

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
Council Meeting Room
March 6, 1978

Councilmembers present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilwoman Medina
Councilman Nishimoto
Councilman Ricks
City Administrator Gilsdorf

The meeting was called to order by Mayor Roth at 8:05 PM.

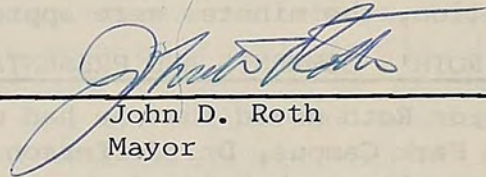
1. Police Department Activities Report. Chief Porter gave a report on police activities over the past year, citing a crime rate that shows some improvement over last year.
2. Cellar Apartments. It was decided by the Council that since cellar apartments are excluded by the City Code, they will not be permitted to exist in Takoma Park.
3. Winchester-Takoma Fire. The City Administrator reported that apartment #506, was destroyed by fire on March 5. The likely cause of the blaze is listed as careless smoking.
4. Button Machine. The City Administrator was directed to purchase a button machine for use by the Recreation Department from Recreation reserve funds.
5. City Brochure. It was decided by the Mayor and Council that action on the final preparation of the City's brochure would be scheduled on March 13 Council meeting agenda.
6. Request for Steps Leading to Long Branch Creek. The City Administrator was directed to send a letter to M-NCP&PC indicating this proposed project within their park and asking for their availability to meet with citizens of the neighborhood and the City to discuss this further.
7. Jequie Park West. The City Administrator reported that gravel from the site was being tested for abestos by State Environmental officials. Pending results of this testing, the Administrator suggested that bids be solicited for the removal of a quantity of this gravel and subsequent covering of the site with suitable soil. The area could then be seeded by City forces.

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- 8. Light at the Corner of Eastern Avenue and Piney Branch Road. The City Administrator was directed to communicate with the D. C. Department of Transportation relative to the signalization and pedestrian crossing at the intersection of Eastern and Piney Branch Road.
- 9. Proposed Tax Bills Being Considered by State Legislation. A letter will be sent to all delegates of the General Assembly expressing the City's position on two major tax bills, H.B. 1168 and H.B. 766, that are now before the legislature. As first choice, the Mayor and Council favor extending the circuit breaker relief and would insist that if H.B. 766 were passed, that some means be found to feed back to municipalities (from State funds) those ~~sums~~⁴ lost through reduction in property assessments.

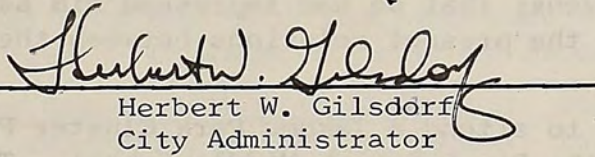
There being no further business to discuss, the meeting adjourned at 11:30 PM.

APPROVED _____



John D. Roth
Mayor

ATTEST _____



Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

March 13, 1978

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	Administrative Asst. Swinton
Councilman Forshee	Recreation Director Ziegler
Councilman Garcia	Corporation Counsel Gingerich
Councilwoman Medina (necessarily late)	Asst. Corporation Counsel Hoffman
Councilman Nishimoto	
Councilman Ricks	
Councilman Webb	

The Mayor and Council of Takoma Park met on March 13, 1978, at 8:00 PM, in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance to the flag, a motion to approve the minutes of February 27 was made and duly seconded. Mayor Roth asked that a correction be made on page 6, item 1, under communications, stating that the City Administrator was directed to inquire into the ownership of the land and report back to the Council. With this correction, the minutes were approved.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Mayor Roth noted that he had met with the new dean of Montgomery College, Takoma Park Campus, Dr. Jefferson H. Ware. Stated that he had welcomed him to the community in behalf of the citizens; that he had impressed him as a very sensitive individual and hopes that the present relations between the College and the community will improve.

Stated that he has been invited to attend a Takoma Park Cluster P.T.A. meeting on Saturday, March 18, 2:00 PM, at the Piney Branch Middle School. This would give the parents an opportunity to talk to teachers and principals. Anyone interested is invited to attend.

Announced that Mr. William Murtol, keeper of the National Historic Register, will be at the Park and Planning Auditorium in Silver Spring on March 14 at 8:00 PM.

ADDITIONAL AGENDA ITEMS

Status report on traffic signal at Carroll and Philadelphia Avenues - Councilman Ricks.

CITIZENS' REMARKS

1. Dennis Seekins, 8217 Roanoke Avenue: referring to Mr. D'Ovidio's comments of the last meeting on CDBG funds (page 5, item 27), stated that as a member of the Citizens Advisory Committee who attended that meeting, that his recollection of the outcome of the meeting was not the same as Mr. D'Ovidio's written statement. City Administrator Gilsdorf noted that it was Mr. D'Ovidio who had submitted the recommendation as chairman of the CAC; it was also suggested that Mr. Seekins meet with Mr. D'Ovidio and come to a mutual understanding and advise the City Administrator. Mr. Seekins spoke in behalf of his elderly neighbors who built their home around 1943 with 1 or 2 apartments. They were requested either by City officials or a committee to include apartments in their home; don't think they have anything in writing and they are also uncertain if their property is zoned R-60. Requested the Council to consider this particular case. Mayor Roth noted that this matter is now in the hands of the County Council and did not think that they could consider singular cases.

2. Jennifer Saloma, 7124 Maple Avenue: stated that she supports the Council's decision of November 1 for phase-out of multi-family homes in single-family zones in 8 years with special exceptions for elderly and handicapped, but that the social implications trouble her; that possibly when phase-out is accomplished, it may displace many people of moderate means; regrets this and had hoped that the issue had not developed in such a way that it would have to be responded to by a specific proposal for legalization. Councilman Nishimoto congratulated Mrs. Saloma for her statement.

3. Bernice Myers, 7212 Cedar Avenue: pointed out that she arrived late and questioned whether Mr. Seekins had asked for Block Grant funds to convert multi-family homes back to single-family and was told no. Requested that the Council withdraw their approval of the minutes of February 27, stating that they did not accurately reflect the concern and remarks of the citizens that spoke about the possibility of the "pit" gravel containing asbestos. Listed several speakers who were not quoted properly; noting in particular that Mr. Bourke's statement (page 2, item 2, line 3) should read "asbestos gravel" instead of "asphalt gravel". It was noted by Councilmembers and the City Administrator that the minutes are condensed and that they thought citizen concerns were made sufficiently clear. Upon motion, duly seconded, the Council decided that the minutes of tonight's meeting would reflect Mrs. Myers' remarks, but that the minutes of February 27 would stand as approved. It was noted by the City Administrator that a sample of the gravel from the "pit" has been sent to the State Environmental Protection Agency for testing to ascertain whether it contains asbestos.

