

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
April 11, 1983

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 MARCH 28, 1983

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' COMMENTS (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:
 - City Administrator's reports
 - Departmental reports: Library, Recreation, Public Works
 - Corporation Counsel reports
 - (2) Pre-preliminary subdivision #7-83006, north side of Tulip, east of Holly Avenue
 - Citizens' comments
 - Council action
 - (3) Second reading of a proposed ordinance creating a 3-way stop at Maple and Lincoln Avenues, with crosswalks
 - Citizens' comments
 - Council action
 - (4) Second reading of a proposed ordinance creating a 3-way stop with crosswalks at Maple Avenue and Sherman Avenue
 - Citizens' comments
 - Council action
 - (5) Second reading of a proposed ordinance creating a 4-way stop at Tulip and Willow Avenues
 - Citizens' comments
 - Council action
 - (6) Second reading of a proposed ordinance designating Lockney Avenue between Hammond Avenue and Merrimac Drive as one-way north, and reducing speed limit to 20 mph
 - Citizens' comments
 - Council action
 - (7) Second reading of a proposed ordinance creating a 4-way stop at Boyd and Jackson Avenues
 - Citizens' comments
 - Council action

- (8) Second reading of a proposed ordinance to install a stop sign on Spring Avenue at its intersection with Cockerille Avenue
Citizens' comments
Council action
- (9) Second reading of a proposed ordinance to install a stop sign on 2nd Avenue at its intersection with Cockerille Avenue
Citizens' comments
Council action
- (10) Second reading of a proposed ordinance to install a stop sign on Sycamore Avenue at its intersection with Elm Avenue, with a stop line on Sycamore
Citizens' comments
Council action
- (11) Second reading of a proposed ordinance authorizing the Mayor to execute a quit claim deed on property at 512 Ethan Allen Avenue
Citizens' comments
Council action
- (12) Consideration of a request to open a farmers' market
(Councilmember D'Ovidio)
Citizens' comments
Council action
- (13) Authorization by Council to install eight City entrance signs (rustic signs—similar to those at Piney Branch and Eastern)

ADJOURNMENT

CITY OF TAKOMA PARK, MARYLAND
REGULAR MEETING OF THE MAYOR AND COUNCIL
April 11, 1983

CITY OFFICIALS PRESENT:

Mayor Abbott	City Administrator Nichols
Councilmember Bradley	City Clerk Pusti
Councilmember Eckert	Public Works Director Robbins
Councilmember Faulkner	Library Director Spottswood
Councilmember Garcia	Recreation Director Ziegler
Councilmember Iddings	Corporation Counsel Gagliardo
Councilmember Williams	
Councilmember D'Ovidio	

The Mayor and City Council of Takoma Park, Maryland met on April 11, 1983, at 8:10 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made, and duly seconded to approve the Council Meeting minutes of March 28, 1983; the motion passed unanimously.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

The Mayor stated that the groundbreaking to have taken place last Saturday at the TOT Park was postponed. It was decided with Park and Planning that the groundbreaking would be dispensed with. When the structure is completed, the City will have a correct dedication. This will take place in the late summer.

The Mayor added that Tuesday, April 12, the Board of Education will take action on adopting the decisions on school closures, grade shifting, feeder schools, etc. There was an error made in the preliminary motions. The Board neglected to rescind the previous school board closure. When this is resolved at the meeting, the City can move on toward citizen involvement; making the quality of education higher with the same dedication and tenacity used in keeping the school open.

Mayor Abbott reported that the Unification Bill was turned down by the Prince George's House Delegation by a 9 to 9 vote; 3 votes short of the necessary majority. This is only the second year this matter has come up in the Legislature. A motion was passed to set up a study commission this summer. It will include representatives of the House, State Senate, both County Councils, and the City. The details will be worked out in the next few weeks.

The question of the Fire Department funds from Prince George's County for its operation will be decided by the Legislature. The fate is riding on bills that Prince George's needs in order to generate the money. There are at least 20 budget items that will go down the drain if there is no increase through the business property tax and the Lotto Bill.

The Mayor also added that the Takoma Repertory Group performed three plays last Friday. He praised the group, stated his enjoyment and commented on the fine attendance. On Friday April 15, at 7:30 there will be a performance; Saturday and Sunday matinees at 2:00. Tickets are \$3.00; less for children. The Mayor hoped that attendance will be fruitful.

Councilmember Iddings stated that the Council should make note of the celebration honoring Dr. Martin Luther King, Jr., held last Thursday. Most of the Council was in attendance. It was a moving celebration. Councilmembers Williams, Garcia, Mr. Arisman, and others on the Committee should be thanked for a wonderful celebration.

Councilmember Williams commended all those who worked: the people on stage, employees of the school, and the City for its participation. Most praise should go to the young people at Blair High School, the Ebony Club in Takoma Park, Rev. Joe Gibson for a stirring speech, Rev. Henry Johnson; citizens of Takoma Park; Nancy Perry, Mistress of Ceremonies; Dave Sawyer, Saul Schniederman, Carol Hausner (Folkworks); Rene Morse, who gave a great presentation of Dr. King's movements with Ghandi. It was an educational and moving event. Councilmember Williams made special mention of the impact of Mayor Abbott. Mayor Abbott pointed out that the District of Columbia's Martin Luther King Library had a commemoration which featured Congressman Fauntroy, with 100 people in attendance. Takoma Park's celebration had drawn over 200 people; this speaks very highly of Takoma Park. Councilmember Garcia noted that Mayor Abbott had received a telegram from Mrs. Coretta King congratulating the City's efforts.

2 COUNCIL MEETING MINUTES
APRIL 11, 1983

It was suggested that the Committee thank Mrs. King.

Councilmember Eckert requested that Item 11 on the Agenda be taken up first at citizens' request.

CITIZENS COMMENTS

Maurice Berez - 7422 Buffalo Avenue: Stated concern for families in Takoma Park subjected to packs of loose dogs attacking children and adults trying to walk within the City. Dogs are consistently out running in the neighborhood; calls are made to the Police Department, dogs are picked up, taken home, a warning is given and the next day are out on the streets again. Citizens have been bitten, attacked, cats have been killed, garbage torn, lawns mutilated, crops ruined. Mr. Berez requested City support. There is no effective enforcement by the County. A letter was sent to Councilmember D'Ovidio; copy to Mr. David Wheeler, Director of Animal Control in Montgomery County. Also sent letters to Mr. Gilchrist and Mr. Scull. Mr. Berez had 50 signatures from neighbors in Takoma Park for these letters. Stated that if children are bitten in the City, citizens will sue owners of dogs and also sue the County. Dogs are also running loose in the Prince George's section of the City. Councilmember D'Ovidio acknowledged receipt of Mr. Berez's letters and stated thus far there has been no response from the County. Requested a strong letter from the Council to the County to implement Mr. Berez's request. Councilmember Faulkner stated that this is a City-wide problem, noting that in the past he has asked to have it put on the Agenda. The City needs the Animal Control program not only because of attacking dogs, but also the rabies scare, and raccons running in the City. Councilmember Bradley pointed out that raccons are running in the City in large numbers and the County Animal Warden will not respond at all to those calls. Also stated that dogs and raccons attract other animals.

