

THE CITY OF TAKOMA PARK, MARYLAND

Special Meeting of the Mayor and Council  
November 2, 1982

The Mayor and Council met in Special Session at 9:40 PM, November 2, 1982, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Md., for the purpose of receiving the results of the Advisory ("Straw") Vote for Prince George's County residents of the City on a referendum to unite the City in Montgomery County. Present were: Mayor Abbott, Councilmembers Bradley, D'Ovidio, Faulkner and Garcia; City Administrator Nichols, City Clerk Pusti, Corporation Counsel Gagliardo; Judges appointed by Ordinance 2638: Eleanor S. Jaeger, Alfred P. Vogel, Linda C. McKenzie, Anna P. Bennington, Alice F. McGinnis and Mary L. Gabardi. Ms. Alice McGinnis, selected by the Judges as their spokesperson, gave the following report, and upon motion duly seconded the Council voted unanimously to receive it as the official certification of the Advisory ("Straw") Vote:

CITY OF TAKOMA PARK, MARYLAND

Advisory ("Straw") Vote  
for Prince George's County Residents  
of Takoma Park  
November 2, 1982

CERTIFICATE OF RESULTS AND TALLY SHEET

Number voting:	Precinct <u>17-4</u>	Precinct <u>17-6</u>	<u>TOTAL</u>
<u>YES:</u>	<u>442</u>	<u>528</u>	<u>970</u>
<u>NO:</u>	<u>58</u>	<u>128</u>	<u>186</u>
TOTAL:	<u>500</u>	<u>656</u>	<u>1156</u>
(Eligible voters:)	( <u>881</u> )	( <u>1340</u> )	( <u>2221</u> )

This is to certify that the votes cast in the November 2, 1982 Advisory ("Straw") Vote on a unification referendum were examined and counted, and the above tally is a true and correct recapitulation of all valid votes cast. In addition, we affirm that the number of eligible voters is as stated above.

Linda C. McKenzie, Judge      Anna P. Bennington, Judge  
Eleanor S. Jaeger, Judge      Alice F. McGinnis, Judge  
Mary L. Gabardi, Judge      Phil Vogel, Judge

2 November 1982  
(date)

Upon motion by Councilman Faulkner, duly seconded, the Council voted unanimously to transmit the results of the Vote to the Montgomery and Prince George's County delegations, the County Executives and County Councils of both counties.

A motion was made, duly seconded, and carried unanimously to express appreciation to the six Judges, the Citizens for a Referendum Committee and the City staff for their work on various aspects of the Straw Vote.

The meeting adjourned at 9:50 PM upon proper motion.

**ADVISORY ("STRAW") VOTE**  
**FOR PRINCE GEORGE'S COUNTY RESIDENTS**  
**OF TAKOMA PARK ONLY**

Our State Elected Officials Would Like to Know if the Prince George's County Residents of Takoma Park Would Like the Opportunity to Vote in a Binding Referendum to Unite the City in Montgomery County.

*By the authority of: Mayor and City Council  
City of Takoma Park, MD.*

*November 2, 1982*

*M. Sibyl Pusti  
City Clerk*

*Fold here face down and deposit in ballot box*

**DO YOU WANT THE OPPORTUNITY  
TO VOTE ON UNITY OF TAKOMA PARK  
IN A BINDING REFERENDUM?**

**YES**

**NO**

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council

November 8, 1982

AGENDA

CALL TO ORDER: Mayor Abbott  
ROLL CALL Councilmember Bradley  
Councilmember D'Ovidio  
Councilmember Eckert  
Councilmember Faulkner  
Councilmember Garcia  
Councilmember Iddings  
Councilmember Williams

PLEDGE

READING AND APPROVAL OF THE MINUTES OF OCTOBER 25, 1982 COUNCIL MEETING

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

GENERAL CITIZENS' REMARKS (those not directed at items for Council action)

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Nichols

1. Communications

2. Administrative Reports and Recommendations for Council Action:

(1) Administrative Reports

- Report on advisory (straw) vote held on November 2
- Status report on Washington Adventist Hospital San Building
- Alcoholic beverage sale in Montgomery County section of Takoma Park: consideration of procedure
- Report on Project Open Space

(2) Proposed ordinance blocking off Walnut Avenue at Eastern for a six months' period  
Citizens' comments  
First Reading

(3) Proposed ordinance installing a stop sign on Jefferson Avenue at Lincoln Avenue  
Citizens' comments  
First Reading

(4) Proposed ordinance designating spaces for handicapped parking  
Citizens' comments  
First Reading

(5) Second Reading of a proposed ordinance authorizing stop signs on Elm Avenue at Larch Avenue  
Citizens' comments  
Council action

(6) Second Reading of an ordinance adopting Chapter 8A, Montgomery County Code, entitled "Cable Communications," and requesting administration and enforcement within the City  
Citizens' comments  
Council action

ADJOURNMENT

**THE CITY OF TAKOMA PARK, MARYLAND**

Regular Meeting of the Mayor and Council  
November 8, 1982

City Officials Present:

Mayor Abbott  
Councilmember Bradley  
Councilmember D'Ovidio  
Councilmember Eckert  
Councilmember Faulkner  
Councilmember Garcia  
Councilmember Iddings  
Councilmember Williams

City Administrator Nichols  
City Clerk Pusti  
Library Director Spotswood  
Police Sergeant Goetz  
Public Works Director Robbins  
Recreation Director Ziegler  
Corporation Counsel Gagliardo

The Mayor and City Council of Takoma Park met on November 8, 1982, at 8:05 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, Council Meeting minutes of October 25, 1982, were considered for approval. Councilmember Iddings requested that his remarks on page 6, end of the first paragraph, be amended to read: "Councilmember Iddings stated that he would support the ordinance; that it provides the City with a tool which encourages the hospital to develop viable plans for the San, as alternatives to demolishing it". Amendment accepted, motion was made, duly seconded, and carried unanimously to approve the minutes, as amended. Mayor Abbott commended the City office staff for their diligence in observing Council's ruling and maintaining the minutes up to date.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

The Mayor commented that Channel 9's TV crew was present at the meeting for the purpose of filming for presentation on their "Saturday Magazine" program on November 27 at 11:00, the segment on Takoma Park to occupy approximately 1/3 of that program.

Councilmember Garcia related attending, along with Phil Vogel, and testifying at a hearing in Upper Marlboro concerning Catherine Scott's appeal reference 7207 Flower Avenue which has an extra apartment in an R-55 zone (non-conforming use). Said he was happy to report the appeal was denied, only three apartments will be permitted. Stated, additionally, that the Prince George's Board of Zoning Appeals had denied extension of the Special Exception to the Hollywood Health Spa located on Holton Lane.

Councilmember Faulkner expressed objections to endorsements of specific school board candidates published in the November issue of the City Newsletter; also to the article on the advisory "straw" vote, which he said asks the citizenry to tell the legislators what they think on the issue, and the article advises them what they should think.

ADDITIONAL AGENDA ITEMS

Request that agenda item number 6 be tabled an additional two weeks until after the scheduled meeting with Mr. John Hansman of Montgomery County (Councilmember Bradley).

GENERAL CITIZENS' REMARKS

1. George Wright, 201 Lincoln Avenue, (Treasurer of SOCS-PAC): spoke on the effort put forth to get voters to the polls and to encourage them to vote in favor of the EDPAC school board candidates; said the results of the concentrated effort were gratifying. Stated that the current court date for the hearing of Takoma Junior High's appeal is December 7; on December 1 the School Superintendent's Plan for Blair Area will be released; encouraged all citizens to write School Board members and Superintendent Andrews urging them to put Takoma Park back in the plan, at least to afford some options.

2 Council Meeting Minutes  
November 8, 1982

2. Sophia Helfand, 7620 Maple Avenue: registered complaints about parking on Maple Avenue; cited instances of cars being parked and left, unmoved, for three weeks before eventually being towed by the police; 18-wheel trucks parked and left obstructing free passage of traffic; said parking should be banned on both sides of Maple Avenue from Philadelphia Avenue to Washington Adventist Hospital. Complimented the speedy replacement by Montgomery County of a bus shelter (following a call by her to County Executive Gilchrist).