4. Jean Craig, 7129 Carroll Avenue: suggested that when people are making statements, especially concerning cancer, that they state the background evidence and also the authority they are quoting.

5. Joseph Ferrier, 7413 Maple Avenue: stated that he supports the essence of Mrs. Myers' statement for the minutes to be corrected, if they do not reflect the jist of everything said. Questioned why the Council had put a 3 minute time limit on speakers at the meetings; that if someone has something to say, they should be allowed to speak. Councilman Ricks said that he had proposed that time limit so that everyone wishing to speak would have an opportunity to at least once, and that if someone had more to say, they could speak again after everyone else had an opportunity.

6. Ralph Porter, 7108 Maple Avenue: concerning the multi-family issue, referred to the frequent use of the term "illegal"; stated that these apartments have not been proven illegal in a court of law and that he considers this a defamation of character. Also noted that the Ridgefield, New Jersey security deposit ordinance was enacted because of real slum conditions; thought that there was not sufficient evidence to enact such an ordinance here and asked whether the Councilmembers were ready to become business managers, which in essence is what they would be if the ordinance was adopted.

7. Shirley Jones, 7427 Carroll Avenue: stated that if multi-family houses in R-60 zones are considered illegal, then the City has been illegally accepting registration fees for these houses since 1954.

8. Ralph Magee, 7203 Holly Avenue: noted that he owns a property in D. C. which has just had an excessive increase in assessments; that he was told that this was done because other properties on the same block had recently sold at prices which justify this. In connection with this, questioned whether the Operation Turnaround Board properties would be sold at a profit or at cost of renovations, plus purchase price, because the sale could affect neighboring properties in the same manner. Councilman Faulkner stated that as the properties are sold, a complete financial report will be given at the Council meetings. Mr. Magee referred to a study conducted by the Massachusetts Institute of Technology, Department of Urban Studies and Planning, which used the term "gentrification", meaning that new, more affluent residents move into an area, restore/renovate properties, which makes property values go up and also means increased taxes. Stated that when this takes place in a city, it displaces many of the original residents because of the rise in taxes; that there is a racial imbalance in these areas also. Thought that this report is something that the City should look into.

9. Bob Melvin, 7138 Carroll Avenue: referring to a "Right Turn Only" sign at the corner of Cedar and Eastern Avenues near the Metro station, noted that most people continue to go straight at that intersection. Mayor Roth noted that this is in D. C. and directed the City Administrator to have police enforcement at that intersection. Mr. Melvin delivered a copy of a Prince George's Journal article of March 3 to the Council concerning the city of Mt. Rainier, which is struggling with a similar multi-family problem as is Takoma Park. Requested that the Council contact Montgomery County with a firm restatement, not reaffirmation, of the City's position on the multi-family housing issue. He thought that the County seems to be ignoring the City's position even though 90% of the problem exists here.

10. Moira Magee, 7203 Holly Avenue: noted that the City Council's decision on the multi-family phase-out issue was **not** a unanimous vote.

11. Charlene Cohen, 7815 Takoma Avenue: questioned whether it was possible for the City to station a crossing guard at the intersection of Takoma Avenue and Piney Branch Road, at least until the traffic signal is installed by D. C. Noted that this intersection is within the City boundaries and that it is very **treacherous** for pedestrians to cross there. Mayor Roth stated that he would ask the Council to consider this item.

12. David Weisman, 7701 Takoma Avenue: reiterated Mrs. Cohen's request, noting that a guard is mainly needed during the morning and evening rush hours with people using the Metro; that cars block that intersection and do not let people pass when trying to cross; suggested installing pedestrian crossing signs. It was noted by members of the Council that Piney Branch Road is a state highway and the City is not allowed to install signs on it. It was requested that a progress report be obtained on the status of the signal at Eastern and Piney Branch.

FINANCIAL STATEMENT

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

ITEMS FOR COUNCIL CONSIDERATIONCommunications

1. Long Branch-Sligo Citizens Association. A request was received with a petition asking that part of Jackson Avenue, between Hilton and Central Avenues be blocked off for a sledding street. The petition included signatures of residents that would be affected by this. Mayor Roth directed the City Administrator to survey the neighborhood for reactions.

2. The City Administrator reported that a petition for rezoning has been filed with Montgomery County concerning 8 Grant Avenue, owned by Mr. R. J. Dawes. The petition requests that the existing zoning of R-60, single-family residential, be changed to C-2, general commercial use. A hearing date has been set for June 14 at 9:30 AM, COB, Rockville.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Montgomery County's proposed Zoning Text Amendment 77003 (multi-family non-conforming use)--reaffirmation of City Council position. Mayor Roth stated that the County Council is now at a 3:3 tie on this text amendment; noted that there has been a new member appointed to the Council, Mr. William Colman, who is expected to break this tie. There was further discussion by the Council, in which the following points were raised: that the City has already reaffirmed their position before; possibility of having Councilmembers deliver the City's position in person; and questions on whether the County Council will be making a decision before the City elections. Upon motion by Councilman Faulkner, duly seconded, the Council decided to address correspondence on this matter from the City to Councilman Colman, noting that the City is the most affected area in the County. Mayor Roth read the following memorandum into the record:

"Memo To: Mayor and Council

Memo From: Mary Ann Medina, City Councilmember

Subject: Agenda Item--Montgomery County's proposed Zoning Text Amendment 77003, reaffirmation of City Council position.

"In case I am not at the City Council meeting this evening before this agenda item is discussed, I request that the following statement be read into the record and my vote in favor of reaffirmation of the City's position be so recorded.

"Now is a particularly appropriate time to reaffirm the City's position in favor of a phase out program for multi-family units in the R-60 zoned properties. The Montgomery County Council has appointed a new member, William Colman, who should be informed directly of the City's posture. The other Councilmembers should be sent a reminder as well. The phase out option is critical to any City effort to stabilize its single-family residential neighborhoods. County Executive Gleason has noted, as has Councilmember John Menke, that with the adoption of the 8 year phase out, that at a time prior to the final phase out, the success and/or impact of the program could be reassessed. At that time, consideration could be given to whether or not apartments meeting strict codes and other regulations might be permitted under a Special Exception if it could be demonstrated that they were not a detriment to the neighborhood. This appears to be a reasonable approach which provides a safeguard should early phase out practices or code enforcement be insufficient to clear the City of its undesirable apartment units, and at the same time it also provides an opportunity to reassess the impact of

apartment units on an area under more desirable conditions. If this practice were to be recommended for the county at large, it would seem preferable to make the case for apartments based on a good experience rather than a bad one. In any case it is of the utmost importance that the County Council give predominant consideration to Takoma Park since it will experience the greatest impact in the short run. Then if the County sees that it is in its best interests to pursue a new policy for the long run, the County would have a body of experience based on Takoma Park's program from which to make judgement. Based on our current overall experience with the impact of multi-family units in R-60 it would be hard to imagine that there would be any support for legalization anywhere in the County."

