

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL
andPUBLIC HEARING ON PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS, FY-78
May 9, 1977City Officials Present:

Mayor Pro-tem Forshee
 Councilman Faulkner
 Councilman Garcia
 Councilwoman Medina
 Councilman Ricks
 Councilman Webb

City Administrator Gilsdorf
 Asst. City Administrator Nichols
 City Clerk Pusti
 Police Chief Porter
 Public Works Director Barile
 Recreation Director Ziegler
 Corporation Counsel Gingerich
 Asst. Corporation Counsel Hoffman

EXCUSED: Mayor Roth and Councilman Nishimoto

The City Council met on May 9, 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 April 25 Council meeting was made and seconded. City Administrator Gilsdorf requested that the following addition be made under Mayor Roth's Comments: "Mayor Roth made a favorable comment regarding a letter about 7101 Cedar Avenue written by Mrs. Ellen Marsh." With this addition, the minutes were approved unanimously.

ADDITIONAL AGENDA ITEMS

Nomination of Mayor Roth as Vice President of the 8th District for the Maryland Municipal League.

CITIZENS' REMARKSI. PUBLIC HEARING ON PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS, FY-78.

1. Ellen Marsh, 7405 Maple Avenue: consider using FRS Funds for replacing curbs and sidewalks along Ethan Allen Avenue.
2. Kathryn Simpson, 7300 Cedar Avenue, requested that FRS Funds be used to rehabilitate homes in Takoma Park that need it---certain homes that have been cited under the 1946 Ordinance for four consecutive years.
3. Lou D'Ovidio, 7324 Piney Branch Road, agreed with Mrs. Simpson's suggestion. Also requested that the curbs and sidewalks be replaced on Piney Branch Road from Eastern Avenue to Philadelphia Avenue.

II. OTHER REMARKS BY CITIZENS

1. Charlene Cohen, 7815 Takoma Avenue, reiterated the problem of the judicial support of the parking permit ordinance in the Silver Spring courtroom of Judge Klavan. She read the following letter, asking that it be included in the record:

May 6, 1977

The Honorable Robert F. Sweeney
Chief Judge of District Court of Maryland
Courts of Appeal Building
Annapolis, Maryland 21401

Dear Sir:

As spokesmen for the Parking Action Group of the City of Takoma Park, we wish to protest the abuse of powers by Judge Stanley Klavan in the District Court in Montgomery County. He has on several occasions stated in traffic court (most recently April 26, 1977) that Sec. 13-63A, title "Parking Permit Areas" of Article 7, title "Stopping and Parking", Takoma Park Code 1972 as amended, is invalid. His statement is in direct violation of CJ 3-405, Sec. (b), 3-403 (a) and (b), 3-406 and 4-402 (c). Although the subject of permit parking is controversial and in one case has been declared unconstitutional by a higher court. It is legally a valid ordinance and we strongly object to Judge Klavan's refusal to enforce this law.

We have appealed to the Administrative Judge of the District Court in Montgomery County, a copy of which was sent to you, dated October 23, 1976, and we also met with Judge Sanders to discuss this matter. Such appeal was in vain.

Several residents of our community have been observing the traffic court since Judge Klavan's arbitrary and capricious actions came to our attention last October. On the basis of our comparisons with Judges Woodward, Cave, Ruben and Becker, and the manner in which they conduct the court and dispense justice, we have come to the conclusion that Judge Stanley Klavan is unsuited and incompetent to serve on the bench of the traffic court. We therefore request that he be immediately replaced. This conclusion is based not only on his disposition of Takoma Park cases, but on his distortion of justice in all cases that appear before him.

If you need further clarification or information, please contact the undersigned.

Respectfully yours,

cc: Judge Calvin R. Sanders
Honorable Mayor John D. Roth
Commission on Judicial Disabil.:
Associate Dean Laurence Katz
Chief Judge Richard P. Gilbert

Charlene L. Cohen
Co-Chairman, Parking Action Group
Lempi Wickline
Co-Chairman, Parking Action Group

Stated that the District Court does not have the power to issue a declaratory judgement as Judge Klavan has done. In response to questions from the Council, Mr. Gingerich stated that the District Court normally does not have that jurisdiction; that previously Judge Klavan had simply said the Ordinance was "invalid." He also said that because of the Montgomery County Ordinance being declared invalid, the City's Ordinance is in jeopardy, but felt it should continue to be enforced until constitutionality is determined at Supreme Court level. Mrs. Cohen stated that Montgomery County has sent a legal brief in support of the Arlington Supreme Court case and requested that the Corporation Counsel do the same.

