question, Mr. Welu said that he was recommending the status quo. There followed a discussion about the number of buses on Piney Branch Road (estimated 5 - 7 during rush hours) and the planned left turn storage lane for South-bound traffic. Mayor Roth said that the buses had been discussed with the SHA by Mr. D'Ovidio (FAST).

(7) John Pietz, 111 Sherman Avenue, said he had an excess of fill dirt that must be removed from his yard and suggested that the City Public Works Department maintain a roster of availability and need of fill dirt. In answer to Mr. Pietz's question, Mr. Gilsdorf explained that special spring pick-up is traditionally the last two weeks in April and the first two weeks in May. Items such as old appliances can be picked up year round by making an appointment at the Public Works office. He added that construction materials or large metal items are not handled. Mayor Roth expressed the hope that Mr. Pietz's work would be completed quickly, as it has caused his neighbors some concern. Mr. Pietz suggested publicizing availability of mulch.

(8) Delores Stowell, 7704 Takoma Avenue, presented a letter from Mr. & Mrs. Joseph Lerner saying they supported in general the resolution presented by Mrs. Weisman (item 5); that the ideas expressed by the Lerner's were good but not necessarily those of the Carroll House Committee.

(9) Joseph Ferrier, 7413 Maple Avenue, said he appreciated the Public Works Department's work in beautifying the parks. Pointed out that the Doves on Maple Avenue have a beautiful yard of Tulips; it enhances the neighborhood.

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

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications

--Notice that the Community Band under the Direction of Roy Corbin will hold a concert, Sunday, April 17, 3:00 PM, at the Takoma Park Jr. High, sponsored by the Takoma Park Recreation Department.

--Montgomery County Board of Appeals - Notice of hearing on Special Exception #S-554, May 26, at 9:00 AM, on request for addition of two classrooms for the Cynthia Warner School (8114 Carroll Avenue). Mayor Roth designated Councilmen Garcia and Faulkner to study the request and make a recommendation to the Council. Councilman Faulkner asked that the City Administrator send letters to neighbors around the school for their opinions.

--Letter from Mary Ann Leary, 7301 Takoma Avenue, regarding the request for removal of all parking on the South side of 7300 block of Takoma Avenue. Mrs. Leary said the present ordinance bans parking during the day, eliminates the commuter problem and at the same time allows for resident or guest parking on the South side in the evening.

--Prince George's County Board of Appeals - Notice that Appeal #4804, request for 4 foot side yard variance for 1203 Kingwood Avenue, has been granted.

--Prince George's County District Council - Notice of approval of Special Exception #2853, 7208 Flower Avenue, day care center, permitting use of adjoining lot as a play ground under the following conditions: 1) limited to present enrollment; 2) there should be no destruction of trees; 3) site plan shall be approved by the Planning Board; 4) children shall not be allowed on the play ground until after 10:00 AM, with no more than 36 children at any one time.

Upon unanimous consent of the Council, Mr. Vincent Goudreau, 7427 Baltimore Avenue, was permitted to speak. Mr. Goudreau, asked the percentage of people who indicate residence in Takoma Park on their State Income Tax Return. Mr. Gilsdorf said he did not know the exact percentage, but that two or three years ago there was some problem with those living in the Takoma Park postal zone (but not within the city limits) who claimed citizenship in Takoma Park; that the City had to refund money to the State. Mr. Goudreau stated that citizens in Takoma Park have made duplicate payments on services and every effort should be made to get the full amount returned to the City. Mr. Goudreau plans to present this problem to the County. The Mayor asked to meet with him to discuss the basis on which the City receives this money before he meets with the County.

Administrative Reports and Recommendations for Council Action

1. Administrative Reports:

--Appeal No. A-349 on renewal of Special Exception for boarding house at 7311 Piney Branch Road The City Administrator reported that on appeal by the City, the Montgomery County Board of Appeals has revoked the special exception for the boarding house at 7311 Piney Branch. The owner has 120 days within which to bring his property into compliance. (He may appeal the decision within 30 days of the date rendered.) Mayor Roth thanked those who attended the hearing and gave testimony.

