

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
December 4, 1978

Councilmembers present:

Mayor Roth
Councilman Faulkner
Councilman Forshee
Councilman Garcia
Councilman Ricks
Councilwoman Saloma
Councilman Webb
Councilman Weisman
City Administrator Gilsdorf

The meeting was called to order by Mayor Roth at 7:40 PM.

1. MML Legislative Package. Mayor Roth summarized for the Council three principal MML Bills.
2. Registration-Inspection Fees. The Mayor and Council discussed this matter at some length with consensus being reached on Councilman Faulkner's proposal for a new rate structure being presented in Ordinance form for a Second Reading at the December 11th Council Meeting.
3. Voting by Councilmembers. Mayor Roth read to Councilmembers a proposed statement relative to recording of votes for the minutes. This will be discussed at the December 11th Council Meeting.
4. Hammond Avenue. The Mayor proposed a concrete sidewalk at this location. After discussion, it was decided this matter would be discussed at the December 11th Council Meeting.
5. Municipal Infractions. The City Administrator was directed to furnish information and a proposed ordinance(s) for Friday, December 8th package.
6. Day Care Center--7607 Takoma Avenue. The City Administrator was directed to make available to the Council additional information on this application as soon as it is available.
7. Master Plan. Mayor Roth announced that he will chair the Master Plan Forum on January 11, 1979.

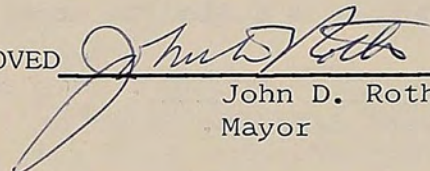
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8. R.T.O.R.A.S.--Piney Branch Road and Philadelphia Avenue. The City Administrator was directed to develop new facts which can be used to further communicate the urgency of our problem to the incoming governor.
9. Budget 1979/80. The City Administrator was directed to advise all Department Heads to develop plans for departmental cost reductions and further, the Mayor advised members of the Council that he would not support overall personnel costs that would exceed the President's overall guidelines.

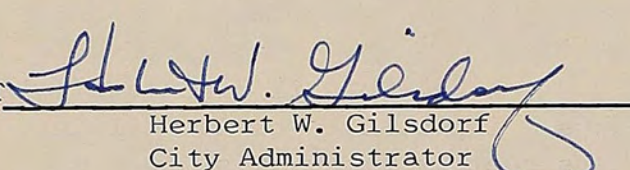
There being no further business to discuss, the meeting adjourned at 10:45 PM.

APPROVED



John D. Roth
Mayor

ATTEST



Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

MEETING OF THE MAYOR AND CITY COUNCIL

and

PUBLIC HEARING ON PROPOSED INCREASE IN HOUSING INSPECTION & REGISTRATION FEES

December 11, 1978

City Officials Present:

Mayor Roth	City Administrator Gilsdorf
Councilman Faulkner	Asst. City Administrator Nichols
Councilman Forshee	City Clerk Pusti
Councilman Garcia	Administrative Asst. Swinton
Councilman Ricks	Police Chief Porter
Councilwoman Saloma	Public Works Coordinator Robbins
Councilman Weisman	Recreation Director Ziegler
EXCUSED: Councilman Webb	Corporation Counsel Gingerich
	Asst. Corporation Counsel Hoffman

The Mayor and Council of Takoma Park met on December 11, 1978, at 8:00 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Md. Following the pledge of allegiance to the flag, a motion to approve the minutes of November 27 was made, and duly seconded. Councilman Weisman requested that the minutes be corrected to include his statements concerning the Franklin Apartments as follows: based on figures received from Montgomery County, of the 225 units and the 179 units that the Franklin Apartments would add, this would be a total of 404 units out of approximately 436 dwelling units in the Montgomery County/Takoma Park area; that would give the area a percentage of about 9.33%, which would be substantially above the 6.7% projected housing stock or percentage that the Planning Area is to have by 1990; also asked for correction to letter sent to Maryland DE&CD to reflect what was said at Council meeting and in minutes, i.e., conditional on points set forth in Attachment A, and not subject to; that the request for MD. DE&CD to "move favorably on application with all possible speed" was not part of motion which Council voted on; asked that the record show him voting against the proposal for Franklin Apartments. Councilwoman Saloma asked that her vote against the proposal be reflected also, and that the record indicate that she was present and voted in favor of Ordinance #2482, Library humidifier. With these corrections, the minutes were approved.

MAYOR ROTH'S COMMENTS AND PRESENTATIONS

Stated that he was pleased to see in the December Washingtonian magazine an article about Mrs. Katherine Paterson--the children's books she has written and the acclaim she has received.

Announced that as presiding officer of the Council, when an oral vote indicates a difference of opinion, the Mayor will identify for the record those voting in the minority; or, if this is not clear, he will call for a show of hands to make such identification for the record.