3. Joseph Lerner, 7708 Takoma Avenue: said he looks forward to a response in the Newsletter to a question he previously put forth, i.e., whether the City will sponsor debates between candidates for the City elections and dispense with the Caucus. Spoke on the abandoned car ordinance recently adopted; said he felt it would be totally ineffective in dealing with bootleg repair shops being conducted in the City (in particular, on Baltimore Avenue near Cleveland Avenue); thought Council should be capable of dealing more effectively with this problem. Mentioned that the Board of Montgomery College no longer holds meetings on the Takoma Park campus; felt the City was not receiving the attention it should from the college; urged the City approach the college on the matter; said, in addition, he felt the range of programs being offered at the Takoma campus had deteriorated; scope of evening programs were trivial compared to those offered at the other campus locations.

City Administrator Nichols spoke on the car problem at 7411 Baltimore Avenue; said the court date set for that case was February 15, the new Corporation Counsel is reviewing the case; stated the police have looked at the cars on the property, one citation was issued, other cars stored on the property did not meet the criteria of the abandoned car ordinance. Councilmember D'Ovidio requested that the new Corporation Counsel consider amendments previously proposed by Dr. Lerner in connection with the abandoned car ordinance and render an opinion on their enforceability/legality.

4. Vernon Ricks, 7667 Maple Avenue: spoke against the Ku Klux Klan, their activities, and recent rally; requested Council to consider legislation banning them from assembling within the City with their hoods on (under the 1st amendment to the Constitution, they could not legally be banned from assembling at all). Thanked the citizens of the City for their support of Odessa Shannon (and other EDPAC candidates) in the School Board race.

Councilmember Williams reminded that shortly after the last City election, a racial incident involving swastika-painting occurred; the Police Chief was instructed that any incident of that type would not be considered a prank or vandalism, nor would a cross-burning be considered arson; individuals indulging in these activities would be exposed, vigorously prosecuted in the City.

5. Jan Schwartz, 7309 Garland Avenue: on behalf of the Citizens for a Referendum to Unite Takoma Park In One County, thanked the Mayor and Council for their assistance and support in carrying out the straw ballot; said the voter response on this issue was outstanding.

6. Barbara Davidson, 53 Philadelphia Avenue: as Coordinator for Montgomery County Chapter of All Peoples' Congress, thanked the Mayor and Councilmembers who supported the community effort to stage a large and visible anti-Klan protest; said an overwhelmingly favorable response was received from the community, 5 Councilmembers endorsed the effort and distributed leaflets in their wards. Stated the Ku Klux Klan has applied for a permit to march in Washington, D. C., on November 27; hoped that permit would not be granted, but if it should be, a permit has been applied for to allow a counter-demonstration; requested support for that counter-demonstration should it take place.

7. Faith Stern, 103 Grant Avenue: spoke of attending a meeting with Mr. Christeller and a staff member at the Planning Commission concerning the school situation which focused on the demographic picture in the City and the possibility of reconsideration of the Junior High School in future plans. Said they did agree that Takoma Park is a growth area, a unique area, and perhaps a study should be done by staff to look at the demographic picture. Said Mr. Christeller agreed that the City has a point, being a municipality and having our junior high closed; he stated, however, that the point of view was that only one junior high was needed below the Beltway and a difference was not discerned by the Planning Board between Eastern Junior High and Takoma Junior High (in spite of all the material submitted by SOCS). Mrs. Stern stated the Planning Board would be having a public worksession on the new 15-year update plan on November 17 at 7:30; said it is not a hearing, but thought a delegation from the City should attend; a packet of materials would be sent to all members of the Planning Board prior to the meeting so they are well-informed of the differences between the two communities (Eastern and Takoma Park), and it will be suggested to the Board that there are other possibilities/alternatives.

Mayor Abbott expressed thanks to Dr. Stern, Dorothy Malusky, and Mrs. Bassing for their diligent efforts which have extended over a two-year period; said it is the Planning Board who, in the final analysis, make the future projections for attendance; urged that all areas of the City have representatives present at the November 17 meeting. Mentioned that should unification take place, approximately 400 additional students would be transferring into the Montgomery County school system in the City.

Councilmember Iddings questioned whether there are any plans for continued meetings with Park and Planning staff; Mrs. Stern replied in the affirmative; said staff had furnished some information and indicated willingness to share any other information they have which might be helpful. Mrs. Stern said that part of the task at hand would be to influence the staff to involve the City's interests more meaningfully in the formulation of their plans; stated she felt communication lines are open.

8. Gail Dalmat, 7001 Poplar Avenue: stated she was speaking on behalf of the neighborhood concerning the requesting of a variance for construction at 308 Elm Avenue, which was denied by the Prince George's County Zoning Board of Appeals. Enumerated the reasons the neighbors opposed the appeal; said the property is located in an Historic District; was glad the request was denied.

Mayor Abbott thanked the citizens of the area for their work done on this issue; said it facilitated Council's decision to oppose granting of the variance.

9. Patrick Donnelly, 7002 Sycamore Avenue: stated that citizens in the Prince George's County portion of the City are being grossly overtaxed by the City, in comparison to citizens in the Montgomery County section; said figures given in the Newsletter confirm his statement. Related his formula for arriving at this conclusion. In the ensuing discussion, it was pointed out that all City homeowners pay tax to the City based on the State's evaluation/assessment of that property, although 40-42% of City tax revenue comes from the P. G. County portion (attributable, in part, to the large commercial area located there). Mr. Donnelly stated he felt it an inequitable situation that Prince George's residents pay more for the same City services as those received by Montgomery County residents. The Mayor suggested that Mr. Donnelly discuss the matter with the City Administrator.

10. Phil Vogel, 7117 Garland Avenue: referred to a letter written by Dr. Shiroma of Washington Adventist Hospital in which he suggested that the City should consider its actions in light of what they cost the hospital; said he, personally, thought the large number of non-tax-paying institutions masquerading as non-profit, church-related, should be scrutinized; office buildings should pay tax to the City. Stated that institutions use City neighborhoods and services and should make payments in lieu of taxes, if they cannot pay tax due to being church-related. Also said some sort of planning and

zoning power for the City should be investigated so that the City has more decision-making power rather than having to rely on the counties.

11. Ron Albaugh, 7202 Central Avenue: supported statements made by Mr. Vogel, hoped the City would continue to gain authority over matters that should be under its control; hoped the matter of a commercial code for the City would soon be dealt with; said he was glad the City would soon have a staff economic development specialist, hoped that person would be directed to give attention to Area B at Carroll/Ethan Allen Avenues at an early date, as well as the Langley Park area. Remarked that County Executive Hogan had expressed willingness to consider commercial revitalization in connection with the county portion of the Langley Park shopping complex. On the subject of Washington Adventist Hospital, said he felt the hospital's position regarding relating to the public and the City had been marked by extreme naivete; it reveals a persistent insensibility to the City and the citizens, not only a pattern, but a policy, of abuse of community relations - they have not been open with anyone outside the institution, have made decisions and moves in secrecy. Wished the hospital administration could relate as well with other human beings as do the doctors and staff with patients within the hospital. Said Council's actions at the last meeting were long overdue.

12. Naomi Turner, 7667 Maple Avenue: praised the City's fire and police departments; mentioned a fire that occurred in her building and the outstanding job the fire personnel did, as well as a car break-in to which the police response was excellent and the offender was apprehended.

ITEMS FOR COUNCIL CONSIDERATION:

1. Administrative Reports

Report on advisory (straw) vote held on November 2. City Clerk Pusti gave the report: at Our Lady of Sorrows (Precinct 17-4), 442 voted yes, 58 no, total of 500 out of 881 eligible voters; at Carole Highlands (Precinct 17-6), 528 voted yes, 128 no, 656 out of 1340 eligible voters. Mayor Abbott expressed thanks to the City Clerk, the election judges, and others who assisted in making the straw vote possible, particularly with the short time frame for preparation.