Becky Berez, 7422 Buffalo Avenue: Related story to the Council of neighbor who was attacked by a dog outside her house two weeks ago on the way to school. Mrs. Berez had to walk with her to class. Mrs. Berez also related that seven dogs attacked her and her children on their own porch when they wanted to go for a walk. Attempts have been made to talk to the owner of a particular dog; a negative response was received. People and the animals are suffering. Councilmember Bradley asked if this should be incorporated into the City Budget, or to lobby the County in order to strengthen their efforts. It was noted that a City position should be recreated. Pressure should be put on County to pick up the dogs. The Animal Control Warden does make the calls, but nothing happens. Councilmember D'Ovidio suggested that ordinances be taken to owners of dogs and discussed. City Administrator Nichols noted that Police can do limited things with respect to dogs not on leashes. If they are observed by the Police, they can cite an owner; or if an individual is willing to testify in Court, they will issue a citation. Councilmember Eckert noted the same problems in Ward 3. Mr. Eckert, with the help of Mr. Prario of B. F. Gilbert's Association, published an article in the Newsletter which outlined some of the things the Police can do, and when the County must be called. This article could be run again if there is enough interest. The Mayor noted that the question of a City Animal Warden has to be settled in the Budget. The Mayor asked Councilmember D'Ovidio to deliver copies of ordinances to the people and then the City can take local action. Councilmember Faulkner related that there are funds to handle this situation now and this should be taken up at a worksession before the Budget is settled. Mayor authorized the City Administrator to send strong letters to both counties.

Mike Haney - 7606 Lockney Avenue: Publicly thanked the Mayor and Councilmember Garcia for attending a small Arbor Day ceremony in the New Hampshire Gardens Area of Ward 6. Stated that there is a big need for more trees to be planted in that area, and also other areas in the City. Mr. Haney noted that the tree was paid for out of the citizens' association funds. A direct donation was made to the City treasury. The tree cost was \$131.00; it was a 15 foot high Bradford Pear. The tree was planted on Merwood Drive between New Hampshire and Wildwood. The Mayor expressed thanks and congratulations to the new citizens' association. Another tree was purchased and the cost was borne half by the City and also by the owners of the Professional Building on New Hampshire Avenue. This shows a cooperative effort between the neighborhood and local businesses. Mr. Haney also pointed out that the New Hampshire Gardens Citizens' Association was invited by the Long Branch Sligo Citizens' Association to participate in an annual clean-up of Long Branch held every year. It will be conducted on May 21 at 2:00; rain date May 22 at 2:00. Councilmember Bradley noted that the new Tree Committee will be discussing with the Council and citizens the work done on a potential tree ordinance for the City in terms of planting new trees and saving existing trees. The meeting will be on Thursday April 14 at the Municipal Building; and

3 COUNCIL MEETING MINUTES
APRIL 11, 1983

all are invited to attend.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Nichols

1. Communications: Mr. Nichols stated there were no communications.
2. ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION:

(1) Administrative Reports: Mr. Nichols reminded the Mayor and Council that the City is in the process of reviewing and considering the City Budget for FY 1983-84. The next scheduled worksession on the Budget will be Tuesday, April 19--the second Budget worksession on Public Works, the Capital Improvements Program and a report from the Community Development Block Grant Citizens Advisory Committee. There are a series of discussions and hearings to take place after that, culminating on June 27 with the adoption of the Budget. The schedule for the Budget has been published in the Newsletter; copies of the Budget are available, members of the community are encouraged to participate in the Budget hearings.

DEPARTMENTAL REPORTS

Library Reports-Director, Ellen Spottswood: On March 25, Ann Schwartz and Ellen Spottswood attended the first PLA Conference in Baltimore. Participated in workshops entitled: a. "Improving Service through Coordinated Community Informal Referral." b. Reading is Fundamental." and c."Planning Process in the small public library." On April 6, Ann Cincotta attended a workshop entitled "Integrating technical services through automation." Gave her the opportunity to talk with people who are actually going through the process of automating their libraries, and learn about problems and benefits.

The Director also noted a Spring Vacation Film Program was offered for the first time on March 30, and was attended by 82 children and adults. The first Thursday Poetry Reading, held on April 7 featured Bill Holland and Terry Winch, and drew 43 people. Friends of the Library will meet Wednesday April 14 at 8:00 p.m. in the Library. Anyone interested was urged to attend. Ms. Spottswood also named a variety of free materials currently being distributed at the library and also briefly mentioned some recent additions to the library collection, which include Videotaping Local History, Nearby History, and also a variety of books offering information on career choices, returning to work, changing jobs, dealing with unemployment, and finding a job. Ms. Spottswood also noted material containing college information on scholarships, long-term loans, unusual majors and a guide to help with the complete financial aid process.

RECREATION DEPARTMENT - Belle Ziegler, Director

Mrs. Ziegler stated that the Recreation Department was represented at the National Recreation and Parks Association Mid-Atlantic Conference, in Rockville. The Director, plus two part-time staff participated. The Department is involved in setting up rules and regulations for the Inter-Agency Coordinating Board for the Board of Education. The Department is finishing up Spring classes; a few mini-classes will be starting this week, including a breadmaking class, on May 18 - a one-evening program. The Department had to move the programs from the Municipal gym; the Easter program was held at SSI.