Noted the receipt of a letter from Senator Victor Crawford regarding NO TURN ON RED at Piney Branch Road and Philadelphia Avenue; also received copy of letter to Senator Crawford from Maryland DOT which stated that they are initiating a re-evaluation of this intersection. On same subject, received copy of letter from Delegate Shelia Hixson to Mr. Caltrider asking for support of City's proposal.

Announced that the Montgomery County Chapter of the Maryland Municipal League met with the new County Council and Executive; that he is hopeful that the previous pattern of frequent meetings will be continued with the new officers.

Stated that the Prince George's County Chapter of the MML had met informally with delegates to the State Legislature; that he had addressed the meeting on items which the State-wide League was interested in having passed through the legislature; commitments of support were given by two delegates and he is hopeful that these items would be passed.

Requested that the City Administrator draft an ordinance which would put the animal control ordinance under the municipal infraction law; also to have Corporation Counsle review; that this should be ready for First Reading in January and possibly at later date to include other ordinances under this law.

Stated that if time is available at end of meeting, he would plan to introduce a proposal for a walkway on Hammond Avenue; that this be added as the last agenda item.

ADDITIONAL AGENDA ITEMS

- Discussion of Franklin Apartments action (Councilman Ricks)
- Discussion of proposed Sligo Sewer Project (Councilman Weisman)
- LEC final report on Takoma Park Junior High School (Councilman Weisman)

CITIZENS' REMARKS and PUBLIC HEARING ON PROPOSED INCREASE IN HOUSING INSPECTION AND REGISTRATION FEES.

1. Noreen Rothberg, 7135 Cedar Avenue, Representative of Save Our Streets: read statement regarding the over-use of residential streets by increased traffic which "insisted that the Mayor and Council explicitly recognize" that the streets in Old Takoma area (listed as Maple, Cedar, Holly, Tulip, Park, Valley View, Holt, Dogwood, Birch, Willow, Spruce) were intended for residential use only and not as major collectors or throughfares; requested that the Council respond to the following: that the City act to remedy these situations immediately with increased enforcement, clearly marked crosswalks, and crossing guards at dangerous intersections; that Council recognize that these are residential streets and direct City staff to make restoration of these streets a priority objective; that a policy-level advisory group, consisting of elected and citizen representatives be appointed to produce solutions to these situations; membership of group to be announced at the first Council meeting in January and results to be given to Council within a 3-month period. In support of concern, it was stated that over 200 signatures had been collected on petitions from residents of the Old Takoma area urging the Council to cooperate with group to correct problems; will also have resource file completed in January and list of citizen representatives will be given to the Council. (NOTE: full text available in City Office.)

2. Richard Bernardi, 7111 Cedar Avenue: stated that as member of traffic group, he hoped to be working with Council in productive way to solve these problems which the group considers to be critical; noted that many new families with young children are moving into the neighborhoods; feels that traffic situations of entire City should be addressed comprehensively; possible to reroute traffic off residential streets to major roads designed to handle the heavy flow, then majority of police enforcement could be diverted to these major roads.

3. Ann Countoure, Representative, TPES PTA/PDC: stated concern about increased traffic in City; about safety of children that walk to and from school and while playing in neighborhoods; especially concerned about traffic in Library parking lot; would like positive action taken to ensure that there are no accidents. Because of these concerns, the PTA/PDC has voted unanimously to support SOS in their campaign.

4. Joe Ossi, 7215 Maple Avenue: read article from September issue of Transportation Research News which alluded to the fact that there is disregard for traffic regulations on neighborhood streets and suggested application of traffic control measures, such as the building of circles; indicated that this is a nationwide problem and research is on-going.

5. Sammie Abbott, 7308 Birch Avenue: stated he was in agreement with the points raised; however, traffic problems are also present in many other areas of the City; gave definition of residential street as being all streets in City with exception of University Boulevard, New Hampshire Avenue, and the commercial district of Piney Branch Road. Stated that Mrs. Mary Nunes, 7408 Flower Avenue, asked him to speak on subject of traffic at intersection of Carroll and Flower Avenues, where her son was critically injured and is the scene of many close encounters; that the 4-way stop sign at this intersection, even if observed by drivers, does not allow for pedestrian crossings; residents in area do not want a traffic signal there; Mrs. Nunes is preparing a petition for the neighborhood; said that traffic counts and observations should now take place; decision should be made soon as to whether to install a traffic signal or give patrol crossings to the pedestrians.

6. Sara Green, 7106 Piney Branch Road, N.W.: member of group trying to preserve Takoma Theater; listed upcoming movies and events, including a children's Christmas party, Saturday, 12-16. Noted that traffic problems are common to Takoma, D. C. and City and they should work together to solve; extended invitation for Open House at Takoma Theater on Friday, 12-22, after showing of last film.