2. Progress report on problems at Winchester-Takoma. City Administrator Gilsdorf reported that a report on the water testing from WSSC has been received; that this included a bacteriological breakdown of the contents of the water, which meets all health standards and is safe to consume. The City Administrator also reported that the Montgomery County Landlord-Tenant Commission will be holding a hearing on March 28, 29, and 30 at 8:00 PM, in their offices in Silver Spring to further discuss the complaints of the tenants. Councilman Ricks noted that at the March 6 hearing, the Commission made inferences that the City government has done nothing to help alleviate the maintenance problems at the Winchester-Takoma. Mayor Roth made a motion, duly seconded, that the Council send documented evidence to the Commission, including a cover letter from the Mayor, explaining what the City has done. This motion was approved by the Council.

3. Status report on reclamation and plans for restoration of City property at Takoma, Fenton, and Albany Avenues. The City Administrator reported that the first priority for this property is to determine whether the gravel contains asbestos; noted that samples have been taken and that the State Environmental Protection Agency is examining these and will report back to the City. They will also investigate whether there will be any danger in working in the area and stirring up dust from the "pit". Stated that amendments have been included in the Block Grant bids (for park renovations) to remove the gravel, cover and plant with grass seed, with future plans for a more formal garden.

4. Corporation Counsel's report and recommendations on City's authority to set up fund for use in emergency housing repair situations. Corporation Counsel Gingerich reported that the Council has the authority to pass an ordinance to make emergency repairs in multi-family buildings, although there may be problems involving liability if such authority is exercised, such as in the event of any negligence on the part of the contractor hired to complete the repairs. Recommended that the Council study this ordinance further before taking any action. The Corporation Counsel noted several points, including: if the City were to make emergency repairs and was sued for negligence, and judgement of the courts was against the City, all taxpayers would end up paying out of City tax money; noted the difference between corporate action and governmental action and that the City would be liable for corporate actions taken. Mayor Roth questioned whether the management could be penalized for efforts put in by City employees, when the management should have taken care of them and was told that it would

depend on how the courts see the situation and circumstances. Councilmembers thought that problems with management, such as at the Winchester-Takoma, should be diligently pursued. Mayor Roth directed the City Administrator to contact the National League of Cities and the National Municipal League for more information on problems such as these.

5. Resolution supporting the designation of COG as agency responsible for carrying out planning requirements of the Clean Air Act Amendments of 1977, with City's agreement to participate in the planning process. Upon motion by Councilman Ricks, duly seconded by Councilman Nishimoto, the attached resolution was approved by the Council.

6. Ordinance appointing election officials and alternates for March 28, 1978 City election. It was noted that articles requesting volunteers for the positions of election judges were published twice in the City Newsletter and announced at Council meetings; that persons with previous experience from prior elections were selected first and that these persons have applied with the City Clerk; also that all qualified persons who applied are included either as judges or alternates. After further discussion and upon motion by Councilman Nishimoto, duly seconded by Councilman Webb, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks, and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2462

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

SECTION 1. THAT the following registered voters of the City of Takoma Park, Maryland are hereby designated as Election Officials to serve as a board of elections for the City Election of March 28, 1978:

Milton Koren, 5 Columbia Avenue, Chairman
John T. Bennick, 212 Philadelphia Avenue
Clarence M. Boatman, 133 Ritchie Avenue
Charlene L. Cohen, 7815 Takoma Avenue
Eleanor S. Jaeger, 7213 Trescott Avenue
Claire B. Kozel, 7804 Wildwood Drive
Joanne M. Mood, 7019 Eastern Avenue
Marvel A. Werner, 17 Darwin Avenue
Octa B. Winter, 7403 Hancock Avenue, Apt. #202

Amoke Alakoye, 7667 Maple Avenue, Apt. #312
Edgar C. Dawson, 145 Ritchie Avenue
Bessie Leibsohn, 7811 Wildwood Drive
Dorothy J. Malusky, 7302 Holly Avenue
Carroll F. Miller, 7722 Carroll Avenue
Florence A. Nishimoto, 7409 Holly Avenue
Max Solomon, 8005 Wildwood Drive
Jeannie Elizabeth Troll, 6 Hickory Avenue
Timothy Paul Gallagher, 1306 Elson Place

Alternates:

Barbara W. Bell, 641 Houston Avenue, Apt. #305
Patricia G. Cissel, 712 Boundary Avenue
Virginia O. Gallagher, 1306 Elson Place
Abby J. W. Mandel, 7003 Woodland Avenue

Councilman Nishimoto made a motion, duly seconded, that Mr. George Friederich, who has served as Chairman/Chief Judge, for the past 12 years, be sent a letter of appreciation form the City for all his help, since he will not be available to work this year. This motion was approved unanimously by the Council.

7. Ordinance appropriating Revenue Sharing funds for Library reference room divider (materials only). Upon motion by Councilman Nishimoto, duly seconded by Councilman Ricks, the following ordinance was approved by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2463

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

SECTION 1. THAT the proposed use schedule for 1978-79 Federal Revenue Sharing Funds earmarked \$750 for materials to construct a reference room divider in the City Library, said construction to be performed by City forces.

SECTION 2. THEREFORE THAT funds in the amount of SEVEN HUNDRED FIFTY DOLLARS (\$750) be appropriated from the Federal Revenue Sharing Fund Account and transferred to the appropriate Library and Public Works accounts.

8. Ordinance appropriating Revenue Sharing Funds for City brochure. It was stated by Councilmembers that the City brochure will be distributed to **each** household in the City; that it should be published in the near future; that there are removeable inserts that can be changed if necessary. Upon motion by Councilman Ricks, duly seconded by Councilman Forshee, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, Ricks and Webb. NAY: None. EXCUSED: None.

ORDINANCE #2464

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

SECTION 1. THAT the proposed use schedules for expenditure of Federal Revenue Sharing Funds during FY-77 and FY-78 set aside funds for the preparation and distribution of a City brochure; AND

SECTION 2. THAT this project is nearing completion and funds are needed to cover costs.

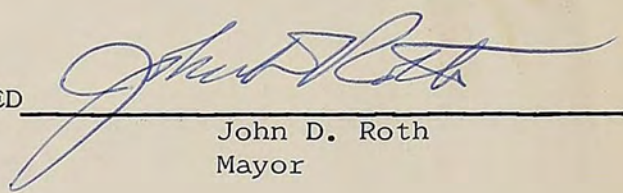
SECTION 3. THEREFORE THAT funds in the amount of SIX THOUSAND, FIVE HUNDRED DOLLARS (\$6,500) be appropriated from the Federal Revenue Sharing Account and transferred to A/C 10.10123.