Mrs. Ziegler stated that the After School Program was moved to Piney Branch Elementary School; the roller skating program was eliminated and one of the adult open gym programs. One program for the Junior High was held at Piney Branch on Friday night and another program at the Takoma Park Elementary School. The Department hopes to be back in the gym in about three months, so classes can get back to normal. The Easter Egg Hunt was held at the Junior High on April 2 and was a huge success. The Kite Contest scheduled for April 10 was postponed until April 17 due to inclement weather. The Junior Soccer League has started, with the first game held on Saturday, April 9, and continuing games will be held on Saturdays with over 100 children participating. Mrs. Ziegler stated that the House and Garden Tour will be held on May 1 and will include a luncheon, held at Trinity Episcopal Church at Dahlia and Piney Branch Road. On April 23, 24, the Azalea Committee and the Hort Club will hold a Flower Show; with the plant sale on May 7. Saturday night, April 16, will be Las Vegas Night. All are encouraged to participate in making home made floats for the Independence Day parade; a special prize will be given for the best depiction of the 100th anniversary of the City. Mrs. Ziegler also said that a group of four students from Maryland University Recreation were here to observe programs, go through files, interview different people in the community about the programs; they will be

4 COUNCIL MEETING MINUTES
APRIL 11, 1983

coming up with recommendations and a report on the Department and suggestions for programs that will benefit the City. The Takoma Park Women's Club donated as a Centennial gift to the Recreation Department and the City 25 Samsonite card tables, at a cost of \$799.00. Park and Planning of Prince George's County will be having a budget hearing on April 26; Mrs. Ziegler plans to attend and has encouraged citizens to attend to support their Budget; started that it would be to the advantage of the City. This will be held in Upper Marlboro. Mrs. Ziegler also stated the City Softball League will be starting April 24; teams are encouraged to participate. Program Open Space: with appraisals all in, the Project Officer from the Department of Natural Resources went over the applications and negotiations should start within the next two weeks. Once applications have been reviewed, they will be sent to State Planners, for their review, and then back to Natural Resources for further review and then the State Board of Public Works for approval and fund allocations. The Department will know for sure in about 2 1/2 months. Further discussion ensued in regard to individual parcels of land. Mrs. Ziegler stated that the Summer programs will proceed as usual.

PUBLIC WORKS DEPARTMENT, Richard Robbins, Director

Mr. Robbins stated that leaf collection should start immediately; it is too late to notify citizens that the collection has been extended due to inclement weather. Mayor Abbott stated that the Department simply goes up and down individual streets for pickups. The leaves are mulched on City property and citizens can pick these up. The Department will start on Lincoln Avenue next week to put in a storm drain system going down to Maple Avenue and put a sidewalk in on one side. Mr. Robbins stated that the project will begin at Jefferson Avenue and extend to Maple Avenue, with asphalt work being done, and concrete sidewalks will be put in. This project is funded through CBCD funds; and it is the last job to be done with those funds. There is a June 30 deadline for completing the job, or lose the funds. Mr. Robbins stated that he had contacted owners of 7667 Maple Avenue regarding closing of the rear parking lot apron to give more direct control over the parking lot. Councilmember Bradley requested a complete list of sidewalks and street lights that have been installed or funds encumbered for this Fiscal Year. Mr. Robbins further stated the work on driveway codes and new sections of the code are being written to gain greater control over driveway installations, distinguishing between commercial, common, and single family driveway aprons. The Department will be establishing apron size based on property frontage for single-family homes. Codes will be applicable to installations and replacement. New in house requirements will be established. Drawings will be required showing all improvements so that percentage can be calculated. The Department will be developing a packet to be filled out by the applicant. There has been a 30 day moratorium on this work by the Council. It was further stated that Public Works assisted New Hampshire Gardens Citizens' Association in a tree planting at Merwood Drive. The tree was planted Friday of last week. Businessmen in the Takoma Area, including the 7-11 Store and the drycleaners have been contacted and are interested in planting more trees outside their businesses. The Director stated that heavy trash collection in the City is running about three weeks behind. This is better than in the past seasons.

Public Works is working on a conversion program for police cars. At this time there is a cost payback in 14 months. The Department will save approximately \$5,000 for the Police Department. This must be coordinated with the City Administrator. This is standard equipment made by common American dealers and will not affect the trade-in value of the automobiles.

Mr. Robbins stated that the move of part of the Police Department downstairs in the Municipal Building has been completed. It was done for a third of the cost of estimates made -- \$11,000 as opposed to \$33,000. It was further stated that the Gypsy Moth is a City problem, and was suggested to remind citizens and to provide suggestions to control this problem.

CORPORATION COUNSEL, Mr. Tom Gagliardo

Corporation Counsel stated that work on the Firefighters pension suit is continuing; a full report will be given in the worksession. The trial is scheduled for May 24. He noted that last Friday in Prince George's County a case was continued in an attempt to obtain for the first time the forfeiture of money seized in a drug raid. This is provided for by State law. The City has never moved for recovery of such funds. Mr. Gagliardo stated that Council would have continuing reports as this case develops. The Corporation Counsel also

5 COUNCIL MEETING MINUTES
APRIL 11, 1983

reported on various other legal matters now pending.

(2) Pre-preliminary subdivision #7-83006, north side of Tulip, east of Holly Avenue.

Mayor Abbott stated that a pre-preliminary plan had been sent to the Mayor and Council for comment; discussion had been held at a previous worksession; that the question of ownership had been raised by Ms. Marlene Johnson; however, Park and Planning has indicated that the process will go forward until such time as Ms. Johnson pursues legal questions.

Marlene Johnson-1659 Primrose Road: Stated her position on the question of ownership. Her pleadings for injunctive relief to enjoin Mr. Karkenny from selling or enjoining the prospective purchasers from buying is in draft; it is hoped this matter will come to Court quickly. Ms. Johnson stated that regardless of the Court outcome, she will oppose the subdivision of the property. Stated that the land has been vacant since Takom Park was platted; there is not adequate land for two houses plus the necessary access to the houses. Mayor Abbott stated that Council has possession of a copy of the letter from Park and Planning to Ms. Johnson which stated that the process goes on until Ms. Johnson intervenes with legal proceedings. Ms. Johnson stated opposition to this. She noted that the petitioners have not made formal application for review of the pre-preliminary plan by the Planning Board.

Barton Day-1329 Kirby Road, McLean, Va: Stated that he is co-contract owner of the questioned parcel of land - that there are two issues involved. One is the merit of site plan - Park and Planning procedures have been, and will be followed, with new notice given to residents and the City when a site plan is presented. Mr. Day stated that the burden of proof of any ownership claim rests with Ms. Johnson. There is nothing legally that has been done to question ownership of the land. In any case, what is at issue is the merits of the plan. Mayor Abbott stated that Council reserves the right to develop a position on site plans to be submitted at a future time. Mr. Day stated that Mr. Wells, co-purchaser, plans to live on this land, welcomes comments from interested people on this matter. Mr. Day was questioned as to whether Mr. Wells had presented neighbors with plans for the land. Mr. Day responded affirmatively, saying that the main concern had been the driveway, trees and the proximity of houses to the right of way. There had been no opposition to the subdivision of the land. Ms. Johnson stated that at the time she obtained interest in the land in 1974, that letters from neighbors were received opposing any building on the land. Councilmembers Bradley and Faulkner expressed some concerns about the desirability of permitting use of the little vacant land that remains in the City and the problems that might later arise from a precedent set which Council may not wish to follow. Councilmember D'Ovidio noted earlier in the meeting that neighbors he had spoken to voiced no objection to the proposal.