7. Joseph Ferrier, 7413 Maple Avenue: noted an earlier proposal to widen Tulip Avenue which was opposed by residents and it remains a shady, residential street with 4-way stops at most intersections; parking on both sides of Maple Avenue was initiated to slow traffic; permit parking was instituted in two areas; residential streets are for the use and convenience of the residents; stated that he would like to see an amendment to the Animal Control Ordinance for the safety and welfare of domestic animals.

8. Allan Marsh, President, Old Takoma Citizens' Association: stated his support of the traffic committee. In response to his query, the City Administrator stated that traffic counts in Old Takoma area and others are now being made by Park & Planning's Traffic Engineering Division in conjunction with the transportation chapter of the Master Plan. Mr. Marsh stated that one parking meter on Willow Avenue has been completely destroyed and should be replaced; that he was told some years ago that the ESDA building on Willow was for use by General Conference employees only; that if it has become commercial, County Zoning should investigate. Stated that the proposed increase in registration and inspection fees is not enough (\$12 per unit per year); that the amount is not sufficient to cover code enforcement and legal fees; reiterated his suggestion that fees should be at least \$100 per unit per year. Regarding WSSC meeting of 11-29 on Sligo Sewer Project, stated that officials present could not answer questions and only offered to send information at later dates; felt meeting could not be considered a public hearing. Stated that the decision made by the Council on the Franklin Apartments was not a good one; that

in his opinion, 100% Section 8 is not viable and City will eventually have to demolish project.

9. Donald Ramsey, 8116 Roanoke Avenue: stated that 4-way stop signs at Carroll and Flower Avenues are ineffective at rush hour; that the long back-up of traffic could be corrected by a sophisticated signal system; that traffic signal at Columbia Union College should be relocated to Flower and Division Avenues, due to lack of use at its present location. Stated that increasing registration and inspection fees will not provide City with protection against violations; suggested Council initiate fee for re-inspection to provide incentives to avoid violations; recommended that City's housing code be rewritten in plain language that can be easily understood by landlords and tenants; possible that this would decrease instances of violations. Stated that he had read about Rockville's municipal infraction law; hoped that it could be used in City.

10. Rob Terrell, 307 Elm Avenue: suggested that if inspection and registration fees are to be increased, possible to increase quality of inspections. Read petition (signed by block residents) regarding 307 Elm Avenue, calling it a public nuisance, a fact in the depreciation of property values and an eyesore; requested immediate action to be taken to rectify these circumstances. Stated that the property is registered as a 2-unit apartment building, but owner is renting as rooming house; it is over-crowded and poorly maintained; felt that situation was being ignored by housing inspectors. Councilman Ricks asked the City Administrator to supply the Council with code inspection and police records on this property; Mayor Roth directed the City Administrator to respond to this complaint immediately by sending housing inspectors to the property.

11. Joseph Lerner, 7708 Takoma Avenue: stated that increased fee schedule could not sustain housing inspections, much less re-inspections; that fees are to support registration system and not inspection system; suggested that fees be requested to cover each aspect of system--registration, inspection, and re-inspection.

12. Moria Magee, 7203 Holly Avenue: stated that her property has been through an inspection once a year; that if there are any violations, she is told of them, and inspectors come back to make sure they have been corrected.

13. Robert Liberatore, 508 Tulip Avenue: requested revenue figures on registration and inspection fees. The City Administrator stated that only about 60% of the inspector's job revolves around multi-family inspections, which makes it hard to quote revenue figures; that the inspectors also work with the CIB, conduct rehabilitation loan inspections, and investigate trash and other complaints; that at present, the fee schedule produces approximately \$20-25,000 in revenue each year, the proposed level would yield approximately \$45,000; anticipated a decrease in number of multi-family units because of rise in fees and ZTA 77003.

14. Bernice Myers, 7212 Cedar Avenue: stated that corrections of violations at 7209 Cedar Avenue were inadequate, but were approved by code enforcement officers; felt inspections should be done differently and that Council should not be so confident that repairs are properly done.

15. Elaine LaVaute, 240 Park Avenue: said proposed inspection and registration fee increase is too small; that \$100 per unit per year is fair, but felt \$200 per unit would be proper; requested that sidewalks be salted this winter.

16. Sue Lerner, 7708 Takoma Avenue: stated that it should be elementary arithmetic to figure a higher fee schedule; should consider number of units, frequency of inspections and re-inspections, and physical time available for inspectors to achieve these ends.

17. Jim DiLuigi, 7106 - 13th Avenue: stated that he is an architect and suggested that City have a professional firm draw up a check-list for code enforcement officers to follow that would satisfy City ordinances and basic building codes; possible to contract in block groups with professionals who can run through a whole series of inspections in a short period of time and document it; that this would probably cost City less than \$50 per unit on large scale basis.

18. Ralph Porter, 7108 Maple Avenue: thought that City should go to a flat rate for housing inspection fees; feels that large buildings have more problems and are inspected more often than smaller multi-family units; stated that code enforcement officers have been doing an adequate job, at least in his building.