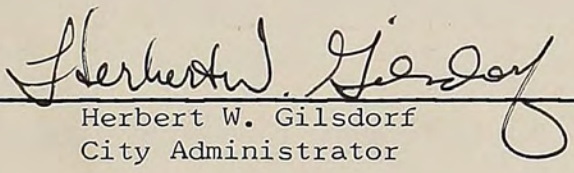
9. Councilman Ricks questioned whether a response has been received from the State Highway Administration on the status of the signal at the intersection of Carroll and Philadelphia Avenues. The City Administrator stated that there has been no written response, although he had made several attempts to communicate by phone. Councilman Ricks made a motion, duly seconded, that another letter be sent, including a copy of the last letter, by registered mail, return receipt requested. This motion was approved by majority vote of the Council.

10. Councilman Nishimoto requested that a City crossing guard be stationed at the intersection of Piney Branch Road and Takoma Avenue to assist pedestrians crossing there. Mayor Roth noted that a letter has been sent to the D. C. DOT requesting a report on when the signal at the intersection of Eastern Avenue and Piney Branch Road will be installed; also asked that the City Administrator prepare a report for the Council as to what action can be taken at that intersection.

11. Councilman Faulkner made a motion, duly seconded, that the Council contact the Prince George's County Planning Board, concerning Zoning Map Amendment #A-962, reaffirming the City's original recommendation of denial of this amendment. The motion was approved by the Council.

Upon motion, duly seconded, the Council meeting adjourned at 11:05 PM, to reconvene on Monday, March 27 at 8:00 PM.

APPROVED 
John D. Roth
Mayor

ATTEST 
Herbert W. Gilsdorf
City Administrator

RESOLUTION

RESOLUTION DESIGNATING THE
METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS, IN COOPERATION WITH
THE TRANSPORTATION PLANNING BOARD AND THE AIR QUALITY PLANNING COMMITTEE
TO DEVELOP THE REVISED IMPLEMENTATION PLAN FOR THE
NATIONAL CAPITAL INTERSTATE AIR QUALITY CONTROL REGION

WHEREAS, the Clean Air Act Amendments of 1977, P.L. 95-95, (hereinafter called the "Act"), require that in certain areas which do not meet national ambient air quality standards (nonattainment areas), a revised implementation plan can be prepared and the deadline for attaining national standards can be extended to 1982, or in certain circumstances 1987; and

WHEREAS, the National Capital Interstate Air Quality Control Region is such a nonattainment area because of excessive levels of photochemical oxidants and carbon monoxide and, therefore is eligible to develop a revised implementation plan with a transportation control plan element and obtain the extension date for compliance with national standards; and

WHEREAS, Section 174 of the Act provides that within six months from enactment of the Act (i.e., Feb. 7, 1978) the local governments in a nonattainment area may agree to designate an organization of local elected officials to prepare a revised plan and jointly determine with the state which elements of a revised plan will be planned for, implemented and enforced by the state, local governments and regional agencies; and

WHEREAS, the Metropolitan Washington Council of Governments (hereinafter called the "Council") is an organization of local elected officials which, through its associated policy bodies, has

experience in air quality and transportation planning; and

WHEREAS, it has been proposed that the Council be the designated agency with overall responsibility for developing and coordinating the planning required by the Act through use of its existing policy structure; and

WHEREAS, the designation of the Council will assure a local/state/regional cooperative approach toward the planning, implementation or enforcement of the plan,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY/~~COUNCIL~~ OF

TAKOMA PARK, MARYLAND as follows:

1. The City/~~Council~~ supports the designation of the Metropolitan Washington Council of Governments (COG), in cooperation with the Transportation Planning Board (TPB) and Air Quality Planning Committee (AQPC), as the agency responsible for carrying out the planning requirements of the Clean Air Act Amendments of 1977, in accordance with the process delineated in Paragraph 4 below. For purposes of this Resolution, the Air Quality Planning Committee means an interstate committee for the Metropolitan Washington Area organized in a manner approved by the COG Board of Directors and established for purposes of carrying out the duties and functions described herein;
2. This resolution represents the agreement of the City/~~Council~~ to participate in the planning process provided for by Sec. 174 of the Act; and
3. Copies of this resolution shall be transmitted to the Governor, the Administrator of the U.S. Environmental Protection Agency and the Council; and

The following shall be the responsibilities of the AQPC, TPB and COG Board of Directors in the development of a revised implementation plan for the region. Existing responsibilities of the TPB and AQPC will not be changed by their role in developing the revised implementation plan. In general, the AQPC shall be responsible for assessing the feasibility of non-mobile source controls and the TPB shall be responsible for planning and scheduling transportation control measures and for determining their feasibility for implementation. Air quality assessments of all measures and control packages will be the responsibility of the AQPC. The COG Board shall ensure that the planning efforts of TPB and AQPC can be integrated into a revised plan which will meet primary national standards. The specific roles and responsibilities in this planning process shall be as follows:

I. Role of Air Quality Planning Committee

The AQPC shall assist in the development of an integrated work program, in cooperation with the Land Use Policy Committee and other appropriate committees, for recommendation to the COG Board and shall address at least the following:

- A. Evaluate current air quality through inventory of pollution sources, emissions, air monitoring data, meteorology and determine share of current air pollution problem among source categories;
- B. Estimate future air quality problems; assess air quality impact of transportation plans and programs and of growth and development;
- C. Evaluate feasibility of non-mobile control measures;

- D. Determine the air quality impact of all potential measures;
- E. Assess air impact of alternative regional plans including options preferred by local governments;
- F. Monitor implementation and effectiveness of non-mobile source measures;
- G. Evaluate air monitoring program and recommend any needed changes in type or location to efficiently and accurately monitor air quality improvements.

II. Role of Transportation Planning Board

The TPB shall assist in the development of an integrated work program, in cooperation with the Land Use Policy Committee and other appropriate committees, for recommendation to the COG Board and shall address at least the following:

- A. Calculate existing travel demand, including estimating existing travel by mode, utilizing accepted simulation techniques;
- B. Predict future travel demand without the transportation control plan for selected target years using the procedures in Step A above, in order to establish a baseline condition against which alternative transportation control packages can be measured;
- C. Identify candidate transportation measures for improving air quality based on recent studies of transportation controls for air quality, and recommendations from implementing agencies, to

identify candidate transportation measures and package them for testing and evaluation.