Ed McMahon-7311 Wildwood Drive: Spoke of the growing interest in the community in full development of small parcels of land; suggested that an open space inventory be conducted and set up a priority list for open space acquisition. Councilmember Bradley spoke highly of this idea.

Steve Snyder-7506 Hancock Avenue: Stated his friendship with Mr. Day and Mr. Wells, and spoke in support of the development. Councilmember D'Ovidio moved, with Councilmember Eckert seconding, that Council voices no objection to pre-preliminary subdivision #7-83006, north side of Tulip, east of Holly Avenue. The motion carried by voice vote with Councilmember Bradley abstaining.

(3) Ordinance authorizing the Mayor to execute a quit claim deed on property at 512 Ethan Allen Avenue.

Upon motion made by Councilmember Eckert, seconded by Councilmember D'Ovidio, Ordinance No. 2654 authorizing the Mayor to execute a quit claim deed on property at 512 Ethan Allen Avenue was adopted, with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams; Nay: None. Excused: None.

6 COUNCIL MEETING MINUTES
APRIL 11, 1983

(4) Ordinance creating a 3-way stop at Maple and Lincoln Avenues with crosswalks.

A motion to adopt the Ordinance was made by Councilmember Iddings and was duly seconded.

Mr. Clayton Forshee-7222 Kennebeck Avenue:

Stated that in regard to Lincoln Avenue and Sherman Avenue - that there is no need to put a stop sign on every corner to control traffic problems. Pointed out that a study should be made at these corners. A great many hours of the day there is nobody using crosswalks; Council should consider push-button traffic lights to stop traffic when needed. Mayor Abbott pointed out how expensive this would be. Councilmember Williams stated that a study had been conducted and that former Police Chief Carter had supported the plan.

Jill Wettrich - 1006 Elm Avenue: Stated her opinion that a report is needed on Elm and Larch before any more stop signs are put in. People do not stop for signs -- they go right through. There is no enforcement of stop signs, no enforcement of the 15 mph on Maple, and no point in putting them up if police do not enforce them. City Administrator Nichols explained the problems with selective enforcement.

John Hemphill-8112 Flower Avenue: Reiterated that enforcement is necessary, but that the stop sign is necessary to slow people down. After further discussion, Ordinance No. 2655 was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Iddings, Williams, Nay: None; Abstained: Councilmember Garcia.

ORDINANCE # 2655
(ATTACHED)

(5) Ordinance creating a 3-way stop with crosswalks at Maple Avenue and Sherman Avenue.

A motion was made by Councilmember Iddings, duly seconded, and Ordinance No. 2656 creating a 3-way stop with crosswalks at Maple Avenue and Sherman Avenue was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams, Nay: None; Excused None.

ORDINANCE # 2656
(ATTACHED)

(6) Ordinance creating a 4-way stop at Tulip and Willow Avenues.

A motion was made by Councilmember Iddings, duly seconded, and Ordinance No. 2657 creating a 4-way stop at Tulip and Willow Avenues was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams; Nay: None; Excused: None.

ORDINANCE # 2657
(ATTACHED)

(7) Ordinance creating a 4-way stop at Boyd and Jackson Avenues.

A motion was made by Councilmember Iddings, seconded by Councilmember Faulkner, and Ordinance No. 2658 creating a 4-way stop at Boyd and Jackson Avenues was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams, Nay: None; Excused: None.

ORDINANCE # 2658
(ATTACHED)

(8) Ordinance to install a stop sign on Spring Avenue at its intersection with Cockerille Avenue.

A motion was made by Councilmember Eckert, duly seconded, and Ordinance No. 2659 to install a stop sign on Spring Avenue at its intersection with Cockerille Avenue was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams; Nay: None; Excused: None.

ORDINANCE # 2659
(ATTACHED)

7 COUNCIL MINUTE MEETING
APRIL 11, 1983

(9) Ordinance to install a stop sign on 2nd Avenue at its intersection with Cockerille Avenue.

A motion was made by Councilmember Eckert, seconded by Councilmember Faulkner, and Ordinance # 2660 to install a stop sign on 2nd Avenue at its intersection with Cockerille Avenue was adopted with the vote recorded as follows: Aye: Councilmember Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams; Nay: None; Excused: None.

ORDINANCE # 2660
(ATTACHED)

(10) Ordinance to install a stop sign on Sycamore Avenue at its intersection with Elm Avenue, with a stop line on Sycamore.

A motion was made by Councilmember Bradley, seconded by Councilmember Faulkner, and Ordinance No. 2661 to install a stop sign on Sycamore Avenue at its intersection with Elm Avenue, with a stop line on Sycamore, was adopted with the vote recorded as follows: Aye: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams; Nay: None; Excused: None.

ORDINANCE # 2661
(ATTACHED)

(11) Ordinance designating Lockney Avenue between Hammond Avenue and Merrimac Drive as one-way north, and reducing speed limit to 20 mph.

Councilmember Iddings stated this item was brought to the Traffic Committee by a resident on behalf of the neighborhood, for the purpose of thwarting cut-through traffic. Mr. Haney explained the rationale. A motion to table the Ordinance was made and subsequently withdrawn. Following a lengthy discussion, a motion was made by Councilmember Garcia, seconded by Councilmember Faulkner and Ordinance No. 2662 designating Lockney Avenue between Hammond Avenue and Merrimac Drive as one-way north, and reducing speed limit to 20 mph was adopted with the vote recorded as follows: Aye: Councilmembers D'Ovidio, Eckert, Faulkner, Garcia, Iddings, Williams, Nay: None; Abstaining: Councilmember Bradley, who felt Council was not looking at the area in a systematic way and the effect of the action was to impact on other area traffic.

ORDINANCE # 2662
(ATTACHED)

(12) Authorization by Council to install eight City entrance signs (rustic signs-- similar to those at Piney Branch and Eastern.)

A motion was made by Councilmember Bradley, duly seconded, authorizing installation of City entrance signs, with the locations subject to review by Council. Mr. Robbins suggested that only half the signs be installed reserving the surplus for replacement purposes: the motion carried unanimously.

Upon proper motion, the meeting adjourned at 11:32 p.m., to reconvene on Monday, April 25, 1983 at 8:00 p.m.