Recommended that the Mayor appoint an all-citizen panel of persons living in area likely to be affected by the Metro to consider ideas and plans for dealing with its impact on their streets.

2. Lempi Wickline, 7812 Takoma Avenue, suggested that the Corporation Counsel attend courtroom sessions when Judge Klavan is dealing with the City's Parking Permit Ordinance. This might possibly have some impact on the decisions made by Klavan. Possible that Judge Klavan is not familiar with the City's Ordinance and should be given a copy.

3. Morelyn Weisman, 7701 Takoma Avenue, related a problem that she had with a Montgomery College student coming to her home from the new Commons Building on the Takoma Campus in the early morning hours. She hoped that this would not become a regular problem.

4. Lou D'Ovidio, referred to a Sentinel article about Piney Branch Road traffic problems and Mr. Caltrider's (SHA) response. Mr. D'Ovidio stated that from the article, he got the impression that Mr. Caltrider was going to ignore the Council's request and was going ahead with his own plans. Stated that Mr. Caltrider was using the Sector Plan as a shield for his own plans for Piney Branch Road. Would like to know what the Mayor and Council's response will be to Mr. Caltrider.

5. Mary D'Ovidio, 7324 Piney Branch Road, had received a telephone call from a member of the 13th Street Residents Committee-Logan Circle area, where a situation exists similar to that of Piney Branch Road. A suggestion from D.C.-DOT would change 13th Street into the same traffic flow configuration that presently exists on Piney Branch Road. D.C.-DOT has stated that they would like to redefine Piney Branch Road, after Metro opens, from a major artery to a minor one and transfer most traffic to the new Metro.

6. Bryan Green, 7410 Piney Branch Road, supported the Parking Action Group for its efforts in North Takoma and elsewhere.

Stated that FAST will be in contact with the 13th Street Residents Committee and the District, because he feels that what happens to 13th Street will eventually happen to Piney Branch Road also.

7. Mary Pennifield, 7305 Takoma Avenue, restated the problem of parking on her section of Takoma Avenue. (See Council Minutes, 4-11-75, p. 6; 4-25-77, p. 4.) Requested signs reading "NO STANDING, THIS SIDE."

8. Clarence Boatman, 133 Ritchie Avenue, appealed to Council to speak to the owner of a lot on Ritchie Avenue where there is a tree which is gradually falling over onto a house. Mayor Pro-tem Forshee requested Mr. Barile and the City Administrator to look into it.

9. Ann Denbow, 7218 Willow Avenue, stated that the City had cut down a tree in front of her house and had left a large stump. Would like to know if and when the stump would be removed and another tree replace it. Mr. Barile stated that funds had been requested in the budget for stump removal, and when this was done, another tree would be planted.

FINANCIAL STATEMENT

Mr. Gilsdorf gave a brief summary of the City's Financial Statement.

COMMUNICATIONS

1. Richard B. C. Tom, Oxon Hill, Maryland, former resident of Takoma Park, commending the City Library and Police Department.

2. M. S. Caltrider, District Engineer, SHA, responding to Mayor Roth's letter regarding Piney Branch Road. Stated that several years ago, SHA had suggested that Piney Branch Road be widened to four lanes, but at the insistence of local groups, the Sector Plan was approved with the existing 36 foot roadway and three 12-foot lanes. He had never suggested four 9-foot lanes; this would not be satisfactory from a safety or capacity point of view. SHA has agreed to share the cost of a signal to be installed by D. C. at the intersection of Piney Branch Road and Eastern Avenue, paying 25%, and within the next 60 days implement a pedestrian phase at the intersection of Piney Branch Road and Philadelphia Avenue. They have also conducted a radar analysis of traffic speeds: approximately 66% of motorists using Piney Branch Road are exceeding the speed limit; suggested stepped up police enforcement. Mr. Caltrider sees the capacity problems for Piney Branch Road worsening with the opening of Metro.