--Piney Branch Road

The City Administrator stated that at the last Council meeting there was some discussion of proposals of three 9-foot lanes, various alternatives and the Metro impact on Piney Branch Road. He pointed out that the Ride-on buses were the same width as the large Metro buses (96" wide). Montgomery County has no plans to use the longer buses on Piney Branch. This would involve operating 8-foot buses in 9-foot lanes. County engineers feel that even 10-foot lanes are unsafe. Mayor Roth suggested perhaps the Council should ask the SHA not to rush into any action. He added that, among the many alternatives, the SHA has discussed putting in new curbs if the City would bear the cost of new side walks. This would be quite an expense to the City if agreed upon. Upon unanimous consent of the Council, Mr. Welu was permitted to speak. He said large buses now travel in the 9-foot lanes on Piney Branch and he could not recall seeing any accidents during the two years he has lived there. Councilwoman Medina said there were drawbacks to all the alternatives, but that she hoped to select one that not only meets the needs of the citizens and SHA, but one that has some political reality. She added that she would like to see all of the alternatives outlined. Mayor Roth said a decision should be made soon. Mr. Welu said he would still support retention of the current flow pattern. Mr. Gilsdorf was directed to contact the SHA and tell them the matter is still under consideration; more time is needed to look at various proposals. Mayor Roth asked the City Administrator and Chief Porter to explore the feasibility of options open.

--Announcement: Meeting of CDBG Advisory Committee, 7:30 PM, April 20, Municipal Building Councilman Nishimoto asked that the Charter be given to everyone on the committee and the Councilmembers prior to the meeting.

(2) Status Report on Prince George's County Community Development Block Grant Funds (Councilman Garcia) Councilman Garcia reported that the third year block grant plans, approved by the Prince George's County Budget Committee, did include funds for Takoma Park. He thanked Asst. City Administrator Alvin Nichols for attending a public hearing held April 5 on the block grant funds. Councilman Garcia said the submission will now go to HUD where they will be allowed 75 days in which to act. Mayor Roth directed the City Administrator to publicize the possible forthcoming funds in the City Newsletter for the benefit of those who may wish to apply for rehabilitation funds.

(3) Proposed ordinance establishing Operation Turnaround Board (Mo. Co. CDBG) Councilman Faulkner moved that the ordinance below be adopted. Councilman Ricks seconded and the ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb; NAY: none; EXCUSED: none.

ORDINANCE #2416

WHEREAS, there exist in the City houses which are, or may be in the future, substandard in one or more important features of appearance, structure, equipment or maintenance; AND

WHEREAS, such conditions adversely affect public health, safety and welfare and interfere with the enjoyment of and reduce the value of private property; AND

WHEREAS, adequate protection of the public health, safety and welfare requires that such conditions be abated or prohibited; AND

WHEREAS, funds in the amount of \$65,000 are being made available to the City of Takoma Park for this purpose from Community Development Block Grant Funds.

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

(a) That an Operation Turnaround Board be appointed by the Mayor. Such Board shall be comprised of five (5) members and shall initially consist of a Chairman, who shall be a member of the Council or the Mayor, for a one year appointment; a member of the Council or the Mayor for a two year period; two citizen appointees for one and two year terms respectively; and a member of the City staff who shall serve at the pleasure of the appointing authority. Subsequent Council or Mayor and citizen appointees shall all serve for two year terms, with the Council or Mayor member in the last year of his or her term acting as Chairman.

(b) This Board shall have as its purpose the acquisition of multi-family housing which is or may be in the future substandard, and to renovate and convert this housing to single-family, owner-occupied use.

(c) This Board shall be granted such powers as are necessary to accomplish this purpose--including, but not limited to: the spending of funds; the acquisition of property; the renovation thereof; and the subsequent sale of property as outlined in Section (b).

Councilman Faulkner requested that the City Administrator explore the possibility of providing funds from another source until the grant funds are available. Mayor Roth felt that it could be possible and asked that an ordinance be prepared for consideration by the Council. He emphasized the need to use funds provided by CDBG in order to obtain funds in the following years. He confirmed the names of those appointed to the Operation Turnaround Board as follows: Councilman Faulkner, Councilwoman Medina, Mr. Gilsdorf, Catherine Wakelyn and Allan Marsh.