19. Charlene Cohen, 7815 Takoma Avenue: speaking for North Takoma Citizens' Association, stated that a letter had been received from Montgomery County Board of Appeals concerning a request for a Special Exception for a child care center at 7607 Takoma Avenue; that the Association is strongly opposed to the use of the property as such; are now in process of gathering information and facts and when compiled, will send letter to Council.

20. Phil Vogel, 7117 Garland Avenue: thanked members of Council that attended WSSC meeting of 11-29 on Sligo Sewer Project; felt meeting would not be considered a public hearing because members of WSSC were unprepared and evasive; asked Council to oppose further construction of project on basis that need has not been justified and local impact has not been addressed. Has written letter to Environmental Protection Agency concerning this; feels the project will have devastating impact on Sligo Creek Park and more on the City; that it will lead to increase in density, traffic, and multi-family housing; notified EPA that WSSC was not prepared for meeting and requested information was not available; that WSSC has indicated that they have not considered any alternatives to alleged overflows besides replacement of lines; that citizens have suggested other more cost-effective methods; that WSSC indicated by its own figures that majority of new capacity will be used for future growth and not for relief of overflows; that overflows are result of poor maintenance of existing lines; request for environmental impact statement to be prepared. Asked Council to oppose this sewer project until questions are answered and further meetings are held.

21. Jim DiLuigi: speaking for Carole Highlands Citizens' Association, reiterated several items which Mr. Vogel discussed; stated that WSSC officials came to meeting with attitude that citizens had already had substantial input into this project, but later corrected this by calling the County's budget hearing a public hearing specifically on the sewer project; that WSSC chairperson did acknowledge that there was legitimate citizen concerns on many aspects that were not adequately addressed, but would not make a commitment for future meetings; also stated that it was very probable that specifications on project would go out for bid regardless of meeting outcome; that if funds were not granted by EPA, WSSC would go to the County's for funding. Listed major concerns about project: that existing sewer lines have not been inspected for blockage or infiltration; planned capacity being 3 times greater than present requirements and where increased sewage would go; that WSSC has been turned down by EPA in past because could not justify need for the increase. Agreed that something has to be done, but possibly on a much smaller

scale; regarding specifications in bid package, noted contractors have no definitions of restrictions in park area; can use any size equipment; no definition of where to store equipment or safety measures to be taken, since project will last at least 2 years.

22. Delores Stowell, 7704 Takoma Avenue: stated her neighborhood's concern about the proposed child-care center to be located in 7600 block of Takoma Avenue, with special concern about increased traffic, saying that there are already traffic back-ups on Takoma Avenue in the evening rush-hour; noted also that the petitioner is not a resident of the house, which makes it appear to be a commercial venture.

23. Sammie Abbott: admonished Mayor and Council for not being in full attendance at WSSC hearing. Congratulated Councilmembers Ricks, Saloma, Weisman and Faulkner for attending. Said the two main reasons given for new sewer line were to accomodate overflows and future growth; that persons chairing meeting were poorly prepared; that there had been no representative from Blue Plains; noted that WSSC has "threatened" to get funding to complete project from Counties if turned down by EPA; that WSSC cannot even finance a maintenance program to investigate whether or not new line is really necessary; requested that Mayor and Council oppose this project. Read letter that Council sent to Maryland Community Development Administration regarding Franklin Apartments; said that latter did not reflect what was recorded in minutes; protesting specifically the use of the word "objectives" in letter, as opposed to word "conditions" in minutes, stating the definition of each, noting that the first is imprecise, while condition is defined as "something demanded as an essential part of an agreement"; felt the Council pushed motion through without adequate discussion; should have waited until Councilman Ricks was present since he was member of subcommittee studying project.

24. Ronald Terchek, 919 Sligo Creek Parkway: stated that many citizens are still unclear on much of the Sligo sewer project; requested that Council ask for further information and study on this project before making a decision.

25. Joseph Lerner: stated that North Takoma Citizens' Association has discussed what SOS Committee is trying to do for Old Takoma area and had requested that citizens from North Takoma be included in discussions concerning traffic problems; urged Council to make changes in traffic flow in North Takoma, specifically mentioning one-way north for New York Avenue; that when parking garage for College is completed, efforts should be made to have students use it; that student parking spaces in Fenton Street garage be given up for public use and student busses discontinue; stated his opposition to proposed child-care facility on Takoma Avenue, noting the possibility of increased traffic. Stated that College is still in process of building concrete entrance signs on Block 69, despite opposition from Park & Planning and City; expressed the hope College could be contacted reiterating this position.

26. Lou D'Ovidio, 7324 Piney Branch Road: commended City and Azalea Committee for new park and City entrance sign on Piney Branch Road at Eastern Avenue; noted that near this intersection, D. C. DOT has completed repairs on Piney Branch Road but nothing has been done on Maryland side; noted his appreciation for the Council persistence with SHA concerning removal of Right Turn On Red signs at Piney Branch and Philadelphia. Stated his support of SOS objectives, saying that it should be broadened to cover entire City. Said City should be represented on COG's Transportation Planning Board to ensure involvement in issues of air quality and traffic.

