

THE CITY OF TAKOMA PARK, MARYLAND
MEETING OF THE MAYOR AND CITY COUNCIL
June 27, 1977

City Officials Present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilwoman Medina
Councilman Ricks

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

ABSENT: Councilman Webb; due to illness
Councilman Nishimoto.

The Mayor and Council met on June 27, 1977 at 8:03 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 June 13 meeting was made and seconded. Councilwoman Medina asked that a correction be made on Page 5, last sentence to include "not" after the word may. With this correction the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

--Mayor Roth presented the following Resolution of appreciation which was moved, seconded and approved unanimously by voice vote:

R E S O L U T I O N

WHEREAS, fifteen years ago, the late Mayor George M. Miller named a committee of seven professional and amateur growers of azaleas to "develop and implement on a self-sustaining basis" a beautification program for the City's parks, public buildings and homes throughout Takoma Park; AND

WHEREAS, Inga Derato was one of the original members of this citizen group and has been in the forefront of every phase of their outstanding work; AND

WHEREAS, Mrs. Derato's contributions are beyond counting; her knowledge is virtually limitless; her devotion, generosity and infectious enthusiasm are milestones in the proven volunteer beautification effort; she is truly the "Johnny Appleseed" of azaleas for this community and the "Godmother" of hundreds of thousands of azalea plants throughout the area; AND

WHEREAS, Inga's unfailing generosity in sharing her knowledge, time and plants; her wry wit and love for azaleas; and her understanding of the beauty and joy they bring to others are the hallmarks of a talented citizen's dedication to her community.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland do hereby express their appreciation to Mrs. Derato for these many years of dedicated service to the City and extend the hope that her new home will be filled with beauty, sunshine, pleasure, and a fond memory of Takoma Park.

ADOPTED THIS TWENTY-SEVENTH DAY OF JUNE, NINETEEN HUNDRED SEVENTY-SEVEN.

Mayor Roth also presented Mr. & Mrs. Michael Derato (who are moving from Takoma Park) with an Honorary Citizens' Award for their work in the City.

--The Mayor said his ride on the Metro line from the Stadium to the Airport took about 45 minutes with only 28 minutes for the return trip. He added that the trip was enjoyable and that he was looking forward to Metro opening at the Takoma Park Station to provide transportation for citizens.

--Received a letter from Comptroller Louis Goldstein confirming his attendance at the City's July 4th celebration. He will be arriving by helicopter. The Air Force Band and Marching Platoon will be in the parade but are subject to preemption by the White House. Mayor Roth said the Independence Day Committee has asked for contributions for the fire works display and urged everyone to help out.

ADDITIONAL AGENDA ITEMS

--Community Development Block Grant Status Report by City Administrator

CITIZENS' REMARKS

1. Presentation of "Welcome to Takoma Park" booklet by Nancy Robinson, Takoma Park Presbyterian Church Mrs. Robinson said the Church has recently updated their booklet to help new residents find their way around. The Church does not have funds to reproduce the booklet on a large scale but those who would like extra copies should contact them. Mayor Roth thanked her for their work and noted that the City is working on a similar booklet.
2. Community Development Block Grant Citizens' Advisory Committee report Lou D'Ovidio, Chairman of the Advisory Committee, reported on the committee's progress. The following resolutions have been presented to the Council for their consideration: Homeowners whose properties are in violation of Ordinance 1946 should be informed of loans available to them and that the 1977 CIB Ride-around results be made available to committee members as soon as possible for assistance in planning; Seventy-five percent of the \$125,000 Loan Program for Fiscal Year '78 allocated to the Grant should be earmarked for use in the most deteriorated areas of the City and, if after four months, these funds have not been expended they should be released for use in the City at large. With the new park slated for the Lee/Grant/Sherman Neighborhood, the City should move to acquire and develop the vacant parcel of land located at the intersection of Hancock and Sheridan Avenues and, if funds permit, a second parcel of vacant property in the 100 block of Grant Avenue be acquired for future park development; that the City pursue the possibility of renting property on the grounds of the Winchester-Takoma Apartment for the park scheduled for the Maple/Ritchie Neighborhood. Mayor Roth said the recommendations seemed agreeable with exception of the last which would need further consideration. He reminded Mr. D'Ovidio that recommendations for the FY'78 must be ready by mid September. Mr. D'Ovidio said the committee is meeting as often as possible to meet that deadline. He added that the committee would like to see Code Enforcement react to the CIB Ride-arounds and those zones that need more help.
3. Briefing on Montgomery County's proposed Zoning Text Amendment (#77003) concerning continued use of multi-family dwellings in single-family residential zones, followed by continuance of citizen comments from June 13 Council meeting. (Citizen associations and owners of multi-family dwellings have been notified of pending legislation and invited to address the issue at the June 13 and June 27 Council meetings to assist the Mayor and Council in formulating their recommendations to the County Council.)

Mayor Roth provided a briefing on the history of multi-family dwellings. During WWII thousands of people flooded into Washington to work for the government causing a great need for housing. The government urged people to provide rooms for these people in their homes. In 1950-51 the City Council while working on a Master Plan expressed dissatisfaction with the number of apartments in houses and rooming houses in single-family zones. They began to formalize some type of order on the situation. It was clear, according to the Council minutes, that some people wanted to abolish all of these houses and a number of people took the position to legalize the dwellings. After some study it was decided to register all the apartments and rooming houses that existed at that time (1952). There would be a fee in connection with the registration which would be used to help pay for inspecting the properties. According to the minutes of November 1951 it was decided that no further apartments in single-family zones would be allowed. No Council since then has deviated from that policy. By 1953, there were 1153 properties registered. In 1969 this number dropped to 869 and by 1976, the number totalled 521. It is believed that the number of rooming houses has dropped substantially. In the Fall of 1975, the present Mayor and Council recognized the problem and initiated work on a new Master Plan for the City. Four Citizen Task Forces (Housing and Code Enforcement, Transportation, Zoning and Land Use, and Public Services and Education) were appointed. The Zoning and Land Use Task Force recommended abolishing multi-family dwellings, whereas, Housing and Code Enforcement Task Force asked that standards be set and enforced. The Task Force reports have been turned over to the Park & Planning Commission and their first draft is expected in December or January. While working on the Master Plan for Takoma Park the Planning Commission was working on a parallel plan for East Silver Spring which has a similiar problem. The Dept. of Environmental Protection and Park & Planning Staff outlined a number of options that might be considered as alternative solutions. Two of those options will be considered at a public hearing by the County Council on July 6. One of the proposed amendments to the zoning law would be to permit continued multi-family use, provided such use commenced prior to 1954 and is registered with the City and meets all housing code standards (Option 1). According to the second proposal multi-family use would cease in the event of change in ownership (through death, sale or any other means) or termination of a lease (Option two). Mayor Roth said the City Council would like to make recommendations at the July 6 public hearing derived from citizen input at the City's June 13 and 27 meetings. At this time Mayor Roth opened the meeting for comments from citizens.

1. Lawrence Mack, 523 New York Avenue, asked for a definition of multi-family dwellings. Mayor Roth responded by saying single-family is one family and multi-family is more than one family or more than one dwelling unit. Mr. Mack complained that there were 4 or 5 people living at 519 New York and it was not registered prior to 1954. Mayor Roth explained that 3 roomers were permitted. Councilman Ricks added that 5 unrelated individuals were permitted to live in a house.
2. Edward Shipley, 2238 North Vermont, Arlington, Va., owner of 6610 Allegheny Avenue, pointed out that many places, such as his, were originally built as multi-family units and special consideration should be given to these places since the cost to convert to single-family would be very high. Mayor Roth said that under option one the place would be allowed to continue as long as it is registered prior to 1954 and under option two the apartment would remain until sold, death of owner, etc. He added that if option two were adopted the owners could apply depreciation to the price of conversion.