ADMINISTRATIVE REPORTS AND COUNCIL ACTION

Cancellation of multi-family registration: 7300 Maple Avenue and 7101 Cedar Avenue. City Administrator Gilsdorf reported that the multi-family registration of these two properties has been cancelled due to lack of rental use for six consecutive months in the first instance, and at owner's request in the second. These Properties have reverted back to single-family use.

Report on 816 Colby Avenue. This property was due for demolition along with three other properties; however, the owner has found a purchaser who will rehabilitate the property, already having the building permit from Prince George's County and a letter of intent. Mr. Gilsdorf recommended that this house be taken off the list for demolition, and the Council concurred.

Report on 105 Elm Avenue. The previous owner of the property lost it to a tax sale. The new owner, Bruce Haskell, intends to renovate the house as soon as he has clear title.

Motion for Reconsideration of court decision on 103 Sheridan Avenue. Mr. Maisonneuve has filed a Motion for Reconsideration. The Corporation Counsel stated that the case should be heard within 60 days; that the same judge would be presiding.

Special Exception S-554, addition of two classrooms to Cynthia Warner School (Public Hearing: 9:00 AM, May 26, 1977, County Office Building, Rockville.) Councilman Faulkner reported that of the 16 inquiries mailed out, 7 replies have been received: one opposed, stating that more parking was needed; three conditionally unopposed, citing parking problems; and three unconditionally not opposed. Councilman Faulkner stated that he had spoken with school officials and that there were to be an additional six parking spaces provided. Upon his motion, duly seconded, the Council unanimously agreed not to oppose the addition.

Authorization to solicit bids on demolition of three condemned properties: 801 Sligo Creek Parkway, 7207 and 7209 Cherry Avenue. City Administrator Gilsdorf recommended to the Council that these properties (which have been condemned and posted since September 1976) be put out for bids for demolition. Councilwoman Medina stated that she would prefer not to demolish homes, but that these properties were beyond renovation. Councilman Ricks requested that after demolition the lots be watched for overgrown vegetation. Upon motion by Councilman Faulkner, duly seconded, the Council authorized the City Administrator to solicit bids for demolition of the above-listed properties.

Proposed ordinance prohibiting parking on the North side of Central Avenue approximately 20 feet from the terminal point (7100 block). Mayor Pro-tem Forshee stated that he examined the area and could see the need for the restriction. Councilman Ricks moved that the ordinance be approved; it was seconded by Councilwoman Medina. After some discussion, the ordinance below was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Ricks, and Webb. NAY: None. EXCUSED: Councilman Nishimoto.

ORDINANCE #2417

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

SECTION 1. THAT parking on the North side of the 7100 block of Central Avenue shall be prohibited for a distance of approximately 20 feet from the end of the street (cul-de-sac); AND

SECTION 2. THAT the Director of Public Works is hereby directed to erect a sign reading "No Parking from here to corner" at the location indicated above; AND

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

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

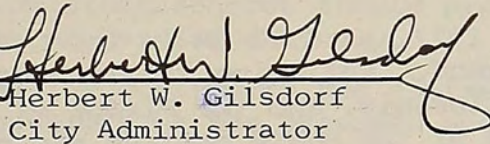
ADDITIONAL AGENDA ITEMS

Councilman Faulkner moved that the Council nominate Mayor Roth as the Vice President of the 8th District for the Maryland Municipal League. The motion was seconded and approved unanimously.

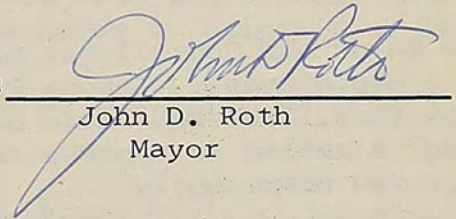
Mayor Pro-tem Forshee invited all the citizens in the audience and others to attend the Budget Hearing on May 23rd at 8:00 PM in the Council Chambers.