Notified Council of establishment of group home at 7307 Piney Branch Road by D. C. Association for Retarded Citizens. Noted receipt of copy of letter from D. C. DOT to Montgomery County Council concerning downgrading of 13th Street within one year; recommended that City should be involved in this planning process.

27. Rita Marth, 7308 Cedar Avenue: stated that SOS committee would be happy to have other citizens' associations join; that children are most affected by the dangerous traffic situations; read letter from her 10 year old daughter asking City to do something to correct these problems.

28. Phil Vogel: suggested framework for resolution regarding Sligo sewer project as follows: that Council oppose construction of Sligo sewer until need has been justified, all alternatives for solving any discovered need have been studied, a Federal environmental impact statement has been prepared, and requirements of Federal law regarding approval by NCPC have been addressed; stated that this would put the Council on record as to what City's requirements on this construction would be.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Mrs. Evelyne Ferry, 24 Hickory Avenue. Annual contribution to City Sanitation Division employees Christmas Fund and letter expressing her appreciation for their services to the Takoma Park Presbyterian Church throughout the year.

2. Mrs. Marie Kemp, 1105 Holton Lane. Letter expressing the need for a sidewalk on the unpaved portion of Hammond Avenue; she indicated that she must walk there frequently and would appreciate the installation of such.

The City Administrator reminded citizens of the Christmas Concert by the Takoma Park Community Band on Sunday, December 17, 3:00 PM, at the Takoma Park Junior High School.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Special Exception Petition #S-674, to operate a Child Day Care Center at 7607 Takoma Avenue. Public Hearing: 9:00 AM, 3-1-79, COB, Rockville (Board of Appeals). The City Administrator advised the Council of this proposed use; stated that a Park & Planning Staff Report or copy of formal application has not been received; has been informed that owners are planning to operate facility in what is now apartment #1 which has approximately 650 square feet of floor area; that the intention is to continue renting the other four apartments in the building; hoping to have further information to present to the Council soon.

2. Announcement of change in hearing date for Appeal #5345, Spanish Catholic Center, Inc., 1015 University Boulevard, to 8:45 PM, 1-3-79, CAB, Upper Marlboro (Board of Zoning Appeals).

3. Report of Old Takoma Traffic Committee. Councilwoman Saloma made a motion to adopt the suggestions presented by the SOS Committee and to request the Mayor to appoint a policy level advisory committee to study traffic problems in Old Takoma neighborhood and recommend solutions to Council. Further, that the committee be composed of 3 members of the SOS Committee and 3 Councilmembers; to be co-chaired by a citizen and Councilmember; that the Committee be appointed within one month to begin work in early January and make its report to Council within

three months of this date. Councilman Weisman seconded this motion. Councilman Ricks stated that he would like the committee to look at the traffic problems objectively, instead of having solutions already mapped out. Councilwoman Saloma stated that in proposing the motion, it was not her intention to make the Council commit themselves to whatever recommendations the committee develops, but specifically to establish a committee to study the problems. When the motion was put to a vote, it was approved unanimously.

4. Second Reading of ordinance increasing housing inspection and registration fees. Councilman Ricks stated that in raising the fees, it does allow landlord to pass through cost to tenants, however, the City did some analyses and the pass-through should not be a significant amount; as an example, Councilman Faulkner noted that the proposed rate would increase the per unit fee for a larger building about \$2.00; that the proposed increase would cover costs and larger buildings would be paying a little more than before. Mayor Roth pointed out that the City is not permitted to charge any more than the cost to cover the inspections, etc., and that the Council has discussed this matter with the Corporation Counsel. Councilman Faulkner moved that the ordinance, as modified, be adopted, and that this section of the City Code be examined closely during the coming year; Councilman Forshee seconded this motion. Ordinance #2485 (Attachment A) was adopted by roll call vote as follows: AYE: Councilmembers Faulkner, Forshee, Garcia, Ricks, Saloma, and Weisman. NAY: None. EXCUSED: Councilman Webb.