(4) Agreement to transfer Hodges Field to Montgomery County Board of Education as site for future Takoma Park Elementary School Referring to Mr. MacRae's earlier comments, Mayor Roth asked the Corporation Counsel for some legal input. Asst. Corporation Counsel Culpepper explained that the City Code Sec. 8-40 prohibits hard ball in municipal parks other than Hodges Field (where midget teams only may play hardball), however, this could be repealed after the transfer of properties. Councilman Garcia noted that the new ball field would belong to the BOE but permits would be handled by the City. Councilman Forshee expressed agreement with Mr. MacRae's comments on reversionary rights with no cost to the City. Mayor Roth said that the 10 foot buffer zone for the Azalea beds, sidewalks, entrances from the Library, etc. have all been discussed with the BOE. Councilwoman Medina said she could foresee no serious problems as long as these requests have been documented elsewhere; the agreement deals mainly with the transfer of property. Councilman Ricks said it would be worthwhile to include requests in the agreement. Upon request by Councilman Nishimoto, the Council consented to allow Mr. MacRae to speak. Mr. MacRae reiterated his earlier comments about the lack of specificity in the agreement. After further discussion, Councilwoman Medina moved that the Mayor be authorized to sign the agreement. Councilman Forshee seconded, providing the agreement include a statement to the effect that if the ball field ever be reverted back to the City, that it be free of debt. Councilwoman Medina agreed to the amendment. Councilman Ricks expressed dissatisfaction and moved that the motion be amended to include all details. Councilman Garcia seconded. The City Administrator explained that the City has received a letter (attached) from the Superintendent of Schools itemizing requests agreed to, including such things as steps, fencing, buffer zones, etc. Mr. Culpepper said these details could be referred to in the agreement as an attachment which would be legally binding. Councilwoman Medina said the agreement might not legally bind the BOE to details but it is politically binding; the City has sufficient correspondence with a flexibility to negotiate in the future. After some discussion Councilman Ricks restated his motion to amend the agreement by including documents which legally bind the BOE to carry out details mentioned in the Supt. of School's letter. The motion, voted on by voice vote, failed to pass with four opposing and three favoring. The Mayor then called for the vote on Councilwoman Medina's motion to accept the agreement with the inclusion of reversionary rights without debt to the City. The motion was passed by voice vote. Councilman Ricks explained that he had voted "Nay" not because he was against the transfer of property, but because the agreement did not include all details. (NOTE: Agreement and Superintendent's letter attached.)

(5) Request for removal of all parking on South side of 7300 block of Takoma Avenue In August 1976 this was brought before the Council saying that commuters were blocking the South side of Takoma Avenue. To discourage this parking, an ordinance was adopted to prohibit parking 8 AM - 5 PM, Monday through Friday. At the March 28 Council meeting a request was made to prohibit parking totally. After surveying the area, the City Administrator reported that the street is 22.6 feet wide and would allow for emergency vehicles to pass. He recommended that the Council leave the street as it is now being used.

(6) Request for control of oversized vehicles parking on City streets

At the last Council meeting there were complaints made about an oversized vehicle parked on New York Avenue, Chief Porter has looked into the complaint and feels he can take care of the problem. Said the City has an ordinance that prohibits commercial vehicles parking in a residential area but does not extend this restriction to oversized vehicles. The City Administrator said he is surveying other jurisdictions to see how this sort of problem is handled.

NEW BUSINESS--Appointment of Assistant Corporation Counsel

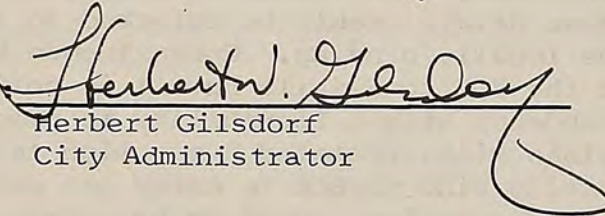
Councilman Forshee moved that William Hoffman be appointed as Assistant Corporation Counsel. Councilman Nishimoto seconded and the motion was approved unanimously.

--7700 Takoma Avenue (Carroll House)

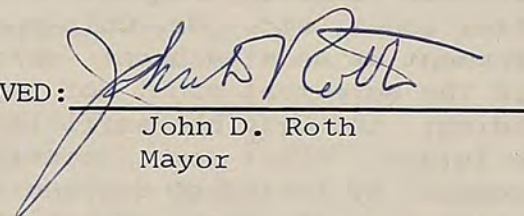
In response to Mrs. Weisman's petition (see Citizen participation, #5) about the upkeep of the Carroll House, Mayor Roth stated that the Council had informed the College Board of their desire not to have the house torn down and that Code Enforcement would be applied. To avoid any confusion as to who owns the Carroll House, he asked that it be referred to as 7700 Takoma Avenue. Councilwoman Medina moved that the Council send a letter to the College Board urging them to maintain the house as required by the Code. The motion was seconded and approved unanimously by voice vote. The City Administrator was directed to prepare a letter for the Mayor's signature.

ADJOURNMENT: 11:10 PM - Council to reconvene Monday, April 25, 1977 at 8:00 PM.