- D. Evaluate the alternative packages of transportation measures in terms of feasibility and timing of implementation, social and economic impacts, and effectiveness as related to improving air quality. Based on the air quality impact assessment of the alternative packages by AQPC, the packages will be re-evaluated and modified as necessary to achieve air quality improvement objectives.
- E. Incorporate transportation control measures into TIP, TSM.
- F. Monitor implementation and effectiveness of mobile source measures.

III. Role of COG Board

The role of the COG Board in formulating the revised implementation plan shall be to approve the work program, coordinate planning activities, review policies, resolve differences and adopt a plan.

A. Approve Work Program

The COG Board shall review and approve the Work Program prepared by the AQPC and TPB. The Board shall seek the views of the Land Use Planning Committee in formulating the work program and in all stages of developing the revised implementation plan. When necessary, the COG Board shall recommend common policies, standards and criteria to be used in the planning process.

B. Coordinate Planning Activities

It shall be the Board's responsibility to coordinate the planning efforts of the TPB and AQPC to assure that there is no duplication of effort, that standards and processes for use in development of the plan are agreed to and that there is a sharing of resources and information. The Board shall also obtain the participation of the Land Use, Water Resources Planning Board, and other COG committees and the states, as appropriate. To ensure coordination among these units in all phases of the planning process, the COG Board shall establish a steering committee composed of members of the AQPC, TPB, Land Use Policy Committee and such other members deemed appropriate. A public participation process for obtaining the necessary citizen involvement also shall be established.

C. Review Progress and Policies in Plan Formulation

The Board shall review the progress being made in carrying out the approved work program so that the necessary reduction in pollutants will be accomplished consistent with requirements in the Clean Air Act. The Board shall also assess whether there are any policy inconsistencies among recommendations which would prevent the attainment of standards and shall advise the TPB, AQPC and other

appropriate COG policy committees of the need to

reconcile inconsistencies. The Board's review

shall be conducted in the framework of the Growth Policy Statement and other adopted regional policies.

D. Resolve Policy Differences and Adopt Plan

The COG Board will encourage the TPB and AQPC to use a cooperative approach to development of a revised implementation plan for consideration by local and state governments. In the effort to attain Federal primary air quality standards, AQPC will be responsible for developing non-mobile source programs and TPB will have responsibility for mobile source programs. Because the plan must address both, it is possible that there could be differences in the amount of reduction to be achieved by the non-mobile or mobile source programs. If such a difference occurs, it will be the responsibility of the Board to seek conciliation of the issue. Hopefully, the parties will settle the issue in this manner. But, in the event they do not, then the COG Board shall make the decision. This is the fundamental dispute resolution authority in the Board. Should such resolution be required, after the Board action it will then become the responsibility of the TPB to determine what type of programs for mobile sources shall be developed. In the event the AQPC or the TPB and/or its member transportation agencies, do not concur with the COG Board's decision regarding the amount of reduction

to be achieved by mobile and non-mobile sources, 195
the specific objections shall be cited and appended
to any plan approved by the COG Board of Directors.
On non-mobile sources, the AQPC, in conjunction
with the Land Use Policy Committee and Water
Resources Policy Committee, shall develop a counter-
part program. It is vitally important to emphasize
that all of these planning efforts will be accom-
plished with the full participation of the local
governments, other affected agencies and the states.
The operational and regulatory units of government
must agree to the resultant plan since they will have
to assume the responsibility for its implementation.
Subsequent to formulating the initial revised
implementation plan through the process described
above, the Board of Directors shall adopt the
component mobile and non-mobile elements approved
by the TPB and AQPC, respectively, as the revised
implementation plan. Prior to submission of the
plan to the States and EPA, the adopted revised
implementation plan shall be transmitted to the
participating local governments in COG for their
approval. Such formal approval will be a manifes-
tation of the local governments acceptance of the
plan and its intent to carry out whatever responsi-
bility it has agreed to assume in implementing the
plan. This process will continue on an annual basis
to allow for necessary modification of the plan and
ensure that it is adapted to changing circumstances.

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POSSIBLE ASSIGNMENTS
STATE, LOCAL, AND REGIONAL
RESPONSIBILITIES

<u>CANDIDATE ELEMENT CLASSIFICATIONS</u>	<u>Planning</u>	<u>Implementation</u>	<u>Enforcement</u>
Traffic Operation Improvement	R,L,S	S,L	S,L
Improve Transit and High Occupancy Vehicles Treatment and Service	R,L	R,L	S,L
Pedestrian and Bicycle Movement	R,L	S,L	S,L
Parking Management	R,L	L	L
Vehicle Inspection/Maintenance	R,S	S	
Transportation Pricing	R,S	S,L	S,L
Control of Emissions at Source (mechanical control)	R	S,L	S,L

S - State
L - Local
R - Regional - COG/TPB/AQPC : WMATA

ADOPTED BY THE MAYOR AND CITY COUNCIL ON MARCH 13, 1978.

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
Council Meeting Room
March 20, 1978

Councilmembers present:

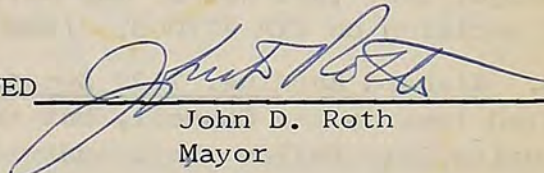
- Mayor Roth
- Councilman Faulkner
- Councilman Forshee
- Councilman Garcia
- Councilman Nishimoto
- Councilman Ricks
- Councilman Webb
- City Administrator Gilsdorf

The meeting was called to order by Mayor Roth at 8:00 PM.

1. Master Plan Public Forum. The City Administrator advised the Mayor and Council that Prince George's County M-NCP&P would be holding a Public Forum on the Master Plan on April 18, at 8:00 PM in the Council Chambers.
2. Pedestrian Crossing at Piney Branch Road and Takoma Avenue. Mayor Roth advised the Council that he has sent a letter to Mayor Walter Washington requesting the earliest possible installation of the traffic signal and intersection control by D. C. Police in the interim. The Mayor instructed the City Administrator to send copies of the letter to Sterling Tucker, Arrington Dixon, and Slade Caltrider.
3. Bureau of the Census Communication. The City Administrator advised the Council that the 1976 population figure released by the Bureau of the Census indicates on 16,555 people living in Takoma Park. This contrasts sharply with the 18,455 count in 1970. The Council was advised of their right to appeal and so directed the City Administrator.
4. Landlord-Tenant Commission Meeting--March 28, 29, and 30. This meeting will give the residents of the Winchester-Takoma and other interested parties a chance to present their views to the Commission.
5. Mayor Roth reported on some bills before the legislation including an inflation allowance on residential assessments which would reduce municipal revenues, possible gains in police protection, and gasoline tax disbursements.

