

718
THE CITY OF TAKOMA PARK, MARYLAND

SPECIAL MEETING
OF THE
MAYOR AND CITY COUNCIL

TUESDAY
June 3, 1980

AGENDA

CALL TO ORDER: Mayor Abbott

ROLL CALL: Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman

CITIZENS' REMARKS

I. Discussion and final action on Proposed Rent Stabilization Ordinance

THE CITY OF TAKOMA PARK, MARYLAND

SPECIAL MEETING
OF THE
MAYOR AND CITY COUNCIL
ON RENT STABILIZATION ORDINANCE

(Continuation of May 19, 1980 Special Meeting)

June 3, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Corporation Counsel Gingerich
Councilmember Ramsey	
Councilmember Ricks	
Councilmember Saloma	
Councilmember Weisman	

Mayor Abbott called the meeting to order at 8:05 PM. He stated that the minutes of the previous Special Meeting of May 19 are available and that they listed the amendments made by the Council and also gave the final adopted versions of Sections 1 through 6 and Section 14; noted that the Council has held three public hearings on the ordinance since its introduction on March 10, 1980 by the previous Council; that notices of these meetings had been sent to landlords and tenants asking for their participation; stated that there have been no controls on rent in the City, except for requesting voluntary compliance with County laws and guidelines, there has been no intervention by the City government; that the ordinance if adopted, would allow for one rent increase per year of not more than 10%, with a sixty-day notice to the affected tenant; if the rent increase exceeds 10%, then the landlord would have to present justification to the City's Landlord-Tenant Commission, established by the ordinance; that large rent increases are becoming more prevalent in the City and the Council is trying to protect tenants, while establishing a procedure which would also protect landlords by permitting a larger increase when it could be justified. Noted that the situation is complex and if tenants at 7667 Maple Avenue (Parkview Towers) had not brought out the enormous increases they were receiving, then this legislation may not have come about. The Mayor announced that the first portion of the meeting would be for citizen comment, and asked that persons wishing to speak try to limit their comments to 5 minutes.

1. Les Fleisher and Jim Nobil, representatives, Federal Investment Trust, owners of 7777 Maple Avenue: (Offices at 5530 Wisconsin Avenue, Chevy Chase) stated that the legislation of this type has not been shown to accomplish the purpose for which it is intended; that the Council would just be shifting the burden of inflation from the tenants onto the owners; that all owners should not be punished by the legislation because of just a few who have raised rents too high and too frequently; noted that they are losing money on their building; that they have made several improvements and hope to continue improving the building, but this will be difficult to do with the legislation; main reason for rent increases is due to the rising cost of utilities; the owners are trying to

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control the costs of the building by utilizing energy conservation; that area rents are monitored weekly and if the market will support rent increases, then they will be instituted, but if vacancy rates increase, rents cannot be raised; would not disagree with legislation, if operating costs could also be stabilized; that their rents for the 2-year period 1978-79 were increased on the average of approximately 4.99%; as of 4/15/80, to be effective 7/1/80, rents were increased for a 2-bedroom unit with one bath to \$395 and 2-bedroom with 1½ baths to \$415; noted that all tenants are offered a second year's lease after their initial one year lease expires; suggested a better route for Council would be to look to stricter code enforcement and the exercise of licensing powers. In response to Councilmember Ramsey's question, Mr. Nobil said he would not oppose licensing sanctions. Mayor Abbott noted that the City has had no control on rent increases up until this point; that buildings owners have had their chance to make profits in past years; that the legislation does not completely limit increases to 10% as stated earlier. Councilmember Ricks suggested the possibility that rent increases be tied to the level, services provided. Mayor Abbott expressed the view that the screening of prospective tenants was in need of improvement, giving examples in support of his view. He also spoke of the unsatisfactory handling of trash, causing a rodent problem. Councilmembers Saloma and Weisman questioned the speakers on energy conservation measures being employed.

2. Howard Walter, 7777 Maple Avenue: stated that he has lived in a 2-bedroom apartment since May 1978, and had not been offered the second year's lease; spoke of the frequent changes in property managers; that he received a \$30 increase in rent last year and a \$59 increase recently; recounted several energy conservation deficiencies; that though some improvements had been made they were not substantial enough to justify the large rent increase; indicated that a tenants' association is being formed.

3. Charlie Dobson, 7777 Maple Avenue: listed several problems he has encountered while living in that building.

4. Felicia Lovelace, 116 Lee Avenue: stated that her building is fairly well kept and rent increases have been reasonable.

5. Carol Gibson, 7667 Maple Avenue: stated that she believes she has been given a "no-cause" eviction notice to vacate her apartment by July 1, 1980; that she has filed a complaint with Montgomery County's OLTA; that the resident manager told her that it was because she would not sign another year's lease on her 2-bedroom unit at \$457 per month and that they were beginning to renovate the building and "get professional people in." It was noted by some Councilmembers that tenants at 7667 Maple Avenue may be receiving large increases to force them out of the building.

At this point in the meeting, Councilmember Garcia suggested that the Council begin discussing the ordinance and end the citizen comments, to expedite the matter. Councilmember Saloma moved that the Council recognize any citizen wishing to comment; this was seconded by Councilmember Weisman and approved by the Council.

6. Mildred Shapiro, 7667 Maple Avenue: Mrs. Shapiro offered the following comments: the Ordinance should be precise, concise, understandable, and without loopholes -- legislation specifically addressing the problems, needs and desires of tenants, saying that heretofore the bulk of City legislation has been concerned with matters affecting only single-family property owners and that tenants, who comprise the majority of the population, resent having to appear before the Council as supplicants. She pointed out ways in which her end of Maple Avenue is treated differently from the single-family section. Mrs. Shapiro also expressed concerns about the domino effect of exorbitant rent increases which could ultimately lead to a rash of condo conversions. She recounted several ways in which the building management had failed to fulfill obligations, e.g., no air conditioning as yet, the pool has not been opened, etc., yet weekly ads are run characterizing the building as a deluxe, high rise.

7. Ray Parris, 7600 Maple Avenue: stated that he thought the owners of 7777 Maple should not object to the ordinance; that landlords are allowed to come before the Commission if they wish to raise rents more than 10%; felt this is equitable.

8. Carol Gibson, 7667 Maple Avenue: noted that many tenants on Maple Avenue are probably government workers whose salaries won't bear the proposed rent increases.

9. Dyan Loya, Property Manager, 7710 Maple Avenue: suggested putting more teeth into code enforcement; noted that most new tenants are very sophisticated and shop around before renting an apartment.

10. Jerry Kurtinitis, 7064 Eastern Avenue: stated that he was apprehensive; asked if the Council had considered the possibility that the owners of 7667 Maple may be able to justify their large rent increases, since a big factor is the mortgage and they are new owners with a new mortgage. Suggested conducting a survey of base rents and constant amenities, thus approaching the problem and not the symptoms. Felt the ordinance would mandate a 10% increase even for those who might otherwise have received a smaller one.

11. Saul Schneiderman, 7925 Sligo Creek Parkway: noted that there will probably always be conflicts between landlords and tenants; that the ordinance sets up procedures by which both parties are allowed to air their views.

12. Herman Williams, 7667 Maple Avenue: stated that all apartment buildings have basic rule for accepting tenants--that the tenant's weekly salary must equal a month's rent.

13. Michael Mead, owner, 7406 Hancock Avenue: suggested that City provide listing of apartment vacancies for tenants who may be in need of a new unit.

During this portion of the meeting a lengthy dialogue took place among the Mayor, Councilmembers and the landlords present. The discussion touched on such issues as the pressing need to curb exorbitant rent increases; whether or not the ordinance would ameliorate the situation with an apparent sellers'

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market in full sway on Maple Avenue; factors that brought about that market; the short- and long-term effects of the Ordinance on the rental market; etc. When the Mayor called for alternative solutions, a suggestion was made by one landlord to permit increases no greater than the Consumer Price Index; others reiterated earlier suggestions -- negotiations with the most flagrant violators, full exercise of other available police powers, etc. The Mayor restated his position that the governing body must act to protect its citizens.

The Mayor and Council at this point resumed discussion and action on those sections of the Ordinance not previously approved, using the version introduced at the May 19 meeting by Mayor Abbott. The language finally approved is reproduced below.

SECTION 6. At the suggestion of Mr. Meade, with the concurrence of the Corporation Counsel, the Council by proper motion amended Section 6 (which had been adopted at the May 19 Special Meeting) by substituting the words "any tenant for exercising any rights. . . ." for "any tenant who exercises any rights. . . ."

SECTION 7. No landlord may charge an increase in rent unless written notice is given to the tenant affected thereby at least sixty (60) days prior to the effective date of such rent increase. No tenant shall receive more than one (1) rent increase per annum. (~~For rental facilities of twelve or more dwelling units, notice of such increases shall be given simultaneously to the Commission.~~)

Councilmember Holland made a motion to delete the last sentence of this section; this was seconded by Councilmember Garcia; Councilmember Weisman moved to amend the motion to state that facilities of twelve or more units shall notify the Commission of increases over 10%; this motion was later retracted; when the original motion for deletion of the sentence was put to a vote, it was approved by the majority of the Council, with Councilmember Ricks voting against deletion.

SECTION 8. ((a) ~~The Commission shall be responsible for the investigation of all complaints filed with respect to rental housing and in this regard shall have authority to require landlords who are subject to such complaints to reveal as provided by law all matters pertaining to the operation of rental facilities.~~)

By consensus vote of the Council, Section 8 (a) was deleted in its entirety.

((b) ~~The Commission shall also monitor all actual and proposed~~

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~~rent increases. In cases where the Commission believes the rental increases are more than 10%, it shall investigate to determine the reasons for the rent increase without the need of a formal complaint, and with the full authority to investigate as if a complaint were filed.)~~

Councilmember Holland moved that Section 8 (b) be deleted in its entirety; the motion was duly seconded by Councilmember Saloma. When the motion was put to a vote, it was approved by the majority of the Council, with Councilmember Ricks being opposed to the deletion.

- SECTION 9. (a) In the event the Commission determines that a fact-finding hearing is necessary to compile additional information prior to making a determination of the merits of a rent increase of more than 10%, the Commission may conduct such hearing. Notice of the hearing and its time and place shall be given to the landlord whose rent increases are more than 10%, all tenants who are or may be affected by the rent increases, any known resident tenant association or organization, and any person who filed with the Commission a comment relative to the landlord's justification of the rent increase. Such notice shall be prepared and transmitted in such form and such process as the Commission shall prescribe.
- (b) The hearing shall be open to the public. In conducting hearings, the Commission shall have the power to summon all witnesses. Summonses must be signed by the Chairman or Vice-Chairman of the Commission and shall require the attendance of named persons and the production of relevant documents and records. Failure to comply with a summons shall constitute a violation of this Ordinance and shall be referred to the Corporation Counsel's Office in order to obtain an appropriate order from the Circuit Court for either Montgomery or Prince George's County to insure compliance with the summons. Any party to the hearing may request the issuance of a summons. The Commission shall include in the hearing record testimony of the professional staff members of the City and such other witnesses as may be relevant to the issues posed in the hearing. The Commission may also request from the landlord such additional information and documents as it considers relevant. Any party to a hearing, at the party's option, may appear in person before the Commission, or may appear by a duly authorized representative and may have the assistance of an attorney. The parties may present testimony and evidence which shall be given under oath or by affirmation. The parties may also cross-examine any witness presenting testimony at a public hearing. A verbatim record of the hearing shall be made. The record shall be open to inspection by any

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person and, upon request by any party to the proceeding, the Commission shall furnish such party a copy of the hearing record at such charges as are necessary to meet costs. The Commission's decision shall become the final decision unless appealed to the Mayor and Council.

After conferring with Corporation Counsel Gingerich, Mayor Abbott moved for adoption of above Section 9 (a) and (b) to be incorporated into Section 4 as subsections (b) and (c) respectively; the motion was duly seconded by Councilmember Ricks and adopted unanimously by the Council.

Upon motion, duly seconded, the meeting adjourned at 12:30 AM, to be continued at 7:00 PM, Monday, June 9, 1980.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND
SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL ON RENT STABILIZATION ORDINANCE
(Continuation of June 3 Special meeting)

June 9, 1980
7:00 PM

City Officials Present:

Mayor Abbott
Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman

City Administrator Gilsdorf
Asst. City Administrator Shaffer
City Clerk Pusti
Administrative Asst. Swinton
Corporation Counsel Gingerich

Mayor Abbott convened the meeting at 7:00 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Md. He stated that the meeting had been called for the purpose of completing action on the Rent Stabilization Ordinance.

The Mayor and Council resumed discussion and action of the Ordinance, beginning with Section 10 (formerly 8) of the version introduced by Mayor Abbott on May 19. Following is a summary of action taken including the language of each section as adopted (or deleted). Tapes of this meeting, and other meetings on the same topic, have been preserved as part of the record.

SECTION 10. Any person aggrieved by the Mayor and Council's action may appeal to the Circuit Court for Montgomery or Prince George's County in accordance with the Maryland Rules of Procedure for review of such action and may further appeal to the appellate courts a decision by the Circuit Court.

The above Section 10 (formerly 8) was unanimously approved by the Council, upon motion by Councilmember Holland, duly seconded.

SECTION 11. This ordinance is applicable to all dwelling units located in the City, except the following:

- (1) any establishments which have as their primary purpose the providing of diagnosis, cure, mitigation, and treatment of illnesses for residents;

- (2) dwelling units owned by a person who owns fewer than five
(5) rental dwelling units within the City;
- (3) one-family dwelling, semi-detached dwellings, and townhouses not located within a centrally managed multi-family housing community offering services substantially similar to those offered to apartment dwellers;
- (4) dwelling units which are part of federal government assisted multi-family housing projects and which require accountability of rent returns to the federal government or dwelling units which are part of multi-family housing projects owned and operated by Montgomery Housing Opportunities Commission;
- (5) dwelling units which are occupied by tenants participating in the federal government's Section Eight Housing Assistance Payments Program and whose owners receive housing assistance payments on behalf of those eligible tenants;
- (6) any vacant apartment unit may be rented at the level of comparable apartment units within a building, with comparable being defined on the basis of square footage, efficiency, one-bedroom and two-bedroom apartments;
- (7) this ordinance does not apply to furnished apartments which are now being rented for transient occupancy.

Section 11 (formerly 9) (1) was approved by unanimous consent of the Council.

Section 11 (2) was approved by majority vote of the Council, upon motion by Councilmember Ricks, duly seconded, with Councilmembers Ramsey, Saloma and Weisman voting in the negative. Prior to that the following motions were introduced: Councilmember Ramsey with Councilmember Ricks, seconding, moved that the entire subsection be deleted, on the grounds that all tenants should be covered by the ordinance. His motion was defeated on a 5-2 vote, with Councilmembers Ramsey and Ricks voting in the affirmative and the remaining Councilmembers voting in the negative (Councilmember Ramsey had earlier introduced the same motion, which failed for lack of a second). Support for the motion was expressed by David Prosten; Joan Prosten; and Thomas Gagliardo, who noted that benefits other than rent protection accrue to tenants through the ordinance, e.g., protection from retaliatory evictions and curbing the ability of landlords to suppress knowledge of multiple property ownership through partnerships. A motion was proposed by Councilmember Weisman, seconded by Councilmember Saloma, to amend the language of subsection (2) to read ". . . fewer than twenty (20) rental dwellings. . . ." for the purpose of excluding those landlords about whom no testimony of abuse had been received, which would also serve to reduce the workload of the Commission. When put to a vote, the motion failed with Councilmembers Holland, Saloma and Weisman voting Aye, and Councilmembers Garcia, Patrick, Ramsey and Ricks voting Nay. Prior to the vote there was lengthy discussion on various perceptions of

intent of the ordinance: Councilmembers Holland, Saloma, Weisman and Garcia expressed the view that it had been introduced to handle an emergency situation emanating from rental abuse at a single large building on Maple Avenue (7667), with the intent of curbing similar actions; that there was still no evidence that it was widespread. Mayor Abbott and Councilmember Ricks conceded that the original focus of the Ordinance had been just that, but stating that the problem now appears to be epidemic, with Mayor Abbott citing a recent example of a reported 30% increase at 7777 Maple Avenue. The owners of that building took exception, saying their increases had been limited to 18%. Thomas Gagliardo urged the Council to protect all renters. Councilman Weisman and others expressed the view that, should it become evident that abuses are occurring in the smaller buildings, the Ordinance could be amended to cover them.

Section 11 (3), as recorded above, was adopted upon motion by Councilmember Holland, seconded by Councilmember Ricks, with Councilmember Ramsey voting Nay and all other members voting Aye. Prior to approval, Councilmember Ramsey had unsuccessfully introduced a motion to delete subsection (4) in its entirety and to amend Section 2 by striking the words ". . . in a multi-family dwelling facility. . . ." for the purpose of bringing single-family houses under the aegis of the ordinance. His motion was defeated for lack of a second.