Upon motion, duly seconded, the Meeting adjourned at 9:05 PM, to reconvene Monday, May 23, 1977 at 8:00 PM.

ATTEST:


Herbert W. Gilsdorf
City Administrator

APPROVED:


John D. Roth
Mayor

THE CITY OF TAKOMA PARK, MARYLAND
MEETING OF THE MAYOR AND CITY COUNCIL
 and
PUBLIC HEARING ON PROPOSED 1977-78 BUDGET
AND PROPOSED USE OF GENERAL REVENUE SHARING FUNDS, FY-78

May 23, 1977

City Officials Present:

Mayor Roth
 Councilman Forshee
 Councilman Garcia
 Councilwoman Medina
 Councilman Webb

City Administrator Gilsdorf
 Asst. City Administrator Nichols
 City Clerk Pusti
 Chief of Police Porter
 Recreation Director Ziegler
 Public Works Director Barile
 Library Director Barclay
 Recreation Supervisor Rouse
 Corporation Counsel Gingerich
 Asst. Corporation Counsel Hoffman

EXCUSED: Councilmen Nishimoto,
 Faulkner and Ricks.

The Mayor and Council met on May 23, 1977, at 8:00 PM in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the Invocation by Rev. Floyd W. Kester, Good Samaritan Baptist Fellowship, and the Pledge of Allegiance to the Flag, a motion to approve the minutes of the May 9 meeting was made, seconded and approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--After recently returning from a trip to England, Mayor Roth said he was glad to be back and to see citizens at the meeting to take part in the budget hearing. The budget has been prepared by the staff and made available to citizens. He commented that City expenses, like everything else, were going up and employees needs must also be considered. However, he is aware of the needs of taxpayers and their increased assessments and will study the budget carefully, considering citizen comments, for areas where cuts may be made in hopes to decrease the tax rate.

--The Mayor said he read an article in a London Newspaper where the Court fined a couple 153 Pounds (\$250) for not returning 22 books to the Library.

--He read an article where two young people, David Litterman and Sandra Arnold of Takoma Park received awards from the Silver Spring Civitan Club for their Citizen Essay. Mayor Roth commended them for their skills in writing.

--Mayor Roth noted that the City has received several letters complimenting Officers Hubbard and Wilson for their services. He added that Officer Czerski ranked first and Officer Savill ranked 14th in a training course that they recently attended.

--He announced that Ida Ruben, Delegate to the State Legislature has set up a meeting at 8:00 PM, June 2, in the Municipal Building to address the traffic problems on Piney Branch Road. Representatives of the County Council and State Highway Administration will also be in attendance.

--Announced that May 22-29 has been proclaimed Camel Week by WSSC to encourage everyone to make a trial effort in saving water. In recent years there has been a decrease in the water supply in the Potomac during the summer months. It is hoped that people will conserve water during the summer by taking shorter showers, refraining from watering lawns, washing cars, using garbage disposals and flushing toilets unless necessary.

--Mayor Roth presented a proclamation to the Commander of Veterans of Foreign Wars Post 350, proclaiming the month of May 1977 as Buddy Poppy month to promote the sale of Buddy Poppies for the benefit of disabled and needy veterans, widows and orphans of deceased veterans. Miss Tammy Hunter was crowned the 1977 Poppy Queen.

PUBLIC HEARING ON PROPOSED 1977-78 BUDGET
AND PROPOSED USE OF GENERAL REVENUE SHARING FUNDS FY-78

The proposed budget is based on the existing tax rate of \$1.30 per hundred dollars of assessed value. In spite of sharp increases in operating costs, it is anticipated that for Fiscal Year 77/78, the revenue generated from the current tax rate plus revenues from other sources should provide ample funds to maintain or improve the present level of service delivery.

Mayor Roth opened the meeting to the citizens at 8:25 PM and welcomed them to make comments or suggestions on the proposed budget.