ATTEST


Herbert Gilsdorf
City Administrator

APPROVED:


John D. Roth
Mayor

ATTACHMENT

Agreement Between the City of Takoma Park,
Maryland and the Board of Education of
Montgomery County

It is agreed that the City of Takoma Park will convey a portion of the "Hodges Field," being located on the east side of Holly Avenue, opposite the intersection of Hodges Lane, containing 2.2598 acres of land to the Board of Education of Montgomery County to allow construction of a new Takoma Park Elementary School. The above referenced "Hodges Field" parcel is shown on the attached boundary survey and is more particularly described as follows:

All of that parcel of land in the Thirteenth Election District of Montgomery County, Maryland, being part of that tract conveyed by Dean W. Judd and Louise H. Judd, his wife, and Margaret H. Ray and Alfred A. Ray, her husband, to the Town of Takoma Park, Maryland, by Deed dated June 9, 1922 as recorded in Liber 318 at Folio 312 in the Land Records of Montgomery County, being more particularly described as follows:

Beginning at a point on the southeast Right of Way Line of Holly Avenue 135.00 feet from a pipe found at the northeast corner of Philadelphia and Holly Avenues, then continuing with said Right of Way Line

1. North $36^{\circ} 06'00''$ East 381.47 feet to a pipe set, then leaving Holly Avenue and running with part of the rear lot lines of Bonnie View as recorded in Plat Book 23 as Plat 1535
2. South $35^{\circ} 55'40''$ East 316.89 feet, then leaving said Bonnie View
3. South $38^{\circ} 31'45''$ East 24.29 feet to a pipe found, then with part of the second line of Liber 4013, Folio 283
4. South $38^{\circ} 31'45''$ East 258.92 feet to a point, then crossing Liber 318, Folio 312
5. North $54^{\circ} 02'45''$ West 289.43 feet to the Beginning Point containing a computed area of 2.2598 acres.

All as shown on a Boundary Survey, November 1976, by John H. McGovern, Civil Engineer and Land Surveyor

It is agreed that the Board of Education of Montgomery County will, following its construction of a new Takoma Park Elementary School on the "Hodges Field" parcel, raze the existing Takoma Park Elementary School, located to the east of and abutting the Hodges Field, excepting the 1968 addition, facing Philadelphia Avenue and indicated on the attached boundary survey, labeled "Area to be disposed of 0.7434 acres or 32.395 square feet". Following razing of the existing Takoma Park Elementary School, the Board of Education will redevelop the area formerly occupied by the building, parking lot and paved play areas to provide a new outdoor play area including a softball field having a radius of at least 250 feet to serve the school's outdoor educational programs and the City's and community recreational needs. To this end the Board of Education agrees to maintain the outdoor play areas and to allow control of use of the redeveloped play areas and other appropriate recrea-

tional space by the City of Takoma Park at all times other than during the normal school day and hours of operation. The City will therefore, following playground redevelopment, have exclusive authority to issue permits for use of the new Takoma Park Elementary School playground by appropriate organizations, groups, and residents at times other than the normal school days and hours of operation. The area which is to be redeveloped is indicated on the attached boundary survey as Residue L338 folio 240 and L.4013, folio 283, containing 73,022 sq. ft. or 1.6763 acres.

It is further agreed that, should the new Takoma Park Elementary School at any time be declared as no longer needed for school purposes by the Board of Education of Montgomery County, then title to previously described redeveloped play area, excepting the previously referenced 1968 addition parcel, shall be conveyed free of encumbrances by the Board of Education to the City of Takoma Park.

This agreement is hereby executed in accordance with action by the Mayor and Council of the City of Takoma Park, Maryland on _____

Date: _____ Mayor _____

This agreement is hereby executed in accordance with duly adopted resolution dated _____ by the Board of Education of Montgomery County.

Date: _____ Board of Education of Montgomery County

Attest _____
Secretary

_____ President

ATTACHMENT
Montgomery County Public Schools

-10-

Council meeting minutes
April 11, 1977

The Honorable John D. Roth
Mayor, City of Takoma Park
Takoma Park, Maryland

Dear Mayor Roth:

You and members of the City Council have attended numerous meetings with MCPS staff and residents of Takoma Park in discussions relating to the proposed new Takoma Park Elementary School. Your participation has been helpful in assuring the community of our intent to incorporate their suggestions in the further development of the plans and specifications.