Section 11 (4) was approved by unanimous vote of the Council, upon motion by Councilmember Garcia, duly seconded.

Section 11 (5) was approved by unanimous vote of the Council, upon motion by Councilmember Garcia, seconded by Councilmember Weisman.

(6) dwelling units vacated after March 10, 1980

Section 11 (6). Councilmember Ramsey moved that the following language be inserted as subsection (6): "Vacant units that have been vacated voluntarily by the former tenant, or from which the tenant had been evicted for cause; but not units vacated otherwise." Councilmember Garcia seconded. There followed a discussion on the merits of permitting decontrol of vacant apartments and the possibility of obtaining vacancies for the purpose of increasing rents; the difficulties in interpreting the meaning of "vacated voluntarily" with precision; and the problems and expense associated with making a determination on whether or not a vacancy occurred voluntarily or through retaliatory or no cause evictions. Mayor Abbott concurred with Corporation Counsel's assessment that the thrust of this proposal could become an administrative nightmare, with the burden of proof resting with the City. Councilmember Weisman moved to adopt the language contained in subsection (6), page 2. The motion was duly seconded and approved, with the majority of the Council voting Aye and Councilmembers Ramsey, Ricks, and Saloma voting Nay. Councilmember Ramsey stated he felt that the phraseology was inconsistent with the preamble of the ordinance and moved that the following be deleted from the first "Whereas" Section: ". . . permitting fair and reasonable compensation to the landlords for the use of their property by tenants, including adjustments in rent in order to meet rising operation expenses. . . ."

The motion failed for lack of a second."

(7) dwelling units having a monthly rent in excess of \$ 600.00 per month as of March 31, 1979.

Section 11 (7). Upon motion by Councilmember Ricks, seconded by Councilmember Garcia, the Council voted unanimously to delete subsection (7), the rationale being that the \$600. ceiling could not be justified as an exception since some rents have very nearly reached that amount.

Section 11 (7). Councilmember Holland moved for the addition of a new section to exclude from control furnished apartments rented for transient occupancy. Following Councilmember Weisman's second, the Council unanimously approved the motion. (See page 2 for language.)

- SECTION 12. (a) The Commission is authorized to adopt such regulations as may be necessary to administer this Ordinance properly.
- (b) In the enforcement of any of the provisions of this Ordinance, necessary proceedings, including proceedings for the production of documents, may be instituted by the Corporation Counsel's office after referral by the Commission. The Corporation Counsel, after a matter has been referred by the Commission, may institute appropriate legal action, or refer the matter back to the Commission for such additional information or action necessary to take appropriate legal action. Nothing herein shall limit the authority of the Corporation Counsel to initiate prosecution or bring actions in law or equity for violation of any local law, ordinance or regulation, whether or not the Commission has made a formal referral.
- (c) Any landlord who violates any provision of this Ordinance shall be liable for payment to the City of Takoma Park, Maryland, of a civil action penalty, recoverable in a civil action in the Circuit Court of Montgomery County or Prince George's County, in an amount not to exceed \$500.00 for each such violation.

Section 12 (formerly 10) was approved by the Council without change, following motions made by Councilmember Ricks on (a) and (b), and Mayor Abbott (c), both duly seconded.

SECTION 13. The provisions of this Ordinance are severable, and if any provision, sentence, clause, section or part thereof is held illegal invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses,

sections or parts of the Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the Ordinance or any part thereof is inapplicable had been ~~exempted~~ **speciallly** exempted therefrom.

Upon motion by Councilmember Holland, seconded by Councilmember Ricks, the above Section Section 13 (formerly 11) was approved unanimously by the Council.

Councilmember Ramsey moved for the adoption of a set of Commission guidelines for consideration by the Council. All were defeated for lack of a second, save one, guideline (b), which was adopted unanimously for insertion in Section 4 as subsection (d). Councilmember Ricks seconded the motion and it was amended as indicated by the bold type below:

- (b) An increase exceeding 10% should not be granted on a property having outstanding **SECOND NOTICE** violations of the municipal housing code.

Councilmember Ramsey's defeated motions were as follows: (a) tenant's rent ought not to exceed 35% of the combined gross income of all occupants of the dwelling unit; (c) A landlord should not be placed in a position of having to subsidize a building from outside funds, or having to increase an existing such subsidy; (d) A landlord should not, by virtue of denial of a proposed rent increase, have his total income reduced to an annual rate of less than \$25,000; (e) The effect of any government rent subsidy for which the tenant may be eligible should be taken into account.

Councilmember Ricks moved for adoption of the entire ordinance, as amended; his motion was duly seconded by Councilmember Weisman. Before the vote was recorded, Councilmember Garcia read a statement noting his intention to vote in opposition for various reasons, in particular the lack of testimony to indicate an emergency or City-wide problem, the City's ability to resolve problems with landlords heretofore, the assistance of OLTA, etc. Various other Councilmembers expressed their dissatisfaction with one or more sections of the Ordinance and the possible long-lasting effects, but for the most part saying that despite some misgivings they intended to support it. The Ordinance was adopted by roll call vote, recorded as follows: AYE: Councilmembers Holland, Ramsey, Ricks, Saloma and Weisman. NAY: Councilmembers Garcia and Patrick. EXCUSED: None.

Immediately prior to the vote on the Ordinance, Carolyn Lewis, a representative of the Apartment and Office Building Association, was recognized by the Mayor and Council. She appealed to the Council to look at the adverse ramifications of the Ordinance, citing the decline in rental housing stock in the District of Columbia as an example. She also indicated that the institution of rent controls has a dramatic effect on what happens to the rental facilities of a community, saying that it is very easy to initiate controls but quite difficult to cease them. Ms. Lewis said that members of the Montgomery County Council and the Executive have stated their intent to end rent controls. She requested additional time for her group to attempt to resolve the problem with the one property owner whose actions brought about the

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Council's ~~decision to address~~ rent stabilization. It was the consensus of the Council that the Association had already unsuccessfully attempted to deal with the problem ~~property owner~~ and that there had been ample opportunity for further involvement. Dr. Joseph Lerner expressed his agreement with Council's position.

The meeting adjourned at 9:30 PM.

A copy of the Ordinance as adopted is attached.

APPROVED

Sam A. Abbott
Mayor

ATTEST

Herbert W. Gilsdorf
City Administrator

ORDINANCE NO. 2532A

Rent Stabilization

WHEREAS, it is the desire of the Mayor and Council of the City of Takoma Park, Maryland, to adopt economic policies reasonably deemed necessary in order to maintain and promote adequate protection of the health, safety and welfare of the Citizens of the City of Takoma Park, Maryland, through the exercise of its police powers by the enactment of this ordinance permitting fair and reasonable compensation to the landlords for the use of their property by tenants, including adjustments in rent in order to meet rising operating expenses, while preventing excessive, unjust, unreasonable and oppressive rent increases; AND

WHEREAS, it has been found there exists a public emergency in the housing of a considerable number of tenants in the City; that there is often unequal bargaining power between landlords and tenants particularly in the area of rental amounts and rental increases; that the conversion of rental units to subsidized housing further reduced the adequacy of the supply of rental housing; that the problems associated with housing in the City, including rental amounts, has not resolved itself satisfactorily through self-regulation and voluntary restraint; that in the absence of the regulation of rents, excessive rent increases will seriously impair the health, safety and welfare of a large segment of the population of the City substantially hampering the efforts of the Mayor and Council to effectively protect and promote the health, safety and welfare of the citizens of the City, as well as the general purposes of planning; that action by the Mayor and Council of the City of Takoma Park, Maryland, is imperative in order to protect the health, safety and welfare of the citizenry; AND

WHEREAS, it has been determined by the Mayor and Council of the City of Takoma Park, Maryland, to adopt an ordinance to establish rent stabilization and such regulations and controls as are necessary, and in order to prevent excessive, unjust, unreasonable and oppressive rent increases; to forestall profiteering, speculation and other disruptive practices tending to impair the public health, safety and general welfare; to provide for complaint, investigation, hearing, determination, enforcement and appellate procedures; to fix penalties for violations thereof and to establish responsibilities and duties thereof.

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

SECTION 1. The Mayor and Council finds that a public emergency exists in the housing of a considerable number of tenants in the City; that there is often unequal bargaining power between landlords and tenants, particularly in the area of rental amounts and rental increases; that the conversion of rental units to subsidized housing further reduced the adequacy of the supply of rental housing; that the problems associated with housing in the City, including rental amounts, has not resolved itself satisfactorily through self-regulation and voluntary restraint; that in the absence of the regulation of rents, excessive rent increases will seriously impair the health, safety and welfare of a large segment of the population of the City, substantially hampering the efforts of the Mayor and Council to effectively protect and promote the health, safety and welfare of the citizens of the City, as well as the general purposes of planning; that action by the Mayor and Council of the City of Takoma Park, Maryland, is imperative in order to protect the health, safety and welfare of the citizenry.

SECTION 2. Rent for any particular dwelling unit in a multiple-family dwelling facility may be increased in an amount not to exceed 10% of the base rent charged on March 10, 1980, unless unusual factors justify otherwise.

SECTION 3. Takoma Park Commission on Landlord-Tenant Affairs.

- (a) There is hereby established the Takoma Park Commission on Landlord-Tenant Affairs, hereinafter referred to as the Commission. The Commission shall consist of nine (9) residents of Takoma Park to be appointed by the Mayor, subject to the approval of the City Council. Three (3) of said members shall be landlords or shall represent landlords; three (3) members shall be tenants or represent tenants; and three (3) shall be members of the public-at-large who are neither tenants nor landlords. In addition, there shall be appointed one (1) alternate member from each group. Each member of the Commission

shall continue to serve until his successor has been appointed. The term of any member or alternate member shall expire in the event that member changes status as a landlord, a tenant, or a member at large, or in the event that member ceases to reside within the boundaries of the City of Takoma Park.

- (b) The Commission shall study and report periodically to the Mayor and Council on any federal, state or county rent stabilization regulations, on rent increases, and on rent inequities that they may find to exist in the City. The Commission shall prepare and transmit to the City Council during the month of March recommendations on whether rent stabilization should or should not be continued, and if they should be continued, what they should be, so that the City Council may be in a position to make informed decisions with respect to the continuation of rent stabilization in the City of Takoma Park.
- (c) The Commission shall provide such other information as may be requested by the Mayor and City Council.
- (d) The Commission shall elect one of its members as Chairman and another of its members as Vice-Chairman, each to serve at the pleasure of the Commission, and such other officers as it shall determine. The Commission shall meet on call by the Chairman as frequently as required to perform its duties. Six members of the Commission, two (2) from each interest group shall constitute a quorum for the transaction of business, and a majority vote of those present, with not less than six (6) present at any meeting, shall be sufficient for any official action taken by the Commission. At the request of a majority of the members, a regular or emergency meeting of the Commission shall be convened. Written notice shall be given to each and every Commission member and alternate member at least three (3) days prior to any regular meeting. Notice of an emergency meeting may be in writing or by telephone, but must be communicated to all of the members and alternates no later than twenty-four (24) hours in advance of such emergency meeting.
- (e) When a member is absent, the alternate member who represents the same interest group shall participate in the Commission proceeding in place of the absent member. Such alternate members may exercise the voting privilege only when acting for an absent member of the interest group which said alternate member represents.
- (f) The City Administrator shall have the authority to provide house-keeping and staff services to the Commission and shall provide a record of expenses incurred.
- (g) The Commission shall within thirty (30) days following each quarter of the calendar year report to the Mayor and City Council on the number of complaints filed during such quarter, the nature thereof and the disposition made thereof; and shall make this information public as soon as practicable. This report shall include the titles of all court cases arising under this Section.

- SECTION 4.
- (a) Whenever a landlord proposes a rent increase of more than 10%, the landlord shall provide an affidavit on a form provided by the Commission setting forth the justification for the increase. Upon receipt of the affidavit, the Commission shall review the justification presented by the landlord and determine whether the rent increase was reasonable based on the landlord's presentation. In the event the Commission shall determine that the increase in rent was justified, the Commission shall by letter notify landlord and tenant of its approval. In the event the Commission shall determine that the landlord was not justified in increasing rent above 10%, the Commission shall notify the landlord and tenant of its finding. Should the landlord or tenant disagree with the findings of the Commission, the landlord or tenant may note an appeal to the Mayor and Council, which Notice of Appeal must be filed in writing within ten (10) days of the date of the notification of the approval or denial of the rent increase.
 - (b) In the event the Commission determines that a fact-finding hearing is necessary to compile additional information prior to making a determination of the merits of a rent increase of more than 10%, the Commission may conduct such hearing. Notice of the hearing and its

time and place shall be given to the landlord whose rent increases are more than 10%, all tenants who are or may be affected by the rent increases, any known resident tenant association or organization, and any person who filed with the Commission a comment relative to the landlord's justification of the rent increase. Such notice shall be prepared and transmitted in such form and such process as the Commission shall prescribe.

- (c) The hearing shall be open to the public. In conducting hearings, the Commission shall have the power to summon all witnesses. Summonses must be signed by the Chairman or Vice-Chairman of the Commission and shall require the attendance of named persons and the production of relevant documents and records. Failure to comply with a summons shall constitute a violation of this Ordinance and shall be referred to the Corporation Counsel's Office in order to obtain an appropriate order from the Circuit Court for either Montgomery or Prince George's County to insure compliance with the summons. Any party to the hearing may request the issuance of a summons. The Commission shall include in the hearing record testimony of the professional staff members of the City and such other witnesses as may be relevant to the issues posed in the hearing. The Commission may also request from the landlord such additional information and documents as it considers relevant. Any party to a hearing, at the party's option, may appear in person before the Commission, or may appear by a duly authorized representative and may have the assistance of an attorney. The parties may present testimony and evidence which shall be given under oath or by affirmation. The parties may also cross-examine any witness presenting testimony at a public hearing. A verbatim record of the hearing shall be made. The record shall be open to inspection by any person and, upon request by any party to the proceeding, the Commission shall furnish such party a copy of the hearing record at such charges as are necessary to meet costs. The Commission's decision shall become final decision unless appealed to the Mayor and Council.
- (d) In consideration of the reasonableness of a proposed rent increase, the Commission shall be guided by, but not bound by, the following guideline:
- (1) An increase exceeding 10% should not be granted on a property having outstanding Second Notice violations of the municipal housing code.

SECTION 5. Whenever a tenant believes that the landlord has failed to comply with any provision(s) of this ordinance, the tenant shall provide the landlord and the Commission, simultaneously, with written notice of the alleged non-compliance. The tenant and landlord should thereafter attempt to mutually correct the situation. If, after seven (7) days the tenant is not satisfied with these mutual efforts, or if the landlord refuses to participate in any such mutual efforts, the tenant may report such circumstance to the Commission in writing. The tenant shall simultaneously send a copy of this report to the landlord. Such complaint shall be filed with the Commission within thirty (30) days of the tenant's receipt of the original written notice of rent increase which is the basis of the alleged noncompliance.

SECTION 6. No landlord may take retaliatory action against any tenant for exercising any rights conferred by this ordinance, or against any tenant who assists another tenant in exercising such rights. For the purposes of this Section, "retaliatory action" includes eviction, threat of eviction, harassment, reduction in services, unreasonable rent increases or any other form of threat or coercion.

SECTION 7. No landlord may charge an increase in rent unless written notice is given to the tenant affected thereby at least sixty (60) days prior to the effective date of such rent increase. No tenant shall receive more than one (1) rent increase per annum.

SECTION 8. Any person aggrieved by the Mayor and Council's action may appeal to the Circuit Court for Montgomery or Prince George's County in accordance with the Maryland Rules of Procedure for review of such action and may further appeal to the appellate courts a decision by the Circuit Court.

SECTION 9. This ordinance is applicable to all dwelling units located in the City, except the following:

- (1) any establishments which have as their primary purpose the providing of diagnosis, cure, mitigation, and treatment of illnesses for residents;
- (2) dwelling units owned by a person who owns fewer than five (5) rental dwelling units within the City;
- (3) one-family dwellings, semi-detached dwellings, and town-houses not located within a centrally managed multi-family housing community offering services substantially similar to those offered to apartment dwellers;
- (4) dwelling units which are part of federal government assisted multi-family housing projects and which require accountability of rent returns to the federal government or to dwelling units which are part of multi-family housing projects owned and operated by the Montgomery County Housing Opportunities Commission;
- (5) dwelling units which fall within the Section Eight market guidelines which are occupied by tenants participating in the federal government's Section Eight Housing Assistance Payments Program and whose owners receive housing assistance payments on behalf of those eligible tenants;
- (6) any vacant apartment unit may be rented at the level of comparable apartment units within a building, with comparable being defined on the basis of square footage, efficiency, one-bedroom and two-bedroom apartments;
- (7) this ordinance does not apply to furnished apartments which are now being rented for transient occupancy.