1. Faith Stern, 103 Grant Avenue, representing the Library Advisory Board and the Friends of the Library, thanked the Mayor and Council for their continued support for the Library. Noted that Takoma Park Library is one of only two city libraries in the State. She encouraged the Council to approve proposed Revenue Sharing Funds for Library capital outlay items.
2. Edward Hutmire, 21 Columbia Avenue, Chairman, Recreation Council, supported proposed budget for the Recreation Department. Was glad to see that the Department's requests had been recommended in the budget. Said that there were not enough details nor an introductory explanation before presenting the budget. Pointed out the disproportionate increase in Police Department budget and asked why an explanation was not given. Mr. Gilsdorf explained that all Departments except the Police Department would benefit from the Community Development Block Grant funds; that a 4% cost-of-living raise was proposed for all personnel; added that there is no increase in personnel. Mr. Hutmire said he understood that some Block Grant funds were to be used for park development and asked if an increase in the Parks budget would not be necessary to cover the extra personnel that would be needed. Mr. Gilsdorf explained that Block Grant funds would be for two to three years and would be used primarily to improve existing parks and develop small, low-maintenance play areas rather than to develop large areas and that existing capability of work force would suffice. Mayor Roth emphasized the fact that he wanted a hold-the-line budget.
3. Shirlee Hutmire, 21 Columbia Avenue, reiterated Faith Stern's comments. Gave her full support for the Library Budget as presented.

4. Harry Wickline, 7812 Takoma Avenue, stated that there wasn't a number of personnel listed for the Police Dept. Said the parking officer had been placed in the administrative office when the administrative officer was ill. Mr. Wickline said he was concerned that this was an indication of a shortage of personnel. Chief Porter said the parking officer was familiar with administrative procedures so was asked to work in the office while the administrative officer was out ill. Police officers were asked to temporarily check the parking areas in her place. In response to Mr. Wickline's question about the \$200 for Patrol Dinner, Chief Porter said this was an award dinner for the crossing guards. Mr. Wickline said that there were too many abbreviations in the Budget and asked what the Wales Project (11.1525, page 7) meant. It was explained that this is an area-wide computer system for quick identification of vehicle ownership. This has been very helpful in law enforcement. The major part of the cost for this system is paid by the County and the District. Mr. Wickline reiterated that the budget did not give enough detail; he recalled the detailed budget of 1963 and made a comparison.

5. Charlene Cohen, 7815 Takoma Avenue, noted that Mr. Gingerich was being paid \$13,500 (page 5, 10.611 and 10.6922) for services she feels the City is not getting. Said he is holding several positions such as President elect of the Maryland State Bar Association which is a conflict of interest; felt the City should get more than legal lip service. Mayor Roth said Mr. Gingerich's success signifies the high quality of services the City gets.

6. Ann Denbow, 7218 Willow Avenue, said the budget should indicate the number of employees in each department. Suggested cuts such as the Police Department switchboard (page 7, 11.1523). Chief Porter said that many areas of the police budget were eliminated but that they were in need of replacing the current 1929 telephone system because parts could not be obtained for repairs. The Police Department gets approximately 25,000 calls a year and investigations require extensive phone use. He added that the Police Department now has 32 sworn officers, one parking Enforcement Officer and five officer personnel, totaling 38 (the same as last year).

7. Edward Hutmire, said the budget did not compare what was spent last year with this year; this was a non-expressive budget. Reiterated his previous comments adding that citizens asked the same questions last year because there was no explanation in the budget. He said in previous years the finance committee discussed the budget at the hearing.

CITIZENS REMARKS

1. Richard Gracely, 7300 Maple Avenue, said he just purchased this property with the intention of renovating and living there. However, to finance the renovation he would have to rent out the existing units for a year or so. Said that about a month ago he was assured that even though the property had been vacant a year it was under renovation and the rental license was still valid. Mr. Gracely said he came to the Council meeting and found that the rental license for his home had been revoked because the rental units had been vacant for more than six months. He felt this was unfair as he was never notified and requested that the revocation be reconsidered. He added that he would not be an absentee landlord; that he preferred not to rent but without doing so could not afford to renovate. Brenda Spiegler (fiancé) had called the Code Enforcement Office prior to signing the contract and was assured that the house had been inspected, met the code requirements, and had a valid registration for rental. Mayor Roth said it was brought to the Council's attention that 7300 Maple Avenue was in

violation of the zoning code. He and Councilman Forshee agreed to look into the matter again.