3. Bill Strum, 36 Columbia Avenue, said his home, which was originally built as two family in 1890, would be very difficult to convert to single-family. Remarked that he was not proud to be a landlord because of the reputation absentee landlords have given all landlords by letting their places deteriorate. Noted that there were tax advantages to letting these places depreciate. Said the first concern should be the people and community, the effects multi-family units have on crime, traffic and density. Mr. Strum said he favored option two adding that owner occupied units are better maintained.

4. Gordon Bullock, Representative of Columbia Union College, said the College has been in Takoma Park since 1904 offering Christian education to those in the City and surrounding areas. The College purchased properties (which are not tax exempt) as they come available (adjacent or adjoining college property) to be used as dormitories and housing for married students. If option two is accepted Mr. Bullock felt sure the College would have to consider looking for another location that is financially more feasible. Option two would eliminate approximately 12 of their places. He urged the Council to support option one. In response to Councilwoman Medina's question, Mr. Bullock said the College has 16 houses and that 40% of the students live in dormitories. The College did not convert the houses to multi-family but used them as they were purchased. Mr. Bullock said some single-family homes have been purchased but are mainly used by staff.

5. Joseph Kulsky, 203 Lincoln Ave., felt that the needs of students, widows, and persons on fixed incomes have not been considered; that he would dislike seeing housing phased out. Said landlords should not rent out a place they would not live in themselves. Councilman Ricks said there were about 5000 rental units in Takoma Park and most landlords feel their places are low income rental units. He asked if citizens are looking to keep Takoma Park as a low income rental district.

6. Mrs. William Hardy, 117 Park Avenue, agreed that the number of deteriorated places is bad. Complained of trash problems around a multi-family unit near her home.

7. Paul Plant, 7411 Carroll Avenue, said 307 Boyd Avenue had 8 apartments but only six were registered; that the interior was unkempt and tenants complained of lack of heat in the winter. Mr. Plant also complained of a multi-family unit (7409 Carroll Avenue) where problems still exist. Favored option one.

8. Sammie Abbott, 7308 Birch Avenue, felt the City should not have to accept the words of the County; that the City should discuss the needs of Takoma Park citizens and forward that position to the County Council. Mayor Roth said he would need citizen support at the July 6 meeting for such action. Mr. Abbott argued that citizens could not express their view points by July 6; that the City should demand a postponement. Said that the two options originated from the from the County the same as the closing of SSI, TPES, and "Mustard Plan." He indicated that County problems are being solved at the expense of Takoma Park. Mr. Abbott said option one is merely legalizing non-conforming illegal use leaving the City open to R-20 zoning. Mr. Abbott suggested that all multi-family units be treated equally regardless if they were registered prior to 1954; that all non-conforming properties are illegal and when sold should be reverted back to single-family.

9. Carlos Garcia, 709 Geston Way, speaking for Benigno Cribeiro, owner of 7118 Carroll Avenue, said Mr. Cribeiro's four family unit is maintained well. Objected to option two because not all multi-family units are the same. Some would be very difficult to convert to single-family. Mayor Roth explained that option two was to force people to keep their apartments. Councilwoman Medina noted that some places along Carroll Avenue are in areas zoned for multi-family units. Mayor Roth suggested that they check to see if the house is in conformance with the lot and zoning.
10. Marilyn Piety, President of Sligo/Branview Citizens Association, said the text amendment is a mutual concern with Silver Spring residents. Mrs. Piety indicated that Silver Spring properties were worth less because they were next to Takoma Park; that the same houses in Potomac would be worth more. Mayor Roth disagreed, saying that prices of homes in Takoma Park have risen. Mrs. Piety urged the Council to take action to improve properties and their values. She reminded everyone that the City has no zoning authority but urged the Council to cooperate. Said the association understands the problems and needs of students, widows, and families with fixed incomes but asked that the City favor the phase out option to upgrade the neighborhoods.
11. Clarence Boatman, 133 Ritchie Avenue, recalled when there was pressure to change a vacant lot on Ritchie Avenue to apartments but citizens wanted to maintain the R-60 zoning as long as possible. Asked why the City Administrator, Mayor and Council's salaries were not listed in the June 13 minutes. Councilman Garcia said the City Administrator's salary is on the June 27 agenda and the Mayor and Council salaries were not changed. Mr. Boatman requested that a new tennis net be purchased for the Recreation Department.
12. Melvin Raff, 7319 Willow Avenue, reiterated the problems with multi-family units which have absentee landlords. Mr. Raff expressed his opinion on Code Enforcement. In response to Mr. Raff's question, Mayor Roth said that those multi-family units found not to be registered are reported to the County.
13. Bernice Meyers, 7212 Cedar Avenue, said she did not understand the proposal and could not see how a decision could be made after only two hearings. She had numerous questions concerning the effects options one and two would have on multi-family units and how they would be enforced. She made special mention of the multi-family unit at 7209 Cedar (Boat House) and its deteriorated condition. Asked if codes would ever be enforced at this place. Suggested that the Council recommend to the County that the July 6 hearing be postponed.
14. Mrs. M.L. Willis, 7303 Holly Avenue, expressed concerns with the cost of converting her three-unit building to single-family. Favored option one. Said her place is well kept and inspected by the City frequently. In response to Councilman Rick's question, Mrs. Willis said her place had been a multi-family unit in an R-60 zone when she purchased it.
15. Mary Ann Leary, 7301 Takoma Avenue, said if she must choose between the two options her choice would be option two because it helps landlords who have made a financial investment and allows present tenants to stay. Option one would be going against a trend which is reducing the multi-family units. Mrs. Leary felt that two Code Enforcement officers were not enough to effectively control Takoma Park. Spoke of a house on Holly Avenue that she thought obtained its multi-family status through a special exception. After the original owner died the house remained multi-family. Mrs. Leary thought there might be other places like this and

if option one was passed wondered if the County would help finance another position in Code Enforcement to help. Suggested that there be an exploration of special exceptions in order for the College to acquire buildings.

16. Emanuel Pederson, 102 Park Avenue, said he would like to see the City restored to the attractive clean suburb it once was. Felt rezoning was necessary. Suggested that option two be discarded as he felt it set aside the sacred rights of human rights and democracy and creates violators of law-abiding citizens. Said option one was confusing, but could be used as a basis for a worthwhile recommendation.

17. Pinky Vahovich, 7217 Spruce Avenue, said she came to the Council meeting a year ago with bad press coverage for Takoma Park in the Washingtonian Magazine. The new issue was out and Mrs. Vahovich was pleased to read how the magazine had improved its opinion of Takoma Park. Mrs. Vahovich said she recently posed as a buyer at a local realtor and was told that she could not buy a multi-family house in Rockville but that she could get away with it in Takoma Park. She spoke of other realtors that indicated that multi-family usage was allowed in Takoma Park. Mrs. Vahovich asked that letters be sent to these realtors. Mayor Roth said he would write to the Board of Realtors. Mrs. Vahovich felt that multi-family units should be controlled in order to upgrade the quality of life in Takoma Park.

18. Susan Diggs, 7710 Garland Avenue, said she had the opportunity to buy her place and the apartment would help with the mortgage payments. Felt it was not fair to phase out apartments; that inspections could be improved by telling people to fix up their places or have their permits revoked. Added that she did not want Takoma Park to become another Georgetown.

19. Jesse MacKnight, 8318 Haddon Drive, said he was concerned with what actions people in Takoma Park take; that he has an economic interest in maintaining an R-60 neighborhood. Felt there was not enough information to make an intellectual observation but would favor option two.

20. Frances Phipps, 7210 Holly Avenue, emphasized the need for the City to control what is happening; that neither of the options have absolute criteria which would be opening the City to arbitrary action. Under option one, Mrs. Phipps wondered who would be responsible for the burden of proof; said record keeping has not been handled well. She suggested that the Council prepare its own option that would benefit those in Takoma Park. Mayor Roth said that application of the text amendment may be difficult in the County but in Takoma Park properties are already registered; that there is no burden of proof because the registration is already there.

21. Lawrence Silberman, 7047 Eastern Avenue, asked if a citizen could accompany a Code Enforcement Officer on their routine inspections of the multi-family units. Councilman Ricks said he did not think it would be legal for anyone other than a City employee. Mr. Silberman said he supports option one.