5. Councilman Ricks made the following comments and asked that they be recorded in the minutes: "I was not able to attend Council meeting of November 27 because I was away on City business, attending a conference, and am very sad that an action was taken at the last Council meeting and would like to cover some events. The events I would like to cover is that on November 13, we did have a worksession which Mr. Katz attended, Mr. Welu, representing the State CDA attended, Pat Maier was representing a department of the County and of course the City Council was there. We discussed a number of points and I left that meeting with the understanding that we were to go about the work of trying to come up with some agreements with the different agencies before a decision was made on the approval or disapproval of the Franklin Apartments application. On November 20 we had a Master Plan meeting, which meant that we did not have a worksession. There was no further discussion of the Franklin Apartments plan. I left town on Friday, November 24, at approximately 11:00 AM, and had received no agenda stating that the Franklin Apartments application would be considered on Monday, November 27. I feel that that was such an important item, that if that item had to be covered on Monday, November 27, every member of the Council should have known that prior to Friday evening when the agenda was published. I have here a memo, from Mr. Sieminski, dated October 17, stating that 'it is our belief that the following steps are needed in order to obtain financing and commitment of Section 8 monies for Winchester-Takoma.' Very briefly he said they needed City endorsement of the project for State financing, they needed County endorsement of the project for State financing. County requested the HUD area office for partial set-aside of Section 8 monies, expected to be made available to it in December or January for specific use by State and Maryland CDA Winchester-Takoma. Agreement with State CDA on composition of Section 8 commitments for Winchester-Takoma, whether it would be family, elderly or handicapped. Item No. 5 in memo stated that County needed unified support of mixed Section 8 commitments, developed under Item No. 4, which was the agreement with the State, for the City, County and the State to the HUD area office or HUD central. Also needed a receipt of State CDA financing

approval for the Winchester-Takoma and preliminary commitment of Section 8 monies. Purpose of reading that was the fact that there is nowhere in this memo, and I have seen no written memo, that said that the City had to act on that particular proposal by November 30, which is the date I heard. To me the City passed a resolution, memo, whatever you want to call it, that amounts to no more than a resolution stating that all flowers must bloom on the 21st of April. It had no other significance, and we all know that all flowers don't bloom on the 21st of April. I think that the City made a very bad mistake and gave a carte-blanche approval to Mr. Katz and his group to bring in 100% Section 8 without any of the things that we talked about--such as there was no legal counsel given on any of the agreements. We talked about many agreements; the things that are stated here are called objectives, and objective means some goal we would like to reach at some point in time. The State and County pressed this issue through because they had quotas they had to meet and they stated very plainly that they have projects that they want to get through. The County stated in one of their memos 'Without City approval of the concept it would be impossible for us to move forward on Mr. Katz's proposal. We have committed ourselves to using 200 of the 400 Section 8 new/substantial rehabilitation units expected to be allocated to us in December or January for rehabilitation purposes. If it appears that the City's support will not be available for the Winchester-Takoma project, we will need to begin to look elsewhere for a project or projects that can use the available funds.' Which is saying to me that they were depending on the City of Takoma Park to help them to meet their CDBG funds allocations by giving them the necessary housing units in order for them to meet those criteria. There is no discussion in the attachment about 100% Section 8 which HUD said could not take place in highrise elevator buildings. They have a policy on file; Mr. Dale of the HUD regional office told me that in person. I talked to a Miss Curry when I was in St. Louis; she made the same statement--that there was a HUD policy on record. I talked to people in St. Louis--some real estate people, members of the City Council there--they have no approved 100% units. I see that the City went into an agreement--it is not an agreement, an objective--with the State, when in fact no office in the State has shown us the courtesy of an agreement of cooperation, which is signified by the fact that we do not have signal lights at the corner of Rt. 410 and Md. Rt. 195; we do not have NO TURN ON RED at corner of Piney Branch and Philadelphia; they did not cooperate in the closing of the SSI school. So, as you can see, we have given approval on a project which we have no way of backing up; it is unenforceable. One of the objectives says that the owner will authorize the City, at his expense, to order emergency repairs of vital systems where tenant health, safety, or general welfare is in jeopardy. I can't believe the owner will go for that; the owner made a statement to me, made a statement to the rest of the Council. We also had legal counsel saying that we would be liable if in fact we went in and tried to do repairs in some places on the owner's property. We did not have legal counsel, did not have any written statements saying that we were able to do that. Have no written statements with the County referencing the objective to avoid the adverse impact of too much subsidized housing in the Maple Avenue corridor, throughout the City; such words are used in these objectives as reasonable--it would seem reasonable to get from Montgomery County a strong policy commitment not to permit additional assisted housing in the Maple corridor, all future applications for subsidized housing in Takoma Park should be carefully reviewed in light of the 7% ceiling--should, reasonable, there are no affirmative words used in this entire attachment of "objectives". Let me say that I am not against