Status report on Washington Adventist Hospital San Building. Corporation Counsel Gagliardo reported that a hearing will be held on November 15 by the Montgomery County Department of Environmental Protection regarding the hospital's application for a demolition permit to destroy the San Building; on November 16, a hearing will be held before the Planning Board to consider whether or not the building should be designated an historical site and included on the Master Plan for historic preservation. Said on December 2, there will be a show cause hearing in the Montgomery County Circuit Court, by virtue of a lawsuit brought by the hospital against the county seeking to compel the county to issue the demolition permit (what happens in the November 15 and 16 hearings could well affect what happens in the lawsuit). Referred to his memorandum on the subject in which he outlined some of the scenarios that could follow, based on what actions DEP and the Planning Board take.

Alcoholic beverage sale in Montgomery County section of Takoma Park: consideration of procedure. Councilmember D'Ovidio related that newly-elected Delegate Diane Kirchenbauer had agreed to sponsor legislation in the upcoming general assembly to 1) remove Takoma Park from the listing of those municipalities in the state prohibiting sale of alcoholic beverages, and 2) the City would receive veto power for any licenses for the sale of alcoholic beverages in the City. Said public hearings would be scheduled prior to any decision being made on the legislation; a draft of the bill should be received by the City soon. In response to query from Councilmember Iddings, affirmed that it is generally customary that since this is a local matter, the State General Assembly would probably approve the bill if it was approved by the City either by a referendum or by a vote of Council; thought the State legislators should be lobbied by the City and citizens, however, asking their approval.

5 Council Meeting Minutes  
November 8, 1982

Vernon Ricks: questioned the effect on businesses in the Prince George's section of the City if that portion should be unified into Montgomery County prior to passage of the proposed bill concerning alcohol in the City. Mayor Abbott stated there is no quick and easy answer to that question, that it would depend upon the State's Attorney's interpretation.

John Hemphill, 8112 Flower Avenue: stated he would not support liquor in the City unless the City had veto power, not only on the granting of the initial license but also on the annual renewal; said this relates directly to zoning and the question of whether the City will have control over its own destiny or not. Emphasized that language ensuring these provisions should be incorporated in the draft bill. Councilmember D'Ovidio stated he would be meeting with Delegate Kirchenbauer and would apprise her of the importance of including such language in the bill. Councilmember Eckert remarked that this would, in effect, be granting liquor board powers to Council; wondered how the State would view that since such control is generally a county function. Following discussion, Corporation Counsel Gagliardo stated that the Mayor and Council of the City of Annapolis have been granted such power in their jurisdiction by the State legislature.

Report on Project Open Space. City Administrator Nichols stated that the City is in the negotiation stage for the two properties designated for the project - one on Eastridge Avenue and one on Jackson and Boyd; said the appraisal process is underway and takes about 45 days; a further report on progress will be furnished during that time. In response to query, stated that the owners of the properties have been contacted, apprised that the City wishes to acquire them and has an appraisal underway; said the owners may willingly permit the City to acquire the properties, or if not, a condemnation process for acquisition could be instituted if the City so chose. Councilmember Iddings remarked that this process had been going on for at least 6 months; said the properties are located in wards 2 and 5, where there are no parks; thought the project should be accorded higher priority and gotten underway. Councilmember Bradley reiterated Councilmember Iddings' remarks, expressed support, urged that the City move ahead expeditiously on this project.

2. Proposed ordinance blocking off Walnut Avenue at Eastern for a six months' period. Councilmember Eckert stated that this ordinance was designed to address a chronic problem which adversely affects the residents of the Walnut/Westmoreland area--that of non-residential traffic using the above streets as a by-pass for the traffic signals located on Laurel, Carroll and Ethan Allen Avenues; the same problem extends to the entire Elm Avenue corridor; noted that those most jeopardized are the children in the area; the ordinance is effective for a six-month period to evaluate the impact of blocking off Walnut; that the proposal was not made to shift traffic onto other streets; noted the need to contact the Fire Department for their evaluation of the impact this would have on emergency service, also should contact the residents on the Eastern Avenue service road for their impressions; WACO has yet to state whether or not they support the proposal.

Ingrid Abegaz-Hassen, 62 Walnut Avenue: parent of a small child; has participated in the WACO traffic committee to find solutions to the traffic problems of the area; the problem of traffic increases during the rush-hour periods when approximately 50% of the traffic would come down Westmoreland from Carroll, and then turn up Walnut to avoid the traffic signal and stop sign on Carroll, Laurel and Eastern; noted that the corner of Westmoreland and Walnut is a school bus stop for two or three different pick-ups (approximately 30 children), which creates a very hazardous situation with the increased traffic especially in the mornings; noted the increasing number of families with small children moving into the immediate area, so that the traffic problem is even more worrisome; also stated that the intersection of Walnut and Eastern is dangerous for vehicular traffic; that if the proposal will decrease the amount of cut-through traffic on Westmoreland and Walnut, then it will have done a great deal of service to the local community, including the residents on Elm Avenue.



Bill Brown, 6704 Westmoreland Avenue: agreed that cut-through traffic in the area is a problem and that something should be done about it, but feels that the proposed barricade would interfere with local residential traffic, forcing residents to travel out of their way; not enough comments from the residents on the Eastern service road who will be the most adversely affected; the barricade will help the residents on Walnut, but did not feel that it will help the traffic situation along the Elm Avenue corridor; presented letter from two households at the corner of Elm and Pine Avenues which stated that they are experiencing the same problems with traffic that the residents of Walnut are and they don't see that the barricading will solve their problem. Stated that he would like to see other methods discussed for traffic control such as making Pine Avenue one-way during rush hour traffic; no left turn from Carroll onto Westmoreland during rush hour and no left turn from Eastern onto Walnut; no left turn from Rt. 410 onto Elm; the current proposal prevents people from leaving the neighborhood; should prevent people from entering the neighborhood first; suggested the placement of a traffic signal at the corner of Carroll and Westmoreland, if the barricade is placed on Walnut; must do something about the traffic coming off of Carroll onto Westmoreland; also should reduce the six month period to one or three months.

Daryl Stevens, 6890 Westmoreland Avenue: agreed with Mr. Brown's statement that the effort so far in stopping rush hour traffic has trapped residents in the neighborhood; stated that the WACO traffic committee has developed several suggestions for traffic control; felt the barricade is a bit too much; noted the difficult conditions at several intersections when there is inclement weather--ice and snow; suggested making certain streets one-way during rush hours, with some coordination with the D.C. police.

Paul Plant, 7411 Carroll Avenue: stated that barricades should be used as a last resort; noted that the entire City is affected by traffic problems and that residents of several other streets have also requested a barricade; suggested increased patrols by the police. Councilmember Eckert did point out that the barricade would be only temporary, so as to evaluate the situation.

Margaret Matthews, 54 Walnut Avenue: pointed out that she just found out that this proposal would be presented and made some quick phone calls to neighbors, all of whom opposed the barricade; that she also contacted the fire department, and the sergeant on duty came out to look at the intersection, noted that barricading had been proposed some time ago and that the fire department is still in opposition to it; that any barricade on Walnut at Eastern would impede their access to a fire on the Eastern Avenue service road.

David Prosten, 7428 Carroll Avenue: endorsed statements made by Paul Plant; traffic controls such as barricading just causes increased traffic problems on other neighboring streets; stated his support for the establishment of a traffic committee to look into this and other traffic problems in the City.

David Freed, 7331 Carroll Avenue: stated his support for David Prosten's comments; traffic problems should be handled on a City-wide basis.

Gary Gleason, 8102 Flower Avenue: noted that a Columbia Union College student was struck by a car on Flower Avenue near the flashing yellow traffic signal at the College; suggested that the traffic committee look into reinstating the push-button walk light (turning the light red) so that pedestrians can cross safely there again.

Jim Holland, 19 Pine Avenue: noted that he uses Walnut Avenue when going downtown; opposes the barricade; questioned if a study has been conducted to establish how much "non-residential" traffic is using the streets; would like to see alternative solutions to prevent such traffic from entering the neighborhoods; noted that problems may be encountered by emergency vehicles when trying to reach houses in the neighborhood; also noted that adjacent streets would be affected by the traffic which normally would use the Walnut Avenue route.