22. Joseph Ferrier, 7413 Maple Avenue, supported Mr. Abbott's views in that there has not been enough preparation to make a decision at this time. Asked that the Mayor and Council request a postponement of the July 6 hearing to allow the City time to prepare its own option. Felt the Columbia Union College has made a threat by saying they will move away unless option one is passed. Added that citizens should be allowed to make inspections with Code Enforcement Officers.

23. Robert Moore, 7314 Willow Avenue, reviewed many reasons to delay a decision. Expressed concern that the proposals did not come from Takoma Park; that citizens did not understand the proposal. Said neither of the options would affect unregistered units. Citizens do not know how seriously housing codes will be enforced, which is important in making some decision.

24. James Sturdevant, 219 Park Avenue, supports option one because option two would cause more housing problems. Option two would discourage upkeep of properties.

25. Bob Griffin, 103 Sunny Side Drive, President of Sligo Hills Citizen Association, said he also participated in testing realtors; that Woodside Realty informed him that zoning in Takoma Park did permit multi-family dwellings. Schick & Peppe Realtors said it was against the law to build apts. in their homes and should be commended for their honesty. Read a recent Post article which noted the trend for people to move back into the inner city and forecast that those displaced will be seeking housing in the nearby suburbs. If Takoma Park encourages cutting up homes it could turn into slums of the Washington area. Mayor Roth said the City Council has discouraged additional apartments since 1954.

26. Allan Marsh, 7405 Maple Avenue, President of Old Takoma Park Citizens Association, complimented the Mayor on the history he gave on multi-family units. Added that he thought the problem went back before WWII. Advised the Council not to take the middle course; that it would indicate their interest in their political status rather than what would benefit the City. Agreed with Mr. Abbott that more time is needed before making a decision; suggested citizen committees to look into every aspect (number of units, fees, etc.). Objected to Columbia Union College's threat. Mayor Roth said an annual fee is charged for registered apartments to help offset the cost of inspection; that it has been raised several times and an additional increase is being considered at this time.

27. Tom Peterson, 12 Sherman Avenue, said his multi-family unit has so many rooms (20) it would be impossible to revert to single-family. The Council should take into consideration the many types of houses in the City. Favored option one.

28. Leslie Agro, 7813 Carroll Avenue, previously at 7306 Willow Avenue, felt the text amendment is not a good piece of legislation. Felt landlords that occupy their multi-family units have the responsibility to help find a solution; that just because their places are in good condition does not absolve them from this responsibility. Said that appraisers automatically depreciate older homes in neighborhoods with multi-family units which makes it difficult to get bank loans for purchasing or rehabilitating. Said that the majority of multi-family homes were in Takoma Park (only 35 outside the City); therefore, the Council should take strong affirmative action via committees and surveys as was proposed by TESS Citizens Advisory Committee. Said there were more than 585 apartments instead of 521. She added that the Corporation Counsel should review all actions to make sure they are legal and feasible. Felt it was wrong for the County to propose such a text amendment before the Takoma Park Master Plan was completed.

29. Moses Karkenny, 9 Pine Avenue, said he liked the good character of Takoma Park which is why he bought his place in the City. Supports option one.
30. Mary Pennifield, 7305 Takoma Avenue, supports option one with revisions. Felt that a County representative should come to Takoma Park to thrash out some of the problems.
31. Phil Vogel, 7117 Garland Avenue, said he came to the meeting with facts and figures but now has more questions. Mr. Vogel expressed his concern with Code Enforcement involvement with the issue. He asked why only landlords and civic associations were notified of the hearing; that it wasn't fair that all citizens were not notified with equal methods. Mayor Roth said every effort was made to notify as many people as possible (through the mail and by newspaper) on short notice. Mr. Vogel asked for a copy of Mayor Roth's letter to the Board of Realtors. He complimented Mr. Ken Lee of Schick & Peppe Realtors in Langley Park for this fine representation of Takoma Park. In response to Mr. Vogel's question, Mayor Roth said the text amendment would apply to all of Montgomery County but Takoma Park may administer it within the City. Mr. Vogel said zoning violations are reported to the County but nothing more is heard about attempts to have places corrected; that the City pays a retainer fee for a Corporation Counsel and should get some legal action to force the County to react to violators. Said that the City should have its own zoning and useage map.
32. Leroy Rubottom, 500 Elm Avenue, owner of 7120 & 7124 Carroll Avenue, complimented the Council and Code Enforcement Officers for their work. Felt that with careful cooperation by the Council and individuals a solution could be reached. Opposed option two as it would impose a hardship on him. Could not sell as single-family, since there are 16 - 20 rooms in each of his houses.
33. Phil Shelley, 7217 Willow Avenue, said he was concerned with deteriorating properties, but as a student at Montgomery College, felt fortunate he had the opportunity to live in a multi-family house in a nice neighborhood rather than in a high rise apt. surrounded by parking lots. Option two would not encourage landlords to put money into improvements. If one of the options must be accepted he would prefer option one.
34. Rita Marth, 7308 Cedar Avenue, asked how many of the registered apartments would be affected by option one. Mayor Roth said it would affect all of them. Mrs. Marth said she favored option two as the lesser of two evils, but felt City should develop its own proposal.
35. Jerome Dutch, 239 Park Avenue & 7217 Willow Avenue, said his Park Avenue property was converted more than 50 years ago; reiterated problems students have in finding reasonably priced housing. Expressed support for option one.
36. Betsy Taylor, 8214 Cedar Street, Silver Spring, asked how many places were not in continuous use since 1954. Mayor Roth said there have not been any additional registrations since 1954. Houses that were not registered and found to have apartments are reported to the County.
37. Bill Strum, said he had earlier stated support for option two, but had changed his views; asked for a new option and postponement of the July 6 hearing.

ITEMS FOR COUNCIL CONSIDERATION

Administrative Reports and Recommendations for Council Action

1. Council action on recommendations to Montgomery Council on Zoning Text Amendment #77003, for presentation at County Council Public Hearing (8:00 PM, July 6, 1977, COB, Rockville) Councilman Ricks said this was such a complex issue; felt he could not support an ordinance which would legalize housing that the City has been attempting to phase out. There has been no official contact or discussion with the County; opportunities should be provided to discuss the matter in connection with the City's Master Plan. Mayor Roth said the issue was brought up in the East

Silver Spring Master Plan stemming from problems with multi-family dwellings and zoning on Longbranch Parkway. Councilwoman Medina said chances are that neither of the options could be effected rapidly; so there is no reason for the City to rush into a decision; that the zoning approach was wrong; she would like to see it handled with a staged approach. Councilman Garcia wanted to know what kind of density these options would create. Suggested that the County exclude Takoma Park from their proposals until the Takoma Park Master Plan is completed. Councilman Ricks said that there are problems with excluding Takoma Park from their plans; what happens around the City affects Takoma Park, too. Councilman Faulkner asked what the City Council should do if the County does not defer their action. Councilwoman Medina felt the following suggestions should be taken into consideration when making a decision: (1) Multi-family usage should not be viewed as necessarily undesirable, but should be controlled; (2) Basic emphasis should be placed on preserving housing stock and the single-family character of a structure. (Some structures that have converted to multi-family usage are more adaptable to reconversion than are those which may have had extensive additions to the original structure; the quality of the maintenance and structure and building utilization should be considered in allowing continued use.); (3) Multi-family usage should also be tied to over-all density in a given structure; (4) Limits should be established for an allowable number of multi-family units in a given area (within the established limits, selection of the units would be on a competitive basis following a certain criteria and units selected for multi-family usage would be granted a limited registration for 1 to 3 years, at the end of which time they must reapply.); (5) It may be appropriate to reconsider multi-family usage in terms other than apartments (with kitchens) and rooming units, perhaps by density as well as usage; (6) An appeals board could be established to settle disputes arising over challenges with registration continuing for six months or one year. Councilwoman Medina strongly recommended allowing rental units only in owner occupied units. She also added that consideration should be given to setting a maximum number of rental units allowed in a house (preferably one in most cases, maybe two, depending on the size of the structure). Mayor Roth said some decision should be made as to whether the City Council will give the County an answer or ask them to defer their July hearing. He added that most people agree that they want to keep the good places and get rid of the bad ones. After some discussion there was concensus among the Council members that the County be asked to postpone any action until September. The Mayor asked Frances Phipps and Ellen Marsh as well as other citizens for constructive ideas on language change to effect a zoning change which would retain the "good units" and get rid of the "bad" ones.