the Franklin Apartments being rehabilitated. I have here in my hand an agreement that the tenants are proposing to enter into, that has more substance than this piece of trash that we have, or that was approved by the City Council and sent to Mr. Cook. They have asked for more things, and have even asked for a signature from Mr. Katz. There is nothing in here that says we need a signature from anybody, no kind of agreement, no kind of paperwork attached for agreements. I would move that the Council rescind this letter that they sent out approving the application until such time that the City has better opportunity to come up with the information that was asked for, such as relocation, how many tenants are to be relocated, how many tenants are presently in the building that fall under Section 8 housing; we asked for the specific figure on Section 8 or subsidized housing in the City. We have none of that information from any agency, and I would move that the City rescind the action that they took." Councilman Weisman seconded this motion. Councilman Garcia stated that all these arguments were presented before a decision was reached and the Council was told that if approval or a show of interest was not given, the project would not be considered. Mayor Roth brought out the following points: "that the agenda for the meeting was sent to all Councilmembers in accord with usual procedures and at the usual time; he did not know of Councilman Ricks' plans to go out of town and consequently assumed Councilman Ricks was informed; that the need to discuss the subject at the meeting in November was brought out during the worksession with State and County representatives when they were informed of the conditions; that the need to take some action in November was confirmed by Mr. Welu in the Council meeting of November 27; that the Council did not give carte-blanche approval, the approval was subject to the conditions that had been previously agreed on by the Council; that the important point to keep in mind is that the Council is certainly not giving any approval in order to be helpful to the County or State; the conditional approval is being given because the apartment building is in bad shape--it has required a great deal of time by code enforcement inspectors, and a great deal of time by our attorneys in court; that the building needs rehabilitation; that its present bad condition could be a blighting factor on other nearby buildings; that the approval was given conditionally with the expectation that rehabilitation would be of benefit to the tenants in providing better living conditions; would be of benefit to the City government in decreasing cost of code enforcement, and other City functions, and would be of benefit to the surrounding buildings and the whole City in correcting a problem. No one should be misled into thinking that this project will take a good building and bring about its deterioration; the situation is the reverse, the building is deteriorated now, and this project is an opportunity to bring it back. In any event, the approval was conditional, permitting the State to make its review of feasibility for a loan for rehabilitation. If further negotiations with State, County and building owner are not satisfactory, the City can at any time tell HUD it does not wish the project to proceed. We have been told very emphatically in the past that HUD would not proceed without the City's approval." Councilman Faulkner stated that there was one point on which all could probably agree--that the conditions set must be met before Council would approve. Councilman Ricks stated that the item had not been dropped from the agenda even though a Councilman and citizens made the request; that he felt tenants should have been more involved since they are still discussing options which they would like to have included in project; also that there has been no written information which specified a deadline for City approval of the project.

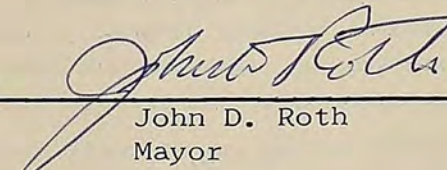
Councilman Ricks also objected to the phrasing of the letter to the State and to its attachment. Mayor Roth noting earlier confusion on the use of terms, read the following definition of "subject" to as used in the letter: "owing obedience or allegiance to the power or dominion of another; synonyms: exposed, liable, prone, disposed, conditions, contingent." When put to a vote, after further lengthy discussion, the motion was defeated with Councilmembers Ricks, Saloma, and Weisman voting affirmatively, Councilmembers Faulkner, Forshee, and Garcia voting in the negative, and Mayor Roth breaking the tie by casting his nay vote.

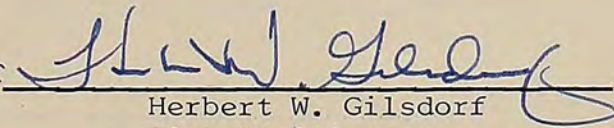
6. Councilman Weisman made the following motion concerning the WSSC sewer relief project, based on testimony given by citizens attending the meeting of November 29: to oppose the construction of the Sligo Creek Relief Sewer until the need has been justified; all alternatives for solving the problem have been studied; Federal environmental impact studies have been prepared; and the requirements of the Federal law regarding approval by the National Capital Planning Commission have been addressed. This motion was seconded by Councilwoman Saloma. Mayor Roth suggested that the motion be amended to include a request for additional meetings; this was accepted by Councilmembers Weisman and Saloma, and approved unanimously by the Council.

7. Councilman Weisman advised the Council of the outcome of the Local Evaluation Committee's report on Takoma Park Junior High School; stated that a tremendous amount of work was done by Dr. Faith Stern and Mrs. Dorothy Malusky; that the recommendations of the LEC were to close Randolph and Sligo Junior High Schools; primary reasons for keeping TPJHS open were: 1) the role the school plays in the community, 2) amount of money expended to renovate the school, which hasn't been paid off yet, 3) the potential for student reassignment, and 4) projected enrollment in facilities utilization. Councilman Weisman made a motion that the City award Certificates of Appreciation to Dr. Stern and Mrs. Malusky at the next meeting of the Council. Councilman Ricks seconded this motion, and it was approved unanimously by the Council.

8. Mayor Roth made a motion, noting the earlier citizen request, that the City provide for a pedestrian walkway on the unpaved portion of Hammond Avenue; this was seconded by Councilman Weisman. Councilman Forshee proposed that that portion of Hammond Avenue be paved using Revenue Sharing Funds from this year's budget, or, if not available this year, to use next year's allocation. This motion, with amendment, was approved unanimously by the Council.