- SECTION 10. (a) The Commission is authorized to adopt such regulations as may be necessary to administer this Ordinance properly.
- (b) In the enforcement of any of the provisions of this Ordinance, necessary proceedings, including proceedings for the production of documents, may be instituted by the Corporation Counsel's Office after referral by the Commission. The Corporation Counsel, after a matter has been referred by the Commission, may institute appropriate legal action, or refer the matter back to the Commission for such additional information or action necessary to take appropriate legal action. Nothing herein shall limit the authority of the Corporation Counsel to initiate prosecution or bring actions in law or equity for violation of any local law, ordinance or regulation, whether or not the Commission has made a formal referral.
- (c) Any landlord who violates any provision of this Ordinance shall be liable for payment to the City of Takoma Park, Maryland, of a civil penalty, recoverable in a civil action in the Circuit Court of Montgomery County or Prince George's County, in an amount not to exceed \$500.00 for each such violation.

SECTION 11. The provisions of this Ordinance are severable, and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the Ordinance or any part thereof is inapplicable had been specifically exempted therefrom.

SECTION 12. (a) The Mayor and Council declares that an emergency exists and that this Ordinance is necessary for the immediate protection of public health, safety and welfare. Therefore, this Ordinance shall take effect immediately upon its adoption, and shall continue in effect until July 31, 1981; and

(b) The authority of the Commission shall remain in effect until all cases before it shall have been adjudicated.

ADOPTED BY THE MAYOR AND CITY COUNCIL OF TAKOMA PARK, MARYLAND ON JUNE 9, 1980.

THE CITY OF TAKOMA PARK, MARYLAND

Meeting of the Mayor and City Council

June 9, 1980

8:00 PM

AGENDA

CALL TO ORDER: Mayor Abbott

ROLL CALL: Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman

PLEDGE

READING AND APPROVAL OF THE MINUTES OF MAY 27, 1980 MEETING

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' REMARKS

- 1. Introduction of Chief Roger McGary, Takoma Park Volunteer Fire Dept., Inc., and brief visual presentation of Department's program
2. Other remarks by citizens

FINANCIAL STATEMENT

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

- 1. Communications
2. Administrative Reports and Recommendations for Council Action
(1) Administrative Reports:
--Naming of Lt. Steve Carter as Acting Chief of Police to replace Chief Porter who is leaving on June 9 (retirement effective as of June 30, 1980)
--Council approval of job description for Mayor's Press Secretary
(2) Proposed ordinance setting City Tax Rate for Fiscal Year 1980-81, for all real, public and corporate tangible property within the City
(3) Proposed ordinance approving City Pay Scale Plan for Fiscal Year 1980-81
(4) Proposed ordinance adopting Fiscal Year 1980-81 City Budget
(5) Approval of Proposed Use of Federal Revenue Sharing Funds, FY-81

SPECIAL REPORTS

NEW BUSINESS

ADJOURNMENT

SPECIAL NOTICE: The regular meeting of the Mayor and Council will be preceded by a continuation of the June 3 Special Meeting for final adoption of the Rent Stabilization Ordinance. That meeting will begin promptly at 7:00 PM.

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THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council

June 9, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City-Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Police Lieutenant Carter
Councilmember Ramsey	Recreation Director Ziegler
Councilmember Ricks	Corporation Counsel Gingerich
Councilmember Saloma	
Councilmember Weisman	

The Mayor and Council of Takoma Park met on June 9 at 9:43 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, a motion was made and duly seconded to approve the Council Meeting minutes of May 27, 1980. Councilmember Ramsey referred to the second paragraph under the Mayor's Comments, stating that it should be included that there will be a briefing on the Takoma Park Master Plan by Park and Planning staff to be held on Wednesday, June 18, 7:30 PM, in the second floor meeting room of the Municipal Building. Mayor Abbott noted that this meeting is open to all citizens to have their questions answered prior to the public hearing listed in the May 27 minutes (public hearing to be held on July 8). With this announcement included, the minutes were approved by the Council.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Regarding the adopted Rent Stabilization Ordinance, Mayor Abbott stated that the process for adoption had been long, hard, educational and informative for the entire Council; urged landlords, tenants, and citizens to please submit nominations for volunteers for the City's Landlord-Tenant Commission as soon as possible.

Announced that on Monday, June 16, there would be a public hearing to discuss a Charter amendment to change the date of City elections to the fall of odd-numbered years; noted that currently the election is held during the time of year when the Counties and the City is in the planning process for budgets and that the new Councilmembers have to come into office uninformed on what is happening; that there just is not quite enough time to learn everything that is needed; that in fairness to the Council and the citizens, the election date needs to be changed. It is also important for purposes of dealing with the State Legislature.

ADDITIONAL AGENDA ITEMS

Discussion of the proposed demolition of two houses owned by Montgomery College located on Chicago Avenue (Councilmember Weisman)

Update on the Carroll House situation (Councilmember Ricks)

CITIZEN'S REMARKS

I. Introduction and brief visual presentation of the Takoma Park Volunteer Fire Department's program by Chief Roger McGary. Mayor Abbott introduced Chief McGary and stated that he had had a great deal to do with the retention of the Fire Department in Takoma Park; that he is an excellent spokesman for the Department; that he had taken the position at the Down-County Task Force meeting on the relocation of the City Fire Department that the sole mission of the Fire Department was the safety of the residents and their property in Takoma Park regardless of County line; noted that there will be an article in the next Newsletter concerning the history of the Fire Department. Chief McGary gave a brief slide presentation and then answered questions from the Council and audience. He spoke of the need for more volunteers at the Fire Department, and urged anyone interested to please notify the Department.

II. Other Remarks by Citizens.

1. Joseph Lerner, 7708 Takoma Avenue, North Takoma Citizens' Association: stated that Montgomery College has proposed the demolition of two houses they own located on Chicago Avenue, which are now in rental use; the College intends to demolish the houses and use the land to construct an auditorium; stated that the County Council has not yet authorized funding for the auditorium and requested the City Council to try and prevent the demolition of the houses, have them retained in rental use, until funding for the auditorium has been authorized; that the block is of mixed use and the residential use should be kept intact as long as possible. Regarding the Carroll House, noted that the County's Historic Preservation Ordinance states that historical properties, of which the Carroll House is one, must be sold intact, including all surrounding land that belongs to the property; requested that the Council look into this as it applies to the Carroll House property being subdivided prior to sale; also noted the dangers of the above-ground propane tank on the rear of the property; requested that the Council look into this also. At this time, Councilmember Weisman introduced a letter to be addressed to the President of the County Council and Councilmembers, copies to the County Executive and the Montgomery College Board of Trustees; the letter requested the County Council to support the City Council in asking the College to retain the two properties in rental use until funding for the auditorium has been officially authorized by the County; also that the residential aspect of the block should not be reduced until the land is needed for College educational or operational purposes; made a motion that this letter be approved by the Council; the motion was seconded by Councilmember Saloma and approved unanimously by the Council.

2. Ron Albaugh, 7202 Central Avenue: at the request of Rev. Albaugh, Councilmember Patrick stated the reasons for his vote on the Rent Stabilization Ordinance.

3. Dennis Seekins, 8217 Roanoke Avenue: stated that he is moving out of the City, saying he had enjoyed his stay and being involved in City affairs. Mayor Abbott expressed his regrets.

FINANCIAL STATEMENT

The City Administrator gave a brief statement of the City's financial status for the month of May 1980.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Clifford J. Waldron, Spring Park Community Association. Letter to the Council advising that the Organization has contacted Delegate Thomas Mooney regarding the possible transfer of the Prince George's County section of the City into Montgomery County; Delegate Mooney has stated that among other steps that have to be followed, the approval of the majority of the voters in that district is necessary prior to transfer; the Organization requested information from the Mayor and Council on their future plans concerning this item. Mayor Abbott explained that the procedure is lengthy and much more complicated than approval of the affected citizens.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

Councilmember Ricks made the following statement of concern regarding City personnel and citizens: that he believes in citizen participation in government; however, he does not believe that citizens should participate in the daily management of personnel, or the direction of assignments, or solicitation and coercion of employees in matters that may affect morale or productivity of City employees; would like to make clear that employees are not to be harassed by citizens; that citizens are to use the proper channels for airing their grievances; that the City Administrator or the Mayor and Council are the proper vehicles for lodging such grievances. Several Councilmembers stated their agreement with Councilmember Ricks' statement, citing instances brought to their attention involving harassment of employees by citizens. Mayor Abbott requested that Councilmembers keep him and the City Administrator informed of all such cases.

1. Naming of Lt. Steve Carter as Acting Chief of Police to replace Chief Porter who is leaving on June 9 (retirement effective as of June 30, 1980).

The City Administrator stated he wished to name Lt. Carter as Acting Chief of Police and asked for the Council's concurrence. Upon motion by Councilmember Ricks, duly seconded by Councilmember Weisman, the Council by unanimous vote concurred in Lt. Carter's appointment.

2. Council approval of job description for Mayor's Press Secretary.

Mayor Abbott stated that this position would facilitate the outflow of news about the City to the media. Councilmember Holland made a motion to table the approval of the job description until the next Council worksession; the motion was seconded by Councilmember Saloma and approved by the Council; Councilmember Weisman requested that Mr. Messinger be available at the worksession to answer questions.

3. Ordinance setting City Tax Rate for Fiscal Year 1980-81, for all real, public and corporate tangible property within the City. The City Administrator noted that the Council has, by consensus, decided to reduce the administratively proposed 10¢ tax rate increase to a 7½¢ increase, making the new rate \$1.325 per \$100 assessed valuation. Councilmember Garcia made a motion to adopt the ordinance; the motion was seconded by Councilmember Holland. Councilmember Ricks noted that the reduction in tax rate was made by use of Federal Revenue Sharing Funds; that the Council has now included a total of \$29,428 Federal Revenue Sharing Funds in the operational budgets of the Code Enforcement and Police Departments, deleting monies proposed for the data processing system, street survey for maintenance, and the traffic control study; stated that he did not like to see taxes increased more than necessary, but had hoped that citizens had had the opportunity to comment on these changes. Several Councilmembers noted that the Council had done its best in trying to decrease the proposed tax rate, and some programs had to be cut; Councilmember Ricks again noted that he did not like the idea of using Federal Revenue Sharing Funds for on-going programs because of the instability of Revenue Sharing. The Mayor and Council recognized the following persons, allowing their brief comments: Karl Kessler, owner, Barcelona Nut Shop, who noted that the Council should look into the property tax assessment base and whether it will decrease because of proposed zoning changes in the Master Plan; Mary Pennifield, 7305 Takoma Avenue, suggested several ideas for bringing revenue into the City without having to raise tax rate. Upon motion by Councilmember Garcia, duly seconded by Councilmember Holland, the following ordinance was adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks, Saloma, Weisman. NAY: None. EXCUSED: None.

ORDINANCE: #2533

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

SECTION 1. THAT a general tax rate for Fiscal Year 1980-81 of ONE DOLLAR AND THIRTY-TWO AND ONE-HALF CENTS (\$1.325) on each ONE HUNDRED DOLLARS (\$100) assessed valuation be and is hereby levied and approved, and the City Treasurer is authorized to collect taxes on the basis of the \$1.325 tax rate on all assessable real and public property, as well as on all corporate tangible property, located within the boundaries of the City of Takoma Park, Maryland, and to proceed to advertise for sale such delinquent properties that may be in arrears on the date specified by law; AND

SECTION 2. THAT the taxes collected from the aforementioned tax levy are for the purpose of any and all general expenses of the City of Takoma Park for the Fiscal Year beginning July 1, 1980 and ending on June 30, 1981.

4. Ordinance approving City Pay Scale Plan for Fiscal Year 1980-81. Upon motion by Councilmember Ricks, duly seconded by Councilmember Saloma, Ordinance #2534 (attached) was adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks, Saloma, Weisman. NAY: None. EXCUSED: None.

5. Ordinance adopting Fiscal Year 1980-81 City Budget. Upon motion by Councilmember Holland, duly seconded by Councilmember Weisman, the ordinance below was adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks, Saloma, Weisman. NAY: None. EXCUSED: None. (Note: The Budget is a separate document and will be available in the City Office in early July.)

ORDINANCE #2535

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

SECTION 1. THAT in accordance with Sec. 73-8 of the Montgomery County Code (1972 ed.) and Sec. 74-10 of the Prince George's County Code (1963 ed.), the budget for 1980-81 is hereby approved and adopted for the fiscal year beginning July 1, 1980, said budget providing estimated revenues of TWO MILLION, SEVEN HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED NINETY-SEVEN DOLLARS (\$2,795,197), less five per cent (5%) Charter Emergency Reserve Fund of ONE HUNDRED THIRTY-NINE THOUSAND, SEVEN HUNDRED FIFTY-EIGHT DOLLARS (\$139,758); appropriations of TWO MILLION, NINE HUNDRED SIXTEEN THOUSAND, TWO HUNDRED TWENTY-EIGHT DOLLARS (\$2,916,228); AND

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

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

SECTION 4. THAT the City Treasurer be hereby authorized to transfer funds to the 1980-81 budget from the following fund balances:

- a. Anticipated prior year's surplus \$ 79,290
- b. Unappropriated Surplus 55,000
- c. Unappropriated Reserve Fund. 126,499

Total	\$260,789
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6. Approval of Proposed Use of Federal Revenue Sharing Funds, FY-81. Mayor Abbott noted that the Federal government is in process of reevaluating the needs of cities in the county-sharing program of Revenue Sharing Funds; stated that Takoma Park and Rockville would be the recipients of an additional \$28,500 if the legislation is passed. Councilmember Ramsey noted that the Federal Revenue Sharing monies slated for Landlord-Tenant program can either be used by the City's Commission, yet to be established, or for the County's

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-6- Council meeting minutes
June 9, 1980

OLTA program. Upon motion by Councilmember Holland, duly seconded by Councilmember Garcia, the Proposed Use of Federal Revenue Sharing Funds (copy attached) was approved by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Saloma, Weisman. NAY: Councilmember Ricks. EXCUSED: None. Councilmember Ricks stated that he voted against the Federal Revenue Sharing schedule because he is opposed to using the funds to meet the City's operating budget because of their unstability.

7. Councilmember Ramsey read an article from the "Montgomery County Council Report" stating that there are two vacancies on the Nominating Committee for the Montgomery College Board of Trustees (deadline for application: July 11); he noted that there are many exclusions listed, including persons working for or with local municipalities.

8. Councilmember Weisman announced that the high bid received by Montgomery College for the Carroll House was \$83,000; that the College is still retaining a portion of the lot, but he is in hopes that after settlement of the bid, the College may agree to sell that portion of the lot at fair market value, since the high bidder is interested in purchasing it.

Upon motion, duly seconded, the meeting adjourned at 11:52 PM, to reconvene on Monday, July 14, 1980, at 8:00 PM.

NO COUNCIL MEETING JUNE 23, DUE MARYLAND MUNICIPAL LEAGUE CONFERENCE.

SPECIAL MEETING OF MAYOR AND CITY COUNCIL ON MONDAY, JUNE 16, AT 8:00 PM, TO DISCUSS THE PROPOSED CHANGING OF CITY ELECTION DATE FROM MARCH OF EVEN-NUMBERED YEARS TO NOVEMBER OF ODD-NUMBERED YEARS.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST

Herbert W. Gilsdorf
City Administrator

ORDINANCE NO. 2534

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

SECTION 1. WHEREAS, Section 2-67 of Article 5, entitled Personnel, of the City of Takoma Park Code, 1972, as amended, provides that pay scales may be altered by the Mayor and Council to reflect employee cost-of-living needs; AND

SECTION 2. THAT Section 8 of Ordinance 1400, and subsequent amendments thereto, known as the Pay Scale Plan for the City of Takoma Park, has been reviewed; AND

SECTION 3. THEREFORE THAT Section 8 be revised to provide a new salary scale in accordance with the schedule below, to be effective July 1, 1980.