2. Ordinance moving location of taxicab stand some 50 feet east of present location on Maple Avenue and establish a 30-minute parking zone in its stead
The City Administrator said the parking limit in front of adjacent shops is one hour. Councilwoman Medina moved that the ordinance below be adopted and Councilman Garcia seconded. Councilman Forshee asked that the motion be amended to change the parking time to one hour. The amendment failed due to lack of a second. After some discussion, the ordinance was approved by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; NAY: none; EXCUSED: Councilmen Nishimoto and Webb.

ORDINANCE #2424

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

SECTION 1. THAT the taxicab stand, now located in front of 7611 Maple Avenue, be relocated at a suitable place 50 feet or more east of its present location, on the same side of the street; AND

SECTION 2. THAT a 30-minute parking area be established in the space vacated by the taxicab stand, to be effective between the hours of 7:00 AM and 8:00 PM; AND

SECTION 3. THAT the penalty for violation of the provisions of Section 2 shall be as stated in Sec. 1-17, Code of Takoma Park, Md., 1972, as amended; AND

SECTION 4. FURTHER THAT this ordinance shall be come effective upon completion of the signing.

3. Consideration of request by Old Takoma Citizens Association to establish a plan for resolving anticipated commuter traffic problems in Metro area Mayor Roth said he was glad that the Old Takoma Citizens Association joined the Council with similar concerns. The Council's concerns have reached back for some years. In 1973, the City Council asked that parking spaces for commuters at the Metro station be eliminated except for a nominal number for the physically handicapped and noon-day shoppers. The intent was to inform all commuters that it would be useless for them to drive their cars to the Takoma Metro station because there would be no parking spaces. (This was to discourage commuter traffic.) The second step the Council took in handling traffic was passing a permit parking ordinance with intention of using it in the Metro impact area. Mayor Roth encouraged citizens in that area to be thinking about the necessary petitions for obtaining permit parking. If the permit parking system cannot be used because of legal problems, the City can use alternative methods such as restricting the parking times. To provide an alternative method for arriving at the Metro Station the Council has supported expansion of the TRIP Minibus service. In the Fall of 1975, the Mayor and Council established citizen Task Forces to study and make recommendations on a new Master Plan for the City. The Transportation Task Force met several times to turn out a report which included recommendations on the Metro area traffic situation that was sent to the Park & Planning Commission. They also recommended coordinating recommendations with D.C. Planners. The Council worked toward the implementation of signalization at Eastern and Piney Branch with pedestrian crossing which will aid in traffic flow. Mayor Roth said it is time to move from advisory action to decision making; proposed that several Councilmembers be appointed to review the advice already received in terms of the Sector plan, Citizens Task Force on Transportation and to prepare materials needed for a public hearing September. The Mayor invited citizen associations to submit ideas. Councilwoman Medina moved that the Council

adopt the Mayor's proposal. Councilman Garcia seconded and the motion was approved unanimously. Mayor Roth offered to meet with Old Takoma Citizens Association at their next meeting.

4. Award of demolition contract for 801 Sligo Creek Parkway, 7207 Cherry Avenue, 7209 Cherry Avenue, as authorized by Mayor and Council on May 9, 1977

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

ORDINANCE #2425

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

SECTION 1. WHEREAS, within the City there exist buildings which, for want of repair or because of damage done by storm, fire explosion, natural wear and tear or other causes of damage or deterioration, are in such condition as to constitute an immediate and present danger to life, property, or public safety; AND

SECTION 2. WHEREAS, Section 5-1, Article 1, Chapter 5, Fire Prevention, of the Code of Takoma Park, 1972, as amended, empowers the Fire Marshal to proceed against any and all such properties in the manner prescribed; AND

SECTION 3. WHEREAS, the Fire Marshal, after having exhausted all alternatives available to him, recommended demolition of the following buildings:

- 801 Sligo Creek Parkway, Lot 19, 20, Bl. 34, B.F. Gilbert Subdiv.
- 7207 Cherry Avenue, Lot 19, 20, Bl.34, B.F. Gilbert Subdiv.
- 7209 Cherry Avenue, Lot 19, 20, Bl. 34, B.F. Gilbert Subdiv; AND

SECTION 4. THAT, upon authorization of the Mayor and Council, demolition bids were solicited via advertising twice in each of two newspapers of local circulation and through notices to qualified bidders, and were publicly opened at 3:00 PM, June 10, 1977, with six bids having been received; AND

SECTION 5. THAT the low bid of \$2850 (TWO THOUSAND, EIGHT HUNDRED FIFTY DOLLARS) was submitted by Lee Washington, Inc., and is hereby accepted; AND

SECTION 6. THAT a City purchase order shall be issued for this project and, upon completion of the operation and approval by the Fire Marshal, the account shall be paid by the City Treasurer from Special Assessment funds; AND

SECTION 7. THAT the Fire Marshal and/or the Director of Public Works shall furnish to the City Treasurer complete and adequate documentation to support the charges as outlined above, including any incidental costs, and the total amount shall be a levy against the specific property according to the land records of Prince George's County, and shall be a lien in the same form as taxes and shall be so collected by the City Treasurer, including sale for delinquent taxes.

5. Ordinance appropriating Federal Revenue Sharing Funds for installation of sink and pump in Municipal Building basement Councilman Ricks moved that the ordinance below be adopted. Councilwoman Medina seconded and the ordinance was approved unanimously by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; NAY: none; EXCUSED: Councilmen Nishimoto and Webb.

ORDINANCE #2426

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

SECTION 1. THAT the Federal Revenue Sharing Fund Planned Use Report for FY-77 included funds for the purchase and installation of a sink and pump in the basement of the Municipal Building; AND

SECTION 2. THAT the Mayor and Council gave authorization to proceed with the work on November 22, 1976; AND

SECTION 3. THAT the cost of the project was as follows:

Sink and pump, including installation.....	\$765.00
WSSC permit.....	113.00
WSSC inspection fee.....	<u>10.00</u>

TOTAL.....\$888.00

SECTION 4. THAT a sum in the amount of EIGHT HUNDRED EIGHTY-EIGHT DOLLARS (\$888) be appropriated from the Federal Revenue Sharing Account and transferred to the appropriate Recreation Department Account, #18.1932.

6. Ordinance appropriating funds (FRS) for darkroom in Municipal Building Upon motion by Councilman Garcia, duly seconded, the ordinance below was approved unanimously by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; NAY: none; EXCUSED: Councilmen Nishimoto and Webb.

ORDINANCE #2427

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

SECTION 1. THAT funds were earmarked in the FY-77 Revenue Sharing Fund Planned Use Report for creating and equipping a darkroom in the Municipal Building; AND

SECTION 2. THAT on November 27, 1976, the Mayor and Council gave authorization to proceed with the work, using City forces; AND

SECTION 3. THAT the work is nearing completion, with actual and estimated expenditures totaling approximately \$1200.

SECTION 4. THEREFORE THAT an amount not to exceed TWELVE HUNDRED DOLLARS (\$1200) be appropriated from the Revenue Sharing Fund account and transferred to A/C 11.2332.

7. Authorization to solicit bids on Public Works capital outlay items (RSF) refuse truck; 1-ton truck; 2-1/2 ton truck; road surfacing The City Administrator explained that the road surfacing would be on Maple Avenue, east of Sherman Avenue to the District line. Councilman Garcia moved that the authorization be approved, Councilwoman Medina seconded and the motion was unanimously approved.