Upon motion, duly seconded, the meeting adjourned at 12:20 AM, to reconvene on Monday, January 8, 1979, at 8:00 PM.

APPROVED 
John D. Roth
Mayor

ATTEST 
Herbert W. Gilsdorf
City Administrator

ORDINANCE # 2485

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

SECTION 1. WHEREAS, rental housing, rooming house registration and inspection fees have not been adjusted since 1969; AND

SECTION 2. WHEREAS, for the past several years the cost to the City of inspecting such dwelling units has exceeded the revenues received from registration fees.

SECTION 3. THEREFORE THAT Section 6-107 of Article 9, Code of Takoma Park, 1972, as amended, be hereby amended to read as follows:

Sec. 6-107. Registration and inspection fees.

(a) Each application filed under this Division shall be accompanied by the following registration and inspection fees:

(1) In the case of a rooming house:

(A) If rooms are rented for more than thirty (30) days to one (1) but not more than twenty (20) persons at any time during the calendar year, Twelve Dollars (\$12.00).

(B) If rooms are rented for more than thirty (30) days to twenty-one (21) persons, but not more than one hundred (100) persons at any time during the calendar year, Two Hundred Forty Dollars (\$240.00), plus Six (\$6.00) Dollars per person in excess of twenty (20) persons

(2) In the case of rental dwelling units, single-family and multiple-family occupied, other than owner-occupied units:

(A) One (1) to twenty (20) units per dwelling: Twelve Dollars (\$12.00) per unit not in excess of twenty (20) units.

(B) Twenty-one (21) to one hundred (100) units per dwelling: Two Hundred Forty Dollars (\$240.00), plus six dollars (\$6.00) per unit over twenty (20) units not in excess of one hundred (100) units.

(C) One hundred one (101) units or more per dwelling: Seven Hundred Twenty Dollars (\$720.00) , plus Three Dollars (\$3.00) per unit over one hundred (100) units.

(3) Upon payment of the prescribed fee, the applicant shall be given an official certificate of registration.

(4) In case the number of persons to whom rooms are to be rented or the number of family units rented during the calendar year is increased over the number specified in the application, the application shall within five (5) days of such increase be amended, such amended application being accompanied by any additional amount of registration and inspection fee required by reason of such increase. ; AND

SECTION 4. FURTHER THAT this Ordinance and the fee schedules provided therein shall become effective January 1, 1979

CITY OF TAKOMA PARK, MARYLAND
 MAYOR AND COUNCIL WORKSESSION
 December 18, 1978

Councilmembers present:

Mayor Roth
 Councilman Faulkner
 Councilman Forshee
 Councilman Garcia
 Councilman Ricks
 Councilwoman Saloma
 Councilman Weisman
 City Administrator Gilsdorf

Mayor Roth called the meeting to order at 7:35 PM.

1. Municipal Infractions. The Mayor and Council discussed enabling legislation which would permit certain City ordinances to be designated as Municipal Infractions and directed the City Administrator to place such an ordinance on the January 8th agenda for First Reading.

The City Administrator was directed to schedule for discussion at the January 15 worksession amendments to existing dog control ordinances and the possible designation of this ordinance as a Municipal Infraction.

2. 7307 Piney Branch Road--Illegal Group Home. The City Administrator was directed to write letters to the Department of Environmental Protection and sponsoring agency of the D. C. Government protesting the establishment of a group home in apparent conflict with existing County law and without notification to the City of Takoma Park. The Director of DEP, Frances Abrams, will be requested to respond.
3. Traffic Problems in Old Takoma. This matter was discussed by the Mayor and Council at some length with a consensus being reached on the appointment of a committee consisting of, but not restricted to, at least three citizens of the Old Takoma neighborhood and three members of the Council, to begin discussing this problem.

Mayor Roth reported to the Council on various legislative activities of the Maryland Municipal League and some preliminary discussions that he had had with Montgomery County relative to the possible funding by the County of either a planner position or consultant study regarding the Laurel Avenue Shopping Area. The City Administrator was directed to prepare a memo to the Council setting out the pros and cons of the two approaches, but not to make any recommendations.

There being no further business to discuss, the Council adjourned for the holidays.

APPROVED _____

John D. Roth
 Mayor

ATTEST _____

Herbert W. Gilsdorf
 City Administrator

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
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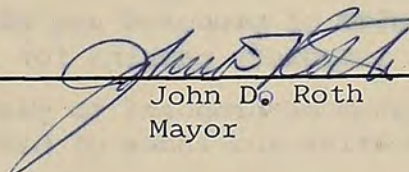
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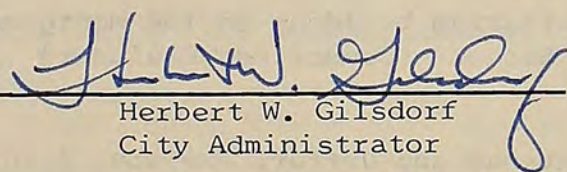
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