POLICE DEPARTMENT:		A	B	C	D	E	F	G	H	I	J	L-1	L-2
Crossing Guard	6	2,523	2,752	2,984									
Clerk/Dispatcher	8	10,559	10,960	11,376	11,808	12,257	12,723	13,207	13,709	14,230	14,771	15,510	16,285
Parking Enforcement Officer	10	11,594	12,035	12,492	12,967	13,460	13,971	14,502	15,053	15,625	16,220	17,031	17,881
Private	16	15,387	15,972	16,579	17,209	17,863	18,542	19,247	19,978	20,737	21,525	22,601	23,731
Private First Class	17	16,135	16,748	17,384	18,045	18,731	19,443	20,182	20,949	21,745	22,571	23,700	24,885
Corporal	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Sergeant	20	18,659	19,368	20,104	20,868	21,661	22,484	23,339	24,226	25,147	26,102	27,407	28,778
Lieutenant	23	21,604	22,425	23,277	24,162	25,080	26,033	27,022	28,049	29,115	30,221	31,732	33,319
PUBLIC WORKS DEPARTMENT:													
Custodial Worker	6	9,620	9,985	10,364	10,758	11,167	11,591	12,032	12,489	12,964	13,456	14,129	14,836
Mechanic's Helper	7	10,078	10,461	10,859	11,271	11,700	12,144	12,606	13,085	13,582	14,098	14,803	15,543
Laborer	7	10,078	10,461	10,859	11,271	11,700	12,144	12,606	13,085	13,582	14,098	14,803	15,543
Assistant Driver	8	10,559	10,960	11,376	11,808	12,257	12,723	13,207	13,709	14,230	14,771	15,510	16,285
Driver Foreman	9	11,064	11,484	11,921	12,374	12,844	13,332	13,839	14,364	14,910	15,477	16,251	17,063
Equipment Operator I	9	11,064	11,484	11,921	12,374	12,844	13,332	13,839	14,364	14,910	15,477	16,251	17,063

PUBLIC WORKS DEPARTMENT, CON'T.		A	B	C	D	E	F	G	H	I	J	L-1	L-2
Equipment Operator II	10	11,594	12,035	12,492	12,967	13,460	13,971	14,502	15,053	15,625	16,220	17,031	17,381
Equipment Operator III	11	12,153	12,615	13,094	13,592	14,108	14,644	15,201	15,778	16,378	17,000	17,850	18,743
Parks Foreman	11	12,153	12,615	13,094	13,592	14,108	14,644	15,201	15,778	16,378	17,000	17,850	18,743
Mechanic	14	13,999	14,531	15,083	15,656	16,251	16,868	17,509	18,175	18,865	19,582	20,561	21,589
Parks Coordinator	16	15,387	15,972	16,574	17,209	17,863	18,542	19,247	19,978	20,737	21,525	22,601	23,731
Building Maintenance Supervisor	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Auto Equipment Supervisor	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Sanitation Supervisor	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Streets Supervisor	20	18,659	19,368	20,104	20,868	21,661	22,484	23,339	24,226	25,147	26,102	27,407	28,778
CODE ENFORCEMENT:													
Code Enforcement Officer I	16	15,387	15,972	16,579	17,209	17,863	18,542	19,247	19,978	20,737	21,525	22,601	23,731
Code Enforcement Officer II	17	16,135	16,748	17,384	18,045	18,731	19,443	20,182	20,949	21,745	22,571	23,700	24,885
RECREATION DEPARTMENT:													
Recreation Attendant	1	7,633	7,923	8,224	8,537	8,861	9,198	9,548	9,910	10,287	10,678	11,212	11,772
Recreation Aide	6	9,620	9,985	10,364	10,758	11,167	11,591	12,032	12,489	12,964	13,456	14,129	14,836
Recreation Counselor	9	11,064	11,484	11,921	12,374	12,844	13,332	13,839	14,364	14,910	15,477	16,251	17,063
Recreation Supervisor	12	12,738	13,222	13,724	14,246	14,787	15,349	15,933	16,538	17,166	17,819	18,710	19,645
LIBRARY DEPARTMENT:													
Library Assistant	8	10,559	10,960	11,376	11,808	12,257	12,723	13,207	13,709	14,230	14,771	15,510	16,285
Librarian	14	13,999	14,531	15,083	15,656	16,251	16,868	17,509	18,175	18,865	19,582	20,561	21,589
Assistant Library Director	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096

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ADMINISTRATIVE STAFF:		A	B	C	D	E	F	G	H	I	J	L-1	L-2
Clerk/Typist	7	10,078	10,461	10,859	11,271	11,700	12,144	12,606	13,085	13,582	14,098	14,803	15,543
Secretary	9	11,064	11,484	11,921	12,374	12,844	13,332	13,839	14,364	14,910	15,477	16,251	17,063
Administrative Aide I	10	11,594	12,035	12,492	12,967	13,460	13,971	14,502	15,053	15,625	16,220	17,031	17,881
Accounting Clerk I	10	11,594	12,035	12,492	12,967	13,460	13,971	14,502	15,053	15,625	16,220	17,031	17,881
Administrative Aide II	11	12,153	12,615	13,094	13,592	14,108	14,644	15,201	15,778	16,378	17,000	17,850	18,743
Accounting Clerk II	11	12,153	12,615	13,094	13,592	14,108	14,644	15,201	15,778	16,378	17,000	17,850	18,743
Accounting Supervisor	14	13,999	14,531	15,083	15,656	16,251	16,868	17,509	18,175	18,865	19,582	20,561	21,589
Administrative Assistant	16	15,387	15,972	16,579	17,209	17,863	18,542	19,247	19,978	20,737	21,525	22,601	23,731
City Clerk	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Recreation Director	18	16,921	17,564	18,232	18,925	19,644	20,390	21,165	21,969	22,804	23,670	24,854	26,096
Library Director	21	19,592	20,337	21,109	21,912	22,744	23,608	24,505	25,436	26,403	27,406	28,776	30,215
Assistant City Administrator Dir. of Community Development	24	22,683	23,545	24,440	25,369	26,333	27,334	28,372	29,450	30,570	31,731	33,318	34,983
Public Works Director	25	23,815	24,720	25,659	26,634	27,646	28,693	29,788	30,919	32,094	33,314	34,980	36,729
Police Chief	25	23,815	24,720	25,659	26,634	27,646	28,693	29,788	30,919	32,094	33,314	34,980	36,729
City Administrator	29	28,950	30,050	31,192	32,377	33,608	34,885	36,210	37,586	39,015	40,497	42,522	44,648

6-6-80

PROPOSED USE OF REVENUE SHARING FUNDS
Fiscal Year 1980-81

CODE ENFORCEMENT DIVISION:

Code Enforcement Operations	<u>\$17,657</u>	\$17,657
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POLICE DEPARTMENT:

Two Replacement Vehicles	13,500	
Paper Shredder	500	
Police Department Operations	<u>11,771</u>	25,771

PUBLIC WORKS DEPARTMENT:

Enlargement of Public Works Storage Area	2,500	
Vehicle Paint Spraying Booth	2,000	
Contractual Engineering Services	3,000	
Typewriter	<u>870</u>	8,370

RECREATION DEPARTMENT:

Gym Floor Refinishing	1,200	
File Cabinet/Safe	<u>300</u>	1,500

LIBRARY:

Typewriter	<u>330</u>	330
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LANDLORD-TENANT PROGRAM:

	<u>21,000</u>	21,000
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CONTINGENCY:

	<u>5,372</u>	5,372
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TOTAL		<u>\$80,000</u>
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THE CITY OF TAKOMA PARK, MARYLAND

Special Meeting of the Mayor and City Council
June 16, 1980

8:00 PM

AGENDA

CALL TO ORDER: Mayor Abbott

ROLL CALL: Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman

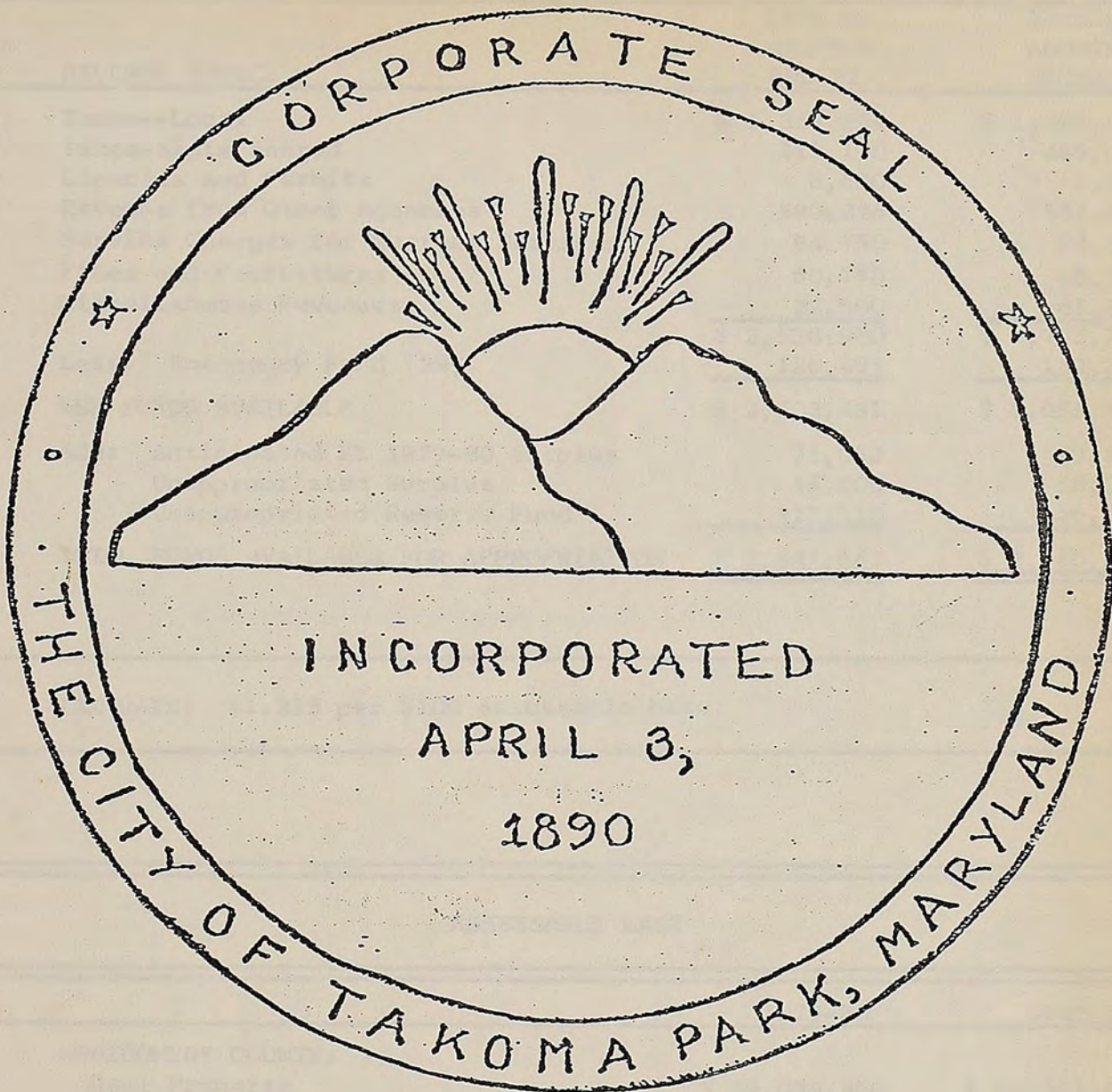
MAYOR ABBOTT'S COMMENTS

CITIZENS' REMARKS

ITEMS FOR COUNCIL CONSIDERATION:

1. Proposed Charter amendment to change the time for the nomination and election of the Mayor and Council; certification of the registered voters and the first meeting of the newly elected Mayor and Council.

ADJOURNMENT



CITY OF TAKOMA PARK, MARYLAND

ADOPTED BUDGET*

* INCLUDING PROPOSED USE FEDERAL REVENUE SHARING FUNDS

FISCAL YEAR 1980-81

SUMMARY OF REVENUE ANALYSIS, RESERVES AND ASSESSMENTS

CODE NO	REVENUE SOURCE	1979-80	1980-81
		ADOPTED BUDGET	ADOPTED BUDGET
1.0	Taxes--Local	\$ 1,349,824	\$ 1,564,248
1.5	Taxes-State Shared	412,170	466,696
2.0	Licenses and Permits	8,650	7,350
3.0	Revenue from Other Agencies	580,236	551,870
4.0	Service Charges for Current Services	84,750	74,533
5.0	Fines and Forfeitures	60,750	65,500
6.0	Miscellaneous Revenues	32,600	65,000
		<u>\$ 2,528,980</u>	<u>\$ 2,795,197</u>
	Less: Emergency Fund (5%)	<u>126,499</u>	<u>139,758</u>
	NEW FUNDS AVAILABLE	\$ 2,402,481	\$ 2,655,439
	Add: Anticipated FY 1979-80 Surplus	71,052	79,290
	Unappropriated Surplus	55,000	55,000
	Unappropriated Reserve Fund	<u>119,110</u>	<u>126,499</u>
	TOTAL FUNDS AVAILABLE FOR APPROPRIATION	<u>\$ 2,647,643</u>	<u>\$ 2,916,228</u>

TAX RATE: \$1.325 per \$100 assessable base

ASSESSABLE BASE

	1979-80	1980-81
MONTGOMERY COUNTY:		
Real Property	\$ 59,055,320	\$ 61,561,000
Railroad and Public Utilities	4,945,090	5,241,795
Corporate Personal Property	-	1,291,632
PRINCE GEORGE'S COUNTY:		
Real Property	41,916,230	44,528,490
Railroad and Public Utilities	1,781,040	1,887,902
Corporate Personal Property	-	3,198,455
	<u>\$107,697,680</u>	<u>\$117,709,274</u>

CODE NO	REVENUE DETAIL	1979-80 ADOPTED BUDGET	1980-81 ADOPTED BUDGET
<u>TAXES-LOCAL</u>			
1.11	Real Property, Mont. Co.	\$ 737,784	\$ 815,683
1.12	Real Property, Pr. George's Co.	524,150	590,003
1.13	Railroad & Public Utilities	83,990	94,468
1.14	Corporate Personal Property	-	59,494
1.2	Penalties & Interest-Delinquent	3,300	4,000
1.52	Admission and Amusement	600	600
	TOTAL TAXES-LOCAL	<u>\$1,349,824</u>	<u>\$1,564,248</u>
<u>TAXES-STATE SHARED</u>			
1.61	Franchise Tax	\$ 300	\$ 500
1.63	Horse Racing	20,000	10,000
1.65	Highway	136,490	150,888
1.4	Income Taxes	255,380	305,308
	TOTAL TAXES-STATE SHARED	<u>\$ 412,170</u>	<u>\$ 466,696</u>
<u>LICENSES AND PERMITS</u>			
2.11	Street Privileges and Permits	\$ 1,200	\$ 1,100
2.191	Excavation and Driveway Permits	250	250
2.23	Traders Licenses	6,700	5,500
2.24	Occupational	500	500
	TOTAL LICENSES AND PERMITS	<u>\$ 8,650</u>	<u>\$ 7,350</u>
<u>REVENUE FROM OTHER AGENCIES</u>			
3.108	Urban Development & Assistance	\$ 187,000	\$ 124,000
3.109	Revenue Sharing Funds	-	29,428
3.303	Police Protection	144,000	131,500
3.501	Bank Share Tax	6,550	6,550
3.5091	Montgomery County-Library Aid	24,000	30,000
3.5092	Montgomery County-In Lieu of Police	77,831	85,000
3.5093	Montgomery County-Refuse Disposal Credit	4,300	4,500
3.5094	Mont. & Pr. Geo. Co.-Tax Differential	95,855	115,012
3.5095	Mont. & Pr. Geo. Co.-CETA Program	27,700	17,000
3.701	Mont. Co. Rev. Auth.-In Lieu of Taxes	13,000	8,880
	TOTAL REVENUE FROM OTHER AGENCIES	<u>\$ 580,236</u>	<u>\$ 551,870</u>
<u>SERVICE CHARGES FOR CURRENT SERVICES</u>			
4.102	Fines-Library	\$ 2,400	\$ 2,400
4.1091	Local Cards	440	440
4.1092	Non-resident Cards	500	500
4.1093	Telephone Booth	80	80
4.24	Protective Inspection Fees	36,000	34,783
4.291	Animal Warden Fees	30	30
4.33	Public Parking Facilities	3,300	3,300
4.43	Waste Collection & Disposal Charges	42,000	33,000
	TOTAL SERVICE CHARGES FOR CURRENT SVCS.	<u>\$ 84,750</u>	<u>\$ 74,533</u>

CODE NO	REVENUE DETAIL	1979-80 ADOPTED BUDGET	1980-81 ADOPTED BUDGET
	<u>FINES AND FORFEITURES</u>		
5.91	Parking Meter Violations	\$ 750	\$ 2,500
5.92	Summons and Forfeitures	<u>60,000</u>	<u>63,000</u>
	TOTAL FINES AND FORFEITURES	<u>\$60,750</u>	<u>\$65,500</u>
	<u>MISCELLANEOUS REVENUES</u>		
6.1	Interest and Dividends	\$25,000	\$60,800
6.91	Sales of Impounded Property	2,000	2,000
6.92	Xerox	1,200	1,200
6.93	Cash Discount Earned	700	500
6.94	Miscellaneous-Other	3,600	400
6.95	Miscellaneous-City Maps	<u>100</u>	<u>100</u>
	TOTAL MISCELLANEOUS REVENUES	<u>\$32,600</u>	<u>\$65,000</u>

SUMMARY OF APPROPRIATIONS

CODE NO	ACCOUNT NAME	1979-80	ADOPTED BUDGET 1980-81		
		ADOPTED	OPERATING EXPENSE	PERSONAL SERVICES	TOTAL
10.0	Government Administration	\$ 278,649	\$ 89,880	\$ 196,996	\$ 286,876
11.1	Police Department	728,018	55,320	765,949	821,269
11.4	Code Enforcement	63,268	2,270	69,370	71,640
11.5	Animal Warden	6,600	2,100	4,900	7,000
10.9	Government Buildings	123,656	67,420	62,041	129,461
12.1	Public Works-Office	44,756	4,645	42,852	47,497
12.39	Public Works-Repair Shop	155,469	123,650	52,199	175,849
12.4	Public Works-Sanitation	284,979	62,900	262,178	325,078
12.5	Public Works-Streets	250,701	120,300	174,649	294,949
18.3	Public Works-Parks	69,822	11,898	64,836	76,734
18.1	Recreation Department	97,074	14,130	86,004	100,134
19.1	Library Department	144,833	29,114	134,245	163,359
24.9	Debt Service	70,630	64,030	-	64,030
26.2	Miscellaneous	<u>329,188</u>	<u>76,350</u>	<u>276,002</u>	<u>352,352</u>
	TOTAL	<u>\$2,647,643</u>	<u>\$724,007</u>	<u>\$2,192,221</u>	<u>\$2,916,228</u>

ADMINISTRATIVE OFFICE
PROGRAM ANALYSIS

The objective of the City Administrator's Office is to provide overall management direction for the City staff and to provide the Mayor and Council with information to make policy decisions.