8. Ordinance approving payment to the Miche Co. for editorial work and printing of Supplement #4 to City Code Councilman Ricks moved that the ordinance below be adopted. Councilwoman Medina seconded and the ordinance was passed unanimously by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; NAY: none; EXCUSED: Councilmembers Nishimoto and Webb.

ORDINANCE #2428

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

SECTION 1. THAT the City Treasurer is hereby authorized to draw a check in the amount of SIX HUNDRED SEVENTY DOLLARS AND THIRTY-ONE CENTS (\$670.31) payable to the Michie Company to cover cost of editorial work, printing and furnishing 200 copies of Supplement No. 4 to the Charter and Code of Takoma Park, Md., 1972; AND

SECTION 2. THAT funds for the above are provided in the current budget under A/C 10.6921.

9. Ordinance to amend Ordinance #2422, Employee Pay Scale Plan, to include Grade 29 (City Administrator) Upon motion by Councilman Forshee, seconded by Councilman Ricks the ordinance below was passed unanimously by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina and Ricks; ANY: none; EXCUSED: Councilman Nishimoto and Webb.

ORDINANCE #2429

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

SECTION 1. THAT Ordinance #2422, Pay Scale Plan, adopted June 13, 1977, be amended by addition of the following salary schedule:

	STEP A	B	C	D	E	F	G
City Administrator (Gr. 29)	22,638	23,770	24,959	26,208	27,518	28,895	30,340

SECTION 2. THAT this ordinance shall become effective on July 1, 1977.

Councilman Garcia noted that Council, in setting the salary, had taken into consideration, the extra responsibilities necessitated by the Community Development Block Grant Program. Mayor Roth asked that the City Administrator respond to Mr. Boatman's question about the Mayor and Council's salaries.

10. Status report on Community Development Funds (City Administrator)
Beginning July 1, 1977 the City will be taking applications for block grant loans. Those who wish to apply should do so quickly to expedite the loan. Park improvements have been planned and tool classes are being organized. The tool bank will be put into operation in the basement of the Municipal Building as soon as funds come available. It is understood that the City will be receiving all funds that were requested. Councilwoman Medina asked if the rehabilitation funds would be distributed on a first come first serve basis. Mr. Gilsdorf said that of those who qualify, priority will be given to those with the greatest need. Councilman

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
Council Meeting Room
July 5, 1977
7:30 P.M.

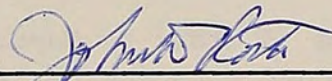
Council Members Present:

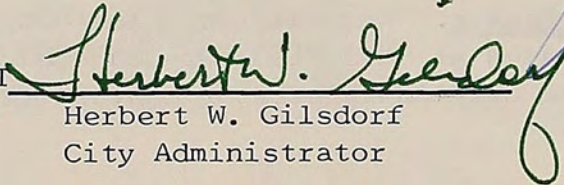
Mayor Roth
Councilman Forshee
Councilman Garcia
C Councilman Ricks
Councilman Webb
City Administrator Gilsdorf

Called to order by Mayor Roth at 7:30 PM. Briefing of Council by Herb Gilsdorf on a few matters.

1. Variance Request by John Becker. Request for a 16 foot variance to install a car port located at 8403 Piney Branch Road. The Council requested that the City Administrator canvass the neighbors as to their reaction.
2. Request for Memorial Planting by the Ark and Dove Society. The City Administrator was asked to respond to the Ark and Dove Society advising that their request was being referred to the Azalea Committee for recommendations.
3. Temporary Office Space for Administrative Assistant. Reported that temporary partition to be set up in the small meeting room could provide working space at a cost of \$1,800. The partitioned space is not necessarily permanent and could be removed when not needed.
4. Community Development Block Grant Program. Status report given on overall program with special emphasis on the many applications for loans. Also the summer, fall, and spring schedule for Public Works; September opening of the tool library; and beginning of Housing Rehabilitation Course in November.
5. Recommendations of Community Development Block Grant Advisory Committee. Request from Lou D'Ovidio, Chairman of the Committee, was discussed and the City Administrator was asked to provide the Council additional information on specific park sites and targeted areas for the loan program.
6. Crossing Guards. The discussion of the Crossing Guards was deferred until 1978 budget consideration.

- 7. Montgomery County Proposed Text Amendment No. 77003. Mayor Roth announced that he would be attending the Public Hearing on July 6th in the County Council Chamber's in Rockville.
- 8. Flower Avenue Problems. Brief report by the City Administrator was offered on issues being raised among the Hispanic residents of East Silver Spring relative to the Flower Plaza Shopping area.
- 9. Timing Device. At consensus of the Mayor and Council, it was requested that a timing device be acquired for meetings.

APPROVED 
John D. Roth, Mayor

ATTEST 
Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL
July 11, 1977

City Officials Present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilman Ricks
Councilman Webb

City Administrator Gilsdorf
Asst. City Administrator Nichols
City Clerk Pusti
Act. Police Chief Dalrymple
Public Works Director Barile
Recreation Director Ziegler
Asst. Corporation Counsel Culpepper
Asst. Corporation Counsel Hoffman

EXCUSED: Councilmembers Medina and Nishimoto

The City Council met on July 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 June 27 Council meeting was made and seconded, and they were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Announced that WMAL Radio Station 63 is supporting "Why Knot Day", Tuesday, July 12 as a day to un-knot ties and to set thermostats at no lower than 78°. Mayor Roth has endorsed this policy for the City offices.

CITIZENS' REMARKS AND SPECIAL PRESENTATION:

I. Presentation by Dennis Bates, COG Director of Health and Environmental Protection. Mr. Bates briefed the Mayor and Council and citizens present on the "Resource Conservation and Recovery Act of 1976" as to its implications for municipalities.

II. Citizens' Remarks.

1. Barbara Littman, 7012 Sycamore Avenue: requested that City job openings and descriptions be posted for all departments in public areas such as the Library. Suggested "assertive action hiring" on grant contracts.

2. Kathryn Simpson, 7300 Cedar Avenue: referred to her testimony at the July 6 Montgomery County Council Public Hearing on the Zoning Text Amendment No. 77003, to consider hardship cases; also Sec. 51-184 of the Montgomery County Zoning Code, to make provisions for two family dwellings in R-60 zones.

3. Lou D'Ovidio, 7324 Piney Branch Road: referred to June 27 minutes (page 2, Citizens' Remarks, item 2) clarifying Community Development Block Grant Advisory Committee's request for a play area on what is now the Winchester-Takoma's front parking area. Also clarified what he had meant by targeting areas as the entrance ways (Gateway Concept) into the City, i.e., Flower, New Hampshire, Carroll, Rt. 410 through City, Piney Branch Road, Takoma, Eastern, Maple, and Cedar Avenues. Mayor Roth, Councilmembers Faulkner and Garcia had some reservations about this idea. Mayor Roth reminded Mr. D'Ovidio that Fiscal Year 1979 recommendations for CDBG monies was needed by September 1, 1977.

4. Joseph Ferrier, 7413 Maple Avenue: thanked Mayor Roth for carrying the citizens' responses to the County Council hearing on July 6 re Text Amendment No. 77003. Notified the Council of a County Council Worksession on Friday, July 15 at 9:30 AM in the Park and Planning building on the same subject. Suggested that the City hold citizen workshops where general information and facts could be obtained about problems in the City.

5. Lou D'Ovidio: thanked the City Police Department for checking his house while he and his family were out of town. Mentioned the good work of the Burglary Education and Aprhension Team(BEAT) and their seminars for educating citizens on burglary prevention.

6. Elizabeth Bozarth, 7326 Willow Avenue: thanked the City for the new curbs and trees on Philadelphia Avenue and part of Willow Avenue. Hoped that all of Willow Avenue would soon be included.

7. Joseph Ferrier: stated that police response time and checking of houses gave citizens a feeling of security.

Councilman Garcia commended the Police Department on their response time.

Councilman Ricks thanked all the City Departments for the fine job they did on the Fourth of July.