2. Mary D'Ovidio, 7324 Piney Branch Road. At the last Council meeting Mrs. D'Ovidio reported that she had been corresponding with citizens from the Logan Circle area which resulted in a meeting with their representatives, Roger Collier and Bill Krebs. There was some discussion about letters she received from Douglas Sneider, Dept. of Transportation (DOT), meetings with Tom Robertson, Park & Planning Commission and Brian Green's meeting with Thirteenth Street citizens. Mrs. D'Ovidio felt that the two groups, Thirteenth Street Residents Committee and Friends Against Speeding Traffic (FAST), were developing into a coalition sharing the concern for the need of an in depth look into the traffic problems before the opening of Metro. Mrs. D'Ovidio read a letter from the Thirteenth Street Committee expressing their support with the mutual problem of speeding cars.

3. Reverend James D. Ross, Parker Memorial Baptist Church, expressed great concern with the attitude of the Police Dept. and citizens' feelings toward them. Described an experience he had with a Police Officer over a traffic violation where the Officer was insulting. Rev. Ross said he reported the problem to the Chief of Police and never got a response. He suggested that the Council require all Officers to attend a human relations class. He also pointed out that he and his wife have called the Police to report incidents of disturbing the peace and when he asked why there was no reply he was told that the dispatcher forgot to dispatch their complaint. Rev. Ross said the City needed a Police Department liaison with the people. Said there were others that have had problems with the department and suggested that the Council set up a meeting to thrash out the problem. Mayor Roth explained that each officer must go through a County and State training course, which includes a personal relations course given by the State. The Mayor set up a meeting with Rev. Ross and other citizens to discuss this problem on June 7 at 7:30 PM in the Municipal Building.

4. Sarah Barnes, 7611 Maple Avenue, felt that the meeting to discuss Police problems was necessary. Mayor Roth emphasized the fact that in order to get to the bottom of the situation the meeting must focus on specific instances, not general statements. Ms. Barnes said she had been harrassed by members of the Police Department several times and felt the incidents were racially motivated. Mayor Roth said she could have the situation investigated but that when making such a serious accusation, she must have specific details. Ms. Barnes said she would discuss the matter further at the June 7 meeting.

5. Jeff Goldstein, owner of J. & K. Valet, 7607 Maple Avenue, complained of parking problem in front of his store. Said he had talked with the City Administrator and Chief of Police numerous times over the past six years and the problem still exists. Mr. Gilsdorf said the City has always been responsive to Mr. Goldstein. Mr. Goldstein said that some time ago citizens requested a crosswalk on Maple Avenue which meant eliminating one of the few parking spaces in front of his store. With "no parking" across the street the problem with shopping center parking gets worse. Said Police have been inconsistent in giving tickets for people double parking in this area. Said he had reported a police officer that was double parked in front of his store while having a jacket repaired and then later ticketed someone for the same act. Mr. Goldstein was upset that his accusation against this police officer was considered incorrect. Asked for a meeting to discuss these problems with the Mayor and Council. Mayor Roth invited Mr. Goldstein to attend the meeting of June 7.