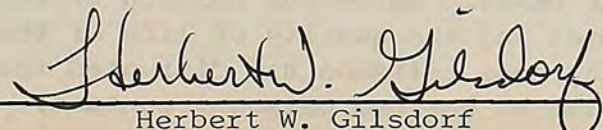
There being no further business to come before the Council, the meeting adjourned at 9:15 PM.

APPROVED



John D. Roth
Mayor

ATTEST



Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

March 27, 1978

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	Asst. City Administrator Nichols
Councilman Forshee	Administrative Asst. Swinton
Councilman Garcia	Police Chief Porter
Councilwoman Medina	Recreation Director Ziegler
Councilman Nishimoto	Corporation Counsel Gingerich
Councilman Webb	Asst. Corporation Counsel Culpepper
EXCUSED: Councilman Ricks	Asst. Corporation Counsel Hoffman

The Mayor and Council of Takoma Park met on March 27, 1978, at 8:00 PM, in the Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance to the flag, a motion to approve the minutes of March 13 was made, duly seconded, and approved by the Council.

CITIZENS' REMARKS

1. Moria Magee, 7203 Holly Avenue: noted that many residents of the City do not entirely understand all provisions of Zoning Text Amendment #77003 that was approved by the Montgomery County Council on March 23. Noted that when ZONE started its investigation, they chose the easiest target--the 1954 list of registered apartments, which is available to the public. Urged the members of the Council and of ZONE to direct their attentions to the apartments in the City which are not registered. Referring to complaints about code enforcement being ineffective, noted that multi-family owners do not agree with this; that their buildings must be maintained at code standards; listed statistics to support this.
2. Ellen Marsh, 7405 Maple Avenue: announced that several residents of the Takoma-D. C. area have pooled their monies to rent the Takoma Theater for two nights a week, presenting such films as "Sounder" and "West Side Story"; admission will be \$1.50 for adults and \$1.00 for youths and seniors; invited everyone to attend and support the efforts of these residents in keeping the theater open.
3. Bob Melvin, 7138 Carroll Avenue: stated that he had read the 1954 registration ordinance and that there is nothing written in it that would negate the county zoning; he did not think that the Council at that time meant for it to do so. Noted that ZONE had asked the City to request that a housing survey be conducted by Montgomery County DEP; that the City has done so and that the survey will soon be performed. Noted that Sharon Martin, Director of Public Facilities, Montgomery County, is now a resident of the City. Requested that Councilman Nishimoto's letter to the Montgomery County Council be included in the minutes; he thought that this letter may have been a major factor in the County Council's final decision on ZTA #77003. (See attached letter)
4. Richard Burdine, 7129 Sycamore Avenue: stated that his remarks were not directed towards the Council, but to the new concerned citizens that want to see the entire City follow their individual ideas. Noted the concern of these "newcomers" over the conditions of City homes and the quality of life of the citizens; gave several examples of how he thought these citizens had disrupted the lives of several of the older residents, with whom he has had personal contact. In reference to the controversy over multi-family units, stated that these units helped

to keep property values low in the City and that those who want to increase property values do not have the City's best interest at heart. Noted that many young people when first married cannot afford homes, so they live in multi-family units; that possibly when they do purchase homes, they rent out portions of them to be able to afford the mortgage payments. Stated that even though the Montgomery County Council has now approved ZTA #77003, they do have the power to rescind it.

5. Lewis Porter, 7128 Willow Avenue: stated that the 10 year phase-out period is a long time, that possibly Landlords-Tenants/PLUS can improve conditions and try to turn things around. Referring to the multi-family homes on the 7100 block of Willow Avenue, noted that he had spoken to a gentleman that has lived there since 1909; that this person knew the builders of these homes and that they were built as multi-family dwellings at that time; Mr. Porter noted that multi-family dwellings must have been the style in the City even before zoning was adopted. Noted that there are approximately 24 multi-family homes on Cedar Avenue that will be allowed to remain because they were once zoned R-30 (now zoned R-60). Thought that the action taken by the County Council was based on faulty information.

6. Stephanie Melvin, 7138 Carroll Avenue: thanked the present Mayor and Council for all their long hours and hard work that they have contributed to the City, especially Councilman Nishimoto, who will not be returning to the Council this term.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. City Administrator Gilsdorf announced that the City will be sponsoring a "Kite Contest" on Sunday, April 2, from 12 to 4 PM, Takoma Park Recreation Center; invited every one to attend.

2. Douglas Schneider, Director, D. C. DOT. In reference to the traffic signal at the intersection of Eastern Avenue and Piney Branch Road, it was stated that this signal will be installed in conjunction with a resurfacing contract for Piney Branch Road, N. W.. It is anticipated that resurfacing will start on April 15, and the signal work around June 1.

3. Long Branch-Sligo Citizens Association. Referring to the request by the Citizens Association to have a portion of Jackson Avenue designated as a sledding street, the Association is now asking that the Council postpone making a decision until the entire citizens association can be notified and also that a public hearing be held on this item in May.

4. A letter was received from residents of the Jackson Avenue area that would be affected by the designation of a sledding street, listing their objections and requesting that it not be designated as such. The City Administrator noted that two persons had signed petitions both for and against this designation.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Report on results of survey conducted in connection with request to designate a portion of Jackson Avenue as a sledding area. The City Administrator reported that of the 36 properties in the affected area surveyed, there were 19 responses, of which 10 were in favor and 9 were in opposition. It was decided by the Council to have the City staff look into this matter further and that the public hearing that was requested would be considered.

2. Montgomery County Landlord-Tenant Commission hearings concerning the Winchester-Takoma. The City Administrator reported that he has been notified of a rescheduling of the hearing dates to April 5 and 6, at 7:30 PM, in the Park and Planning auditorium on Georgia Avenue, Silver Spring. Mayor Roth questioned whether there has been a reply from the Commission as to their recognizing what the City has done at the building and was told no.

3. Report on appeal of 1976 Census estimate of City's population. City Administrator Gilsdorf reported that update from the Bureau of the Census listed the City's population as of 7/1/76 as being 16,555, which is a loss of 1,900 residents from the 1970 Census which listed population at 18,455. It was also noted that the drop in population would cause a loss of tax revenue and also Federal Revenue Sharing funds for the City. It was recommended by the staff that the Mayor and Council challenge this update; this recommendation was so approved by the Council.