COMMUNICATIONS

1. Montgomery County Board of Appeals. Appeal Case No. A-405, John Becker, request for a 16' rear yard variance for a car port. Hearing to be held July 28, 1977 at 1:30 PM in the County Office Building in Rockville. Neighborhood reactions have been solicited and the results will be prepared for the next meeting on July 25.

ADMINISTRATIVE REPORTS

1. Response to proposals made by Community Development Block Grant Citizens' Advisory Committee at 6-27-77 Council meeting. City Administrator Gilsdorf reported that informational material will be drawn up to accompany the 1946 Ordinance notices as requested. Also conceptual drawings for two play areas (Sheridan/Hancock and Maple/Ritchie) are being worked on by Belle Ziegler's staff, Assistant City Administrator Nichols, and himself. Mayor Roth noted that the funds were to be used for playareas not parks; the City already has several parks.

2. Administrative report on pending and active court cases in connection with code enforcement action. City Administrator Gilsdorf stated that there are 29 outstanding "Second Violation" notices, one court case pending (7307 Piney Branch Road; hearing date on August 8), and four likely candidates for court cases. Councilman Ricks questioned whether extensions were being given on second notices and Mr. Gilsdorf stated that no extensions were given. Mayor Roth noted that any extensions that might be considered were to be brought before the Council publicly.

3. Discussion of planting strip on northeast corner of Piney Branch Road and Eastern (at Chestnut). This area is now undergoing reconstruction by the D. C. Government with Maryland sharing 25% of the cost. Mr. Snyder's office

(D.C.-DOT) was contacted, they have no strong objection to this suggestion, but would like to have the cost shared. The cost of an 8' x 12' buffer strip would be approximately \$1,300 to \$1,500, major portion going to installation of curbs and wider sidewalk. Mayor Roth favored a wider sidewalk for safety, and the area would be an excellent place for an entrance sign for the City that is nicely landscaped. Mayor Roth requested the City Administrator to contact the D. C. government as to the City's interest and suggested that the funds be appropriated. A motion to affect this action was made, seconded, and approved unanimously.

4. Ordinance appropriating Revenue Sharing Funds for purchase of Library and Code Enforcement capital outlay items. Councilman Forshee moved that the ordinance below be approved; it was seconded by Councilman Faulkner and adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Medina and Nishimoto.

ORDINANCE #2430

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

SECTION 1. THAT the Council earmarked Federal Revenue Sharing Funds for the purchase of certain capital equipment during FY-78; AND

SECTION 2. THAT competitive prices have been obtained and the following items meet the needs of the respective departments at the lowest available price and are hereby approved for purchase:

- 1 - Royal 700 manual typewriter.....\$240.18
for Library (Manson Office Machines)
- 2 - Office chairs @ \$160 each.....\$320.00
for Code Enforcement Office
(Commercial Office Furniture Co.)

SECTION 3. THAT funds in the amount of FIVE HUNDRED NINETY DOLLARS AND EIGHTEEN CENTS (\$590.18) be appropriated from the Federal Revenue Sharing Fund Account and transferred to the appropriate Library and Code Enforcement accounts.

5. Ordinance appropriating Federal Revenue Sharing funds for erecting temporary office space in Municipal Building. Space has been found in the unused portion of the small meeting room for the office space. City Administrator Gilsdorf emphasized that this office space would only be temporary and could be moved. Mayor Roth stated that, depending on recommendations from the CDBG Advisory Committee, this office space may be needed for two years. After some discussion, Councilman Ricks moved that the ordinance below be approved; it was seconded by Councilman Faulkner, and adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Medina and Nishimoto.

ORDINANCE #2431

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

- SECTION 1. THAT the FY-78 Federal Revenue Sharing Funds Proposed Use Schedule earmarked certain funds for improvement of government buildings;
AND
- SECTION 2. THAT quotations have been received from competitive contractors for setting up temporary partitions in the Municipal Building to provide working space for a member of the Administrator's staff, with City forces performing some of the work; AND
- SECTION 3. THAT the total estimated amount to erect and furnish the said work area would not exceed \$1,800.
- SECTION 4. THEREFORE THAT a sum not to exceed EIGHTEEN HUNDRED DOLLARS (\$1,800) be appropriated from the Federal Revenue Sharing Account and transferred to the appropriate Government Buildings account.

6. Ordinance appropriating \$2,000 in Federal Revenue Sharing Funds to set up MOSHA (Maryland Occupational Safety & Health Act) program. City Administrator Gilsdorf stated that the City is under a self-inspection program, whereby a City employee has been trained by the State to enforce this Act. In response to Councilman Forshee's question, it was stated that the money was approved in the FRS planned use funds. Upon motion by Councilman Faulkner, seconded by Councilman Garcia, the ordinance below was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Medina and Nishimoto.

ORDINANCE #2432

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

- SECTION 1. THAT the Proposed Use of Federal Revenue Sharing Funds during FY-78, approved June 13, 1977, set aside funds to initiate a MOSHA (Maryland Occupational Safety & Health Act) program for the City.
- SECTION 2. THEREFORE THAT funds in the amount of TWO THOUSAND DOLLARS (\$2,000) be appropriated from the Federal Revenue Sharing Account and transferred to the appropriate Public Works Department account.


SPECIAL REPORTS

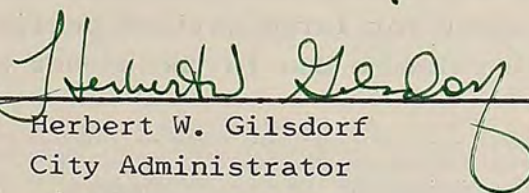
Montgomery County's Proposed Text Amendment No. 77003, concerning continued use of multi-family dwellings in single-family residential zones. Mayor Roth reported that the Montgomery County Council has not answered the City's request for a special hearing date, but they did agree to keep the record open for additional information until Tuesday, July 12. The County Council decided that they would discuss a hearing date at their Friday, July 15 worksession in the Park and Planning building in Silver Spring. Mayor Roth suggested continuing

contact with the County Council on this matter. Upon consent of the Council, Mayor Roth allowed Bob Melvin (7138 Carroll Avenue) to speak. Mr. Melvin invited the Mayor and Council and citizens present to attend a meeting to be held on Tuesday evening, July 12 at Montgomery College to discuss the proposed Zoning Text Amendment. It was the concensus of the Council that an additional letter be sent to the Montgomery County Council, asking for another public hearing and citing the following points, noting that they are not necessarily endorsed by the Mayor and Council, but are matters in need of exploration:

- 1) The registration should be for a period of not more than two years, which can then be renewed periodically by the County (or the City) after consideration of housing code compliance record.
- 2) Sec. 27-215(6), Prince George's Zoning Code, 1975, **which** recognizes owner-occupied 3-unit multi-family occupancy in existence prior to November 29, 1949 as a permitted use in an R-55 (single-family) zone.
- 3) Possibility of delaying of formalized registration until exterior of structure complies with housing code standards.
- 4) Elimination of third floor, attic or basement apartments due to the detracting nature of fire escapes, etc.
- 5) Excluding roomers or boarders from registered properties.
- 6) Use of a density concept to limit the numbers of registered properties in an area (e.g., the density provisions of the group homes legislation).
- 7) Possibility of special provisions for properties owned by hospitals and colleges.
- 8) In considering the density concept (item 6, above), priority be given to those properties which don't lend themselves to single-family use.
- 9) The entire question might better be handled via the special exception process.

Upon motion, duly seconded, the Meeting adjourned at 9:55 PM, to reconvene Monday, July 25, 1977 at 8:00 PM.