As the chief administrative officer, the City Administrator is responsible for the day-to-day operations of the City government and for implementing all policy decisions established by the Mayor and Council. In addition, he is charged with overseeing the activities of all departments to ensure that the laws and ordinances of the City and the policies of the Mayor and Council are being carried out in an efficient and equitable fashion.

Also under the aegis of the City Administrator are the areas of personnel and fiscal management, community development and other federal programs, records management, City elections, community liaison, and support services for the Mayor and Council and various Council-appointed citizen committees. The Administrator is assisted by staff members who have expertise in their primary work roles, but who also have the flexibility to assume responsibility for another functional area if necessary or to take on a special assignment when the occasion arises. Most wear several hats. For example, the Assistant City Administrator not only serves as the deputy administrator, but is also the Director of Community Development and has a special role in the budgetary and financial affairs of the City.

Another separate but related function of the City Administrator is that of advisor to the Mayor and Council to assist them in their role of policy makers. This is accomplished by keeping them abreast of problem areas, the needs and desires of the community as they are made known to him, and by making recommendations on matters which require Council action. He, in cooperation with the Corporation Counsel, keeps the Mayor and Council informed of any changes in federal, regional, state and local policies which may impact on the City or require changes in City laws.

During the past 3 years, the City government has assumed the additional responsibility of administering some \$1,700,000 in Community Development Block Grant funds without a significant increase in staff. This has been achieved by the exercise of sound fiscal policies and the extraordinary efforts of City employees.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>GOVERNMENT ADMINISTRATION</u>			
10.111	Mayor and Council Salaries	\$ 15,000	\$ 15,000
10.112	Mayor and Council Expense	7,500	7,500
10.391	Salaries-City Administrator & Staff	105,289	120,608
10.3921	Office Supplies-City Administrator	2,000	1,200
10.3922	Telephone and Telegraph	2,600	2,600
10.3923	Contingent Fund-City Administrator	1,800	2,500
10.3924	Car Allowance-City Administrator	900	1,020
10.3925	Maintenance-Office Machines	200	200
10.3926	Postage	2,000	2,000
10.3927	Car Allowance-Asst. City Administrator	900	1,020
10.3928	Publications	1,200	1,000
10.3929	Car Allowance-Administrative Asst.	900	1,020
10.3930	Car Allowance-City Clerk & Assistants	900	1,020
10.491	Election Expense	5,000	-
10.511	Salaries-Treasurer & Staff	62,910	61,388
10.5121	Office Supplies	1,250	1,250
10.5122	Telephone and Telegraph	1,400	1,300
10.5123	Printing Tax Bills	700	700
10.5124	Contingent Fund	600	50
10.5125	Collection Expense	200	200
10.5126	Maintenance-Office Machines	200	200
10.5127	Office Equipment-Lease	4,500	4,500
10.5129	Postage	2,000	2,000
10.542	Independent Auditing	8,500	9,000
10.611	Retainer-Legal Counsel	20,000	20,000
10.6921	Codification of City Laws	2,300	1,200
10.6922	Legal Counsel Expense	1,000	1,000
10.10121	Advertising, Notices, etc.	1,200	1,200
10.10122	City Newsletter	18,000	18,000
10.10321	Association Dues	<u>7,700</u>	<u>8,200</u>
	TOTAL GOVERNMENT ADMINISTRATION	<u>\$278,649</u>	<u>\$286,876</u>

GOVERNMENT ADMINISTRATION--ACCOUNT EXPLANATIONS

- 10.3924, 10.3927, 10.3929, 10.3930 Due to the significant rise in the cost of fuel and vehicle maintenance, it is recommended that these accounts be increased to \$85.00 per month. It is felt that this minimal adjustment is preferable to establishing and maintaining a pool of City-owned vehicles.
- 10.491 Costs dropped since this fiscal year is not an election year.
- 10.10321 The increase in this account is due to an increase in dues for the Maryland Municipal League.

POLICE DEPARTMENT
PROGRAM ANALYSIS

The Takoma Park Police Department has the responsibility of providing the community with rapid, efficient police service on a personalized level. This responsibility includes the protection of life, property, and the prevention of crime.

The police department utilizes a uniform division with marked patrol units and scooters for maximum visibility and quick response to all type calls for service, and an investigative section which investigates all major offenses including murder, robbery, rape, serious assaults and larcenies. The department assigns one officer as school coordinator, whose task is to supervise school crossing guards, safety patrols, and to counsel city children on many prevalent problems.

Takoma Park police officers are required to undergo a rigid training program prior to duty assignment which consists of 14 to 20 weeks recruit training at a state academy, 30 days communications training, and 90 days training in the field with a senior officer. This training is greater than most and comparable to any police organization in the country and gives Takoma Park's citizens the optimum in community protection. Specialized and refresher training is provided on a yearly basis.

Communications personnel are on duty 24 hours per day to receive citizen calls and dispatch the necessary police units. They also operate the computer terminals and teletype system. In the past year, we updated our communications section by adding a new system which allows us to record all incoming emergency calls and radio transmissions with the capability to instantly recall all information.

The administrative services unit provides services including summons control, warrant processing, accident copies, abandoned auto removal, central report control as well as responsibility for the flagging program (parking and meter tickets).

During 1979, Takoma Park police units responded 11,929 times to citizens' requests for police assistance. Average response time was one minute on emergency calls and one minute seventeen seconds for regular service calls, far surpassing that of any other area jurisdiction. Some 47,026 phone calls (requesting information and/or service) were received by the department, and nearly 15,000 citizens responded directly to the police station for a variety of reasons. A record number of arrests were made for criminal and traffic violations.

A number of routine activities also were performed. Included among them were 529 automobile accident investigations. This is an 18 percent decrease over 1978. We attribute this reduction to the radar details worked. Over 1,700 checks were made of vacant properties and over 200 junk vehicles were removed from public and private property.

POLICE DEPARTMENT ~~PROGRAM ANALYSIS~~, continued.

The crime prevention team has held meetings with over 3,000 ~~citizens on~~ crime prevention and conducted over 600 security surveys. We presently are a member of Maryland Crime Watch, PACT, and are cooperating daily with Montgomery and Prince George's Counties on mutual crime prevention problems. For the fourth consecutive year, burglaries have been under the record 300 plus incidents of 1975. This is due largely to the employment of a crime prevention program which attacked this offense in three separate ways - public education and involvement, visibility, and immediate follow-up investigation.

During Fiscal Year 1979-80, the department was commended by Governor Hughes for our comprehensive crime prevention efforts.

We have recently become operational on the new Maryland Inter-agency Law Enforcement System (computer) which not only provides constant and immediate contact with other Maryland law enforcement agencies but also gives us nationwide capability. This system is also part of the National Crime Information Center.

During Fiscal Year 1980-81, the department will be attempting to reduce the crime rate by placing additional emphasis on crime prevention in two areas:

#1 - Prevention:

- (a) Public participation
- (b) More visibility in areas of probable occurrence, and
- (c) Follow-up investigation on all reported crimes.

#2 - Training:

- (a) Continued specialized training for officers in crime prevention
- (b) Additional training in specific investigative techniques on crimes such as homicide, burglary, robbery, and sex offenses.

To succeed in our efforts to reduce the crime rate, we need public participation and awareness. Crime prevention is not only the responsibility of the police officer, but also of each citizen.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>POLICE DEPARTMENT</u>			
11.111	Salaries	\$552,690	\$631,400
11.1121	Contingent Fund	800	800
11.1122	Membership Dues	120	175
11.1123	Car Allowance-Chief	900	1,020
11.1124	Recruitment Processing	500	550
11.11241	Bicycle Registration Materials	-	150
11.1125	Maintenance-Office Machines	200	225
11.1224	Office Supplies	2,000	2,150
11.1225	Detective Supplies	900	1,000
11.1226	Expendable Supplies	1,600	1,600
11.12261	Motor Vehicle Flagging Program	400	2,400
11.1227	Court Expense of Transporting Prisoners	300	300
11.1228	Clothing Allowance-Police	10,800	10,800
11.1229	Rain Equipment	300	300
11.12210	Photographic Expense	2,200	2,400
11.131	Salaries-Crossing Guards	29,014	31,900
11.1322	Clothing Expense-Crossing Guards/Clerical	1,400	1,400
11.1323	Boots, Badges, Hardware, Holsters, etc.	400	450
11.1324	Safety Patrol Dinner	200	200
11.1326	Removal of Junk Vehicles	900	900
11.1421	Ammunition	700	700
11.1521	Car Washing	400	400
11.1522	Service Radio	3,900	4,200
11.1523	Telephone and Telegraph	11,700	11,700
11.1526	Miles	<u>9,200</u>	<u>9,200</u>
	SUBTOTAL	<u>\$631,524</u>	<u>\$716,320</u>
<u>CONCENTRATED CRIME REDUCTION TEAM</u>			
11.121	Salaries	\$ 81,595	\$ 89,189
11.1221	Publications	1,000	1,000
11.1222	Burglary Hot Line	180	180
11.1223	Postage	<u>1,120</u>	<u>1,120</u>
	SUBTOTAL	<u>\$ 83,895</u>	<u>\$ 91,489</u>

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
	<u>PARKING METER MAINTENANCE PATROL</u>		
11.371	Salaries	\$ 11,749	\$ 13,460
11.372	Parking Meter Maintenance	600	0
11.373	Parking Meter Parts/Installation	250	0
	SUBTOTAL	<u>\$ 12,599</u>	<u>\$ 13,460</u>
	TOTAL POLICE DEPARTMENT	<u>\$728,018</u>	<u>\$821,269</u>

POLICE DEPARTMENT--ACCOUNT EXPLANATIONS

- 11.1121 Funds in this account are expended for feeding prisoners, range details, narcotic cases, informants, refreshments for narcotic and robbery seminars, Region IV Board meetings and the other emergency contingencies which arise during the year.
- 11.1122 Dues paid to International Chiefs of Police, Maryland Chiefs of Police, National Police Officers' Association, International Police, American Federation of Police, and police professional publications.
- 11.1123 Due to the significant rise in the cost of fuel and vehicle maintenance, it is recommended that this account be increased to \$85.00 per month. It is felt that this minimal adjustment is preferable to establishing and maintaining a pool of City owned vehicles.
- 11.1124 These funds are expended for application forms, physicals, blood work, credit bureau expenses, examinations and postage for background investigations.
- 11.11241 Bicycle registration takes place every other year.
- 11.1225 Processing, ID equipment, evidence jackets, film, cassette tape, investigative aids, Identi-kit rental.
- 11.1226 Blood alcohol kits, fingerprinting materials, evidence bags, germicidal spray, first aid equipment, automotive flares.
- 11.12261 Increase in this account is due to cost of computer time. This Program gives the Police Department the ability to automatically process unpaid tickets resulting in approximately \$20,000 in collected fines. Columbia Union College has provided the City with use of its computer with very nominal charges, which at times have not covered the College's expenses.

POLICE DEPARTMENT, continued

- 11.1526 The Maryland Interagency Law Enforcement System computer terminal gives our department the capability to instantly obtain information relative to motor vehicle registrations, wanted persons, stolen property, missing persons and, further, gives us the ability to send and receive teletypes to and from locations throughout the United States and to talk station to station to other police agencies. The majority of costs are absorbed by the state of Maryland for the many users throughout the state. Our responsibility includes machine leasing cost, line charges, as well as paper and ribbon products.
- 11.1222 The department maintains a phone (270-1230) for the exclusive use of burglary prevention related matters. This number is published so that it may be utilized by any citizen wishing crime prevention information, security surveys, to report suspicious persons and circumstances.
- 11.372 Both of these accounts have been budgeted in Public Works-Streets
and
11.373 since public works is responsible for maintaining parking meters.

CODE ENFORCEMENT DIVISION
PROGRAM ANALYSIS

The objective of the Code Enforcement Division is to insure that minimum standards of health and safety are maintained in the City's rental dwelling units. City ordinance requires that each rental unit register once a year. Presently, there are approximately 4,100 rental units in Takoma Park.

The Code Enforcement Division routinely inspects each of the registered units on the average cycle of 12 to 16 months. The inspectors examine the condition, maintenance, and supply of utilities of each unit. The inspectors also respond to an average of 10 call-in complaints a day.

Overall, these inspections generated a total of 325 violations during the calendar year 1979, of which 249 were abated within the allowable time period given for the First Notice; 64 were corrected after the Second Notice, and 14 were referred to the Corporation Counsel for prosecution.

In addition, this Division devotes a portion of its time to the upgrading of the City's single-family, owner-occupied housing stock. This function is carried out with the aid of the Community Improvement Board (CIB). The CIB is an appointed body of citizen volunteers who assist the Code Enforcement Division in identifying single-family homes in need of improvement.

The Code Enforcement Division was improved in Fiscal Year 1979-80 with the addition of a third Code Enforcement Officer. This position, funded through the Community Development Block Grant (CDBG), is primarily responsible for the Housing Rehabilitation Program.

During Fiscal Year 1979-80, 29 loans and grants were made to rehabilitate owner-occupied, single-family homes. The City had also expanded the use of State home rehabilitation funds. The program has been very instrumental in upgrading homes in the City and will continue in Fiscal Year 1980-81.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>CODE ENFORCEMENT</u>			
11.411	Salaries	\$60,618	\$69,370
11.4121	Office Supplies	650	100
11.4122	Contingent Fund	800	800
11.4123	Printing	50	50
11.4124	Postage	150	200
11.4125	Photo Supplies	400	300
11.4126	Telephone	600	700
11.4127	Association Dues	-	120
	TOTAL CODE ENFORCEMENT	<u>\$63,268</u>	<u>\$71,640</u>

CODE ENFORCEMENT-ACCOUNT EXPLANATIONS

- 11.4122 Miscellaneous items not covered in any other account category.
- 11.4123 Printed violation forms, various public notices, etc.
- ~~11.4124 Mailing of violation notices.~~
- 11.4125 For occasional pictures taken during inspections, as evidence of code violations.
- 11.4127 This account is for membership dues for the Building Officials and Code Administrators International (BOCA). Since the City enforces the BOCA Building Maintenance code it is necessary for the City to be a member to receive information updates to the Code.

ANIMAL WARDEN

11.551	Salaries	\$ 4,500	\$ 4,900
11.5521	Operating Expenses	100	100
11.5522	Truck Expense	<u>2,000</u>	<u>2,000</u>
	TOTAL ANIMAL WARDEN	<u>\$ 6,600</u>	<u>\$ 7,000</u>

PUBLIC WORKS DEPARTMENT
PROGRAM ANALYSIS

Our Public Works Department is continuing to set a progressive pace that had been initiated two years ago. The Department's objective is to maintain community services which are essential to the physical well-being of the City as well as convenience of its residents. The primary functions include street repair and maintenance, landscaping of various parks, refuse collection from private residences, and maintenance of municipal buildings and various equipment utilized by the City.

During FY 79-80, Public Works increased its construction capabilities in an effort to maximize Community Development Block Grant and Federal Revenue Sharing Funds. Rather than contracting with the private sector for labor and expertise, Public Works constructed two streets utilizing existing equipment & personnel. The streets were Houston Avenue and Hammond Avenue. In addition, a total of 2,000 feet of curb and gutter has been installed with plans to install another 1,000 feet. Also, 2,200 feet of sidewalk has been installed with an additional 1,000 feet planned. In Fiscal Year 1980-81, the Public Works Department will be completing Philadelphia Avenue and reconstructing Colby Avenue. Both of these projects will require several thousand feet of curb and gutter and sidewalk. Also both streets will be resurfaced. Not only have the construction capabilities been developed, but other general road maintenance programs have continued, i.e., pot hole repair, painting crosswalks and street sanitation. This has been accomplished without an increase in personnel.

Also, Public Works completed a federally funded highway sign replacement program. Under this program, over 500 signs were replaced with highly reflective types. These new signs will provide greater pedestrian and vehicle safety.