6. Ellen Marsh, 7405 Maple Avenue, attended a meeting with Takoma, D.C. residents who are working on the Takoma D. C. Master Plan for the general area around the future Metro Station. A public hearing will be held soon for citizen input. Reported that the Public Works Employment Act of 1977 includes 100% funding for some public works projects. The purpose is to provide employment, therefore funds would have to be spent immediately. Suggested that the City look into the program. Mrs. Marsh said the Montgomery County Council has scheduled a public hearing July 6 (8:00 PM) on Text Amendment No. 77003 and other positions they are considering on multi-family housing. Mrs. Marsh said one of the proposals made is to take action to revert to single-family when the property changes hands; what they are essentially endorsing is to legitimize the status quo. Asked what position the Mayor and Council would take. Mayor Roth said it is important that the City have public discussion on the matter before the July 6 public hearing.
7. Jim Hawley, 510 Margaret Drive, commented that the Police Department has handled problems well during the years.
8. John Fleming, 6909 Westmoreland Avenue, described the current status of Urban Park and the need for seeding the lawn areas. He said most of the top soil was washed away and the dust is creating a problem. After talking with the contractors, Mr. Fleming found that the grounds will not be seeded until the end of May and would not be resodded first because of the cost involved. Mayor Roth said this is funded by the Park and Planning Commission and asked the City Administrator to check on Mr. Fleming's concerns. Mr. Barile said the grounds would not be worked on until the sidewalks were put in which should begin in the next few days. Mr. Fleming noted that right after purchasing his home he received notice of an increase in his assessment. Mayor Roth said assessments were handled by the State and there is a process whereby an owner may appeal his assessment.
9. Lou D'Ovidio, 7324 Piney Branch Road, asked that the Mayor and Council send a letter to Tom Robertson (Park and Planning Commission) indicating continued support for Piney Branch residents' request for status quo as mentioned in the Council's letter to Mr. Caltrider (SHA). Mr. Robertson has said that there is a new Master Plan for Takoma Park and there will be an opportunity for citizens' input. Mayor Roth said the City asked the Park & Planning Commission to work on a Master Plan for the City. Task Forces were formed, comprised of citizens, to make reports with their recommendations to be sent to the Park & Planning Commission. When the Park & Planning Commission has completed their first draft a public hearing will be held for further comments. The Mayor said Mr. Robertson should be informed of the Master plan and that Donald Spivak was in charge of the project. Mr. D'Ovidio felt that a lot of information will come out of the June 2 meeting with Delegate Ida Ruben on the Piney Branch traffic problem. Mayor Roth said he has received a response in regard to Piney Branch from Senator Crawford. Letters were sent to Delegates Alexander Bell, Shelia Hixson and Ida Ruben.
10. Charlene Cohen, said she now has a copy of the motion to file a brief in the Supreme Court on the Arlington Parking Permit issue. A response from the Supreme Court should be forthcoming within the next few weeks. Mrs. Cohen asked if the City would be filing as a friend of the Court in support of the Arlington Case. Mayor Roth said he would consider it, but must give it further thought. She also asked that someone from the Corporation Counsel's Office sit in on the Takoma Park court cases and that the Judges have copies of the City's permit parking ordinance.

Councilman Forshee said he attended a court session May 17 and plans to attend again May 24. He added that he felt certain that copies of the ordinance were made available to the Judges. Mayor Roth expressed his full support for permit parking. He felt that it was important to maintain the City's permit parking with Metro opening soon and requested that the Corporation Counsel attend the court cases involving the City. Mrs. Cohen reminded the Council of her suggestion for an all citizen group to study the traffic problems in the Metro area and come up with recommendations for the City Council. Mayor Roth said the Park & Planning Commission has been asked to advise the Council of traffic problems in connection with the Master Plan. Mrs. Cohen said the City should also have input from the citizens since they are more familiar with the streets.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf
Communications

--Letter from Lou D'Ovidio, 7324 Piney Branch Road, representing F.A.S.T., requesting the Council to correspond directly with Mr. Tom Robertson, planner for Takoma Park at the Park & Planning Commission, indicating their support of the citizens' position as input is critical.

--Montgomery County Landlord/Tenant Office Quarterly Report
Of the 9 complaints received, 8 were from tenants and one from a landlord. The tenant complaints pertained to deposits, violation of leases and maintenance disputes. The landlord complaint was due to damage of the interior of an apartment. During the past two years there have been a total of 99 cases reported with 13 unresolved.

Administrative Reports and Recommendations for Council Action

(1) Proposed ordinance authorizing purchase of Police Department vehicle, using LEAA funds. Councilman Garcia stated his preference for an American-made car and moved that the ordinance below be adopted. Councilwoman Medina seconded and the ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina and Webb; NAY: none; EXCUSED: Councilmen Faulkner, Nishimoto and Ricks.