APPROVED: 
John D. Roth
Mayor

ATTEST: 
Herbert W. Gilsdorf
City Administrator

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION

Council Meeting Room

July 18, 1977

7:30 PM

Council Members Present:

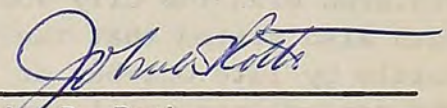
Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilman Ricks
Councilman Webb
City Administrator Gilsdorf

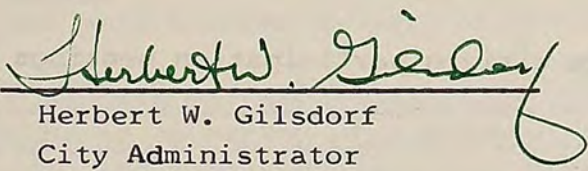
Meeting was called to order by Mayor Roth at 7:30 PM.

1. Sunshine. After some discussion, the City Administrator was directed to post notices of all open meetings of the Mayor and Council on the Library Bulletin Board, the Municipal Building Bulletin Board, and on the information distribution Table in the Administrative Offices. It was further decided that since the 15 minutes or so which are used as an assembly period for the Mayor and Council (before regular Council meetings) are not actual meetings in which legislation is discussed, that it will not be necessary to post formal announcements, but rather this be used as a convenient time and place for the Mayor and Council to assemble, receive mail, and other material for the coming meetings.
2. Traffic Signal Located at Carroll and Ethan Allen Avenues. Councilman Forshee advised the Mayor and Council that there is a dangerous turning movement with East-bound traffic on Ethan Allen Avenue that turns North onto Carroll Avenue being confronted with the green light traffic moving West on Ethan Allen. The City Administrator was directed to bring this matter to the attention of the SHA and request a response from them.
3. Council Meeting Procedures. A brief discussion was held with need being expressed for both a sign-in sheet for large citizen participation matters and some type of timing device due to the number and verbosity of certain groups.
4. Proposed Legislation on Pedestrian Crossing of State Highways. Councilman Faulkner agreed to draft (in concept) some language that could be used to prepare specific legislation relative to the above.

WORKSESSION
July 18, 1977

- 5. Public Forum Scheduled for August 10th at 8:00 PM. In response to a number of citizen requests for additional dialogue on the proposed Montgomery County Text Amendment and non-conforming use questions, it was decided to schedule a Public Forum. Donald Spivack of Montgomery County Park and Planning will be asked for a presentation and to assist in answering questions. It was further decided to advertise this forum as widely as possible in the printed media, Radio Station WGTS, and perhaps most importantly on the front page of the Newsletter.
- 6. New Bus Stop for Takoma Tower. Herb Gilsdorf reported to the Mayor and Council that due to an increase in size of the minibuses (safety factor) and the small ridership actually generated by residents at Takoma Tower (less than 15% of those who board at this point) the bus stop should be moved out onto Carroll Avenue. This creates no problems for Northbound buses as shelter space is available, but for Southbound buses, a new stop is requested in front of E & X Exxon Station which involves the removal of one of the City parking meters. This matter is scheduled for the July 25 agenda.
- 7. Request for Variance. Made by Mr. Stephen Sugar, 921 Sligo Creek Parkway. Mr. Sugar intends to build an 8' wooden decking which would extend to the property line. The City Administrator was directed to survey the contiguous and confronting property owners as to their reactions.
- 8. Special Trash Pick-up. It was graphically made known to the City Administrator that something less than perfect enforcement is being applied to the placement of special trash on the curbs before the Tuesday evening placement time specified in the Ordinance.

APPROVED: 
 John D. Roth
 Mayor

ATTEST: 
 Herbert W. Gilsdorf
 City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

July 25, 1977

City Officials Present:

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

EXCUSED: Councilmembers Faulkner, Medina, and Nishimoto

The City Council met on July 25, 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 July 11 meeting was made and seconded. City Administrator Gilsdorf asked that Ordinance No. 2423 (which, though adopted, was inadvertently omitted from the minutes of June 13, 1977) be included as an attachment to these minutes. With this addition, the minutes were approved unanimously.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth announced that a Citizen Forum would be held on August 10, 1977 at 8:00 PM in the Council Chambers to clarify and discuss Montgomery County's proposed Zoning Text Amendment #77003, which proposes to set up an official County-wide registration procedure for multi-family dwelling units, and the accompanying option of phasing out apartments not in accordance with zoning when the property changes ownership. It is hoped that several misunderstandings will be cleared up at this meeting. E. g., the thought that this amendment was an action of the City Council (it is not, it is an action of the Montgomery County Council); that this action may involve rezoning (this is incorrect); also that the text amendment might result in legal recognition of additional apartments in Takoma Park (this is also incorrect--any apartments not now registered with the City would not be legalized via the text amendment). Mayor Roth also stated that the Montgomery County Council would need the City's proposals by late October or early November. The County Council agreed to hold the record open until approximately November 5th for alternative suggestions.

ADDITIONAL AGENDA ITEM

Proposed guidelines for large citizen participation meetings (Councilman Ricks).

CITIZENS' REMARKS

1. Ellen Marsh, 7405 Maple Avenue: requested that more than one Citizen Forum be held on the proposed Text Amendment; Mayor Roth stated that there would be more than one meeting. Also requested that agendas be published for Council worksessions, to which the Mayor responded that agendas have never been prepared

for worksessions, which allows Councilpersons to raise any issue they want. Referred to the Metropolitan Growth Policy Statement published by COG which indicates concentrated growth along the Metro line; questioned whether this would include Takoma Park. Mayor Roth stated that this would not apply to the City; only where it is in accordance with community plans--such as Friendship Heights and Silver Spring which are planned business districts.

2. Mary Anne Leary, 7301 Takoma Avenue: request for two signs on Takoma Avenue (7300 blk.). That a "One-Way" sign be replaced at the Piney Branch Rd. entrance of Takoma Avenue for traffic going West on Takoma Ave. from Piney Branch to Baltimore Avenue, also that trucks over one-ton be prohibited. Mayor Roth asked the Police Chief and the City Administrator to investigate these requests.

3. Lou D'Ovidio, 7324 Piney Branch Road: reported on a meeting with D. C. Area Neighborhood Council 4A and 4C to discuss establishing a coalition of residents of Piney Branch Road and 13th Street for down-grading of the roadway. There have been verbal communications with D. C. Government officials who favor down-grading 13th Street. Also noted that the third rail of the Metro line would be made live sometime in August; requested that the citizens, especially children, be made aware of this; Councilman Ricks suggested handouts to go to the neighborhood playgrounds (Recreation Director to handle). Mayor Roth said that the Takoma Park Metro Station would be opening in the first part of November and that plans for a formal ceremony should be thought of; possible contact with the D. C. Government on this. Mr. D'Ovidio stated that the pedestrian crosswalk signals are being installed at the intersection of Piney Branch Road and Philadelphia Avenue; also that a traffic survey is being conducted at Eastern and Piney Branch where a new traffic signal is to be installed.

4. Aurel LeMay, 704 Philadelphia Avenue: thanked the Chief of Police and his staff for monitoring his house while he was out of town on various occasions.

5. Ann Denbow, 7218 Willow Avenue: asked what the City plans on multi-family units that were not registered in 1954 and also properties that have more units than the number registered. Mayor Roth stated that these properties, when found, are turned over to the appropriate County Agency (DEP) for legal action. Mrs. Denbow stated that a time limit for speakers is an excellent idea; if a speaker cannot make his statement in the time allotted, she suggested that it be submitted in writing.

FINANCIAL STATEMENT

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

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. a. Response to survey of contiguous and confronting property owners re Appeal #A-405, 16' rear yard variance, 8403 Piney Branch Rd. (J. Becker). City Administrator Gilsdorf reported that this case is to be heard on July 28 in the County Office Building in Rockville at 1:30 PM. There were only two responses to the survey: one in opposition and one in favor of the proposed variance.

b. Response to survey of adjacent property owners re Appeal #4923, 8' side yard variance, 921 Sligo Creek Pkwy. (S. Sugar). The City Administrator reported that there had been no response from the neighbors surveyed as yet. The case will be heard in the County Administration Building, Upper Marlboro, on August 3 at 6:30 PM

Mayor Roth requested that the responses from both surveys be forwarded to the correct County Offices.