ORDINANCE NO. 2654

WHEREAS, the City of Takoma Park took title to the real property and improvements known as Lot 2, Block 107, Glaizewood Manor, Takoma Park, Prince George's County, Maryland, and otherwise known as 512 Ethan Allen Avenue, on or about June 19, 1939; AND

WHEREAS, the City may have taken title for failure to pay taxes pursuant to equity action No. 10906 in the Circuit Court for Prince George's County, Maryland; AND

WHEREAS, the City never asserted its ownership interest in said property; AND

WHEREAS, said property has been transferred between private owners several times since June 19, 1939; AND

WHEREAS, the City has assessed and collected taxes on said property in recognition of its private ownership; AND

WHEREAS, the current seller would like to clear any and all cloud on the title to the property.

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

SECTION 1. THAT the Mayor be hereby authorized to execute a quit claim deed on the property described above and that the same be delivered to the current owner of said property.

ADOPTED BY THE MAYOR AND COUNCIL OF TAKOMA PARK, MARYLAND APRIL 11, 1983.

ORDINANCE NO. 2655

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

SECTION 1. THAT all vehicular traffic on Maple Avenue shall come to a complete stop at that street's intersection with Lincoln Avenue, thereby creating a 3-way stop; AND

SECTION 2. THAT pedestrian crosswalks shall be painted across the Maple Avenue roadway and the Lincoln Avenue roadway, so as to provide a safe crossing for pedestrians at the intersection of Maple Avenue and Lincoln Avenue; AND

SECTION 3. THAT the Director of Public Works in cooperation with the Acting Chief of Police shall survey the intersection and make a determination as to the appropriate placement of the stop signs and the crosswalks; AND

SECTION 4. THAT this ordinance shall become effective upon completion of the signing, which shall include appropriate warning to motorists approaching the intersection; AND

SECTION 5. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2656

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

- SECTION 1. THAT all vehicular traffic on Maple Avenue shall come to a complete stop at that street's intersection with Sherman Avenue, thereby creating a 3-way stop; AND
- SECTION 2. THAT pedestrian crosswalks shall be painted across the Maple Avenue roadway and the Sherman Avenue roadway at the above-described intersection so as to provide safe passage for pedestrians; AND
- SECTION 3. THAT the Director of Public Works, in cooperation with the Acting Chief of Police, shall survey the intersection described in Sections 1 and 2 of this ordinance and make a determination as to the appropriate placement of the stop signs and the crosswalks; AND
- SECTION 4. THAT this ordinance shall become effective upon completion of the signing, which shall include appropriate warnings to motorists approaching the intersection; AND
- SECTION 5. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2657

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

- SECTION 1. THAT all vehicular traffic shall come to a complete stop on Willow Avenue at its intersection with Tulip Avenue, thereby creating a 4-way stop; AND
- SECTION 2. THAT the Director of Public Works is hereby directed to install STOP signs at the appropriate locations; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Maryland, 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2658

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

- SECTION 1. THAT all vehicular traffic on Boyd Avenue shall come to a complete stop at its intersection with Jackson Avenue, thereby creating a 4-way stop; AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install STOP signs at the appropriate locations; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 4. FURTHER THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Maryland, 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2659

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

- SECTION 1. THAT all vehicular traffic on Spring Avenue shall come to a complete stop at its intersection with Cockerille Avenue; AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install a STOP sign at the appropriate location; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2660

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

- SECTION 1. THAT all vehicular traffic on 2nd Avenue shall come to a complete stop at its intersection with Cockerille Avenue; AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install a STOP sign at the appropriate location; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2661

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

- SECTION 1. THAT all vehicular traffic on Sycamore Avenue shall come to a complete stop at its intersection with Elm Avenue, said stop to be made at the striped stop line across the Sycamore Avenue roadway; AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install the STOP sign and stripe the roadway at the appropriate location; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing and the striping of the roadway; AND
- 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, 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

ORDINANCE NO. 2662

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

- SECTION 1. THAT the section of Lockey Avenue lying between Hammond Avenue and Merrimac Drive be hereby designated as one way for all vehicular traffic; AND
- SECTION 2. THAT the direction of travel for vehicles shall be northward between Hammond Avenue and Merrimac Drive; AND
- SECTION 3. THAT the speed limit for that section of Lockey Avenue described in Section 1 shall be 20 miles per hour; AND
- SECTION 4. THAT the Director of Public is hereby directed to install the appropriate signing so as to give proper notice to vehicular traffic approaching that section of Lockey Avenue designated as one way and on which speed is restricted to 20 miles per hour; AND
- SECTION 5. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 6. THAT the penalty for violation of Sections 1, 2 and 3 of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, 1972, as amended.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 11, 1983.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
April 25, 1983

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 APRIL 11, 1983

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Presentation of proclamations:
 - Boys' and Girls' Club Month, May 1983
 - Millions of Moms Week, May 2-8, 1983
 - Small Business Week, May 8-14, 1983
 - Municipal Clerk's Week, May 8-14, 1983
2. Other presentations and comments

ADDITIONAL AGENDA ITEMS

CITIZENS' COMMENTS (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
 - City Administrator's reports
 - Departmental report: Police Department
 - Corporation Counsel report: 7403 Garland Avenue
 - (2) Appeal No. 6755, Bruce and Myra Patner, 7403 Garland Avenue: request for grace period--correction or cessation of zoning violation (Public Hearing: 5-11-83, 7:15 PM, Rm. 1040, CAB, Upper Marlboro)
 - Citizens comments
 - Council action
 - (3) Discussion of enacting a tree ordinance and establishing a tree commission
 - Citizens' comments
 - Council discussion
 - (4) Consideration of Traffic Committee's proposal for expanded use of speed humps as a method of traffic control
 - Citizens' comments
 - Council discussion
 - (5) Proposed ordinance authorizing the City Administrator to contract for legal services in connection with the Takoma Center development
 - Citizens' comments
 - Council action
 - (6) Consideration of establishing the position of City Animal Warden
 - Citizens' comments
 - Council discussion

ADJOURNMENT

CITY OF TAKOMA PARK, MARYLAND
REGULAR MEETING OF THE MAYOR AND COUNCIL
APRIL 25, 1983

CITY OFFICIALS PRESENT

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

City Administrator Nichols
Asst. Administrator Schnuer
Economic Development Coordinator Mok
Acting Police Chief Gowin
Housing Director Tyree
Corporation Counsel Gagliardo

The Mayor and City Council of Takoma Park, Maryland met on April 25, 1983, at 8:10 p.m. in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made and duly seconded to approve the Council Meeting minutes of April 11, 1983; the motion passed unanimously.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Presentation of proclamations:

--Boys' and Girls' Month, May 1983

Councilmember Garcia read the proclamation naming May 1983, Boys' and Girls' Club Month.

--Millions of Moms Week, May 2-8, 1983

Councilmember Iddings read the proclamation naming the week of May 2-8, 1983 as Millions of Moms Week; a time for mothers and grandmothers to come together and speak out against war and to work for peace.

--Small Business Week, May 8-14, 1983

Councilmember Eckert read the proclamation naming the week of May 8-14 as Small Business Week, in recognition of the significant contribution small businessmen have made to the economy of city, state, and nation. City of Takoma Park businessmen accepting were: Mr. Jack Allen - Jack Allen Carpets; Mr. Nick D'Amico, Carriage House Cleaners; Bob Turner - Turner Electric Co.; Mrs. Alden Howard, Takoma Picture Framers.

--Municipal Clerk's Week, May 8-14, 1983

Councilmember D'Ovidio read the proclamation naming the week of May 8-14 as Municipal Clerk's Week. Anna Bennington accepted on behalf of City Clerk Pusti.

Mr. Sam Perrin, Veterans of Foreign Wars, Post 350

"Buddy Poppy Month": stated that the poppies are made by patients in V.A. hospitals and proceeds from the sale of the poppies are used for the benefit of the Veterans; that poppies would be sold during the month of May throughout the City.

2. Other presentations and comments

Mayor Abbott noted that on May 7, 1983 from 11:00 a.m. to 12:00 noon, Congressman Mike Barnes will meet neighborhood citizens; hoped for a good turnout. The last time Congressman Barnes was in the City it was very successful. Citizens were urged to raise concerns regarding local or national matters, as Mr. Barnes is the head of the Sub-Committee in the House of Representatives on Latin and South American Affairs, and a member of the Committee on Foreign Affairs.

Mayor Abbott also mentioned that the Memorial Day services will be held at 2:00 p.m., May 30, in Memorial Park, and that County Executive Gilchrist will speak. The Takoma Park Marching Band will also perform.

2 COUNCIL MEETING MINUTES
APRIL 25, 1983

Councilmember Williams extended his appreciation to those Councilmembers who attended the Anniversary Celebration of the Parker Memorial Baptist Church on April 23. The guest speaker was Rev. Walter Fauntroy.

Councilmember Faulkner reported that the State Legislature passed a Double Taxation Bill and a Home Rule Bill. Councilmember Bradley noted that a summer study committee on Unification will be formed to work with the appropriate State Representatives.

Councilmember D'Ovidio announced that the State Highway Administration changed the speed limit signs on Takoma Avenue to 25 mph on Friday, April 22, as per Council request; thanked Councilmembers who worked on this.

Councilmember Bradley noted that it was Mayor Abbott's birthday on April 24. He is 75 years old and still going strong!

Citizens' Comments (those not directed as items for Council action)

Jill Wettrich - 1006 Elm Avenue: Stated that the Police Department is not enforcing the 15 mph school zone speed limit on Maple Avenue; urged enforcement. Councilmember Williams noted that it has been six weeks since this was first brought up; has also requested Police enforcement. Acting Police Chief Gowin stated citations have been issued, but will increase enforcement, explaining that Police cannot be everywhere at all times. Mayor Abbott stated that at the last meeting the Council passed many ordinances dealing with speed limits and stop signs; immediate enforcement at the on-set of these ordinances will pay off; there should be no grace period. Councilmember Eckert asked Acting Chief Gowin if there is any policy of focusing enforcement at school locations during peak periods. Acting Chief Gowin stated that up until now it has been up to the discretion of the patrol supervisor; now a special enforcement detail will be assigned; also noted that there is a manpower shortage.

ITEMS FOR COUNCIL CONSIDERATION - City Administrator Nichols:
Communications

Mr. Nichols noted that the Mayor and Council of the City of Mt. Ranier have requested the Takoma Park Mayor and Council to join with them in a celebration of their City's 73rd Anniversary on June 4 at their City Hall, with parade and other festivities including the crowning of Miss Mt. Rainer, beginning at 11:00 a.m. Mayor Abbott suggested sending them a congratulatory message.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

(1) Administrative Reports:

Mr. Nichols noted that a final decision on the rezoning of the Dawes property at 8 Grant Avenue has been rendered. On February 22, the County Council, sitting as the District Council, denied the rezoning application from R-60 to C-2. Mr. Dawes had 30 days to appeal to Circuit Court; at this time no appeal has been made. The zoning inspector is to issue a warning notice to Mr. Dawes as to his continuing zoning violation. The Mayor noted that the citizens association of that area should be contacted to advise zoning office of complaints. Councilmember Bradley noted information is needed as to where in the City the business could relocate. Mr. Nichols noted there is limited property in the City for industrial use. Councilmember Bradley suggested a timeframe in which to do this. Councilmember Faulkner endorsed Ms. Bradley's comments; noted Mr. Dawes is a longstanding citizen of the City and a minority business owner and City should help. Councilmember Bradley suggested a follow-up at a worksession.

Mr. Nichols also noted that the COLTA Commission will be holding public hearings at the Municipal Building on two dates: May 4, re: 8 Philadelphia Avenue and 8308 Roanoke Avenue (7:00 & 8:30 p.m.); on June 1, re: 315 Lincoln Avenue.

Police Department Report

Acting Police Chief Gowin commented on crime statistics in the City for the first quarter of 1983 compared to the first quarter of 1982. Also reported the good percentage of case closure rates for 1983. Lt. Gowin stated that manpower

3 COUNCIL MEETING MINUTES
APRIL 25, 1983

Shortages due to disabilities has not changed much from last month. The Department has an approximate 20% manpower shortage due to accidents, surgery, etc. Announced that Officer Melissa Kendall has resigned from the Department effective May 6, to go to work for the Los Angeles Police Department. Acting Police Chief Gowin reported on the success of the foot patrol. TOT Business Association praised the foot patrol and especially the officer patrolling the area. Stated there will be a problem when the officer has to leave; merchants want him to remain on duty. Mr. Gowin reported that the officer is on duty 8 hours a day for five days. He works the first four hours on foot and the next four hours in a vehicle patrolling in the Metro area. Since Daylight Savings Time has begun, the Department may decrease Metro patrol and increase the foot patrol. Mayor Abbott reminded citizens that the Police Department Budget worksession is scheduled for Tuesday, May 3, 1983 at 7:30 p.m.

Corporation Counsel Report - 7403 Garland Avenue:

Mr. Gagliardo stated that this property is in the Prince George's section of the City and is currently maintained as a 4-unit apartment building. It is zoned for single-family. As a result, Prince George's County zoning officials cited the property last October as being in violation of County zoning laws. The Board of Appeals held a hearing on February 9 at which the City was represented, as well as the Longbranch-Sligo Citizens' Association and several adjoining residents. The property owners asked for an extension of the grace period in order to correct the zoning violation; the extension was denied by the Board. After that, an appeal was taken to the Prince George's County Circuit Court - it is still pending. Simultaneously, an application was filed with the County Office of Licenses and Permits asking that the building be excused from zoning laws on the claim that when it was built, a building permit was issued in error and under County law the building should be exempt. This is pending. An application for a Special Exception has been filed, requesting that the building be allowed to operate as a 3-unit rather than a 4-unit building. Mr. Gagliardo stated that the City of Takoma Park currently registers every rental unit in the City and owners have gone to the zoning authorities or Park and Planning and made the representation that since the City registers the apartments it sanctions their use. He stated that the registration is done so other laws can be enforced; specifically, but not limited to the building code enforcement and the landlord/tenant regulations, so that the City knows where the buildings are, how many units are being rented, who the owner is, and other necessary information, to enforce City Ordinances. Registration does not sanction the use of the building if it is in violation of zoning laws. The Department of Housing is currently investigating the number of registered units as compared to the number that zoning permits, notifying the County zoning authorities of any violations found. Corporation Counsel also noted that a second application for a grace period has been filed with the Board of Appeals; it is the same request that was denied in February. It is scheduled for hearing on May 11, in Upper Marlboro. Mr. Gagliardo has filed a demurrer on the City's behalf to the Circuit Court, saying that it is not an appealable action, just a request for extension of grace period.

Councilmember Iddings questioned Corporation Counsel regarding the City court case against the Montgomery County Board of Education over the Junior High School. Mr. Gagliardo pointed out that it has not been formally withdrawn - has talked to opposing counsel, and because the School Board has now formally voted to keep the Junior High open subject to the same review - the suit will be formally withdrawn.

(2) Appeal No. 6755, Bruce and Myra Patner, 7403 Garland Avenue: request for grace period -- correction or cessation of zoning violation (Public Hearing: 5-11-83, 7:15 PM, Rm. 1040, CAB, Upper Marlboro).

The City Administrator stated that the City, upon receiving notice of this pending hearing, notified area civic association and citizens that the Mayor and Council would be entertaining comments regarding this matter at this Council meeting.

Bruce Patner, Potomac, Maryland, owner of 7403 Garland Avenue:

Mr. Patner read a statement noting his extensive improvements to the property. Stated when the property was purchased in 1979, it was registered as a four-unit

4 COUNCIL MEETING MINUTES
APRIL 25, 1983

building. Mr. Patner stated that when he received the zoning violation notice, he discovered a use and occupancy permit was needed. A letter from PEPCO was received stating it was categorized as "small commercial" since its inception in 1941. It was noted that Prince George's County laws grant special exceptions to validate 3-unit apartments, for a property that has been continuously used as such for the requisite period even though the owner does not live on the premises. On March 29 a petition was filed with the Board of Appeals to allow time to file for the Special Exception to allow for three units. If the owner is living in the unit, there is another section of the code that allows for owner-occupancy plus two rentals. An application was filed on March 29, 1983 for a Special Exception for three units. The prior petition was for a permit issued in error. If it is proven the permit was issued in error for the building as four units, then he would qualify for validation for a four-unit. Mr. Patner noted that the building has been inspected annually by the City; violations have been corrected quickly and letters have been received from the City stating that there are no outstanding code violations. Additional off-street parking is being planned for the building within the County requirements. Mr. Patner requested Council support and consideration so the case can be presented to the Hearing Examiner.

Phil Vogel - 7117 Garland Avenue:

Mr. Vogel, representative of Longbranch-Sligo Citizens' Association, stated that Mr. Patner's complaints were heard by the Board of Appeals on February 9, 1983, and based on that record the Board denied Mr. Patner an extension. Mr. Vogel stated that the building was constructed as a single-family unit and not a 4-unit building. A 1951 letter from Public Works in Takoma Park was entered into the record indicating at that time it was used as a single-family home. It is the opinion of the Citizens' Association that this was a single-family home that was converted into additional units. The Citizens' Association would like the grace period denied. The building is zoned for one unit; it is being illegally used as 4-units. Mr. Vogel also stated testimony from adjoining neighbors that the property has been a problem at times and neighbors are opposed to continuation of multi-family use. Urged Council to go on record as opposing extension of grace period. Mr. Vogel also urged Council to oppose special exception when it comes up.

Robert Mulligan - 7405 Garland Avenue:

Stated that he has lived at 7405 Garland since 1978, and added that Mr. Patner purchased the house, which had been a single-family dwelling, and has been operating in violation of the code for years. Mr. Patner, through his attorney, made effort to represent that the property had been used as a multi-family dwelling since 1941. The Citizens' Association has expressed a view that they are interested in code enforcement. Mr. Mulligan stated he had no personal grievance with Mr. Patner; would just like the zoning code enforced. Urged City Council to support single-family dwelling. Mr. Gagliardo reiterated that on February 9, the Board of Appeals denied the request for an extension; owner has had ample time to correct use of property; felt there was no purpose in repeating the procedure that took place in February. The major argument then had been an application before the Office of Licenses and Permits to pursue a validation based on a permit issued in error. Mr. Patner filed at the end of March for special exception. Following further discussion, motion was made by Councilmember Iddings, seconded by Councilmember Faulkner, to reaffirm previous decision of the Council to oppose the extension request; motion carried unanimously.

3. Consideration of Traffic Committee's proposal for expanded use of speed humps as a method of traffic control.

Councilmember Iddings stated that the Traffic Committee developed and approved a program to extend the experiment of the use of speed humps as a method of traffic control. The Traffic Committee proposed a six-point program: (1) Reconstruction of Willow Avenue humps to render them more effective; (2) evaluation; (3) selection of streets for redesigning speed humps; (4) monitoring; (5) installation; (6) cost of installation. Also recommended a time-table. Streets recommended for this project are Cedar, 7100-7400 block of Maple, Westmoreland, Anne, Walnut and possibly Mississippi Avenue. Cost for all streets would probably not exceed \$4500.

5 COUNCIL MEETING MINUTES
APRIL 25, 1983

Melvin Raff - 7319 Willow Avenue

Stated that some drivers slow down for speed humps, but most do not. Speed humps should be higher. Also asked for continued use of Willow Avenue as a test area until humps have greater effect.

Lowell Gaymon - 7311 Willow Avenue:

Stated that the ramp is too long, humps must be higher; feels ramps are twice as long as necessary. If ramp is cut in half, it will give a bigger bump.