Fortunately, this winter we had only light snow falls, however, both snow and freezing rain required the use of 140 tons of Sodium Chloride (salt), 200 tons of sand and 55 bags of Calcium Chloride.

In an effort to reduce cost of tree maintenance, Public Works developed its own tree removal capability. The cost of utilizing outside contractors for tree removal was determined to be too costly. Contract price was \$500 per day, versus \$150 per day to do it in-house.

In Fiscal Year 79-80, Public Works planted over 100 trees and shrubs in various parks and rights-of-way. These included pin oaks, ligustrum, pyracantha and black pines. Also, in an effort to reduce maintenance cost of azalea gardens, the Parks Division began a program to reconstruct the gardens to make them weed free. This will take several years, but will eventually free park personnel to carry out other maintenance activities. Presently, three small gardens have been converted.

Sanitation Division collected nearly 5,000 tons of refuse from approximately 4,000 City residences. Each house receives two regular garbage pick-ups per week, resulting in 8,000 or more stops per week with a special refuse collection on Wednesday. Our residents are not limited to number of Wednesday pick-ups for the year as in other communities. A study done in 1978 shows the City's refuse collection service compares quite favorably to the surrounding jurisdictions, particularly in Prince George's and Montgomery Counties. For example, the average per-household cost of regular pick-up service alone in Prince George's County is 92¢ per household as compared to 79¢ for Takoma Park. The combined average per-household for both regular and special pick-ups in Montgomery County was \$1.13 as compared to 91¢ in Takoma Park. In fact, no incorporated municipality or County (Prince George's and Montgomery) could provide comparable refuse collection to Takoma Park at as low a rate per-household cost per-stop.

City buildings, which are used by employees and the community, are regularly maintained by the Building Maintenance Division. Public facilities maintained by this Division include the Municipal gymnasium, the Library, the main Public Works facility and the Municipal Building, which also encompasses several Police Department offices and holding areas, four meeting rooms and the City Council Chamber.

In Fiscal Year 1979-80, the Mayor and Council adopted the Municipal Infraction Ordinance, which declared certain trash and vegetation violations municipal infractions. The legislation allows the Public Works Department to issue administrative tickets, making the violations civil offenses.

Vital to the operations of the City is the responsibility of vehicle and equipment maintenance. Public Works repair shop maintains trash trucks, police cruisers, light and heavy trucks and several cars as well as support type equipment. During Fiscal Year 1979-80, the repair shop redesigned a hydraulic system to reduce maintenance cost by \$3,000 on a particular refuse truck. Also, an electrical circuit was designed to reduce brake wear by 80% in police cruisers. This electrical circuit will assist the police during high speed chases by preventing or reducing brake fade, thus reducing the chance of an accident. Each City vehicle is maintained through a preventive maintenance program in an effort to catch problems before serious damage results.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>GOVERNMENT BUILDINGS</u>			
10.921	Salaries-Maintenance & Custodial	\$ 55,831	\$ 62,041
10.9121	Repair Materials	4,000	5,200
10.9122	Subcontract Work	4,000	4,400
10.9123	Custodial Supplies	7,000	7,000
10.9124	Uniform Rental/Laundry/Clothing	1,000	1,000
10.9125	Electricity	40,000	38,000
10.9126	Gas for Heat and Water	10,000	10,000
10.9127	Water	1,700	1,820
10.9129	Maintenance Contract-Elevator	125	-
	TOTAL GOVERNMENT BUILDINGS	<u>\$123,656</u>	<u>\$129,461</u>

GOVERNMENT BUILDINGS--ACCOUNT EXPLANATIONS

- 10.9121 All materials used for plumbing, carpentry, electrical and maintenance support of public buildings, expenses for parts, oil, etc., for the operation of the elevator are purchased from this account. The increase in this account is due to anticipated repairs that will need to be made to City buildings due to the fact that they are older.
- 10.9122 Services for maintenance of air-conditioning units, heating units, pest control, elevator, and major plumbing or electrical work are funded by this account. Also includes funds for maintenance of control system (boiler room).
- 10.9125 Electricity used in all public buildings is paid from this account
- 10.9126 Gas for heat and water used in public buildings is paid from this account.
- 10.9129 This account has been eliminated since the City does not have a formal maintenance contract for the elevator. Maintenance work is done by our Building Maintenance Supervisor. Any repairs he cannot make are funded out of Account 10.9122.

<u>PUBLIC WORKS-OFFICE</u>			
12.101	Salaries	\$ 37,396	\$ 42,852
12.1021	Office Supplies	700	750
12.1022	Dues	50	50
12.1023	Telephone	2,800	3,000
12.1025	Contingent Fund	400	430
12.1026	Maintenance-Office Machines	85	90
12.1027	Postage	125	125
12.1028	Printing	100	100
12.1029	Radio Maintenance	100	100
12.10211	Engineering Services	3,000	-
	TOTAL PUBLIC WORKS-OFFICE	<u>\$ 44,756</u>	<u>\$ 47,497</u>

PUBLIC WORKS-OFFICE--ACCOUNT EXPLANATIONS

- 12.1022 Dues for membership in the American Public Works Association are paid from this account.
- 12.1025 Contingent fund to meet unexpected emergencies.
- 12.1028 Miscellaneous printing is paid from this account.
- 12.1029 Radio maintenance and parts on an as-needed basis.
- 12.10211 It is recommended that Engineering Services be funded from Federal Revenue Sharing for FY 1981 or other source of funds.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>PUBLIC WORKS-REPAIR SHOP</u>			
12.391	Salaries and Labor	\$ 52,019	\$ 52,199
12.3921	Outside Labor and Parts	13,200	14,000
12.3922	Gas, Oil and Grease	42,500	59,500
12.3923	Auto Parts	39,000	40,000
12.3924	Tires, Tubes and Batteries	7,500	8,000
12.3925	Shop Equipment Repair	200	1,000
12.3926	Uniform Rental/Laundry/Clothing	750	750
12.3927	Wipers, Fender Covers	300	400
TOTAL PUBLIC WORKS-REPAIR SHOP		<u>\$155,469</u>	<u>\$175,849</u>

PUBLIC WORKS-REPAIR SHOP--ACCOUNT EXPLANATIONS

- 12.3921 Replacement parts furnished in connection with labor utilized outside P. W. capability are purchased with these funds.
- 12.3922 Gas, oil and grease bought from this account. The increase in this account is to cover the increases in the price of these products.
- 12.3923 Parts used on P. W. vehicles (except Street Department) and other department vehicles when repaired in our shop are purchased from this account.
- 12.3925 Repairs to drills, chain falls, jacks, etc., used in the vehicle shop are paid from this account. The increase in this account is to purchase needed tools for the repair shop. The Public Works Department is implementing a tool development program over the next several years. These tools are needed to support the City's preventive maintenance program for its vehicles and equipment. This will extend the life of vehicles and equipment and save the City money.

PUBLIC WORKS-SANITATION

12.411	Salaries and Labor	\$231,079	\$262,178
12.432	Refuse Disposal Fee	45,000	54,000
12.4322	Supplies-Burlap, etc.	4,000	4,000
12.4323	Uniform Rental/Laundry/Clothing	4,900	4,900
TOTAL PUBLIC WORKS-SANITATION		<u>\$284,979</u>	<u>\$325,078</u>

PUBLIC WORKS--SANITATION--ACCOUNT EXPLANATIONS

- 12.4321 For payment of landfill at Prince George's and Montgomery Counties. The increase in this account is due to the announced increase in the dump fee at the Prince George's County landfill.
- 12.4322 For procurement of burlaps used by sanitation men. Also to purchase burlaps for other communities on a reimbursable basis.
- 12.4323 Uniform rental and cleaning services as well as clothing allowances for Sanitation Division employees are paid from this account.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>PUBLIC WORKS--STREETS</u>			
12.511	Salaries	\$139,251	\$174,649
12.5221	Road Materials	29,000	32,000
12.5222	Road Equipment Repair	3,000	4,000
12.5223	Uniform Rental/Laundry/Clothing	3,400	3,400
12.5224	Equipment Rental	2,000	2,200
12.5225	Small Tools and Supplies	400	600
12.5226	Subcontracts	1,650	1,800
12.5227	Street Lights	72,000	75,000
12.5228	Parking Meter Parts	-	1,300
	TOTAL PUBLIC WORKS--STREETS	<u>\$250,701</u>	<u>\$294,949</u>

PUBLIC WORKS--STREETS--ACCOUNT EXPLANATIONS

- 12.5221 Materials for small street repairs including sidewalk replacement are paid from this account. The increase in the proposed expenditure is reflective of the increase in the price of concrete, asphalt and salt for the removal of snow.
- 12.5222 Repairs on road equipment for the Street Department are paid from this account. A separate account is required for the State of Maryland as evidence when making claims for rebate.
- 12.5224 Rental of backhoe and/or cranes for digging trenches and taking up curbs and gutters paid from this account.
- 12.5225 Saws, hammers, drills, rakes and other small tools purchased from this account.
- 12.5226 Cutting and trimming of trees are paid from this account.
- 12.5227 All electricity and work accomplished for street lights are paid from this account. The increase in expenditures is due to the increase in the cost of electricity.
- 12.5228 Parking Meter Parts were previously budgeted in the Police Department, but since the Public Works Department is responsible for maintenance of parking meters, staff felt it was more appropriate to budget this item here.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
	<u>PUBLIC WORKS-PARKS</u>		
18.321	Salaries	\$58,622	\$64,836
18.3221	Parks Supplies	7,600	8,100
18.3227	Uniform Rental/Laundry/Clothing	1,500	1,500
18.3228	Tools	400	428
18.3229	Car Allowance-Parks Supervisor	900	1,020
18.3421	Street Lights-Parks and Special	<u>800</u>	<u>850</u>
	TOTAL PUBLIC WORKS-PARKS	<u>\$69,822</u>	<u>\$76,734</u>

PUBLIC WORKS-PARKS--ACCOUNT EXPLANATIONS

- 18.321 This account also includes salaries for summer help.
- 18.3221 Fertilizers, seeds, and other park supplies are purchased from this account.
- 18.3228 Miscellaneous small tools are purchased from this account.
- 18.3229 This account is used to defray expenses incurred by Parks Supervisor for the use of his personal car on official business. Due to the significant rise in the cost of fuel and vehicle maintenance, it is recommended that this account be increased to \$85.00 per month. It is felt that this minimal adjustment is preferable to establishing and maintaining a pool of City owned vehicles.

RECREATION DEPARTMENT
PROGRAM ANALYSIS

The City Recreation Department's goals are to provide improved recreational services, making every attempt to meet the needs and requests of the community and to introduce new and innovative programs.

Last year there were approximately 8,775 individuals participating in special events. This is an increase of approximately 3,275 people. Special events consisted of Concerts; Valentine, Christmas, Easter and Halloween Parties; Easter Egg Hunt, Kite Contest, participation in House and Garden Tour, July 4th Parade, Takoma Park Independence Day Carnival, Tennis Tournaments, Anything Goes Day, Reptile World, Magic Show, Family Nights, Movies, Recreation Festivals, Marble Tourney, Kings Dominion Trip, Antique Show and Sale, Photography Show, Lecture Series, Bike Rodeo, Softball Tournaments, Pepsi Hot Shot, etc. Many of these events would not be possible without the assistance of over 60 dedicated volunteers in the community and our hard working fieldwork students.

One of the Department's outstanding projects is their float in the annual July 4th Parade which is designed and built by volunteers and staff.

Two thousand four hundred eighteen people participating in classes which include Tennis, Art, Yoga, Reupholstering, Holiday Workshop, CPR, Quilting, Cake Decorating, Flower Arranging, Slimnastics, Photography, Karate, Auto Maintenance, Leaded Stained Glass, Gymnastics, Baton, and Dance held at various locations.

After School and year 'round evening gym programs consist of drop in gyms, Volleyball and Arts and Crafts, with an approximate participation of 4,724 persons.

Since the renovation of the Municipal Gym has been completed, the very popular roller skating program has resumed. During the spring break, over 700 children participated in the roller skating program with an attendance of over 200 for one morning session, which is more than we could accommodate.

Co-sponsored summer playground programs with Montgomery County and Prince George's County Recreation Departments had a registration of 780 and a total attendance of 18,530. The programs included trips, swimming, sports, arts and crafts, dramatics, cookouts, tournaments, family nights, early bird breakfasts, nature walk, watermelon feasts, etc., and plans are already underway for the summer of 1980.

The Department sponsors the Azalea City Quilters, Takoma Park Community Singers, Antique Seminar Group and co-sponsors the Takoma Park Concert Band. It is very much involved with the Takoma Park Independence Day Committee, the House and Garden Tour Committee, and local civic and service organizations. The Department also edits, contributes to and coordinates the City Newsletter and issues all permits for City parks and buildings.

Plans for Fiscal Year 1980-81 include at least five summer concerts; a larger Recreation Festival; a 4th of July float; movies; a special trip for the children and one to Longwood Gardens next spring for adults; and a small town Community Fair; in addition to usual events.

The Department staff which consists of 3 full-time persons, (Recreation Director, Recreation Supervisor and Secretary) and 11 part-time people welcome the suggestions from citizens and would appreciate their participation in City activities as well as any help they may be able to offer.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>RECREATION DEPARTMENT</u>			
18.111	Salaries	\$82,654	\$ 86,004
18.1121	Office Supplies	725	775
18.1122	Telephone	1,700	1,500
18.1123	Maintenance-Office Machines	325	325
18.1124	Contingent Fund	1,200	1,000
18.1126	Postage	450	450
18.1221	Gym-Expendable Supplies	200	225
18.1222	Special Community Programs	2,750	2,500
18.1224	Equipment Maintenance	500	535
18.1321	Playground-Expendable Supplies	1,700	1,800
18.1323	Car Allowance-Summer Counselors	170	200
18.1324	Car Allowance-Recreation Supervisor	900	1,020
18.191	Fourth of July	3,150	3,150
18.192	Photo Supplies	650	650
	TOTAL RECREATION DEPARTMENT	\$97,079	\$100,134

RECREATION DEPARTMENT-ACCOUNT EXPLANATIONS

- 18.1123 Maintenance--office machines; covers office machines in Recreation office as well as machines in reproduction room.
- 18.1221 This account provides funds for expendable supplies at the Gym, mainly sports equipment.
- 18.1222 This account is to provide funds for Special Community Programs such as: Halloween, Christmas, and Tennis Tournament expenses; Recreation Festival, Easter Egg Hunt and party, posters, special entertainment, Band Concerts, Kite Contest, local Marble Tournament, Hoe-Down, New Games Day, etc.
- 18.1224 Equipment Maintenance--maintenance of playground equipment, piano tuning, etc.
- 18.1321 This account pays for Expendable Supplies for playgrounds including arts and crafts supplies, sports equipment and games.
- 18.1323 Due to the significant rise in the cost of fuel and vehicle maintenance, it is recommended that these accounts be increased to \$85.00 per month. It is felt that this minimal adjustment is preferable to establishing and maintaining a pool of City owned vehicles.
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LIBRARY DEPARTMENT
PROGRAM ANALYSIS

The Takoma Park Library Department serves the informational and recreational reading needs of the community. We strive to maintain a wide variety of services at reasonable cost, to supplement the resources of other libraries, to be aware of changing information needs in the community, and to respond to them with new or modified services.

The Library is staffed and operative from 9 AM-9 PM week days and from 10 AM-5 PM Saturday (68 hours). During these hours we answer approximately 10,000 reference questions and assist about 50,000 patrons select reading materials. We are open to the public 48 hours a week. The morning hours are spent performing tasks best done when the Library is not fully staffed or open to the public, e.g. having school class visits, reshelving materials, resetting the charge machines, adding new materials to the public catalog, updating records, etc.

The Library maintains a book collection of approximately 50,000 volumes (1700 reference books). It includes special interest collections on art, horticulture and gardening, home repair and restoration, Maryland history and Takoma Park history. The Hooker Collection contains Proceedings of the Maryland Assembly and other valuable source materials for the study of Maryland history. Materials pertaining to local history include the Takoma Record from February 23, 1923, to February 25, 1955, and complete files of the City Newsletter and City Council minutes.

Our book collection is augmented by a variety of circulating non-book materials which include more than 150 periodical and newspaper subscriptions, 10 years back file of periodicals, 3000 phonograph records, individual art reproductions, circulating chamber music scores, and a large collection of up-to-date pamphlets.

However, our information resources are not limited to materials in our collection. We provide a full telephone reference service from 9-9 on week-days and from 10-5 Saturdays. Referral to other libraries, government offices and organizations is a standard feature of this service. As a participant in the Metropolitan area Interlibrary Loan service network, we borrow books for our patrons from other local and distant libraries.

Furthermore, we are flexible enough in our own acquisitions policy to provide for the needs of all our citizens. For instance, we have a growing large-print book collection, and we often draw on the resources of the Maryland State Library for the Physically Handicapped.