2. Ordinance moving bus stop in 7000 block of Carroll to a location in front of 7060 Carroll Avenue, necessitating removal of one parking meter. City Administrator Gilsdorf reported that the Montgomery County DOT had requested that the minibus stop located in the Takoma Tower turn-around be re-located because of the small ridership from Takoma Tower and the enlarged size of the new buses. Mayor Roth requested that the businesses in the area be notified and, after some discussion, Councilman Forshee moved that the ordinance below be approved; it was seconded by Councilman Garcia and adopted by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Faulkner, Medina, and Nishimoto.

ORDINANCE #2433

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

- SECTION 1. THAT a bus stop for Southbound minibuses be designated at the Northwest corner of Carroll and Tulip Avenues, in front of 7060 Carroll Avenue; AND
- SECTION 2. THAT parking shall be prohibited on Carroll Avenue from its intersection with Tulip Avenue for a distance of approximately 35 feet southward; AND
- SECTION 3. THAT the Director of Public Works is directed to remove the parking meter nearest the above-mentioned intersection and to post "No-Parking--Bus Stop" signs at the appropriate locations; AND
- SECTION 4. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 5. THAT the penalty for violation of this ordinance shall be as stated in Sec. 1-17 of the Code of Takoma Park, Md., 1972, as amended.

3. Ordinance appropriating Federal Revenue Sharing Funds for improvement of government buildings. Councilman Webb moved that the ordinance below be approved; it was seconded by Councilman Garcia and adopted by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Faulkner, Medina, and Nishimoto.

ORDINANCE #2434

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

SECTION 1. THAT the Proposed Use schedule for Federal Revenue Sharing Funds for FY-78 set aside funds for improvement of government buildings.

SECTION 2. THAT \$3,000 is needed to initiate various projects.

SECTION 3. THEREFORE THAT the amount of THREE THOUSAND DOLLARS (\$3,000) be appropriated from the General Revenue Sharing Fund Account and transferred to the appropriate Government Buildings account.

4. Ordinance authorizing payment (6 months) to Montgomery County Office of Landlord-Tenant Affairs (Revenue Sharing Funds). In response to Mayor Roth's question, Mr. Gilsdorf said that the June quarterly statement from Landlord-Tenant would be received soon. Councilman Ricks moved that the ordinance below be approved; it was seconded by Councilman Garcia and adopted by roll call vote as follows: AYE: Councilmembers Forshee, Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Faulkner, Medina, and Nishimoto.

ORDINANCE #2435

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

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

SECTION 2. THAT funds were set aside to cover this service in the Federal Revenue Sharing Planned Use Report of FY-77, said funds being an estimated total; AND

SECTION 3. THAT a bill for the period July 1 through December 31, 1977 in the amount of \$6,970.50 has been received and is now due and payable.

SECTION 4. THEREFORE THAT the amount of SIX THOUSAND, NINE HUNDRED SEVENTY DOLLARS AND FIFTY CENTS (\$6,970.50) be appropriated from the General Revenue Sharing Fund Account and transferred to the appropriate account for payment to the Montgomery County Office of Landlord-Tenant Affairs for the period July 1 through December 31, 1977.

5. Ordinance appropriating Revenue Sharing Funds for Fire Prevention Office capital expenditures. Councilman Forshee asked the City Administrator what departments/employees used the darkroom and was told that Fire Prevention, Police Department and employees working on City business used the equipment. Upon motion from Councilman Webb; seconded by Councilman Garcia, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Forshee,

Garcia, Ricks, and Webb. NAY: None. EXCUSED: Councilmembers Faulkner, Medina, and Nishimoto.

ORDINANCE #2436

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

SECTION 1. THAT the Council earmarked Federal Revenue Sharing Funds for use by the Fire Prevention Office, as follows:

Repainting Fire Prevention vehicle.....	\$200	
Dark room equipment.....	250	
Fire extinguishers for City vehicles.....	<u>250</u>	
TOTAL.....	\$700	AND

SECTION 2. THAT a sum in the amount of SEVEN HUNDRED DOLLARS (\$700) be appropriated from the Federal Revenue Sharing Fund account and transferred to the appropriate Fire Prevention account.

6. Councilman Ricks proposed that a set of guidelines be drawn up for large citizen participation meetings consisting of four main items: (a) Speakers list--citizens would be required to have their name placed on a list that would be published before a meeting with a specific time to speak; (b) there would be a three (3) minute limit for an individual speaker, five (5) minutes for a group or group representative; (c) a five (5) minute maximum limit if someone relinquishes his time for another; (d) a timing device would be purchased to be used at these meetings. Councilman Ricks suggested that once these guidelines are approved, that they be enforced. Councilman Garcia requested that Mrs. Denbow's suggestion that any statement longer than 5 minutes be submitted in writing be included. Mayor Roth commented that these procedures would not be needed for the Forum of August 10th, since this will be a briefing. Councilman Ricks stated that the purpose of these guidelines is to ensure a more orderly meeting and not to discourage people from speaking; it will assure that everyone who wishes to speak will have an opportunity to do so.

Upon motion, duly seconded, the Meeting adjourned at 9:10 PM, to reconvene Monday, August 8, 1977 at 8:00 PM.

APPROVED: John D. Roth
John D. Roth
Mayor

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

ORDINANCE #2423

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

SECTION 1. THAT in accordance with Sec. 73-8 of the Montgomery County Code (1972 edition), and Sec. 74-10 of the Prince George's County Code (1963 edition), the budget for 1977-78 is hereby approved and adopted for the fiscal year beginning July 1, 1977, providing estimated revenues of TWO MILLION, EIGHTY-ONE THOUSAND, SIX HUNDRED TWENTY-SIX DOLLARS (\$2,081,626), less five per cent (5%) charter emergency reserve fund of ONE HUNDRED FOUR THOUSAND, EIGHTY-ONE DOLLARS (\$104,081), and appropriations of TWO MILLION, ONE HUNDRED EIGHTY-NINE THOUSAND, SIX HUNDRED SIXTY-TWO DOLLARS (\$2,189,662), and transfers of TWO HUNDRED TWELVE THOUSAND, ONE HUNDRED SEVENTEEN DOLLARS (\$212,117); AND

SECTION 2. THAT the City Treasurer be hereby authorized to compute salaries for all City employees in accordance with past practices as related to various departments and disburse accordingly; to pay all rentals on the first of each month and all bills monthly, discounting such bills as possible; AND

SECTION 3. THAT all Capital Outlay items be expressly authorized by Council, with the exception of items costing less than FIVE HUNDRED DOLLARS (\$500), funds for which shall be properly authorized; AND

SECTION 4. THAT the City Treasurer be hereby authorized to transfer funds to the 1977-78 budget from the following fund balances:

a. Anticipated prior year's surplus.....	\$ 37,500
b. General Fund surplus.....	39,399
c. Unappropriated surplus.....	46,918
d. Unappropriated Reserve fund.....	<u>88,300</u>
	\$212,117

NOTE: This ordinance was adopted by the Mayor and Council of June 13, 1977, but inadvertently omitted from the record. (See page 10, Minutes fo June 13, 1977 Council meeting for roll call vote and discussion.)

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION

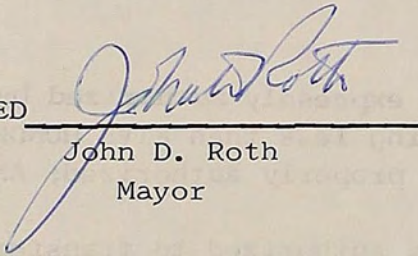
Council Meeting Room

August 1, 1977

7:30 PM

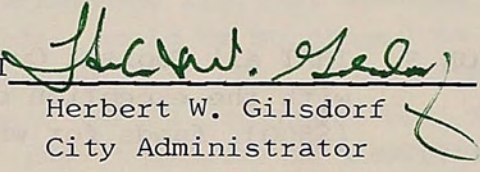
Due to absence of a quorum no work session was held.

APPROVED



John D. Roth
Mayor

ATTEST



Herbert W. Gilsdorf
City Administrator