Elizabeth Bozarth - 7326 Willow Avenue:

Stated her support for speed humps; but those on Willow Avenue don't work. Suggested higher humps with shorter ramps.

Linda Noeske - 7324 Willow Avenue:

Stated when going over the hump at 30 mph, there is no problem; the humps are not doing the job intended.

Joe Ossi - 7215 Maple Avenue

Stated humps on Maple Avenue should be spaced and designed so as to avoid stop and go situations as with stop sign. Noted that situation on Maple is different from other streets - continuous flows of traffic and minibuses; inquired about possible law suits resulting from humps on Maple Avenue. Councilmember Iddings stated that City would not be liable for accidents resulting from humps if they are installed and signed correctly. Mr. Ossi and Council discussed alternate side parking on Maple Avenue. Proposed extending sidewalks out in the 7100 block of Maple Avenue with CDBG funds as a means of protecting parked cars. There was further discussion regarding signs at entrances to City to inform drivers they are entering the area of Takoma Park where extraordinary measures are applied to curb speeding.

Ellery Dennison - 7207 13th Place:

Suggested Council should pay attention to studies from past; many humps were removed several years ago; they should be proven effective before installing.

During the course of the preceding comments, and the discussions below, several citizens cited instances where children have been hit by cars, some of them seriously injured.

Roland Halstead - 7116 Maple Avenue:

Would like to see speed humps which are more effective than those on Willow used on Maple Avenue. Also suggested investigating what effects this would have on emergency vehicles.

Manard Mack - 7200 Maple Avenue:

Noted that anything is better than the speeding cars and the constant flow of traffic. Said that nothing has been accomplished since 1975-76. Supported speed humps.

Allan Marsh - 7405 Maple Avenue:

Mr. Marsh emphasized that something must be done; situation on Maple Avenue has been intolerable for many years. Noted support for speed humps; however, first choice would be staggered islands extending from curbs -- not concrete, but decorative, with plantings.

Arthur Karpas - 6916 Westmoreland Avenue:

Speaking for WACO, gave congratulations to the Traffic Committee and their efficiency. Noted that Westmoreland Avenue for some time has wanted speed humps. Suggested a change in the height of the speed humps.

6 COUNCIL MEETING MINUTES
APRIL 25, 1983

Richard Nakamura - 7413 Cedar Avenue:

Expressed praise for including Cedar Avenue; a lot of cars speed from East West Highway on to Cedar. Noted that 6" base on humps is not practical. Pointed out the number of young children down at the base of Cedar Avenue.

James Jeffas - 7600 Hammond Avenue:

Would like to see Takoma Park employ a safety engineer before money is spent on speed humps or anything else. A complete analysis of the traffic problems of the City is necessary. There followed a lengthy dialogue on the value of that approach.

Karen Czapansky - 7310 Maple Avenue:

Stated her support for anything to control traffic and provide safety for children.

Judy Leyshon - 7305 Cedar Avenue:

Supported Mrs. Czapansky's statement - safety and traffic controls are needed.

Mayor Abbott suggested citizens show in force at a meeting when the ordinance is prepared.

Councilmember Eckert pointed out that by instituting the proposal, the Council is not excluding other areas. The City has to find out what impact speed humps will have on different streets in the City. Reminded Council of process involved in this procedure: Council appointed a Traffic Committee with three representatives from every Ward; publicized in Newsletter - they have tried to get ideas and worked very hard. Suggested support of their efforts by approval of Committee's proposal. Suggested that the Mississippi Avenue request be referred to the Traffic Committee for discussion during the next two weeks. It was the sense of the Council that an effective speed hump would be designed which would meet acceptable standards, slow down speed and serve as a deterrent to motorists; in addition, input would be sought from the Police and Fire Departments, as well as ambulance companies serving the hospital.

Mayor Abbott stated that ordinances will be introduced at the next Council Meeting.

(4) Discussion of enacting a tree ordinance and establishing a tree commission:

Councilmember Bradley stated that the following documents are available and basically establish a tree policy for the City: A resolution establishes a tree commission and a proposed ordinance regulates how trees are to be maintained on private property, providing for permits, appeals and enforcement. This grew out of a Citizens Committee and is similar to other ordinances and policies that have been developed. If accepted for first reading, staff can proceed with the other work that needs to be done; the proposal is based on previous work session discussions.

James Jeffas - 7600 Hammond Avenue:

Stated his objection to the ordinance; saying that citizens should not have to obtain a permit to take down trees on private property. Mayor Abbott stated that the ordinance in no way prohibits that if certain conditions are met. Councilmember Eckert questioned the size of the trees in criteria for permit. Councilmember Garcia suggested a public hearing.

Ellery Denison:

Stated that the proposed ordinance was an unnecessary intrusion on the rights of property owners. Raised the following question: where does the liability lie if damages are incurred by a property owner or his neighbor from a fallen tree or limb in the case where a requested permit has been denied by the City?

7 COUNCIL MEETING MINUTES
APRIL 25, 1983

John Hemphill - 8112 Flower Avenue:

Member of Tree Committee, asked about the procedure for introduction of the ordinance. Noted that if City set a public hearing date in June, an article could be printed in the June Newsletter.

It was agreed that the proposed ordinance and resolution would be scheduled for a public hearing and first reading at a time to be decided at the May 2 Council Worksession.

(5) Proposed ordinance authorizing the City Administrator to contract for legal services in connection with the Takoma Center development.

This item was withdrawn.

(6) Consideration of establishing the position of City Animal Warden:

This item was brought up by Councilmember Faulkner who noted dogs and other animals are a continuing problem in the City. Setting up an animal warden will cost the City about \$28-30,000 a year. It was moved by Councilmember Faulkner, duly seconded, that an ordinance be prepared for first reading at the next meeting based on the emergency character of the problem. Councilmember Iddings pointed out that the citizens pay taxes for animal warden services from the Counties and citizens and Councilmembers should insist on receiving it. The City Administrator stated there are municipalities that have animal wardens at varying levels of service. Councilmember Eckert spoke favorably of reinstating the program immediately so that it would be fully operational during the summer, while other suggested that only preparatory measures begin now; deferring appropriations until the budget is adopted. When put to a vote, the motion passed as follows: Aye: Councilmembers Faulkner, D'Ovidio, Williams and Eckert; Nay: Councilmember Garcia; Abstentions: Councilmembers Bradley and Iddings. If City provided the service, the City would receive some reimbursement from Montgomery County - around \$9,000.

Upon proper motion, the meeting adjourned at 12:10 a.m., to reconvene on Monday, May 11, 1983, at 8:00 p.m.