4. Ordinance authorizing purchase and installation of metal security screens in Police Department in conformance with requirements of the Maryland Criminal Justice System Law. Chief Porter stated that security screens would be installed on the outside of the detective bureau, administrative office, and the chief's office; that it is required by Maryland State law that either the screens be installed or 24 hour surveillance be kept in those places where criminal history records and information are stored. Mayor Roth raised the question as to whether this was absolutely necessary, since the police station is manned 24 hours anyway. Upon motion by Councilman Nishimoto, duly seconded by Councilwoman Medina, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, and Webb. NAY: None. EXCUSED: Councilman Ricks.

ORDINANCE #2465

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

SECTION 1. THAT in order to meet the minimum security standards of the Maryland Criminal Justice System Law (Article 27, Sec. 749), it is necessary for the Police Department to install metal bars in all police department windows which could provide access to criminal history record information; AND

SECTION 2. THAT estimates on the cost of purchasing and installing the necessary security bars have been obtained, with the lowest estimate having been made by City Ornamental Iron, Washington, D. C., for the amount of \$825, and is hereby approved.

SECTION 3. THEREFORE THAT funds in the amount of \$825 (EIGHT HUNDRED TWENTY-FIVE DOLLARS) to cover cost of the work be charged to the appropriate Police Department account.

5. Ordinance accepting bid and appropriating Community Development Block Grant funds for City parks projects. It was noted by Asst. City Administrator Nichols that the parks projects included Heffner, Jequie, Spring, and Forest Parks; that the work involved consists of spreading new top soil, grading, seeding and sodding; also noted that Jequie Park West was not included as part of this project, this park would be improved with Block Grant funds, but the work would be conducted by City forces. Upon motion by Councilwoman Medina, duly seconded by Councilman Nishimoto, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto, and Webb. NAY: None. EXCUSED: Councilman Ricks.

ORDINANCE #2466

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

- SECTION 1. THAT the Takoma Park Community Development Block Grant program for FY-78, did set aside funds for the renovation of Heffner, Spring, Jequie and Forest Parks; AND
- SECTION 2. THAT bids were solicited from qualified contractors by advertising twice in two newspapers of local circulation, with bids having been opened publicly at 3:00 PM, March 20, 1978; AND
- SECTION 3. THAT two bids were received, with T. J. Hydroseeding, Inc. (Silver Spring) having submitted the low bid of \$9,839 for groundcover placement, and Center Excavating Company, Inc. (Laurel) having submitted the low bid of \$29,730 for grading and topsoil placement.
- SECTION 4. THEREFORE THAT the bid of T. J. Hydroseeding, Inc. for groundcover placement be accepted for the amount of NINE THOUSAND EIGHT HUNDRED THIRTY-NINE DOLLARS (\$9,839); AND
- SECTION 5. THAT the bid of Center Excavating Company, Inc. for grading and topsoil placement be accepted for the amount of TWENTY-NINE THOUSAND SEVEN HUNDRED THIRTY DOLLARS (\$29,730); AND
- SECTION 6. THAT funds in the total amount of THIRTY-NINE THOUSAND FIVE HUNDRED SIXTY-NINE DOLLARS (\$39,569) be appropriated from the City's General Funds and transferred to the appropriate Community Development Block Grant Account; AND
- SECTION 7. THAT in accordance with previously arranged agreements, the City Treasurer is hereby authorized to immediately request reimbursement for the full amount of this expenditure (\$39,569) from Montgomery and Prince George's Counties.

Upon motion, duly seconded, the meeting adjourned at 8:54 PM, to reconvene on Monday, April 10 at 8:00 PM.

ATTACHMENT TO COUNCIL MEETING MINUTES OF MARCH 27, 1978

Honorable Elizabeth Scull and Members of the
Montgomery County Council
County Office Building
Rockville, Maryland 20850

March 23, 1978

Dear Mrs. Scull:

In view of the fact that I am unable to attend today's session of the County Council, I submit my concerns in writing and request that they be read for the record. There are several aspects of this zoning issue which are distressing.

In worksessions relating to Zoning Text Amendment #77003, the assumption has been that passage of this legislation would be beneficial to Takoma Park. There is nothing presently in Text Amendment #77003 which provides additional mechanisms or facilitates existing mechanisms of enforcement.

Instead the proposed legislation creates a moratorium on zoning code enforcement for eighteen months and gives lawful status to all violations in use prior to January 1, 1954 for ten years or until death of the present owner. No standards have been developed to reduce the number of properties nor the number of dwelling units. In fact all properties and units may be brought up to code and remain in use as multiple dwellings for decades.

Additionally, a mechanism to make lawful unlawful multiple dwelling properties converted after 1954 is to be developed. Thus the actual effect of Text Amendment #77003 is to increase the number of multiple dwellings in the R-60 zone.

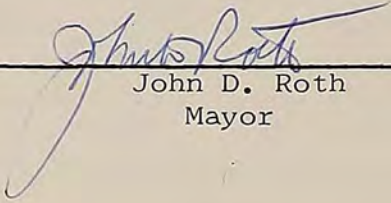
Therefore, I ask for a statement of the members of the Council clarifying the intent of this proposed legislation. Is it the intent of the Council to return the small portion of Takoma Park still zoned R-60 to single-family use in a reasonably definite time period or is it the intent of the Council to make lawful existing violations pretending to phase them out?

I encourage the Council to adopt the phase-out in 8 to 10 years or time of title transfer whichever is earlier, as recommended twice by the Council of the City of Takoma Park. I encourage the Council to enforce the zoning code in respect to violations occurring after January 1, 1954.

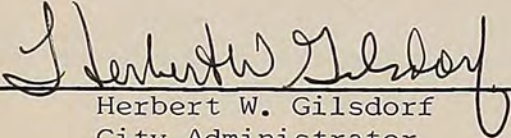
Sincerely,

Ken Nishimoto
City Councilman

APPROVED


John D. Roth
Mayor

ATTEST


Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

March 29, 1978

SPECIAL MEETING OF THE MAYOR AND COUNCIL
TO RECEIVE MARCH 28, 1978 ELECTION REPORT
FROM THE JUDGES AND CLERKS OF THE ELECTION

The meeting was called to order at approximately 8:10 PM, with Councilman Nishimoto in the chair. Others present were Mayor Roth, Councilmembers Faulkner, Forshee, Garcia, Medina, Nishimoto and Ricks; the City Administrator; the City Clerk; Chairman of the Board of Elections, Milton Koren; and Judges John T. Bennick, Clarence M. Boatman, Charlene L. Cohen, Eleanor S. Jaeger, Claire B. Kozel, Joanne M. Mood, Marvel A. Werner, Octa B. Winter, Amoke Alakoye, Bessie Leibsohn, Dorothy J. Malusky, Florence A. Nishimoto, Max Solomon, Jeannie Elizabeth Troll, and Abby J. W. Mandel. Prior to the meeting the attached petition had been presented to the Board of Election and the Mayor and Council. Following some discussion on the procedure to be followed in the light of the petition, Chairman Koren presented the official report on the results of the election to the Mayor and Council as set forth below. He also expressed his appreciation to members of the City staff who had been particularly helpful on Election Day: Betty Robinson, Elaine Carpenter, Anna Pusti, Linda McKenzie, Belle Ziegler, Catherine Chaney, and the City Clerk.