7 Council Meeting Minutes  
November 8, 1982

Mayor Abbott suggested turning this matter over to the traffic committee, with a report to be presented to the Council; solutions presented are varied and all should be considered. Councilmember Eckert stated that he would like to see the ordinance stand as the First Reading; had hoped that the traffic committee would be able to study the situation during the six month trial period. Councilmember Faulkner stated his support for Councilmember Eckert, and also suggested that the Corporation Counsel investigate whether the ordinance as set forth is the proper way to handle a street closing. Councilmember Iddings made a motion, duly seconded by Councilmember Bradley, that this issue be referred to the traffic committee for additional study, with a report to be made to the Council on this and other issues. Councilmember Eckert noted that this problem has been in existence and discussed by area residents for some time prior to the discussion and establishment of the traffic committee, and the ordinance was not intended to circumvent the traffic committee; requested that the ordinance stand as First Reading and allow the two week period between Council meetings for additional information to be gathered from the fire department and area residents; not to defer to the traffic committee. Councilmember D'Ovidio suggested an amendment to the motion, to include agenda items 3 and 5 with this issue to be referred to the traffic committee. It was decided that agenda items 3 and 5 be dealt with individually. When the motion was put to a vote, it was adopted by the majority of the Council, with Councilmembers Eckert, Garcia and Faulkner voting in the negative. (Proposed Ordinance attached.)

3. Proposed ordinance installing a stop sign on Jefferson at Lincoln Avenue. Upon motion by Councilmember Iddings, duly seconded by Councilmember Williams, the proposed ordinance (attached) was referred to the traffic committee by majority vote of the Council, with Councilmember Faulkner voting in the negative.

4. Proposed ordinance designating spaces for handicapped parking. City Administrator Nichols stated that the ordinance was proposed based on the requests of three residents with handicapped vehicle tags for such space designation adjacent to their homes; such parking designation could not be reserved for that specific individual but a handicapped parking space could be located near their homes, which would allow any vehicle with handicapped tags to park in that space; if ordinance is accepted for First Reading, adjacent neighbors would be notified that such an ordinance would be set for enactment at the next Council meeting and requesting their comments. Councilmember Bradley requested that there be an annual review of such designations, and that such review be made a part of the ordinance. With these comments included, the ordinance was accepted by the Council for First Reading. (Ordinance attached.)

5. Second Reading of a proposed ordinance authorizing stop signs on Elm Avenue at Larch Avenue. Upon motion by Councilmember Faulkner, duly seconded by Councilmember Garcia, Ordinance #2640 was adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams. NAY: None. EXCUSED: None.

ORDINANCE #2640

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

SECTION 1. THAT all traffic travelling in either direction on Elm Avenue shall come to a complete stop at its intersection with Larch Avenue, thereby creating a 4-way stop; AND

SECTION 2. THAT the Director of Public Works is hereby directed to install signs in the appropriate locations; AND

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

8 Council Meeting Minutes  
November 8, 1982

SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., as amended.

Upon motion, duly seconded, the meeting adjourned at 11:00 pm, to reconvene on Monday, November 22, 1982, at 8:00 pm, in regular session.

PROPOSED ORDINANCE

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

SECTION 1. THAT it has been determined that there is a need to establish parking spaces expressly for the handicapped at various locations throughout the City; AND

SECTION 2. THEREFORE THAT in conformance with Sec. 13-64(a)(10) of the Code of Takoma Park, 1972, as amended, the following sites are hereby designated for the exclusive use of vehicles displaying a special registration plate or permit issued to the disabled by any state or the District of Columbia:

- (a) On Elson Court, 1 parking space at or near 1311 Elson Court;
- (b) West side of Hickory Avenue, 1 space opposite 22 Hickory Avenue;
- (c) On Kingwood Drive, 1 parking space in front of 1108 Kingwood; AND

SECTION 3. THAT parking shall be restricted in the above-designated spaces to those vehicles displaying a special registration plate or permit as described in Section 2 of this ordinance; AND

SECTION 4. THAT any person issued a citation in violation of this ordinance shall be subject to a fine of \$25.00 for each violation, as prescribed in Sec. 13-64(a)(10)(A) of the Code of Takoma Park, Md., 1972, as amended; AND

SECTION 5. THAT the Director of Public Works is hereby instructed to erect the appropriate signing; AND

SECTION 6. THAT this ordinance shall become effective upon completion of the signing.

PROPOSED ORDINANCE

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

WHEREAS, during recent years, the residents of the unit block of Walnut Avenue have experienced an influx of nonresidential vehicular traffic to the extent that they are being deprived of the peaceful enjoyment of their homes; AND

WHEREAS, said residents have expressed a desire to curb the adverse effects of the traffic by erecting a temporary barricade at the intersection of Walnut and Eastern Avenue.

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

SECTION 1. THAT all vehicular through-traffic be prohibited on Walnut Avenue at its intersection with Eastern Avenue; AND

SECTION 2. THAT a temporary barricade be erected across Walnut Avenue at its intersection with Eastern Avenue, said barricade to be placed within the City of Takoma Park at the District of Columbia boundary line, thereby permitting access to the Eastern Avenue service drive, but barring access to Eastern Avenue; AND

SECTION 3. THAT signs giving notice of the non-through nature of Walnut Avenue traffic be installed at appropriate locations; AND

SECTION 4. THAT this ordinance shall become effective upon adoption and shall remain in effect for a period of six months thereafter; AND

SECTION 5. THAT following the six months' period, an evaluation will be made to determine whether or not a permanent barricade is in the best interest of the community; AND

SECTION 6. THAT the penalty for removal of the barricade or violation of Section 1 of this ordinance shall be as provided in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

Mayor and Council Worksession

November 15, 1982

The Mayor and City Council met in worksession at 7:35 PM, Monday, November 15, 1982, with the Mayor in the chair. Present were: Mayor Abbott, Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings; City Administrator Nichols, Assistant City Administrator Schnuer and Director of Public Works Robbins.

The following matters were discussed and acted on as indicated:

1. Administrative reports.
  - (1) A decision was made that ward signs would be installed on council table; Mayor Abbott will do layouts and the City Administrator obtain prices.
  - (2) Mayor and Council approved the following holiday schedule: City offices will be closed December 24 thru December 27 and December 31.
  - (3) A decision was made to defer demolition of 6761 Eastern Avenue until an okay is received from the Corporation Counsel.
  - (4) The 1983 strategy planning session was scheduled for January 3 worksession.
2. Consideration of Hayward Avenue extension: An opinion is to be prepared by the Corporation Counsel on the construction of a private drive from Larch Avenue, with a limited grant of use to the Litovitz's and no obligation or expense to the City.
3. Purchase of used trash vehicle: The Mayor and Council approved the purchase as requested by the Public Works Director. An ordinance to cover is to be prepared for the November 22 meeting; funding from General Contingency Fund.
4. Old Town: MICRF vs. IRB for proposed new development: MICRF (Maryland Industrial-Commercial Redevelopment Funds) office accepts applications every other month--next in December. A public hearing on the project to be scheduled for December 13 meeting; application to be submitted by December 31. Also scheduled for that date--public hearing on City offering of Industrial Revenue Bonds in the event MICRF funding does not go through. Funding is sought for assistance to the developer of a 6,000 plus sq. ft. building in Takoma Old Town.
5. Transportation Planning and Traffic Committee: Names of committee members to be submitted by the end of day, November 19, and nominees discussed at pre-Council session on November 22. Appointments to be made at the Council meeting following. Resolutions and guidelines on committee operation to be offered by Councilmembers Eckert and Iddings in the near future.
6. Status report on San Building: Councilmember Bradley gave a report on the hearing by the Department of Environmental Protection on the request for a demolition permit for San building, which was held earlier that day.
7. Status report on Takoma Junior High: Councilmember Iddings reported on a meeting with School Board Member Blair Ewing. There was a discussion on the possibility of reconsideration of the school closure after the new Board members are sworn in. It was also noted that the Junior High Committee had been reorganized, the new Chairman being Lenore Radloff, 8408 Flower Avenue.
8. Montgomery County State Delegation hearing on Unification Bill (#MC/PG 12-83): Hearing date rescheduled for 8:00 PM, 11-22-82. Prince George's Delegation (per Arthur Dorman to Mayor) will consider hearings in January after delegation officers are chosen. (Mo. hearing later rescheduled: 12-2-82, 8:00. COB)
9. COG board and committee appointments: Mayor Abbott has prepared a memo with names of proposed appointees which will be offered for approval at the November 22 Council meeting and later sent to Walter Scheiber of COG. List to be available at Council meeting.

November 13, 1953

The Mayor and City Council met in conference at 7:30 P.M., Monday, November 13, 1953, with the Mayor in the chair. Present were: Mayor Abbott, Councilmembers Bradley, B. O'Brien, Keenan, Finkner, Conroy, Lehman; City Administrator Nichols; Assistant City Administrator Schuman and Director of Public Works Robbins.

The following matters were discussed and acted on as indicated:

1. Administrative Reports.

- (1) A decision was made that work orders should be handled on account tickets. Mayor Abbott will do layouts and the City Administrator obtain prices.
- (2) Mayor and Council approved the following budget estimates: City Office will be closed December 14 thru December 17 and December 21.
- (3) A decision was made to delay installation of 4th Street Avenue until an order is received from the Corporation Council.
- (4) The 1953 strategy planning session was scheduled for January 3, 1954.

2. Consideration of Award for new expansion: An opinion is to be prepared by the Corporation Council as to the construction of a private drive from land owned, with a limited grant of use to the contractor's lot as indicated on plans to the City.

3. Purchase of used cars: The Mayor and Council approved the purchase of used cars as requested by the Public Works Director. An amount to cover the purchase for the November 13 meeting, totaling \$10,000, was approved.

4. City Plan: The Mayor and Council approved the City Plan for 1954. A public hearing on the plan is to be held for January 13, 1954. A public hearing on the plan is to be held for January 13, 1954. A public hearing on the plan is to be held for January 13, 1954.

5. Transportation Planning and Traffic Control: Plans of various nature to be submitted by the end of day, November 13, and various discussed at the Council meeting on November 13. Appearances to be made at the Council meeting following: Transportation and Traffic in the near future.

6. Survey report on 3rd building: Councilmember Bradley gave a report on the survey by the Department of Environmental Protection on the request for a demolition permit for 3rd building, which was held earlier this year.

7. Survey report on 3rd building: Councilmember Bradley reported on a survey of 3rd building. There was a discussion on the possibility of reconstruction of the building. It was also noted that the Board of Public Works had been requested, the new building being located at 3rd Street.

8. Highway Study: Mayor Abbott reported on the Highway Study. The study was completed for 1953. The study was completed for 1953. The study was completed for 1953.

9. City Plan and Budget: Mayor Abbott reported on the City Plan and Budget for 1954. The plan and budget were approved by the Council.

10. COG proposed rule change for Water Resources Planning Board: It was agreed that the proposed change to condition voting privileges on the contribution of a proportional share of the Board's annual budget should be opposed; to be placed on the November 22 agenda for formal action and followed up by a letter to COG.
11. Support for bill to rebate traffic ticket money to municipalities: Councilmember Bradley reported that the MML Legislative Action Committee would not sponsor the bill. City Administrator directed to send a letter to Cheverly indicating City's support of the concept and stating that Mayor and Council would be willing to work with them next year.
12. Alcoholic beverages in Montgomery County section of City: The City Administrator was asked to have research done on whether or not any municipality in Montgomery County has veto power over the issuance of a liquor license; also to check on precedents for municipal vetoes in other counties.
13. Worksessions in various areas of City: Councilmember Eckert suggested holding worksessions at Takoma Tower and in other areas. Councilmembers are to explore individually.

There being no further business to discuss, the meeting adjourned at 10:55 PM.



THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council  
and  
Public Hearing on Proposed Parking Permit Area  
November 22, 1982

AGENDA

CALL TO ORDER: Mayor Abbott

ROLL CALL: Councilmember Bradley  
Councilmember D'Ovidio  
Councilmember Eckert  
Councilmember Faulkner  
Councilmember Garcia  
Councilmember Iddings  
Councilmember Williams

PLEDGE

READING AND APPROVAL OF THE MINUTES OF NOVEMBER 8, 1982 COUNCIL MEETING

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

PUBLIC HEARING ON A PROPOSED PARKING PERMIT AREA IN THE VICINITY OF WESTMORELAND AND WALNUT AVENUES (record will be held open for 30 days)

ADDITIONAL AGENDA ITEMS

GENERAL CITIZENS' REMARKS (those not directed at items for Council action)

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Nichols

1. Communications

2. Administrative reports and recommendations for Council action:

(1) Administrative reports:

--Mayor and Council position on proposed rules change of COG Water Resources Planning Board

(2) Director of Housing Services

(3) Appointment of Transportation Planning and Traffic Committee members  
Citizens' comments  
Council action

(4) Preliminary Subdivision #1-82156, 8015 Maple Avenue  
Citizens' comments  
Council action

(5) Second reading of a proposed ordinance designating spaces for handicapped parking  
Citizens' comments  
Council action

(6) Proposed ordinance authorizing purchase of used refuse truck  
Citizens' comments  
Council action

(7) Appointments to Council of Governments boards and committees  
Citizens' comments  
Council action

CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council  
November 22, 1982

City Officials Present:

Mayor Abbott	City Administrator Nichols
Councilmember Bradley	Administrative Assistant Tyree
Councilmember Eckert	Library Director Spottswood
Councilmember Faulkner	Police Lieutenant Gowin
Councilmember Garcia	Public Works Director Robbins
Councilmember Iddings	Corporation Counsel Gagliardo
Councilmember Williams	

EXCUSED: Councilmember D'Ovidio

The Mayor and City Council of Takoma Park met on November 22, 1982, at 8:18 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made, duly seconded, and carried unanimously, to approve the Council Meeting minutes of November 8, 1982.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Mayor Abbott commented that an update report had been received from Council of Governments on the demographic picture in the City, which should be helpful in the effort to save the junior high school; a profile will be published in the January issue of the Newsletter. Said the City has the lowest average income in the COG area, which includes D.C., Northern Virginia, Maryland suburbs, and several municipalities (6.6% of the City population lives below the poverty level); rents in the City are the lowest in the COG area; City has highest percentage of Social Security recipients, also has highest percentage of children in the pre-kindergarten age group (ages 1-5), as well as largest percentage of people in the potential childbearing age group. These figures indicate that Takoma Park's school population will not decrease. Cited additional pertinent figures, remarked on the fact that the new City Department of Housing Services will have their work cut out for them to stop transiency and retain that segment of the population with school and pre-school age children.

Councilmember Iddings reported on attending a meeting on November 10 with members of the Maple Avenue Traffic Coordinating Committee; mentioned letter concerning the meeting he had distributed to Council; said residents of that area are very concerned about the severe traffic problems, are looking forward to implementation of the City's Traffic Committee and are hopeful solutions will be reached City-wide. Remarked that the meeting was a very productive one.

PUBLIC HEARING ON A PROPOSED PARKING PERMIT AREA IN THE VICINITY OF WESTMORELAND AND WALNUT AVENUES

Mayor Abbott remarked that the purpose of the hearing was to ascertain the sentiment of residents on the issue and their arguments as to the need for the ordinance which would designate the permit parking area. The City Administrator stated that, pursuant to the City Code requirements, residents of the area did petition the City; the area was surveyed and found to meet the administrative requirements as set forth in the Code. Said the record will be held open for thirty days, after which Mayor and Council are required to make a decision within thirty days following closing of the record.

1. Arthur Karpas, 6916 Westmoreland Avenue: (speaking on behalf of Westmoreland Area Community Organization); stated a petition was circulated, the view of residents affected seemed to be close to unanimous support for the permit parking area (2 did not sign the petition; one was for religious reasons prohibiting signing but did forward a letter expressing support); said traffic studies by WACO's traffic committee and the Police Department both indicated a real need due to METRO impact, and to a lesser degree, Carroll Avenue shopping

1 Council Meeting Minutes  
November 22, 1982

area parkers. In response to query, Mr. Karpas described the area that would be encompassed (an "L" shape). Councilmember Iddings remarked that there have been abuses of visitor permits in some of the other permit parking areas, especially the loaning of those permits for the purpose of parking closer to METRO; wondered if WACO had discussed that potential problem and had any recommendations for dealing with it. Mr. Karpas stated the problem was discussed, a decision made to rely on "community conscience"; explained that neighbors on those streets were very close, very cognizant of each other's vehicles and habits, and any abuse would be very quickly apparent and subject to community pressure. Councilmember Garcia remarked that he thought that the Phipps' report on the parking situation in Takoma Old Town suggested making parking on Westmoreland from Carroll to Walnut meter parking to accommodate businesses in that area. Mr. Karpas, having worked closely with the Phipps, and them being fully aware of the community's concerns, doubted they would have made such a recommendation; said the possibility of barricading the street at the point where the business district ends and the residential area begins was even discussed at one time. Said while meter parking would mean only a small increase in business parking, it would be absolutely devastating for residents on that street; WACO would be vigorously opposed. Councilmember Faulkner wondered if inclusion of "Little Eastern" access road had been considered; said it is always parked wall-to-wall with cars. Mr. Karpas stated that residents of that area had never expressed/discussed a need with WACO. Councilmember Eckert noted, for the record, a letter from Peggy Holmes, 10 Pine Avenue, addressed to the City Administrator, expressing support for permit parking on Walnut Avenue.

2. Jim Holland, 19 Pine Avenue: wondered what was the actual cause of a parking problem severe enough to warrant permit parking as the solution; was concerned that the problem would only be relocated, perhaps on Pine Avenue which parallels Westmoreland; wondered if the permit area would be extended to include other neighborhoods in that event; thought alternative solutions should be seriously considered prior to instituting another permit parking area in the City. Councilmember Eckert remarked that Mr. Prario of B. F. Gilbert Citizens' Association had raised similar concerns, not only the fact that business district traffic/parking creates problems, but that the residential area is being progressively impacted by METRO commuter parking; said he would support any efforts by citizens' groups to deal effectively with these problems in their neighborhoods. Mr. Karpas stated that the Police Department performed a survey and concluded that METRO commuters parking in residential areas is the major problem. Councilmember Faulkner questioned whether the permit area under consideration could be enlarged, if so desired, or whether Council would have to go through an additional process to add other streets. The City Administrator clarified that additional streets could be added, if residents of those streets petitioned; however, under the City Code, a permit area cannot consist of one street alone, so individual streets could not be separate permit areas. Mayor Abbott stated that the record would be held open for 30 days; any residents wishing their streets to be added to this area should submit petitions within that time; at the end of the 30 day period an ordinance will be drafted and introduced for consideration, with public input invited at the two readings.

ADDITIONAL AGENDA ITEMS

WAH San Building update, to be inserted as item 5 (Mayor Abbott).

Centennial Committee, Jack Hammond: displayed the new Centennial calendar now available at the Craft Studio, Takoma Picture Framers, CUC Bookstore, and a number of other City locations; said it includes 36 photos of the City's past, as well as sections including useful information such as City departmental officials and phone numbers, etc.; price is \$5.00 each or \$4.50 for two or more. Reminded that the kickoff date for the Centennial would be January 16.

GENERAL CITIZENS' REMARKS

1. Sophia Halfand, 7520 Maple Avenue: commented on a moped taken from two youngsters by the Police, chained to a stop sign on Ritchie Avenue, and left for six weeks; said it is being dismantled piece by piece. Reiterated that there should be no parking on Maple Avenue; related that there was a fire on November 13 in Deauville Apartments and the fire equipment had trouble getting through due to parked vehicles; remarked on cars speeding (50-60 mph) on Maple Avenue after midnight, especially on weekends.

2. Rino Aldrighetti, 7213 Central Avenue: spoke concerning 7207 Flower Avenue, which Longbranch-Sligo Citizens' Association believes has an illegal apartment; said he understood Council would be dealing with that soon in a worksession; hoped the next hearing would be final and expressed thanks to Council for their support and firm stance on the matter.

ITEMS FOR COUNCIL CONSIDERATION:

1. Communications

City Administrator Nichols announced that the Montgomery County Planning Board meeting to consider designation of the WAH San Building as an historic landmark would be held on Wednesday, November 24, at approximately 10 A.M., at 8787 Georgia Avenue (Park & Planning). Said they had previously stated they intend to make a decision at this meeting.

2. Administrative Reports and Recommendations for Council Action:

(1) Administrative report: Mayor and Council position on proposed rules change of COG Water Resources Planning Board. The City Administrator related that this matter was taken up by the Board during the past summer; said the City has a seat on the Board, members are assessed a fee; the Board has significant responsibilities in water resource management in the metropolitan area. If the membership fee is not paid, members cannot vote; because the counties of which the City is a part pay fees to sit on the Board, and because the City pays taxes to support the fees the counties pay, the City has declined to make that payment. Explained that an alternative is now being offered which changes the rules of procedure; any jurisdiction which does not make its payment would be precluded from voting; consensus of the Mayor and Council in worksession was that they do not support this change in the rules of procedure in the Board because it would eliminate the City's vote on the Water Resources Planning Board if a payment of several thousand dollars was not made. Mayor Abbott pointed out that the counties are assessed based upon a figure which includes the City's population, so a separate assessment upon the municipalities would be a form of double taxation, in effect. Councilmember Iddings remarked that the head of the Water Resources Planning Board had suggested that municipalities try to work out something with their respective counties; wondered if that had been attempted. The City Administrator responded that the unanimous feeling of the municipalities with whom he communicated was that they are already making the payment through the assessments to the counties and any additional payment would be unfair. At the request of Councilmember Iddings, the City Administrator stated he would suggest that the counties identify within their payment that component that comes from each of the municipalities within their boundaries; said copies of correspondence on the matter would be forwarded to other concerned municipalities. Councilmember Garcia mentioned College Park's letter to the Board which had been discussed in worksession in which they stated a clear insistence on voting on the Board; suggested the City's letter should be equally emphatic and place an emphasis on determination to vote on the Board.

(2) Director of Housing Services. The City Administrator stated that the Search Committee reviewed approximately 110 applicants for the position; those were screened down to the 10 most qualified; and ultimately to 5 for interviewing. One withdrew prior to being interviewed, another had to be hospitalized and withdrew due to health reasons; the 3 remaining top candidates were interviewed and it was unanimously agreed that Dedra Tyree was the committee's choice to receive the appointment. A motion was made by Councilmember Williams, duly seconded by Councilmember Iddings, and carried unanimously, that Dedra Tyree be appointed Director of Housing Services. The Mayor and Councilmembers expressed congratulations and support.

(3) Appointment of Transportation Planning and Traffic Committee members. Mayor Abbott stated that an ad was placed in the City Newsletter soliciting members; a partial list had been compiled of persons interested in serving. City Administrator Nichols explained that nominations would be made by Councilmembers for members to represent their wards from names submitted. Councilmembers Iddings, Eckert, Garcia, Williams, and Bradley presented names of their nominees to the committee.

Naomi Turner, 7567 Maple Avenue, President of Upper Maple Avenue Citizens' Association: stated that the citizens' association (as well as Parkview Towers Tenants Association) supports the nomination of Mrs. Sophia Helfand to the committee due to her interest in traffic problems on Maple Avenue; spoke of the parking problems existent on Maple Avenue; cited what she felt were the reasons for them; said Maple Avenue should be clear as adequate parking facilities exist at the apartment complexes to accommodate people.

Rev. Ron Albaugh, 7202 Central Avenue: stated that the Master Plan provides this committee a good, strong basis to work from for planning the City's transportation and traffic situation; said members should consider not only their own area but the entire City as a whole; suggested they might get copies of federal government (and other sources) documents relating to the issue; said COG would be a good source of assistance - they recently completed a report and study for a portion of Rockville. Encouraged that the citizenry be involved in planning and decision making.

Jill Pettrich, 1006 Elm Avenue: expressed thanks for the stop sign recently erected in her area; hoped it would not be required that everything related to traffic be sent to the committee if that would entail delays in situations needing immediate action.

Clarence Boatman, 133 Ritchie Avenue: relayed an invitation to Councilmember Williams to attend a citizens' association meeting Tuesday, November 23, 7:30 P.M., at Heffner Park for the purpose of receiving their input on the traffic situation.

Mayor Abbott related a complaint from a female resident of Willow Avenue who stated when she drove over the speed humps installed there, an irate resident ran out and pounded on her car, telling her to slow down; the Mayor thought the humps permit a speed greater than they should. The City Administrator stated that the neighborhood seems to be overwhelmingly in favor of the speed humps and pleased with the installation. Councilmember Faulkner remarked he thought they permitted speeds 5-8 miles higher than they should; Councilmember Iddings agreed, thought it might have something to do with the geometry of the street; said he had suggested arranging to borrow templates from D. C. DOT to put over the speed humps to ascertain whether they required alteration; urged that be done if it had not.

5: Council Meeting Minutes  
November 22, 1982

Complaints were registered and discussed regarding street patches during and following utility company work (creating ruts, bumps, potholes); the City Administrator stated that the Director of Public Works had been working with utility companies attempting to establish standards for them to comply with when doing work in the City.

Councilmember Iddings moved appointment of the following individuals to the Transportation Planning & Traffic Committee:

- Ward 1: Charlie Branch
- Ward 2: William Robinson, Russell Travers
- Ward 3: Mary Carnahan, Gail Dalmat, members;  
Maureen Kohl, alternate
- Ward 4: Geneva Cross, Sophia Helfand, members;  
alternate to be appointed
- Ward 5: J. R. Prestridge, Gary Gleason, members
- Ward 6: Ron Harne, Tom Guins, members
- Ward 7: to be announced at a later date

Motion duly seconded by Councilmember Eckert, and carried unanimously. Councilmember Williams requested that the remaining positions on the committee be filled no later than December 13, the next regular Council meeting. The City Administrator assured, in response to request from Councilmember Eckert, that committee members would be notified of their appointment. Councilmembers Iddings, Faulkner, and Williams volunteered to represent Council on the committee.

(4) Preliminary Subdivision #1-82156, 8015 Maple Avenue: The City Administrator stated that notice dated October 28 was received from Park and Planning that the owner filed a preliminary plan for resubdivision of lots 26 and 27 to combine them into one lot; staff requested a response within 60 days so they could make their recommendation to the Planning Board on either December 9 or 16. Said tonight's comments would be forwarded for the Planning Board's consideration during their deliberations. Reminded that the plan previously presented was a pre-preliminary plan (a "feeler"); there had apparently been no changes to that plan effected (at least to the plat) or to the design of the garage. Said the consideration of the resubdivision is irrespective of the garage; technically what is being addressed presently is the resubdivision only; however, what seriously concerns the neighborhood is the size of the structure proposed to be constructed on the combined lots, and its intended use.

Harold Britton, Sr.: appealed to the City to support the resubdivision and garage on the basis that his grandson's hobby is old cars; said young people need provision for pursuit of their hobbies; related several incidents that appeared to possibly be harassment of his family from persons unknown, perhaps neighbors.

In response to query from Councilmember Bradley, Mrs. Britton stated her son is the one making application for the resubdivision. Councilmember Bradley reminded that one of the things previously discussed was modifying the size and location of the proposed garage; said neighborhood feelings are not the only consideration, but also zoning and other legal requirements pertain to what is a public and what is a private garage, and size is one of the criteria in determining that. Mayor Abbott suggested the Brittons talk to Tom Robertson at Park and Planning and ascertain from him the maximum permissible size of garage they could legally construct on their property. Councilmember Bradley read the definition of a public auto garage from the Montgomery County Zoning Ordinance, also cited zoning requirements for an accessory building (private garage) which must be subordinate to the main building and located on the same lot; reiterated that the existent objections are to the size, scale, and use of the the proposed building. In response to query, Mrs. Britton stated they anticipate housing 6 vehicles in the garage (which would place it in the category of a public garage).

6 Council Meeting Minutes  
November 22, 1982

Mayor Abbott reiterated his suggestion that the Brittons go to Park and Planning and ascertain what would be permissible in a residential zone construction-wise.

Mark Traversa, 706 Frie Avenue: stated that he understood that the proposed garage was to be built to house a large, converted Greyhound bus which is too large to be classified under county regulations as a recreational vehicle and cannot legally be parked on the Britton's lot; felt the garage would be in violation of zoning codes because of its size; stated objections to the bus, the garage, and the resubdivision; said the resubdivision would violate objectives of the Takoma Park Master Plan, especially the maintenance and protection of existing sound residential areas and the strengthening of the residential character of the neighborhoods, as well as the enhancement of the City's visual appearance.

Drake Cutini, 8022 Maple Avenue: said Council should make their decision on "the garage", not the resubdivision; stated that the smallest size garage Mr. Britton was willing to consider erecting would be 32 x 42 feet and he was not willing to relocate it on the property - that was not acceptable to the neighborhood; said the problem is the massive size of the proposed structure and the number of vehicles to be housed; did not think the resubdivision and the garage could be separated for decision-making purposes.

Following discussion, the City Administrator explained that if the resubdivision was granted and a building permit applied for, the City would be notified only if a variance was required for construction of the building, i.e., if it was too large or was going to house too many vehicles. If Park and Planning and the Permits Division viewed it as meeting all their requirements, they would issue the permit without any notice to the community. Councilmember Bradley made a motion, duly seconded by Councilmember Iddings, that the City recommend disapproval of the resubdivision, and that the City Administrator, in consultation with Corporation Counsel, draft a letter to Park and Planning stating Council's position and referring to the Master Plan, the Land Use Plan and other definitions of accessory use and appropriateness for the neighborhood. Councilmember Eckert remarked that he wished there were other grounds for confronting the issue; said if the interest in the resubdivision was for the purpose of building a garage that he could find acceptable, he would have no problem; however, did not think the one that was proposed was acceptable; would prefer being able to register objections to the garage rather than to the resubdivision; would support the motion, but reluctantly. Councilmember Bradley expressed regret at having to oppose the resubdivision, but felt Council had little choice given the information they have and based upon the size and scale of the structure proposed to be erected on the property. Councilmember Iddings echoed Councilmember Eckert's remarks; said it is a painful sort of issue where there is much to be said on both sides and no clear cut answer; said he would be supporting the motion with reluctance; hoped there might be some last minute efforts made at negotiating a workable compromise between the Brittons and their neighbors. Councilmember Garcia stated he firmly believed in property rights and the right of the individual to do as he wishes with his property as long as it is legal and conforms to zoning requirements; said he would vote against the motion; would deal with the question of the size of the garage separately should it arise at a later time. Mayor Abbott stated that in the event of a tie, he would vote in favor of the motion as he had no assurance of the size of the structure that would be erected if the resubdivision was granted; said the neighbor's property rights concerned him as well as the Britton's. The question was called; motion carried with Councilmember Garcia voting Nay, balance of Council Aye.

(5) WAH San Building Update. City Administrator Nichols repeated his announcement of the County Planning Board's upcoming November 24 meeting. Councilmember Iddings stated that Ron Wylie had spoken to Park & Planning staff and they intend recommending disapproval

of placement of the San Building on the Master Plan for Historic Preservation.

Ron Wylie, 7618 Glenside Court: related he had spoken with Marty Reinhardt, she informed him a written staff report would be available November 23; staff recommends against preservation of the San Building on the basis of health care costs and an assessment that if the building was preserved it might preclude the hospital from providing the kind of health services in the future that they and the community would want. Said Ms. Reinhardt referred to this as a "prioritizing of the public interest." Said he asked her specifically how they ruled on the issue of historical significance because the initial recommendation from the County Historic Preservation Committee was based on three criteria and the City feels the Planning Board ought not to base their decision on any considerations other than the issue of historic significance; said the City's Corporation Counsel made that motion at the hearing. Stated Ms. Reinhardt said that the staff's recommendation does indicate that at least one, and possibly more, of the criteria for historical significance had been met; therefore, they agreed with the City's position that the building is historically significant and have rejected the hospital Counsel's arguments that there is no relationship between the San Building and the development of the City. Said the staff also addressed the "red herring" issues such as accreditation put forward by the hospital and agreed with the City's position that accreditation is not at stake. Mr. Wylie expressed disappointment in staff's recommendation that the building not be preserved, but thought there were some positive aspects, such as agreement that the structure does have historical significance. Said if the battle is lost at the Planning Board level, the affirmation of historical significance might make an appeal stronger and more clear cut.

Councilmember Bradley expressed thanks to Mr. Wylie, Corporation Counsel, and members of the City staff who assisted in assembling the large packet of material that went to the Planning Board following last week's public hearing on the issue.

Mayor Abbott questioned whether there was any indication that staff had considered minimal preservation of the building; Mr. Wylie responded that he had received no indication to that effect; said he had been advised by staff that since the upcoming meeting would be a legislative hearing, material could be submitted up until the time of decision making. Said he had encouraged Senator Bainum to go on record at the hearing, which he did, favoring preservation. Subsequently, Senator Bainum approached the hospital concerning having an assessment by a knowledgeable associate of his who has extensive experience in preservation projects and adaptive re-use (meeting lasted 3 hrs.); said he understood the hospital indicated that if the renovation could be done for "X" number of dollars per square foot or less, they would be willing to preserve the building; they did present Senator Bainum's associate with copies of all their studies on the matter. Encouraged if anyone had any information they wished to put before the Planning Board prior to the November 24 meeting they do so; stated he intended meeting with Norman Christeller, Chairman of the Board, to summarize what he felt were important points to be considered as the Board makes their decision.

Councilmember Bradley commented she understood the contractor/developer Senator Bainum contacted had experience in health care buildings design and construction as well as rehabilitation; Mr. Wylie affirmed that was his understanding as well, but that the experience might not be extensive.

Mr. Wylie wondered whether the pro-preservationists would wish to have an article in the Montgomery Journal under "Speaking Out" presenting their viewpoint (referred to recent article therein by the hospital's architect); said the Journal's editor had offered to publish one if submitted. Mayor Abbott suggested Mr. Wylie compose and submit the article.



Mr. Wylie stated that if the Planning Board decision comes out on the basis of economic considerations vs. historic significance, there would be important implications for historic preservation throughout the County.

In response to query, Corporation Counsel Gagliardo stated he would require direction from Council prior to December 2 in order to get a court injunction to prevent the Department of Environmental Protection issuing a demolition permit (DEP would make decision on issuance on 12/3).

Councilmember Iddings remarked that discussion was indicated of the several ordinances passed recently regarding the hospital and the San Building, as well as the possibility of litigation against WAH. Following discussion, it was agreed these matters would be discussed in worksession on November 29.

Mr. Wylie commented that a letter was received 11/1 from Maryland Historic Trust indicating they were willing to reconsider placement of the San Building on the National Register; said he had spoken with them concerning the possibility of acceleration of determining that eligibility because if it is formally determined to be eligible, it would afford additional legal status for preservation of the building.

(6) Second reading of a proposed ordinance designating spaces for handicapped parking. A motion for adoption of the ordinance was made by Councilmember Faulkner, duly seconded by Councilmember Iddings.

Richard Feldman, 1313 Elson Court: spoke in opposition to Section 2(a) of the ordinance; said it provides for a space at 1311; there are 6 houses on Elson Court (a cul-de-sac), five have people with cars. Stated most of his neighbors are in agreement, none oppose the concept of spaces for handicapped persons; however, when Mr. Wright (handicapped person at 1311) moved in, he had three large cars. There had previously been no parking problems, but this did create one due to a shortage of spaces. Said this individual has at various times had 4-5 cars; thought he might make a business of fixing up cars and selling them; his vehicles occupy half the available parking space on the Court; did not think it equitable under the circumstances to provide a reserved space.

Mayor Abbott stated he saw no urgency for Council to act on the matter, thought it should be deferred pending further investigation of the situation. Following discussion, it was agreed these matters would be discussed in worksession on November 29.

Muriel Sumner, 7510 Maple Avenue: stated she is a consumer advocate for disabled persons, does not know any of the principals involved; spoke on behalf of those who had requested assigned parking spaces. Said persons lacking the mobility to get around are in a precarious position; urged support of the ordinance. Councilmember Garcia suggested the painting of angled parking spaces on the court might help alleviate the parking problems. Mayor Abbott suggested Ms. Sumner might approach Mr. Wright regarding the situation and his neighbors' feelings about his number of vehicles in connection with the handicapped parking space, to which she agreed. Councilmember Iddings remarked that this legislation intrudes on, and possibly exacerbates, a neighborhood feud, and it would be useful to resolve that feud prior to enacting the legislation; would appreciate any assistance Ms. Sumner might lend; moved amendment to the ordinance by deletion of Section 2(a), duly seconded by Councilmember Garcia. Councilmember Eckert favored tabling the ordinance until such time as the problem with Section 2(a) could be resolved. Councilmember Garcia supported tabling at this time until further space investigation; said he felt this would be the beginning of numerous requests throughout the City and each should be thoroughly checked out prior to approval. The question was called on the motion for deletion of Section 2(a); motion defeated 4-2. A motion was made by Councilmember Eckert, duly seconded by Councilmember Bradley, that the ordinance be tabled for two weeks (until the December 13 Council meeting) during which time Ms. Sumner would approach Mr. Wright regarding the problem and would

report back to Council on the results. City Administrator Nichols remarked that letters were sent to neighbors of the other two requested spaces and no negative comments were received. The question was called; motion to table carried 5-1. Councilmember Garcia remarked that the police should more actively enforce parking restrictions on handicapped parking spaces in the Langley Park Shopping Center.

(7) Proposed ordinance authorizing purchase of used refuse truck. Councilmember Faulkner moved adoption of the ordinance, duly seconded by Councilmember Iddings. Ordinance No. 2641 was adopted by roll call vote as follows: AYE: Councilmembers Bradley, Eckert, Faulkner, Garcia, Iddings, and Williams; NAY: None; EXCUSED: Councilmember D'Ovidio.

ORDINANCE NO. 2641

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

SECTION 1. THAT the Public Works Director has recommended the purchase of a used refuse truck for use in bulky pick-ups and as a backup truck; AND

SECTION 2. THAT authorization is hereby given for the purchase of one 1973 White refuse truck, Model 1550, Serial No. 815998, from Weber White Trucks, Inc., Washington, D. C. for the price of \$2,500; AND

SECTION 3. THAT funds to cover this purchase in the amount of TWO THOUSAND, FIVE HUNDRED DOLLARS(\$2,500) be appropriated from the General Contingency Fund.

(8) Appointments to Council of Governments boards and committees. Councilmember Bradley moved appointment of the members and alternates as presented; motion duly seconded by Councilmember Williams, and carried unanimously.

Energy Policy Advisory Committee: Lou D'Ovidio, member; Jeanne Price, alternate  
Public Safety Policy Committee: Herman Williams, member; Maurice Allain, alternate  
Land Use Policy Committee: Bill Eckert, member; Rino Aldrighetti, alternate  
Human Resources Policy Committee: Frank Garcia, member; Rev. Ron Albaugh, alternate  
Public Advisory Committee: Maurice Berez, member; Lorri Radloff, alternate  
Water Resources Planning Board: Lynne Bradley, member; John K. Hemphill, alternate  
Transportation Planning Board: Carl Iddings, member; Joseph Faulkner, alternate  
COG Board of Directors: Sam Abbott, delegate; Lou D'Ovidio, alternate

Upon motion, duly seconded, the meeting adjourned at 11:48 P.M., to reconvene on Monday, December 13, 1982, at 8:00 P.M. in regular session.