The proximity of many schools in Takoma Park makes children's services especially important in the library. Approximately 25 public school, nursery and day care center classes visit each month for stories, finger-plays and readers' aid services. Pre-schoolers have special programs during the school year, with stories, films and penny theater. The children's librarian prepares and distributes booklists and other promotional items on a regular basis.

LIBRARY DEPARTMENT PROGRAM ANALYSIS, Continued

In addition, there are a number of services provided for children outside of school hours. These include a summer story-hour program with films and penny theater for pre-school and elementary children, and a summer reading club for middle school students. A new summer program planned for Fiscal Year 1980-81, is a film and book talk group for upper elementary and Jr. high school students.

We try to respond to user needs not only in our acquisitions policy, but also in every way that will provide greater convenience or more efficient service. We renew books for our patrons by telephone. We issue library cards immediately upon application so patrons may borrow materials without delay. Patrons may still reserve a book for 10¢. We have a typewriter available for free, public use. We sell used books at low cost. We distribute voter registration forms, bus schedules, income tax forms, community information brochures, and pamphlets for the consumer on a wide variety of subjects. We maintain listings of current job openings in both counties and the state of Maryland, and distribute job applications for the counties.

Our monthly displays in both the children's room and the adult reading room offer patrons an opportunity to become acquainted with the work of area artists, craftspeople and collectors. Seasonal and topical book displays highlight timely or particularly interesting areas of the collections.

In all of our operations, we are advised and supported by the members of the Takoma Park Maryland Library Association through whose generosity we receive the Washington Star.

In conclusion, the Takoma Park Library responds to the interests and needs of many groups, including children, students, senior citizens, the handicapped, or clubs and organizations who wish to avail themselves of library resources. We encourage recommendations and feedback from our patrons.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>LIBRARY DEPARTMENT</u>			
19.101	Salaries	\$117,573	\$134,245
19.1021	Adult Books	11,705	12,875
19.1022	Children's Books	4,950	5,200
19.1023	Periodicals, Magazines	2,406	2,500
19.1024	Records	1,359	1,454
19.1025	Bindings	750	785
19.1026	Supplies and Materials	3,500	3,750
19.1027	Display Materials	120	130
19.1028	Service Rentals	200	220
19.1029	Telephone	750	750
19.10210	Postage	500	500
19.10212	Contingent Fund	100	100
19.10213	American Library Asso. Conference	500	500
19.10215	Maintenance-Office Machines	270	200
19.10216	Microfilming Shelflist Cards	150	150
TOTAL LIBRARY DEPARTMENT		<u>\$144,833</u>	<u>\$163,359</u>

LIBRARY DEPARTMENT-ACCOUNT EXPLANATIONS

- 19.1025 Provides for rebinding of books which are worn and also for the binding of outstanding new paperbacks to extend their usefulness.
- 19.1026 This account includes the purchase of borrower's cards, book jackets, book cards and pockets, overdue notices, pens, stationary typewriter ribbons, book mending tape, record jackets, etc.
- 19.1028 Rental contract for use and repair of book charging machines.
- 19.10212 For miscellaneous items not covered in any other category.
- 19.10213 For fees in professional organizations, national and local, and their journals. Also to attend professional meetings.
- 19.10216 Recording of the years acquisitions on microfilm for insurance purposes.

CODE NO	APPROPRIATIONS	1979-80 ADOPTED BUDGET	1980-81 BUDGET
<u>DEBT SERVICE</u>			
24.9031	Interest on Building Debt	\$ 16,330	\$ 14,030
24.9032	Due to Other Agencies:		
	Montgomery County	2,200	-
	Prince George's County	2,100	-
24.9033	Principal Payment on Building Debt	<u>50,000</u>	<u>50,000</u>
	TOTAL DEBT SERVICE	<u>\$ 70,630</u>	<u>\$ 64,030</u>

<u>MISCELLANEOUS</u>			
26.2021	Social Security	\$ 61,688	\$ 73,502
26.2022	General Retirement Fund	101,650	107,000
26.3021	Group Hospitalization	39,000	39,000
26.3022	Workman's Compensation	40,000	42,000
26.3023	Group Life Insurance	8,900	9,500
26.9021	Treasurer's Office Fidelity Bonds	1,200	1,200
26.9022	Municipal Building & Contents (Fire Ins.)	7,000	7,000
26.9023	Motor Vehicles-Comprehensive & Fire	3,600	4,000
26.9024	Special Contractors Insurance Policy	150	150
26.9025	Motor Vehicles-General Liability Ins.	24,000	31,000
26.9026	City Property-Streets, Sidewalks, Liab.	14,000	16,000
26.9027	Excess Liability Umbrella Insurance	8,000	8,500
26.9028	Police Professional Liab. Insurance	9,000	8,500
26.9029	Education Training	5,000	5,000
26.9031	Unemployment Compensation Fund	<u>6,000</u>	<u>0</u>
	TOTAL MISCELLANEOUS	<u>\$329,188</u>	<u>\$352,352</u>

DEBT SERVICE AND MISCELLANEOUS-ACCOUNT EXPLANATIONS

- 24.9032 This debt is not actually paid by the general fund but through reduction in the tax differential payments made by Prince George's and Montgomery Counties. It has been reflected in the revenue portion of the budget.
- 26.9031 State law requires that the City fund unemployment compensation for employees who have been terminated. The \$6,000 used to fund this account has not been expended. Rather than continuing to fund this item out of the General Fund every year, it is recommended that the \$6,000 from FY-1979-80 be set up in a separate fund and no additional money placed in the fund until depleted.

PROPOSED USE OF REVENUE SHARING FUNDS
Fiscal Year 1980-81

CODE ENFORCEMENT DIVISION:

Code Enforcement Operations	<u>\$17,657</u>	\$17,657
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POLICE DEPARTMENT:

Two Replacement Vehicles	13,500	
Paper Shredder	500	
Police Department Operations	<u>11,771</u>	25,771

PUBLIC WORKS DEPARTMENT:

Enlargement of Public Works Storage Area	2,500	
Vehicle Paint Spraying Booth	2,000	
Contractual Engineering Services	3,000	
Typewriter	<u>870</u>	8,370

RECREATION DEPARTMENT:

Gym Floor Refinishing	1,200	
File Cabinet/Safe	<u>300</u>	1,500

LIBRARY:

Typewriter	<u>330</u>	330
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LANDLORD-TENANT PROGRAM:

	<u>21,000</u>	21,000
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CONTINGENCY:

	<u>5,372</u>	5,372
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TOTAL	<u> </u>	\$80,000
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THE CITY OF TAKOMA PARK, MARYLAND

Meeting of the Mayor and City Council
(Special)
June 16, 1980

City officials Present:

- | | |
|-------------------------------|----------------------------------|
| Mayor Abbott | City Administrator Gilsdorf |
| Councilmember Holland | Asst. City Administrator Shaffer |
| Councilmember Patrick | City Clerk Pusti |
| Councilmember Ramsey | Recreation Director Ziegler |
| Councilmember Ricks | Corporation Counsel Gingerich |
| Councilmember Saloma | |
| Councilmember Weisman | |
| EXCUSED: Councilmember Garcia | |

Mayor Abbott called the meeting to order at 8:00 PM.

MAYOR ABBOTT'S COMMENTS

Announced that a Cable Television Committee has been formed, including in the membership, Councilmember Ricks, Lynne Bradley, and several other citizens that are highly qualified; that they are prepared to make a report.

Regarding redistricting of City election wards, stated that George and Eunice Grier, well known demographers, have agreed to work as consultants for the City in this project; that work on this will begin soon.

Referred to an article in the Star on June 16 regarding residential plans for traffic controls on neighborhood streets; the article spoke of the many problems with which residents were confronted; said that the City will soon begin dealing with this problem through a citizen committee.

Concerning Montgomery County's Commercial Revitalization Study of the Carroll/Laurel Business District, Mayor Abbott noted that he has only seen excerpts from the study which show that revitalization will be done with public funding instead of trying to attract private enterprise into the project; that at this time, the County now wants to combine both public and private funding of the project; stated that he is trying to arrange a public meeting for the County to outline their strategy.

Announced that there will be a Public Briefing by Park and Planning staff on the Master Plan, to be held on June 18, at 7:30 PM, in the second floor meeting room of the Municipal Building; that the emphasis of the meeting will be on the proposed downzoning of commercial properties along the 7200 and 7300 blocks of Carroll Avenue; also to allow citizens to have any questions answered prior to the July 8 Public Hearing.

Mayor Abbott turned the remainder of the meeting over to Councilmember Ricks as Mayor Pro-tem, due to his loss of voice because of illness.

Mayor Pro-tem Ricks announced that the reason for the Special Council Meeting was to consider amendment to the City Charter to change the City election

date from March of even-numbered years to November of odd-numbered years; that the next City election, if the proposed amendment is adopted, would be in November, 1981; requested that citizens address their remarks to this issue.

ADDITIONAL AGENDA ITEMS

Discussion of removal of basketball hoops at Silver Spring Intermediate
(Councilmember Weisman)

CITIZENS' REMARKS

1. Lou D'Ovidio, 7324 Piney Branch Road: thanked the Mayor and Council for their work on the budget, noting that they had put in a great deal of time and effort; stated his support for the proposed Charter amendment, noting that the change could possibly increase participation in the election. Mr. D'Ovidio presented the Council with a proposed resolution (attached) concerning Plan Takoma, a citizens organization in Takoma, D. C., that is applying for recognition as a historic district; requested that the Council consider this for adoption and support. Councilmember Saloma requested that the resolution be added to the agenda.
2. Lynne Bradley, 8112 Flower Avenue: stated that she is a member of the City's recently formed Cable T.V. Committee; announced that the Committee would be holding a meeting on June 23 in the Municipal Building; also have tentatively scheduled another meeting for July 17. Councilmember Ricks, who is also a member of the Committee, stated that at the Prince George's County Cable TV hearing, there were several questions raised about the involvement of municipalities in the legislation and also being members of a committee that would bring proposals before the County government; that the City is standing by the fact that it can go several different routes because of its bi-County status; noted that the Committee is in hopes of being able to report to citizens soon on development of proposals; stated that Lynne Bradley had made an excellent presentation before the Montgomery County Cable TV public hearing. Mayor Abbott noted that persons wishing to participate in this Committee, or any others, need only fill out the Talent Bank questionnaires in the June issue of the City Newsletter.
3. Abby Mandel, 7003 Woodland Avenue: stated that the proposed resolution on change of City election date is incomplete because it does not address election by wards, as adopted by citizens at the March 1980 election by referendum; noted that it will be harder to obtain public participation in the Fall, because of so many activities going on--football games, end of summer activities, fall plantings; that it is much easier to get people to participate in the midst of winter doldrums; that having the election in the Fall would mean an election of one kind or another every year; that arguments for changing election are not substantiated; that as far as Maryland legislative sessions are concerned, most of the planning is done in the Fall of the year and not in Spring; also that the budget is prepared by City staff and if citizens are expected to comprehend it in just a few days, the Council should also be able to do so; urged Council not to adopt the proposed change.
4. Saul Schniederma, 7925 Sligo Creek Parkway: thanked the Asst. Library

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Director, for obtaining what he thought to be the largest collection of Folk music in any area library. Announced that there will be another Takoma Park Folk Festival held some time this summer/fall; that there will be a kick-off potluck barbecue at the home of Sarah and Rich Green, 7106 Piney Branch Road, N.W. on Sunday, June 29; invited the Mayor and Council, and all interested citizens to attend.

5. David Prosten, 7428 Carroll Avenue: stated that he is in favor of changing the City election date; noted the bad weather encountered during the February and March campaigns as compared to better weather in October and November; noted that most people expect to be voting in an election in November so would probably have better participation; that the present election date does conflict with budgetary process, which the Council should be involved in; asked if there were any legal problems as far as lengthening or shortening the Council's term if the resolution is adopted; Corporation Counsel stated that there is nothing to prevent Council from shortening its term, but they cannot lengthen terms.

6. Phil Vogel, 7117 Garland Avenue: suggested that legal precedents (court cases) concerning the lengthening of council terms should be included in record of this resolution; asked how the Council intended to act on the resolution; Councilmember Ricks stated that this would be considered the First Reading of the resolution. Mr. Vogel stated his support for the resolution but said he would have preferred to have had the question placed on the ballot for referendum so that all citizens would have a chance to state their opinion; that November is more accessible and more people associate that time with elections; that wanting the Council involved in the budget process is a good reason for changing the date. Mayor Pro-tem Ricks noted the process for adoption of a Charter Amendment, if Council so decides, as follows: it is necessary to post a complete and exact copy of the amendment in the Municipal Building for a period of at least 40 days following adoption; a fair summary of the amendment must be published in newspaper of general circulation in City for not less than four times at weekly intervals during a period of not less than 40 days, and also, that the amendment become effective on the 50th day after adoption, unless a petition is filed with the Mayor and Council on or before the 40th day after adoption requesting a referendum on the subject.

7. Suzanne Rodenbaugh, 53 Walnut Avenue: questioned whether the ward redistricting would be accomplished prior to the proposed 1981 election date; felt that redistricting is much more important than changing the election date. It was noted by Mayor Pro-tem Ricks and Mayor Abbott that redistricting of the wards must be accomplished prior to the next election, whether in fall or spring; that the Griens hoped to have maps, etc., available in early fall this year for public hearings; that hopefully redistricting will be accomplished before the end of this year.

8. Roland Halstead, 7116 Maple Avenue: asked if the changing of City election date would interfere with any other elections and was told that there are no elections--State, County, Federal--that occur during odd-number years; Mr. Halstead suggested Council having five ward Council representatives and two

at-large Councilmembers; that this way local concerns would be taken care of as well as generalized City concerns; Mayor Abbott noted that the suggestion would mean changing the Charter again; it was requested that Mr. Halstead submit this suggestion in writing to the Council.

9. Ada Benick, 212 Philadelphia Avenue: requested that the City consider planting trees along Philadelphia Avenue when new curbs and gutters are installed.

10. Ron Wylie, 7618 Glenside Court: stated his support for the change in City election date, although noting that Mrs. Mandel did raise some good points against it; noted that the primaries are now held in the spring, which could possibly interfere with the present City election date.

11. Lou D'Ovidio: announced that the Takoma Park Women's Club, in conjunction with Historic Takoma, Inc., has won a national award of \$600 from the Sears-Roebuck Foundation for their brochure "Takoma Park-Walking Tour No. 1"; the brochure was written by Mary Ann O'Boyle Leary and graphics by Judy Leyshon.

12. Alvin Elliott, Washington, D. C.: regarding the additional agenda item for considering closing the basketball courts at the Silver Spring Intermediate recreational facility, stated that many who use the courts frequently feel that this measure is extreme; that the petition being circulated for closing cites reasons such as loud noise, abusive language, and drinking; that during the times that he has played there during the past three years, he has not encountered such problems; that basketball is a major form of recreation in the area and the courts at Silver Spring Intermediate are well situated and inviting to players because of their location and the shade offered by the many trees; suggested that instead of closing the courts, that a committee be formed of local patrons of the courts and citizens of the area to try and reach some agreement for self-policing of the courts.

13. Roland Wright, 23 Lee Avenue: urged Council not to close the basketball courts, noting that it is a great form of relaxation; that he uses the courts every evening after work and usually stays until 8:00 PM in the evenings, but has seen kids there until 10:00 PM sometimes; that the courts are shady, the people are nice and there is good competition; suggested meeting with local citizens and working to keep the courts open.

14. Sarah Green, 7106 Piney Branch Road: regarding the proposed resolution before the Council from Plan Takoma for establishing an historic district in Takoma, D. C. which would border on the City's historic districts, stated her appreciation for the help and initiative put into this proposal by Mrs. Ellen Marsh; requested that anyone interested in supporting the proposal, please attend the following meeting or write: Wednesday, June 18, 9:00 AM, National Capital Park and Planning Commission, Joint Commission on Landmarks, 1325 G Street, N. W., Washington, D. C.

15. Keith Consolving, 611 Butternut St., N. W.: stated that the historic district for Takoma, D. C. would include business districts around the Metro station; noted that in the D. C. Sector Plan for the Takoma Metro Area, zoning

as limited to C3A, in commercial areas, which limits the heights to 50-60 feet or 5-6 stories with mixed use of residential on upper floors and commercial businesses on bottom floor.

ITEMS FOR COUNCIL CONSIDERATION

1. Proposed Charter Amendment changing election day from the fourth Tuesday in March to the first Tuesday in November in odd-numbered years, beginning in November 1981.

Mayor Pro-tem Ricks read the proposed changes in the City Charter which would facilitate the change in election day and, upon his motion, duly seconded, Resolution 1-1980 was accepted for first reading. Councilmember Saloma referred to a memorandum from the City Clerk requesting amendments to the proposal, and moved that they be considered for discussion. Councilmember Weisman seconded the motion. The requested changes included (1) receipt of the first list of registered voters as of the last Monday in August; (2) setting the City Caucus date five weeks prior to election day; and (3) changing the registration cut-off date to fall three weeks prior to the election. As explained in the memo, the latter request had been made to help overcome some conflicting deadlines and time constraints experienced during the last election and anticipated in the future; the change in the Caucus date would provide an extra week and still retain the customary 2-week interval for registering new voters prior to the cut-off date.