I believe we have addressed all of the major concerns expressed by the community. However, in order to avoid any future misunderstanding, the Board of Education has asked that I summarize the modifications to the plans as a result of our staff review and refinement as well as those arising from interaction with the Council and community. Following is a listing of the major agreements:

1. Increase in setback of parking from Holly Avenue and providing additional screen planting
2. Modification of parking lot to save existing mature trees
3. Fencing of northern boundary
4. Adjustment of boundary adjacent to azalea garden
5. Fencing or screening as required between school and azalea garden
6. Pedestrian walkway to library and municipal parking area
7. Increase ballfield size to 250 ft. and place the backstop on the southwest corner of the playfield
8. Prohibition of parking on Holly Avenue by school based personnel except on rare and special occasions.

There will be a continuation of the relationship between the school and recreation department as has existed in the past. Also, the school's storm water system is to be designed in a manner to assure no damage to neighboring or downstream properties. This is a requirement on the Department of Environmental Protection and is always part of the basic school site development plan.

Will you please review this list with the City Council and the community to assure that everyone fully understands what has been agreed upon. Should you have questions, please do not hesitate to call me.

Sincerely,

Charles M. Bernardo
Superintendent of Schools

Copy to:

Members of the Board of Education
Members of Takoma Park City Council
Dr. Miedema

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND COUNCIL

April 25, 1977

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Forshee	Asst. City Administrator Nichols
Councilman Faulkner	City Clerk Pusti
Councilman Garcia	Police Chief Porter
Councilwoman Medina	Public Works Director Barile
Councilman Nishimoto	Corporation Counsel Gingerich
Councilman Ricks	Asst. Corporation Counsel Hoffman
Councilman Webb	Recreation Director Ziegler (excused)

The City Council met on April 25, 1977 at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Reverend Theron Snyder, Trinity United Church of Christ, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the April 11 Council meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth read a resolution in recognition of Katherine Paterson's achievements in the literary field. The following resolution was moved, seconded and approved unanimously by voice vote:

R E S O L U T I O N

WHEREAS, Katherine Paterson's 18th Century tale of Japan, The Master Puppeteer, has been named the best children's work of the year by the American Academy and Institute of Arts and Letters; AND

WHEREAS, Mrs. Paterson, a long-time resident and active participant in Takoma Park Community affairs, has received national attention and acclaim as one of the seven recipients of the prestigious National Book Award, which included a \$1,000 prize.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland take pleasure in congratulating and honoring Mrs. Paterson on her distinguished achievement.

ADOPTED THIS TWENTY-FIFTH DAY OF APRIL, NINETEEN HUNDRED SEVENTY SEVEN.

--Mayor Roth read a proclamation, proclaiming May 8 through May 14, 1977 as Historic Preservation Week in Takoma Park. He asked that a copy of the proclamation be sent to appropriate organizations and the original be placed on display in the City Library.

--The month of May 1977 was proclaimed Takoma Park Boy's Club month in the City of Takoma Park by Mayor Roth.

--Mayor Roth said he received a copy of a letter from Mrs. Marsh addressed to a real estate agent requesting that they find a buyer (with single family status) for 7107 Cedar Avenue. Mrs. Marsh said the agency now has an interested buyer for the house.

--Announced that the House and Garden Tour will be held Sunday, May 1, 1977, 1:30 - 5:30. He added that the Flower Show will be held May 7 & 8.

--The Mayor congratulated Mary Ann Leary who has agreed to work at Station WGTS reporting activities and current events in Takoma Park.

--Mayor Roth reported that Samuel Abbott has received information that Washingtonian Magazine will be handling a series of articles on suburban cities. Takoma Park is to be included in one of the articles to be written by Mr. John Coyne. Mr. Coyne will be contacting the Mayor as well as many citizens for input.

--The Mayor said he received some letters that were complimentary to Officers Scott, Winkler, Hubbard, Holford, Murphy, Wilson and DeFusco. He extended his appreciation to them for their service.

--The Citizens Advisory Group to the Community Development Block Grant program met April 20. They will be developing plans for next year's Block Grant funds. Mayor Roth said he appreciated their help.

ADDITIONAL AGENDA ITEMS

-Piney Branch Road

-Fiftieth Anniversary of the Maryland National Capital Park & Planning Commission

-Discussion on suggested reduction for budget in LEAA Funding.

CITIZENS REMARKS

(1) Mary Roth, 7608 Hammond Avenue, President of the Azalea Committee, announced that there will be a plant sale Saturday, April 30, 8:30 to 1:30 on the Library grounds. Mrs. Roth said the Azalea Committee along with the Women's Club will be reestablishing a garden in the triangle at Fenton and Takoma Avenues which was known at one time as Bliss Garden. She presented the Council with the idea of marking the entrance-ways to the City (Takoma Park Master Plan Task Force recommendation) with signs that read as follows: "Takoma Park - Azalea City", provided it would be permitted by the SHA. She also displayed a design (by Edward Hutmire) of a smaller sign that could be used where the larger signs would not fit. She proposed that since the signs would cost approximately \$50.00 each to make, the Azalea Committee would donate \$500 to the Parks program if the City would permit the Parks Division to supply the manpower, facilities and the purchase of a routing tool to make the signs. She noted that the \$500 should cover the cost of at least 10 signs which could be used at the more widely used entrances to the City; later on more signs could be made. The request was added to the agenda.

(2) Lou D'Ovidio, 7324 Piney Branch Road, presented the Council with a petition (47 signatures) from the residents on Piney Branch Road between Philadelphia and Eastern Avenues. The petition stated that the residents object to the SHA's proposal for three twelve-foot lanes and suggested that since there are no better ideas, the status quo be retained. Asked that the Council support the Piney Branch residents. Mr. D'Ovidio was concerned that this area was in the Historic District and any kind of change could affect the neighborhood in a detrimental way. In response to Councilman Faulkner's query on rationale for retention of the status quo, Mr. D'Ovidio said that 3 12-foot lanes would encourage speeding. Councilwoman Medina said she walked down Piney Branch and felt that portions of Piney Branch where the lanes were narrow had a dangerous feel; the wider 12-foot lanes felt safer. Mr. D'Ovidio said drivers coming from the District will have to adjust to the change and two blocks away they will have to change again; the confusion could cause more accidents.

(3) Jerry Combest, 7423 Piney Branch Road, thanked the Takoma Park Police for their apprehension of a burglar at this home. Felt that no matter how wide the roads are expanded the sidewalks will stay the same width and remain unsafe without the buffer of parked cars. Councilwoman Medina said that when she walked down Piney Branch she noticed that in the narrow portions the cars were driving closer to the sidewalks whereas in the wider (12 foot) sections cars tend to travel more to the center lane. Mr. Combest said he would agree to that theory but that cars were not programmed to travel three feet from the curb. He said the sidewalks were blocked in places by light poles and pedestrians must walk closer to the street to pass. Said he was brushed by a car while walking along Piney Branch Road. Emphasized that the width of the lane would not slow down the traffic.

(4) Mary D'Ovidio, 7324 Piney Branch Road, was concerned that prohibiting parking on Piney Branch Road would eliminate the buffer zone for children that use Piney Branch to get to school and make it difficult for those on that road to exit their driveways. Mrs. D'Ovidio expressed her support for the status quo.

(5) Bryan Green, 7410 Piney Branch Road, reiterated the fact that parked cars along Piney Branch do form a buffer for pedestrians. Offered to review each of the options (advantages and disadvantages) for Piney Branch with Councilwoman Medina. Said that there have never been any accidents involving buses on Piney Branch Road; that after reviewing the Montgomery County plans, only 6 buses are to be used during rush hours on Piney Branch. Buses are being used successfully on narrow streets in the District and Gaithersburg, Mr. Green read a letter from Phil Vogel pointing out the consensus of the Takoma Park Master Plan Transportation Task Force that Piney Branch Road be striped for four lanes with parking on both sides except during rush hours when parking would be permitted on "off peak" side.

(6) Jim Welu, 7330 Piney Branch Road, agreed with Mr. Combest on the sidewalks situation. Reiterated comments that parking on Piney Branch would be favorable. Councilwoman Medina said she is sensitive to traffic problems on Piney Branch. After some discussion on the speeding problems, Councilman Nishimoto agreed that there is a roller coaster effect on Piney Branch and that the status quo would be better than 12 foot lanes. Mr. Welu said he felt betrayed by Mr. Caltrider; that his proposals were misleading. He explained that the 3 12 foot reversible lanes would provide no buffer and proposed signalization would be unsightly. He added that the different changes in traffic flow within such a short distance would be confusing for drivers and cause accidents.

(7) Mary Ann Leary, 7301 Takoma Avenue, said efforts have been made over the past two years to conserve the City; enrollment in the schools have increased and enthusiasm has been expressed over the Metro station and how it will encourage citizens to utilize the services. Now, the City will have to demand that the SHA think about preservation. Piney Branch Road is a narrow street and should be given special consideration. Suggested that the speed be reduced to 25 miles per hour. Mrs. Leary said she looked to the Mayor and Council as a form of defense against the SHA. Mayor Roth said the Councilmembers do regard themselves as that, but in instances such as this, citizen pressure is a vital element. Mrs. Leary asked for the Council's political support. Said she discovered that if Federal funds have been or will be used on Piney Branch Road this could be used to protect the road from alterations, since it is in the Historic District. Mayor Roth suggested that Senator Victor Crawford might be helpful.

(8) Mary Pennifield, 7305 Takoma Avenue, spoke against the SHA proposal; said she favored the status quo with the inclusion of one bus lane.

(9) Nicholas Blana, 7328 Piney Branch Road, said he had suggested at one time that a tunnel be built from Eastern Avenue to Philadelphia Avenue on Piney Branch but now supports Mr. Welu's proposal.

(10) Lou D'Ovidio, 7324 Piney Branch Road, reiterated the need for Council support along with citizen pressure. Councilman Nishimoto suggested that citizens write Senators and Delegates to make them aware of the citizen involvement. Mr. D'Ovidio said he has worked with the presidents of the PTAs to gain their support for a signal light that flashes 25 MPH warning people of the school on Piney Branch Road. Councilwoman Medina reviewed the options of the status quo and 3 12-foot lanes and asked Mr. D'Ovidio if the status quo was being requested as a permanent situation. Mr. D'Ovidio said citizens needed at present, a position to grab hold of; they do believe in compromise but not to the extent of 12 foot lanes. Councilwoman Medina pointed out that several months ago Piney Branch residents felt that the current traffic flow was intolerable; now they are saying that it is tolerable. Mr. D'Ovidio explained that the alternatives were few and that the status quo, with improved sidewalks and lights would be better.

(11) Jim Welu, agreed with Councilman Nishimoto that members of the County Delegation should be contacted but that their pressure would be much stronger with the Council support.

(12) Mary Pennifield, said she had requested, some time ago, signs for the Portal Park on Takoma Avenue prohibiting playing, cycling, etc. Mrs. Pennifield also complained that emergency vehicles could not pass on her street because of cars parked on the side. Requested that a sign be erected in front of her house prohibiting parking from that point to the corner.

(13) Jerry Combest, said that in view of all the money the SHA is saving that they allocate some that to reduce residents' taxes.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications

--Letter from Ann Vogel, 7117 Garland Avenue, Longbranch/Sligo Citizens Association, commending Richard Robbins, Park Supervisor for installing the planters in their neighborhood.

--Letter from Phil Vogel, 7117 Garland Avenue, Longbranch/Sligo Citizens Association, requesting that a "No parking here to corner" sign be placed on Central Avenue approximately 20 feet from the cul-de-sac. Mayor Roth asked the City Administrator to survey the area and report to the Council.

--Letter from Mary Ann Leary, 7301 Takoma Avenue, asking the Council's support in preserving the neighborhood and maintaining the status quo for Piney Branch Road.

--Letter from M.S. Caltrider, District Engineer, SHA, to Mr. Lou D'Ovidio stating that sidewalks are handled solely by the City, with widening only in direction of houses, but that they will participate to the extent of curb reconstruction on Piney Branch. The letter further read that the 9-foot reversible lane system was not desirable to the SHA.

2. Administrative Reports and Recommendations for Council Action:--Piney Branch Road

Councilman Ricks pointed out that Americans have been asked to conserve and with smaller cars on the roads the width of Piney Branch Road should be sufficient. Widening the road would encourage speeding. Councilman Ricks suggested that the following be requested of the SHA: raise the curbs; do anything possible to control the speeding; and remove the utility poles that block the sidewalks. Mayor Roth felt that the poles provided some form of protection. Councilwoman Medina said she did not think the three lane configuration was as evil as it has been perceived. Considering the fact that the status quo might be an interim solution, hopefully some better solution will come up later. After some discussion, Councilman Nishimoto moved that the Council send a letter to Mr. Caltrider stating that in view of the petition and citizens' concern, the City could request that the status quo on Piney Branch be maintained. Councilman Ricks seconded, provided that the motion be amended to send a letter not only to Mr. Caltrider, but with copies to the State Delegation. The motion was approved as amended by voice vote. Councilman Faulkner moved that the Maryland Municipal League be asked to develop legislation to provide that the State require pedestrian crossings at specific intervals on State highways which cross through city residential areas. Councilman Nishimoto seconded and the motion was approved unanimously by voice vote.

Administrative Reports:--Status of demolition project at 7050 Carroll Avenue

The house at 7050 Carroll Avenue has been completely demolished as of last week.

--7300 Maple Avenue

In 1975, on a normal inspection this place was found to be a three unit registered legal non-conforming property. The owner was cited for external and internal violations of the structure. At that time he painted the outside but advised the Code Enforcement Office that in order to remedy extensive violations he would have to completely vacate the structure and renovate. The owner undertook this project last year and for a period of time beginning in June 1976, this property was empty with full knowledge of the Code Enforcement Office. The renovation culminated about the end of the year. The property was placed on the market and purchased by Mr. & Mrs. Gracely from the original owner, Dr. Carreno. Councilman Ricks felt this was a case where the property was vacant more than six months and should be reverted to single family status. Councilwoman Medina said that if the house had deteriorated to the point that it must be vacated for renovation, then it should have been reverted to single family status. She moved that it be checked out and steps be taken by the Corporation Counsel to revert back to single-family and to notify the owner. Councilman Ricks seconded and the motion was approved by voice vote. Councilman Forshee voted NAY because of the extent of work it takes to convert to single-family.

--Report on neighborhood survey re Special Exception petition S-554, addition of two classrooms to Cynthia Warner School Of the sixteen requests for opinions that were mailed out, seven responses were received. However, more are expected. Councilman Faulkner commented that the neighbors are essentially unopposed with the exception of parking. He added that the hearing is May 26.

--Announcement: Public Hearing on Proposed Use of Federal Revenue Sharing Funds, FY 1977-78; Council Chamber, 8:00 PM, 5-9-77.

(2) Court decision on unauthorized addition to 103 Sheridan Avenue (Appeal A-178, Maisonneuve) Mr. Maisonneuve has been directed by the Court to remove the addition to his building within 45 days. The Corporation Counsel said this is subject to appeal but that no attempt has been made as yet. Mayor Roth said he was pleased with the Corporation Counsel and the City Council for their actions leading up to this decision.

(3) Authorization to solicit bids on Police Department vehicle, using LEAA funds Councilman Nishimoto moved that the City be authorized to solicit bids on the vehicles. The motion was seconded and approved, with Councilman Garcia voting NAY, because he felt that federal money should be used to buy only American-made cars to support this country's industry rather than purchasing foreign cars.

ADDITIONAL AGENDA ITEMS

--Fiftieth Anniversary of the Maryland National Capital Park & Planning Commission Mayor Roth suggested that a letter be sent to the Park & Planning Commission commending them for their work over the past 50 years. Councilman Nishimoto moved that Mayor Roth's suggestion be carried out. Councilman Ricks seconded and the motion was approved unanimously.

--Discussion on suggested reduction for budget in LEAA funding

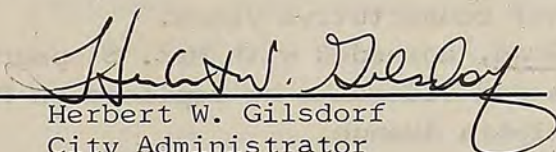
Mr. Gilsdorf reported that the House Budget Committee has recommended a \$200 million dollar cut in the LEAA funding. He asked that the Council support Congresswoman Elizabeth Holtzman's bill to replace the funds. Councilman Ricks moved that letters be sent to the appropriate people expressing the Council's support of Congresswoman Holtzman's bill and continued LEAA funding. Councilwoman Medina seconded and the motion was approved unanimously. Mayor Roth asked that the letters include the effectiveness of the LEAA programs in Takoma Park.

--Proposal of entrance signs by the Azalea Committee

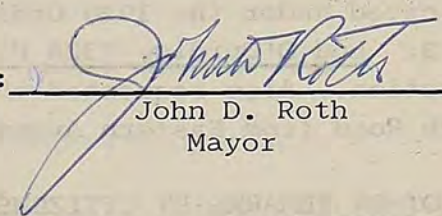
Councilman Nishimoto moved that the City accept the Azalea Committee's monetary offer (see Mary Roth, Citizens Remarks) for the signs to mark entrance-ways to the City, using City manpower and facilities. Councilman Ricks seconded and the motion was unanimously approved by voice vote.

ADJOURNED: 10:52 PM - Council to reconvene Monday, May 9, 1977 at 8:00 PM.

ATTEST:


Herbert W. Gilsdorf
City Administrator

APPROVED:


John D. Roth
Mayor