ORDINANCE #2418

- SECTION 1. THAT, after having been duly advertised and notices sent to qualified dealers, bids were opened at 3:00 PM, May 18, 1977, for one 2-door compact sedan for use by the Police Department's CCR unit; AND
- SECTION 2. THAT two bids were received: Datsun 210, Herb Gordon Datsun, at \$3786, meeting all specification requirements; and 2-door Pinto, Hill & Sanders, at \$3773, without specified noise suppression package; AND
- SECTION 3. THAT the bid on the 2-door Pinto for THREE THOUSAND, SEVEN HUNDRED SEVENTY-THREE DOLLARS, \$3773, (Hill & Sanders) is hereby accepted, since it represents the lowest cash outlay in that the cost of special tools for the Datsun would exceed the price of installation of the noise suppression package on the Pinto; AND
- SECTION 4. FURTHER THAT funds for this purchase shall be appropriated from the LEAA Concentrated Crime Reduction Project grant and transferred to the appropriate Police Department account.

(2) Consideration of request for Class D Liquor License, Anthony's Restaurant, 7553 New Hampshire Avenue The City received a letter from Douglas Real Estate requesting the Council's approval of their application for a Class D Liquor License. Mayor Roth, with permission of the Council, allowed representatives of Anthony's Restuarant to speak. Mr. Dennis Dolan explained that Douglas Real Estate deals with commercial properties. They hoped to do extensive renovations, developing the place into a family restaurant which would be an asset to the community. Mr. Dolan introduced the owner and operator, Mr. Harvey Mazel, who said the majority of the positions would be filled by local persons. The atmosphere would be similar to that of the Pappy Parker Restaurants. Mr. Dolan presented a petition (signed by approximately 200 patrons) favoring the selling of beer in the restaurant. He requested the Council's opinion before the June 16 hearing which would be held in Hyattsville. He presented layouts and photographs of their plans. Councilman Garcia noted that there have been other restaurants in the area that have applied for such a license and because of tradition were unanimously denied. Mr. Mazel said that to justify the expenditure for improvements they would have to sell draft beer. Councilwoman Medina said that tradition carries a lot of weight in Takoma Park. This is something that must be looked at very carefully and each case should be examined on its own merits. Said she would consider the factors on their application and try to determine how citizens would feel about such a place. Mr. Mazel said he has maintained a liquor license in Prince George's County in Laurel and has never had a citation. Mr. William Bach, Vice-President of Douglas Real Estate, pointed out that a notice of their application has been on display and no one has voiced an opinion in opposition to the sale of beer. Mayor Roth said the Council should make some kind of decision at the June 13 meeting.

(3) Proposed ordinance authorizing purchase of Recreation Department equipment (Revenue Sharing Funds) After clarifying the Department's need for items requested, Councilman Garcia moved that the ordinance below be adopted. Councilman Forshee seconded and the ordinance was passed unanimously by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Medina and Webb; NAY: none; EXCUSED: Councilmen Faulkner, Nishimoto and Ricks.

ORDINANCE #2419

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 certain funds for Recreation Department equipment and office machines; AND

SECTION 2. THAT the prices on articles listed below represent the lowest price quoted on items which meet the specific needs of the Recreation Department, and are hereby approved for purchase:

1 - Model #895, IBM 15-1/2" Selectric typewriter (IBM).....	\$ 747.00
6 - Heavy duty portable standards @ \$35.60, plus freight (Adirondack).....	213.60
1 - 12-foot aluminum step ladder (Hunter Hardware).....	148.31
2 - Folding tables stain proof plastic top, 30 X 96" (Adirondack #96-V) @\$44.50, plus freight.....	89.00
1 - Balance Beam (American Athletic Equip. #BBW-104).....	218.00
TOTAL	\$ 1,415.91 plus frt.

SECTION 3. THEREFORE THAT the sum of ONE THOUSAND, FOUR HUNDRED FIFTEEN DOLLARS AND NINETY-ONE CENTS (\$1,415.91), plus freight charges, be appropriated from

the Federal Revenue Fund Account and transferred to the appropriate Recreation Department account.

Mayor Roth asked the Corporation Council why they did not participate in the Court cases for the permit parking cases. Mr. Gingerich said they were not allowed to participate because it was the State Attorney's job. He added that even when the Parking Officer is being badgered they have no legal control.

ADJOURNMENT: 10:45 PM Council to reconvene June 13, at 8:00 PM.

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

APPROVED: John D. Roth
John D. Roth
Mayor