Mayor and City Council
City of Takoma Park
7500 Maple Avenue
Takoma Park, Maryland 20012

Mayor and Councilmembers:

The duly appointed and qualified Judges of Election have the honor to submit the following report of the City Election held on the 28th day of March 1978, in the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

The Board was organized with the appointment of Milton Koren, Chairman; John T. Bennick, Clarence M. Boatman, Charlene L. Cohen, Eleanor S. Jaeger, Claire B. Kozel, Joanne M. Mood, Marvel A. Werner, Octa B. Winter, Amoke Alakoye, Edgar C. Dawson, Bessie Leibsohn, Dorothy J. Malusky, Carroll F. Miller, Florence A. Nishimoto, Max Solomon, Jeannie Elizabeth Troll, and Abby J. W. Mandel as Judges, after having taken the prescribed Oath of Office before the City Clerk. The polls were opened at the legal hour of 7:00 AM, and closed at the legal hour of 8:00 PM.

The following candidates for Mayor received the number of votes set opposite their names:

Sammie A. Abbott	1,070
Mary Ann Medina	242
John D. Roth	1,078

Candidates for Council Members received the following number of votes:

1ST AND 2ND WARDS, MONTGOMERY COUNTY

Louis H. D'Ovidio	777
Roland W. Halstead, Jr.	512
James D. Ross, Jr.	568
Jennifer L. Saloma	1,033
David B. Weisman	1,101

3RD AND 4TH WARDS, MONTGOMERY COUNTY

Vernon H. Ricks, Jr.	1,523
Joseph H. Webb	1,382

5TH WARD, MONTGOMERY COUNTY

Clayton D. Forshee	1,159
Donald D. Ramsey	695

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY

Joseph A. Faulkner	1,401
Frank V. Garcia	1,409

The following candidates for Mayor received the highest number of votes, and was duly elected Mayor for a period of two years from the second Monday in April 1978:

John D. Roth

The following candidates for Council Members received the largest number of votes in their respective wards and were duly elected Councilmembers for a period of two years from the second Monday in April 1978:

1ST AND 2ND WARDS, MONTGOMERY COUNTY

Jennifer L. Saloma
David B. Weisman

3RD AND 4TH WARDS, MONTGOMERY COUNTY

Vernon H. Ricks, Jr.
Joseph H. Webb

5TH WARD, MONTGOMERY COUNTY

Clayton D. Forshee

6TH AND 7TH WARDS, PRINCE GEORGE'S COUNTY

Joseph A. Faulkner
Frank V. Garcia

The results of the election indicates that 2,419 registered voters cast their votes, 56 of which were cast by absentee ballot. The City Clerk informs us that there were a total of 7,130 certified registered voters, 4,804 of whom are registered in Montgomery County, and 2,327 in Prince George's County.

Certificates of Election in accordance with the results stated above have been prepared, and it is my pleasure to present them at this time.

Respectfully submitted,

/s/ Milton Koren, Chairman

Following the report there ensued a lengthy dialogue after which the Mayor and Council instructed the City Clerk and City Administrator to provide the materials requested by the petitioners, to arrange for an examination of the voting machines and a recount of the absentee ballots. It was agreed that the recounts should be accomplished within 5 days at the maximum and that Mr. Abbott and petitioners could then submit any further appeals to the Mayor and Council within 10 days following the election.

The meeting adjourned at 10:00 PM.

ATTEST:

M. Schulz Pusti
City Clerk

APPROVED:

John P. Rizzo
Mayor

SEE ATTACHED PETITION

BEFORE THE ELECTION JUDGES
AND THE CITY COUNCIL OF TAKOMA PARK,
SITTING AS A COMMITTEE TO REVIEW CITY ELECTIONS
PURSUANT TO SECTION 1.3(h) OF THE TAKOMA PARK CITY CHARTER

TO: MILTON KOREN
Chief Election Judge

and

JOHN T. BENNICK,
CLARENCE BOATMAN,
CHARLENE COHEN,
ELEANOR JAEGER,
CLAIRE KOZEL,
ABBIE MANDEL,
CAROL MILLER,
FLORENCE NISHIMOTO,
MAX SOLOMON and
JEANNIE TROLL

Election Judges

and

JOHN ROTH
Mayor, City of Takoma Park, Maryland

and

JOSEPH FAULKNER,
CLAYTON FORSHEE,
FRANK GARCIA,
MARY ANN MEDINA,
KENISHI NISHIMOTO
VERNON RICKS and
JOSEPH WEBB

Council Members, City of Takoma Park, Maryland

and

JOHN EISLE
Supervisor of Elections for
Montgomery County, Maryland

and

ROBERT J. ANTONETTI, SR.
Supervisor of Elections for
Prince George's County, Maryland

and

ANDREW SONNER
State's Attorney for Montgomery County, Maryland

and

SIBYL PUSTI
City Clerk of Takoma Park, Maryland, and

HERBERT GILSDORF
City Administrator
City of Takoma Park, Maryland

PETITION FOR A RECOUNT
AND
TO STAY CERTIFICATION OF THE
MARCH 28, 1978 CITY ELECTIONS

Demand is hereby made pursuant to the laws of the State of Maryland and the City of Takoma Park for a recount of the ballots cast for Mayor of Takoma Park on March 28, 1978; and further to examine the voting machines and to make a record of the dials thereof pursuant to Section 1.3(h) of the City of Takoma Park Charter.

Until such recount and examination are made and reasonable opportunity thereafter provided to each candidate to challenge the results of that recount pursuant to the City of Takoma Park Charter, Section 1.3(s) demand is hereby made that the election judges and City Council refrain from certifying the results of the election of March 28, 1978.

Petitioners further demand that an official list of all people who actually voted on March 28, 1978 be provided to them forthwith. Said list should include the name, address and telephone number of each person who actually voted on March 28, 1978.

Sammie A. Abbott

SAMMIE A. ABBOTT
Candidate for Mayor
7308 Birch Avenue
Takoma Park, Maryland 20012

and

RUTH ABBOTT,
RINO ALDRIGHETTI,
WILLIAM E. BRAILEY,
TOM GAGLIARDO,
ROBERT MOORE,
JOAN and DAVID PROSTEN,
MAUREEN THOMPSON, and
VICKI WEST

Citizens of Takoma Park, Maryland

Presented to the Election Judges and Mayor and City Council this
29th day of March, 1978.