Mayor Abbott expressed the view that the traditional 4-week interval between the Caucus and election day should be maintained, saying that to extend the period would only serve to lengthen the campaign process, a prospect he did not relish. David and Joan Prosten stated their agreement with the Mayor's position, with the latter saying that it would be preferable from a campaigner's point of view to keep the registration cut-off date as close as possible to election day. Susanne Rodenbaugh stated that this same argument could be turned around to support the Clerk's request; that she had witnessed some of the problems addressed while serving as a Watcher on election day and felt the amendments made sense and that the additional time would, in the long run, better serve the voters. Mr. Clarence Boatman said that it was incumbent on the voters to register on their own initiative; while David Prosten contended that to change the cut-off date would eliminate some possible new registrations. Mrs. Abbott suggested that the procedures now in use could accommodate the problems cited.

Councilmember Ramsey stated that he would favor extending the time for campaigning to a period of even six to eight weeks, that in his view the shorter campaign tended to favor incumbents. Mayor Abbott reiterated his earlier objections to the proposed amendments, and said that the time frame had been adequate in the past and he saw no reason to change it. The City Administrator stated that he and the Clerk had viewed this as an opportunity to make some needed changes, and had not anticipated objections, but that regardless of whether or not they were approved, the election would occur -- and on time. At this point he withdrew the proposed amendments; however, it was the consensus of the Council that they be considered. Councilmember Saloma noted the modifications to the election procedure which would have to be made to accommodate elections by

wards and said that this would be the City's first experience with this method and ample time should be allowed the staff to work out unanticipated problems. Councilmembers Holland and Weisman spoke of the additional tasks of assigning wards to each voter and preparing lists of voters by wards. Mayor Abbott said that citizen volunteers could help with these tasks. Mayor Pro-tem Ricks suggested that in the event it is found that less time is actually needed, the Charter could again be revised to reflect that.

Upon motion by Councilmember Holland, seconded by Councilmember Saloma, the Council unanimously agreed to amend the suggested new date for the Caucus from the fourth Tuesday in September to the last Tuesday in September.

Following further discussion, Mayor Pro-tem Ricks called for the vote on the suggested amendments to the resolution. The vote was recorded as follows:
AYE: All. NAY: None.

Upon motion by Mayor Pro-tem Ricks, duly seconded by Councilmember Weisman, the Council unanimously approved changing Sec. 1.5(a) to read: "The Council shall meet at some convenient place in said city on or before the ((fourth Monday in April)) ~~SECOND TUESDAY~~ MONDAY IN DECEMBER next succeeding their election" At the suggestion of Councilmember Patrick, without objection, the word "the" City was substituted for "said" City in the above passage. It was also agreed that Councilmember rather than Councilman be used throughout the resolution.

Mayor Pro-tem Ricks stated that the proposed resolution, as amended, would be considered the first reading of Resolution No. 1-1980. A marked copy reflecting the changes recorded above is attached.

There followed a dialogue among the Mayor, Councilmembers Saloma, Holland and Ramsey on the advantages and disadvantages of changing the election date. Councilmembers Saloma and Holland agreed with the drawbacks noted earlier in the meeting by Mrs. Mandel (the need to work with the State Legislature prior to the beginning of the session; despite the possible advantage of good weather in the fall, it is a busy time particularly for those with children starting back to school, etc.; the fact that a Council coming in in November would still have to operate under a budget drawn up by its predecessors). Mayor Abbott and Councilmember Ramsey felt that budgetary matters should be the overriding consideration -- Mayor Abbott pointed out the problems faced by an incoming Council in having to deal immediately with the budget process.

2. Councilmember Saloma made a motion, duly seconded by Councilmember Weisman, that the Council offer support to Plan Takoma in their efforts to have an adjoining section of the District, Takoma, D. C., recognized as a historic district and that the resolution proposed by Mr. D'Ovidio be adopted; when the motion was put to a vote, it was adopted unanimously. The resolution is as follows.

RESOLUTION

WHEREAS, Plan Takoma, a citizens organization in Takoma, D. C., is applying for recognition as a historic district; AND

WHEREAS, Takoma, D. C. and Takoma Park, Maryland were originally developed by Mr. E. F. Gilbert as the first railroad suburb of Metropolitan Washington, sharing common residential and commercial architectural styles and roots; AND

WHEREAS, there is a need for insuring rational and coordinated preservation and development around the Takoma Metro Rail Station.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland do hereby urge the Joint Committee on Landmarks of the National Capital to establish a historic district in Takoma, District of Columbia.

ADOPTED THIS SIXTEENTH DAY OF JUNE, NINETEEN HUNDRED EIGHTY.

3. Councilmember Weisman noted the receipt of a letter from the Area 4 Recreation Advisory Board concerning the Silver Spring Intermediate basketball courts and the problems the young players and neighboring residents are experiencing; that Park Police are aware of the difficulties and also know of the use of alcohol and abusive language; letter suggested the removal of the basketball hoops to improve the situation, and possibly lowering the hoops of one court to 8-feet to allow younger children to participate; Area 4 Recreation Advisory Board requested the Council's input on these suggestions. Councilmember Weisman also noted that he received a memo from the City's Recreation Director which listed several problems the Department is encountering while trying to operate programs at the Silver Spring Intermediate gym; Councilmember Weisman noted that last year he was presented with a petition signed by 52 of the neighboring residents requesting that the courts be removed; the petition and also a letter requesting the same action from the North Takoma Citizens Association were sent to the Advisory Board. Saul Schniederman stated that he has used the basketball courts at Silver Spring Intermediate often and that there were many times that he didn't get a chance to play--that the winners from one game stay on the court while the losers must leave to allow other players a chance--this decision is made among the players; suggested lowering hoops on one court or constructing a smaller court to allow children a chance to play; stated that the abuses mentioned take place, but felt that there should be a better solution rather than removing the hoops; Councilmember Weisman made a motion that a letter be sent to Royce Hanson, Chairman, Montgomery County Planning Commission, stating that the Council would like to see usage of the basketball courts altered, such as removing basketball rims for a period of time and possibly lowering two of the rims to an 8-foot level to encourage more youth activity; Councilmember Saloma seconded the motion; Mayor Abbott asked that the motion be amended to include a request urging Park and Planning to provide an alternate basketball site to allow for continued playing. The original motion and amendment were discussed at some

length with the following points being raised: that an alternate site should be available at the same time Silver Spring Intermediate courts are phased out; alternative sites for courts could be Jessep Blair Park or the Takoma Park Recreation Center; that there are not enough recreational facilities inside the Beltway, especially in Takoma Park, and the Silver Spring Intermediate courts should not be closed completely without others being made available. Two of the players who use the Silver Spring Intermediate courts were recognized by the Council; both offered their help in working with the neighbors who they said are apparently disturbed because the courts are used primarily by non-resident Black players. Mrs. Morelyn Weisman, 7701 Takoma Avenue, stated that this had nothing to do with wanting the useage of the courts altered; that the original idea was to have a neighborhood recreational facility for children and adults of the area, along with City and County recreation classes inside the building; that this idea has not worked out because of the problems caused by overuse of the basketball courts. It was noted by several Councilmembers that the Council has an obligation to the homeowners of the area, but they did not actually want to see the courts closed because of the lack of adequate recreational facilities in the City. After further discussion, Councilmember Weisman accepted Mayor Abbott's amendment to his motion, and it was put before the Council for a vote; the Council approved the motion unanimously. Mayor Abbott made a motion, duly seconded by Councilmember Holland, that a committee be appointed comprised of selected Councilmembers and the basketball players who had offered their help, to work on the problems at the courts in the interim of decision on exactly what will happen to them; Councilmember Saloma requested that the committee arrange a meeting that week with Royce Hanson and other Park and Planning officials to discuss the alternatives; the motion was approved by the Council unanimously.

4. Mayor Pro-tem Ricks requested that the City Administrator prepare a report on the questions listed by Mr. Allan Marsh concerning the Sylvan Terrace apartments.

5. Councilmember Holland requested a listing of election dates for other municipalities in the area be prepared for the Mayor and Council.

Upon motion, duly seconded, the meeting adjourned at 11:55 PM.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

FIRST READING

RESOLUTION NO. 1-1980

CITY CHARTER AMENDMENT

TO CHANGE THE TIME FOR THE NOMINATION AND ELECTION OF THE MAYOR AND COUNCIL; CERTIFICATION OF THE REGISTERED VOTERS AND THE FIRST MEETING OF THE NEWLY ELECTED MAYOR AND COUNCIL

WHEREAS, the Mayor and Council, after deliberation, have concluded that it is in the best interests of the City to have the election for Mayor and Council held in the month of November in the odd numbered years in order to enable the Mayor and Council to give adequate consideration to the budget needs of the City for the next succeeding fiscal year; and

WHEREAS, it is necessary to amend the City Charter so as to change the time for nominations, election, certification of voters and first meeting of newly elected Mayor and Council.

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

SECTION 1. THAT Sec. 1.3 (a), Sec. 1.3 (c), Sec. 1.3 (l), Sec. 1.4 (a), Sec. 1.4 (c) and Sec. 1.5 (a) of the City Charter be amended as follows:

Sec. 1.3 (a). Every resident of [[said]] THE city whose name shall be certified to the mayor and council under the provisions of the next succeeding section of this charter shall be entitled to vote in THE municipal elections in [[said]] THE city, and no person shall vote in any such municipal election whose name shall not be so certified provided, however, that this section and the next succeeding section shall not

NOTE: [[]] indicates deletions
CAPS indicates additions

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apply to special elections held under the provisions of this Charter. The residents of ~~[[said]]~~ THE city whose names shall be so certified are hereby designated as the "Voters" of the city, and by that designation are hereinafter referred to in this section and they shall on the ~~[[fourth Tuesday of March, 1966]]~~ FIRST TUESDAY OF NOVEMBER, 1981, and each second year thereafter, elect as council^{MEMBERS}~~men~~ seven persons and as mayor one person each of whom shall reside in the city and be a voter of the city and in the case of the ~~[[said]]~~ council^{MEMBERS}~~men~~, be residents of the areas from which they are so elected. The mayor and the council^{MEMBERS}~~men~~ so elected shall serve for two years, beginning with the ~~[[second Monday in April]]~~ FOURTH MONDAY IN NOVEMBER ensuing after their election or until their successors are duly qualified.

Sec. 1.3 (c). Beginning with the election to be held on the ~~[[fourth Tuesday in March, 1980]]~~ FIRST TUESDAY IN NOVEMBER, 1981, and every second year thereafter, the mayor shall be elected at large; one member of council shall be elected from each of the wards by voters of that ward only.

Sec. 1.3 (1). Nominations for mayor and council^{MEMBERS}~~men~~ shall be made at a meeting of citizens called by the city clerk at the direction of the council. Such meeting shall be held at a convenient place within the city to

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be designated by the council and notice thereof shall be given through a newspaper or newspapers of general circulation within the city or by handbills generally distributed and posted throughout the city and the [[said]] meeting shall be held on the [[Tuesday evening four weeks prior to the election]] ^{LAST} ~~FIRST~~ TUESDAY IN ~~SEPTEMBER~~ ^{SEPTEMBER} ~~OCTOBER~~ PRIOR TO THE ELECTION. The city clerk shall preside at [[said]] THE meeting; a voter of the city shall be chosen as secretary of the meeting by the voters of the city present; the [[said]] secretary shall keep a record of the proceedings of [[said]] THE meeting and file the same in the office of the city clerk.

Sec. 1.4 (a) On the [[first Monday in February, 1966]] ^{LAST} ~~SECOND~~ MONDAY IN ^{AUGUST} ~~SEPTEMBER~~, 1981, and each two years thereafter on the [[first Monday in February]] ^{LAST} ~~SECOND~~ MONDAY IN ^{AUGUST} ~~SEPTEMBER~~, prior to the city election, the boards of election supervisors for Montgomery and Prince George's Counties, respectively, shall certify to the mayor and council alphabetical lists, for each precinct separately, of the names and addresses of the registered voters in the state and county elections within the 4th, 6th, 9th, and 21st precincts of the 13th Election District of Montgomery County, and within that portion of Prince George's County within the city.

Sec. 1.4 (c). The respective boards of election supervisors shall, on or before the [[second Monday in

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March of each second year, beginning in March, 1950]]
~~SECOND~~
~~THIRD~~ TUESDAY IN OCTOBER OF EACH SECOND YEAR, BEGINNING
IN OCTOBER, 1981, certify to the mayor and council,
revisions, if any, in the lists so certified thereto-
fore by them, which may be required to correct clerical
mistakes in the preparation of the original lists.

Sec. 1.5 (a). The council shall meet at some convenient
place in ~~said~~ ^{THE} city on or before the [[fourth Monday
in April]] ~~SECOND TUESDAY~~ ^{MONDAY} IN DECEMBER next succeeding
their election, and as often thereafter as may be
necessary to discharge the duties of their office;
not less, however, than once in every month. A majority
of the council shall constitute a quorum for the trans-
action of business, and the council shall pass rules
and bylaws for their own government while in session;
upon a tie vote the vote of the mayor shall be deciding.
Any single action of the council relative to the bor-
rowing of money or expenditures of \$10,000.00 or more,
receiving less than four affirmative votes, shall be
submitted to the mayor for his approval; if he does
not approve, it shall not become effective until it
does receive an affirmative vote of four council members.
In the absence of the mayor at any meeting, the council-
~~man~~ ^{MEMBER} designated in subsection (s) of section 1.3 of
this Charter to act as mayor in case of the absence or
disability of the mayor shall preside; if such council-
~~man~~ ^{MEMBER} is also absent, the council shall designate one

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of the council^{MEMBERS}~~men~~ present to preside; a council^{MEMBER}~~man~~
 presiding in the absence of the mayor shall retain
 his vote as council^{MEMBER}~~man~~, but shall have no additional
 vote in case of a tie.

CITY OF TAKOMA PARK, MARYLAND
MAYOR AND COUNCIL WORKSESSION
June 30, 1980

Councilmembers present:

Mayor Abbott
Councilmember Garcia
Councilmember Holland
Councilmember Patrick
Councilmember Ramsey
Councilmember Ricks
Councilmember Saloma
Councilmember Weisman
City Administrator Gilsdorf

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

1. Rent Stabilization Commission. This matter will be more fully discussed at the Special Worksession of the Mayor and Council to be held on July 7, 1980, when time will be devoted to interviewing prospective Commission members.
2. Appeal No. 5840 - 7208 Flower Avenue. After discussion, the City Administrator was directed to notify the Prince George's County Board of Appeals that the City's position was to oppose the Special Exception based on its inconsistency with the City's Master Plan and the expressed opposition of the local citizens' association; also the Council's expressed policy on special exceptions/variances of this kind, i.e., 7206 Flower Avenue. Further, the City Administrator was directed to express displeasure at the short notice (10 days) given to the City in which to respond to this Special Exception.
3. Opting-in All of City's Population with Montgomery County to Maximize CDBG Funds. The City Administrator was directed to proceed with this suggestion and to report back to the Council at a future date.
4. SDA Variance No. A-698 at Carroll and Greenwood Avenues. The City Administrator was asked to obtain the opinion of the Longbranch-Sligo Citizens' Association on this variance, and to also request the Seventh-Day Adventist Church to supply the Mayor and Council with an 8½ x 11" site plan.
5. SSI Basketball Courts. The City Administrator was directed to write to Dr. Royce Hanson, Vice Chairman, M-NCP&PC, advising him that a full-time monitor at the basketball courts would be the only acceptable compromise position of the Mayor and Council; also that the Council felt that a part-time or rotating shift monitor would still be inadequate to the situation; further, that the letter urge Dr. Hanson's attendance at a special meeting of the Mayor and Council at 7:00 PM, on July 8, to further discuss this matter.
6. Ward Redistricting. The Mayor advised Councilmembers that there will be a meeting held with the City's consultant on ward redistricting, Mr. George Grier, on July 2 at 8:00 PM.
7. Traffic Committee. The Mayor advised the Council that Mr. Douglas Schneider (former Director of the D.C. Department of Transportation) will be working with citizens of Takoma Park on solving some of the City's traffic problems.

WORKSESSION
June 30, 1980

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8. Press Secretary Position. The position description for the job of Press Secretary was discussed at some length with several members of the Council expressing reservations about the position and the wording of the position description. Mayor Abbott suggested that Councilmembers draft what they feel is an acceptable reflection of duties and responsibilities of this job.
9. Trash Receptacles Placed at Piney Branch Road and Flower Avenue by Local Businessman's Association. The City Administrator was directed to write a letter to the Businessman's Association thanking them for the installation of the trash receptacle.

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

APPROVED _____

Sam A. Abbott, Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator