

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
July 14, 1980

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 THE REGULAR COUNCIL MEETING OF JUNE 9, 1980
 READING AND APPROVAL OF THE MINUTES OF THE SPECIAL COUNCIL MEETINGS ON RENT
 STABILIZATION: MAY 5, MAY 19, JUNE 3 AND JUNE 9, 1980*

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' REMARKS

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications
2. Administrative Reports and Recommendations for Council Action
 - (1) Second Reading of Charter Amendment Resolution No. 1-1980 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
 - (2) Appointment of members of the Community Development Block Grant Citizens' advisory Committee
 - (3) Discussion of continuation of 7208 Flower Avenue as a 3-unit building (Appeal No. 5840); July 9 public hearing has been continued for 30 days.
 - (4) Appeal No. A-698: Variance request by Sligo Adventist Church to construct an addition at Carroll and Greenwood Avenues with 5 feet less than 25-foot street setback. Public Hearing: 9:00 AM, 7-17-80, COB, Rockville.

SPECIAL REPORTS

NEW BUSINESS

ADJOURNMENT

*NOTE: Copies of Special Meeting minutes are available in the City Administrator's Office and at Council meetings.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council

July 14, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Acting Chief of Police Carter
Councilmember Ramsey	Public Works Director Robbins
Councilmember Ricks	Recreation Director Ziegler
Councilmember Saloma	Corporation Counsel Gingerich
Councilmember Weisman	

The Mayor and City Council of Takoma Park met on July 14 at 8:03 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, Councilmember Saloma made a motion that the minutes of the Special Meetings on Rent Stabilization not be considered for approval at this time to allow Councilmembers more time for study; the motion was duly seconded by Councilmember Weisman and approved by the Council. Councilmember Ramsey noted that in the minutes of May 27, Mayor's Comments, first paragraph, the statement concerning Councilmembers not meeting with individuals was made in reference to meeting with landlords in private meetings dealing with rent stabilization, and not meant to be referred to the general public wanting appointments with the Mayor or Councilmembers. Upon motion, duly seconded, the Council approved the minutes of the Regular Meeting of June 9, 1980.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Concerning the establishment of the City's Landlord-Tenant Commission, Mayor Abbott stated that the Council had interviewed several citizens wishing to serve on the Commission last Monday evening; that there are nine more people that have to be interviewed and arrangements are being made to have the interviews take place prior to the next Council worksession on July 21.

Stated that he had received a letter from County Executive Hogan of Prince George's County which stated that the City would be receiving a rebate from the County of \$7,311.36 because of increases in landfill rates; that these in lieu of funds would be made in quarterly payments.

Regarding the Citizen Talent Bank questionnaires in the City Newsletter, stated that approximately 120 have been returned and tabulated; the Cable TV Committee has already been formed and has met several times, including making presentations to the Counties; the Committee will be meeting on Thursday evening, July 17 in the Municipal Building, and will have representatives of each County's Cable TV Commissions available for information. Mayor Abbott stated that a Ward Re-Districting Committee has also been formed and will meet Tuesday evening, July 15, in the Municipal Building; that George and Eunice Grier are working with this Committee; preliminary figures from the census have been received showing a decrease in the City's population (Montgomery County's section) of about 2,200; that according to newspaper reports this has been caused by a change in the size of households and not a decrease in housing units. Stated

that in early August, a City-wide traffic committee will begin meeting; that Mr. Doug Schnieder, former head of the D. C. Department of Transportation, will work as a consultant with this committee. The Mayor stated that other people interested in other areas on the Talent Bank questionnaire would be turned over to existing committees such as the Recreation Council and Historic Takoma, and where there are none, committees will be formed.

ADDITIONAL AGENDA ITEMS

Longbranch Park clean-up (Councilmember Ramsey)
Montgomery County's Proposed Housing Policy (Councilmember Ramsey)
Update on litter situation in front of 7611 Maple Avenue
(Councilmember Ricks)

CITIZENS' REMARKS

1. Joseph Lerner, 7708 Takoma Avenue: concerning his request of the Council at a previous meeting about the properties at 7707 and 7709 Chicago Avenue (owned by Montgomery College) and preventing their demolition, stated that the properties were torn down on July 14; noted that according to the College's Master Plan, the construction of the auditorium which is planned for this site cannot take place until 1983; also that the County must allocate funding for this construction; requested that the Council find out as much as they can about the construction and dimensions of the building and also the amount of traffic and parking it will generate. Noted the construction of 78 townhouses adjacent to Jessup Blair Park; requested that the Council inquire into additional recreational facilities in the Park and also what will be done to improve the Juniper Street pedestrian bridge. Mayor Abbott stated the possibility of arranging a meeting with the three jurisdictions involved in this area -- D. C., Montgomery County and the City, to discuss improvements.
2. Sue Lerner, 7708 Takoma Avenue: stated that many people are now becoming interested in moving into the City; suggested that the Council initiate a community bulletin board in the Library where people can list a house when it goes up for sale, and possibly a map showing the location.
3. Carolyn Lum, 8204 Garland Avenue, First Vice President, Neighborhoods Together, Inc.: stated that their Law Enforcement Assistance Association grant has been reinstated; thanked the Mayor and Chief Porter for their assistance.
4. Alan Magan, 514 Albany Avenue: regarding the meetings on the City budget, stated that he felt there was not enough discussion given to the rise in assessments in the City as connected with the increase in City tax rate; that the reassessments have made a large difference in many property owners' tax bills.
5. Ellen Marsh, 7405 Maple Avenue: stated that she had written a letter to Richard Robbins, Director of Public Works, regarding several items of concern to her; that she has received a very nice reply which addresses each of her items which she appreciated; wanted to make sure the Council appreciated

their fine Public Works Director. Concerning the basketball courts at Silver Spring Intermediate, suggested that the recreational facilities at Jessup Blair Park could be improved or added to accomodate additional courts.

6. Karl Kessler, Barcelona Nut Shop, 7328 Carroll Avenue: asked what was the next step in setting up a meeting with Park and Planning officials and Takoma Park businessmen on the Master Plan; Mayor Abbott stated that Royce Hanson, Chairman, Planning Commission, had arranged for staff people to meet with businessmen regarding design and upkeep of storefronts; that the businessmen will be notified prior to the meeting.

7. Ron Wylie, 7618 Glenside Court: thanked the City staff and everyone involved in the Fourth of July celebration, stating that it was great; asked if the Council had made any decision on whether or not to continue under Montgomery County's OLTA program and whether a payment of Revenue Sharing Funds will be made; Mayor Abbott stated that the City is covered by the OLTA program until the end of the calendar year; that when the Council received the quarterly report covering March through June, it will look at the figures and decide then.

8. Allan Marsh, President, Old Takoma Park Citizens' Association: regarding his memo to the Council on the Master Plan, stated that he is still firm in his support of C-1 zoning for the Carroll Avenue business district and R-60 zoning for the 7100 block of Carroll Avenue; stated that the businesses should not bribe the City by saying they will improve their storefronts under the C-2 zoning; that they should be doing it now.

9. Karl Kessler: stated that he thought Mr. Marsh had misunderstood what was said at the Master Plan hearing concerning businesses; that the business community will improve the stores with or without C-2 zoning; noted also that the businesses need community support.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Douglas Ziegler, President, Takoma Park Independence Day Committee: Letter of thanks to the Mayor and Council and City departments for making the Fourth of July celebration a huge success. Councilmember Ricks thanked citizens for their participation in the celebration.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Charter Amendment Resolution No. 1-1980 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. Mayor Abbott stated that on June 16, the Council held a special meeting for the First Reading of this proposed Charter Amendment. Several citizens prior to and during the ensuing discussion made remarks on the Charter Amendment: Phil Vogel stated that the majority of speakers at the June 16 meeting expressed approval of the amendment and indicated his support for the change, noting

that the election in March interferes with the budget process. Ellen Marsh noted that she thought the Resolution is very sensible and that November is much better time for election. Maurice Berez stated that he felt most citizens want to see a change in election date and that a petition drive could be mounted if Council doesn't adopt the Resolution. Becky Berez noted her concerns over conflicts with the budget with the election in March. Paul Dwiggins stated that the change would be in the best interest of the City. Elizabeth Bozarth stated her view that a Council elected in November would be able to plan its own budget. David Prosten said that he had stated his views at the last meeting, and reiterated his reasons for support of the Resolution, saying that though he still disagreed with the change in the registration cut-off date, he would not be too upset to have it in force for the next election or until the new system is under control. Said he could see no reason not to change election day to November and pointed out that the change would likely mean a better turnout of voters. Rino Aldrighetti stated that the last election should have sent a message to the Council that citizens want more participation in government and that this change would give them that chance. There followed a lengthy discussion by Councilmembers, including the following comments: Councilmember Saloma stated that she had requested that Council adopt the staff recommendations for change in voter registration times and cut-off because the next election will have many radical changes because of the new procedure of voting by wards; that she would continue to support this regardless of whether or not election date is changed. Councilmember Holland noted that most of the municipalities of similar size in the area have their elections in the Spring; that he is against the Resolution, noting that in the future it could possibly conflict with State/Federal elections that may be held in the Fall; that his local citizens association is against the resolution; felt the budget was handled quite well by the newly elected Council and that he saw no overriding reason to change the traditional time for holding the election. Councilmember Weisman stated that he is in opposition to the change in election date, stating that departments can prepare their individual budgets earlier to give the Council time to evaluate them and make desired changes; that with ward elections, he thought that the change in election date also may be one too many change for City staff and citizens alike to handle and that the date should not be changed prior to the next election; Councilmembers Garcia and Patrick both stated their support for the Resolution, citing both the weather and budgetary considerations; Councilmember Ricks stated that he could see no valid reason for changing election date, except for budget preparation, and he thought the budget had been handled well this year and in any case the budget is a continuing process; also noted that lobbying for funding should be done in the Fall, when State legislature is just beginning to prepare bills. He said he might view the change more favorably if he knew that more than half of the residents of the City agreed with it; that after listening to all the arguments, he remains unconvinced, and would vote on his own conscience. Councilmember Ramsey stated his support for the Resolution, noting that at the MML Conference he had learned why most municipalities have their elections in the Spring: Many municipalities base their charters on a model charter in the Maryland State Code which includes Spring elections; Councilmember Saloma stated that Mayor Abbott had made a strong argument for support of the Resolution by reasoning of budget interference during the Spring; she noted there are many things to be considered for the next election with the radical changes necessary for ward elections and the redistricting plan and that as much time as possible should be allowed; stated that the majority of planning for both the State and Counties takes place during the Fall and that this would be the best time

for input, and not at the public hearings held during the Spring; stated her opposition to the Resolution. She stated that a Council has two opportunities to leave its imprint on the budget---at the end of its first and last years in office. Stated that her position reflected her own best judgment on what is best for the City. Mayor Abbott stated that the Resolution was one that he proposed; that the budget process and lobbying for additional funding were major reasons for proposing the change in election; he felt there was a sufficient amount of time for staff and citizens to adapt to the change in election date and also to election by wards; regarding budget process, noted that Takoma Park is one of the few municipalities that offers full services (refuse collection, police, library, etc.), while most other cities received major amounts of revenue from other sources while the City's major source is property taxes on single-family homes; that the Council needs the time in the Spring to lobby for more funding, which cannot be done in the midst of election; also noted that a speaker, Robert Hackett, at the MML Conference, had echoed these statements, adding that an election should not be held anytime during the period January through June. Councilmember Weisman moved that the Council discontinue discussion, and vote on the Resolution; the motion was seconded by Councilmember Holland. When the vote was taken it was recorded as follows: In favor of adoption of Resolution 1-1980: Councilmembers Garcia, Patrick, and Ramsey; OPPOSED: Councilmembers Holland, Ricks, Saloma and Weisman; EXCUSED: None. Mayor Abbott stated that there would be ample opportunity to take this item up again at a later time. Mr. Ronald Wylie requested Councilmember Ricks contact him concerning what evidence he would like stating citizen support of this Resolution.

2. Appointment of members of the Community Development Block Grant Citizens' Advisory Committee. Upon motion by Councilmember Ricks, duly seconded by Councilmember Garcia, the following persons were appointed to serve on the CDBG/Citizens' Advisory Committee by majority vote of the Council (Councilmember Ramsey was temporarily absent at this time). Mayor Abbott requested that the Director of Community Development prepare an article for the Newsletter. The following were appointed to serve on the CDBG/Citizens' Advisory Committee: Mr. Eugene Freeman, Spring Park Citizens' Association; Mrs. Muriel Hoover, North Takoma Citizens' Association; Mrs. Frances Phipps, Community Improvement Board; Mr. Lou D'Ovidio, Historic Takoma; Mr. William Allan, S.S. Carroll Citizens' Association; Mr. Thomas Guins, Hampshire Greens Citizens' Association; Mr. Otis Matthews, Tenant Representative and Takoma Park Boys and Girls Club; Mr. Alvin J. Nichols, Community At-Large Representative; Mr. Bill Ekert, Westmoreland Area Community Organization; Ms. Mary K. Vincent, Cockerille Avenue Citizens' Association; Mr. Karl Kessler, Takoma Park Businessman's Association; Mr. Kevin J. Parker (Alternate), Historic Takoma; Mr. Edmund Longen, Hodges Heights Citizens' Association; Mrs. Shirlee Hutmire, Takoma Park Recreation Council; Ms. Paula Roark, Community At-Large Representative; Mr. Richard Liversidge, West of Flower Neighborhood; Mr. Edgar Dawson, Ritchie Avenue Citizens' Association; Mr. Roland Halstead, Old Takoma Citizens' Association; Mrs. Margaret Holmes, B.F. Gilberts Citizens' Association; Mr. Phil Vogel, Longbranch-Sligo Citizens' Association; Mrs. Leora Hubbard (Alternate), Hodges Heights Citizens' Association; Mr. Carlos Stewart, Tenant Representative; and Tiko Campbell, Community At-Large Representative.

3. Discussion of continuation of 7208 Flower Avenue as a 3-unit building (Appeal No. 5840); July 9 public hearing has been continued for 30 days. Mayor Abbott requested that at this time the Council discuss the Park and Planning staff recommendation, to be submitted for the Master Plan, on changing the zoning of 7206 & 7208 Flower Avenue from R-35 to R-30, which would allow for a 3-unit building to operate; the Mayor made a motion to this effect which was seconded by Councilmember Ricks, who

noted that the Council did take a consensus action on the Appeal of 7208 Flower Avenue at its last worksession, for denial of continued use as a 3-unit building. Councilmember Ricks noted that the Park and Planning staff recommendation seemed to be based on assumptions and appearances and not actual facts; felt the Council should base their decision on the properties on what is stated in the zoning code and not on the staff recommendation. Other Councilmembers expressed the desire to address the agenda item and not the Master Plan. Mr. Phil Vogel offered a motion to be considered: that the Council reaffirm their position of July 1, supporting the R-35 zoning; presented the Council with a petition containing 100 signatures supporting that motion with signatures of 100 people in the Longbranch-Sligo area. Larry Hush, owner of 7208 Flower Avenue, made the following statement: requested Council to support rezoning of the property and to also contact the Board of Appeals stating their support of continuance of the multi-family use until R-30 zoning takes effect; that the Park and Planning staff report established that the property was constructed as a 3-unit building and not converted; that the rationale of the Master Plan is to zone properties for their originally intended use and the change from R-35 (two-family) zoning to R-30 (multi-family) zoning would accomplish this; noted that in Montgomery County, multi-family properties built as such, but are located in single-family zones, have been declared legal indefinitely; that in the Master Plan, the two properties are listed as multi-family and not two-family; stated that 20 immediate neighbors have signed a petition stating that they do not object to the continued use of the property as a 3-unit building; also stated that if the Longbranch-Sligo Citizens' Association is under the assumption that if the zoning is enforced, the result would be an owner-occupied 3-unit building, this is not so, because owner-occupation is not required. The following citizens spoke on the subject: Harry St. Ours, 7204 Flower Avenue, stated that he has found evidence of the addition of the third unit in 1948 from Potomac Electric Power Company records; Maurice Berez stated his support of the current R-35 zoning for the properties; said property was not as well kept as it could be if owner-occupied. Gene Wade, 7208 Flower Avenue, suggested that the additional electric meter could have been installed as the building was being finished off during construction; that as a tenant of the building, he felt that he had a home and was not just renting an apartment; feels a part of Takoma Park. Rino Aldrighetti, stated that absentee owners, such as Mr. Hush, do not suffer the problems of the tenants; that although Mr. Hush may be a good landlord, if the zoning is changed a new owner could be much worse and it would be too late; Mary Helen Pratt, 7207 Flower Avenue, stated that the properties should be owner-occupied; also thought that stricter code enforcement was needed for the apartments along Flower Avenue. Debbie St. Ours, 7204 Flower Avenue, stated that the zoning ordinance should be enforced and if the Council allows the property to continue as 3-units, it would set a precedent. Maurice Berez, read from City election campaign literature which promised no additional apartments in the City. Jan Swartz, 7309 Garland Avenue, stated that she had contacted the Prince George's County zoning enforcement office and they said the condition of the building could probably be attributed to City code enforcement and that they could not come out to inspect because of this. Mark Shaffer, 7207 Flower Avenue, noted that there are too many people living at 7206 Flower Avenue and that the law concerning this should be enforced. Moira Magee, 7203 Holly Avenue, stated that if Montgomery County could legalize apartments built as such in R-60 zones, then the same could probably take place in Prince George's County; Phil Vogel, stated that he and the Association did not want to take anything from the owner, but want the zoning laws enforced and the zoning kept at R-35; Carolyn Hush, owner, 7208 Flower Avenue, stated that she and her husband have made many improvements to the property; that the house was built as a three-unit building 34 years ago and not converted to that use and felt that it should continue as three-units; noted that 7206 Flower Avenue is now owner-occupied and there are still many problems at that building; suggested stricter

code enforcement. Mayor Abbott stated that one of the main reasons for bringing these properties up for discussion was the concern for neighborhood integrity; that having three units in the buildings causes density problems in relation to size of the lots; made a motion that the Council reaffirm their original position of retention of the R-35 zoning; Councilmember Ricks seconded the motion. Councilmember Holland stated that he had taken a tour of the property at 7208 Flower Avenue and that in his opinion the building had not been converted, but was built as a 3-unit building; noted that the maintenance at 7206 Flower Avenue seemed to be poor; that there are only two single-family, owner-occupied houses on the block; that 7208 Flower Avenue does have off-street parking for the tenants, which he thought was beneficial to the neighborhood. Councilmember Weisman noted that the Board of Appeals did not give the Council enough time for the usual polling of surrounding neighbors; agreed that the R-35 zoning should be enforced; regarding dealing with the Master Plan, stated that he thought the Plan should be considered in its entirety, instead of one section at a time. Councilmembers Garcia and Ramsey both stated their intentions of supporting the current zoning of the properties. Councilmember Saloma stated that she intended to vote to support R-35 zoning, but she was sorry to have to vote that way; that the Citizens' Association may regret making a case of this particular landlord (7208), because his property seemed to be an advantage to the City and the community. Councilmember Patrick stated that he had also seen the property and felt that it was built as a 3-unit building; that possibly code enforcement might be more stringently enforced. When the motion to reaffirm R-35 zoning for the property at 7208 Flower Avenue was put to a vote, it was approved by majority vote, with Councilmembers Garcia, Ramsey, Ricks, Saloma and Weisman voting in the affirmative, and Councilmembers Holland and Patrick voting in the negative.

4. Appeal No. A-698: Variance request by Sligo Adventist Church to construct an addition at Carroll and Greenwood Avenues with 5 feet less than 25-foot street setback. Public Hearing: 9:00 AM, 7-17-80, County Office Building, Rockville. Councilmember Holland moved that the Council support Appeal No. A-698; the motion was duly seconded by Councilmember Patrick; the City Administrator stated that by letter, the Longbranch-Sligo Citizens' Association posed no objection to the Appeal; when the motion was put to a vote it was approved by the majority of the Council, with Councilmember Weisman being temporarily absent and Councilmember Ramsey abstaining.

5. Councilmember Ramsey made a motion, duly seconded by Councilmember Holland that the Council send a letter to the Longbranch-Sligo Citizens' Association thanking them for initiating the clean-up of Longbranch Park. When the motion was put to a vote, it was approved by unanimous vote of the Council.

6. Regarding the proposed Montgomery County Housing Policy, Councilmember Ramsey stated that the County Council will hold a worksession on this subject on September 26 at 2:00 PM; that there are a number of points in the Policy that could impact on the City, including a proposal by County Councilmember Gelman to introduce legislation that would allow apartments in some single-family houses; Councilmember Ramsey stated that he wanted the Council to be aware of these proposals. Mrs. Moira Magee, President of Landlords-Tenants Plus, was recognized by the Council; she stated that there are approximately 1200 apartment units operating legally (recognized by the County and City) in R-60 and R-40 zones; that since the City Council's vote on the County's Zoning Text Amendment was not unanimous--4:3--asked that the Council reconsider.

7. Councilmember Ricks asked who is responsible for cleaning up the trash that accumulates in front of 7611 Maple Avenue, and also all along that block from Sherman to Lincoln Avenues; the City Administrator stated that it is the property owners'

responsibility, and noted that the owners of 7611 Maple Avenue have been cited with municipal infractions twice in the past week because of the trash; Councilmember Ricks questioned whether the City could clean up the trash and then bill the owners; the City Administrator stated that it has been done before with weeds and trees and thought that it could also be done with trash.

Upon motion, duly seconded the meeting adjourned at 12:05 AM, to reconvene on July 28, 1980, at 8:00 PM.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST _____

Herbert W. Gilsdorf
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council

July 28, 1980

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 THE REGULAR COUNCIL MEETING OF JULY 14, 1980

READING AND APPROVAL OF THE JUNE 16, 1980 SPECIAL MEETING ON PROPOSED CHARTER AMENDMENT TO CHANGE DATE OF ELECTION*

READING AND APPROVAL OF THE MINUTES OF SPECIAL COUNCIL MEETINGS ON RENT STABILIZATION: May 5, May 19, June 3 and June 9, 1980*

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' REMARKS

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Gilsdorf

1. Communications
2. Administrative Reports and Recommendations for Council Action:
 - (1) Authorization to solicit bids on capital outlay items for the Public Works Department, using Revenue Sharing Funds
 - (2) Appointment of members to the Landlord-Tenant Commission

SPECIAL REPORTS

NEW BUSINESS

ADJOURNMENT

*NOTE: Copies of Special Meeting Minutes are available in the City Administrator's Office and at Council meetings.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council

July 28, 1980

City Officials Present:

Mayor Abbott	City Administrator Gilsdorf
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Administrative Asst. Tyree
Councilmember Ramsey	Acting Chief of Police Carter
Councilmember Ricks	Public Works Director Robbins
Councilmember Saloma	Recreation Director Ziegler
Councilmember Weisman	Corporation Counsel Gingerich

The Mayor and City Council of Takoma Park met on July 28 at 8:05 PM, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge of allegiance, Mayor Abbott requested that the Council consider the adoption of minutes of several Special Council Meetings along with the Regular Council Minutes of July 14. Upon motion, duly seconded, the minutes of July 14 were approved with the following change by Councilmember Ramsey: page 7, item 5, line 4, changed by the addition of the word "mentioned" following "proposal"; also another change by Councilmember Garcia: page 7, item 3, last sentence, changed by the addition of the following sentence: "Councilmember Garcia stated he supported the motion so as to be consistent with the action taken by the Council on 7206 Flower Avenue." The June 16, 1980 minutes of the Special Meeting on proposed charter amendment to change the date of City elections were approved upon motion, duly seconded. The minutes of the May 5, 1980 Special meeting on Rent Stabilization were approved upon motion, duly seconded. The May 19, 1980 minutes of Special Meeting on Rent Stabilization were approved upon motion, duly seconded, to include the following correction: page 6, last sentence to read "It was the consensus of opinion that this section would serve as a deterrent to landlords who may use evictions indiscriminately." Upon motion, duly seconded, the minutes of the June 3, 1980 Special Meeting on Rent Stabilization were approved with the inclusion of the following correction: page 2, add to last sentence, "with Councilmember Garcia voting Nay." The June 9, 1980 minutes of the Special Meeting on Rent Stabilization (beginning at 7:00 PM) were approved by the Council, upon motion, duly seconded.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Mayor Abbott announced his attendance at the Montgomery County Chapter-Maryland Municipal League (MML) meeting last week; stated that the main discussion of the meeting centered around the proposed bottle deposit law, during which both sides were represented--representatives of Giant Food Corporation and the Energy Coalition; stated that he has invited spokespersons from both groups to speak in the City and they have agreed. Also discussed were the preliminary census data which is 99% completed; it was noted that there may be drastic reductions in the number of delegates to Annapolis from inside the beltway and that during the 1982 legislative session redistricting will begin because of the drop in population; the possibility of also placing Takoma Park into the Prince George's County senatorial district was also discussed; stated that he would keep citizens informed on this item. Mayor Abbott noted that he has been appointed to serve on the MML Legislative Action Committee (LAC),

which presents legislative proposals to the State Legislature for consideration; suggested that any Councilmember or citizen that wishes to have legislation presented should contact the Mayor; announced that the first meeting of the MML-LAC will be August 9, 10:00 AM, Rockville City Hall; that there will be three meetings before the final legislative package is complete; stated that he felt that because of the vigorous meetings of the MML, the group wants to have the impact of municipalities felt by the State legislature.

ADDITIONAL AGENDA ITEMS

Proposed attendance at Local Government Institute during week of August 4 (Councilmember Saloma)

Proposed co-op conversion at 8624 Flower Avenue (Councilmember Ramsey)

CITIZENS' REMARKS

1. Lynne Bradley, Takoma Park Cable TV Committee: stated that the Committee met last week with Delores Early, Executive Director, Cable TV Commission for Prince George's County, and her counterpart in Montgomery County, John Hanson; that Prince George's County adopted a Cable TV bill some time ago and on September 30 they will begin accepting proposals for franchises, which municipalities will be allowed to look at before they decide on whether or not to opt-in with the County; that last week, Montgomery County adopted its Cable TV bill and they would like municipalities to opt-in prior to their requesting proposals (which will probably be sent out in January or February); the City's Committee is trying to compile files keeping up with all available information on cable TV; Committee meeting is scheduled for Thursday, July 31 at 7:30 PM in the Municipal Building and is open to the public; regarding the amount of revenue the local governments would receive from cable franchise, the Federal Communications Commission has set a ceiling at 3%, but it may be possible that it will rise to 5%; that it is unclear what amount the City would receive if it opts to go with either County because the revenue the Counties would receive would first go towards paying for their commissions, and whatever is left over would be split between the Counties and municipalities; stated that Prince George's County has asked that all municipalities interested in cable TV prepare a draft of what services would be desired and that they would like to have the document by Labor Day; the Committee will begin preparing this with information obtained from citizens and Council and will then present it to the Council for their action prior to delivering it to the County.

2. Ellen Marsh, 7405 Maple Avenue, speaking for Phil Vogel, 7117 Garland Avenue: noted the vandalization of the lights along the Carroll Avenue Bridge; that the State Highway Administration wants to install mercury-vapor lighting which is vandal-proof; requested that the Council support the replacement of the present lighting; that Historic Takoma also supports this request. Public Works Director Robbins stated that he has contacted State Highway Commission concerning their plans for the lighting and was told that the present type of fixtures are difficult to find; that the major problem is funding for replacement lighting and they would like to apply for Federal grant which would, in turn, require mercury-vapor or sodium lighting for the Bridge. Councilmember Garcia moved that a letter from the Mayor be addressed to State Highway Administration encouraging them to use every possible means to keep the present lighting; this

motion was seconded by Councilmember Ramsey who suggested the inclusion of information on City's historic districts because of the Bridge's historical significance, and also samples of artists works' pertaining to the Bridge; Councilmember Saloma also suggested stating that the Bridge is considered a landmark. When the motion was put to a vote, it was approved unanimously.

3. David Prosten, 7428 Carroll Avenue: suggested that the Council also request State Highway Administration to repair the sidewalks on the Bridge which are impassable; stated his support for the adopted motion.

4. Ron Albaugh, 7202 Central Avenue: stated that he was discouraged by the Council's action in not passing the Charter amendment to change the City's election date; hoped that the issue would be brought up again; called attention to a magazine--Broadcasting--in which there is a particular article pertinent to the cable TV issue: "Franchising--A Boobytrap for Cable Industry".

5. Carl Iddings, 7416 Carroll Avenue: stated that he is the ad-hoc chairperson for the City Traffic Committee, which is composed of 26 members representing all sections of the City with the exception of the neighborhoods east of New Hampshire Avenue; that the Committee will have its first meeting on August 6, in the Municipal Building and there will also be an Open Meeting on August 13, 7:30 PM, Municipal Building, at which Mr. Doug Schneider, head of the Department of Transportation of the District of Columbia will be the guest speaker; noted that Mr. Schneider, who will be retiring in August, will be a consultant to the Committee on traffic problems. Mr. Iddings listed what he felt are the main areas of the traffic situation: City-wide solutions such as identifying exactly what the problems are and traffic concerns of specific neighborhoods; how not to shift traffic from one street to another; how to regain control of streets within the City which are now under control of State Highway Administration; enforcement of current laws to control traffic flow; parking for business areas; development outside the City which may have traffic impact on the City; stated that the Committee will investigate these issues and produce reports for Council action.

6. Morelyn Weisman, 7701 Takoma Avenue: noted that when citizens ask for control of things, such as City-control State highways within the City, they should consider all factors, including the cost of maintenance to the City and taxpayers. Announced that 7700 Takoma Avenue, the Carroll House, is now in private ownership as of last week. Listed several bad experiences being had by residents who have used the emergency room at the Washington Adventist Hospital within the last 4-6 weeks; suggested that Washington Adventist Hospital tighten up procedures in the emergency room.

7. Barry Stimmel, 8105 Lockney Avenue, Personnel Director, Washington Adventist Hospital: stated that the emergency room is now operating on a "fee-for-service" basis, where the physicians are on contract and charge for their services, and Washington Adventist Hospital charges for hospital functions; that everyone else except the physicians are hospital employees; the Washington Adventist Hospital would be interested in hearing any complaints or comments about the new operating procedures of the emergency room.

ITEMS FOR COUNCIL CONSIDERATION

Communications

1. Montgomery County Board of Appeals. Notification on variance request of the Potomac Conference of Seventh Day Adventist concerning the addition to the church facilities at Carroll and Greenwood Avenues; the Variance was granted.

2. Montgomery County Board of Appeals. The rezoning application for 8 Grant Avenue for rezoning from R-60 (single-family) to C-2 (commercial) was denied.

3. Prince George's County Board of Appeals. Variance request for construction of an accessory building on the property located at 7502 Central Avenue; hearing to be held on August 27 in Upper Marlboro. The City Administrator was directed to survey surrounding neighbors and local citizens' association for their opinion.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Authorization to solicit bids on Capital Outlay items for the Public Works Department using Revenue Sharing Funds. Upon motion by Councilmember Ricks, duly seconded by Councilmember Garcia, authorization to solicit bids on the following was approved: 1) enlargement of Public Works storage area and extension of driveway through to Ritchie Avenue; 2) construction of vehicle paint-spraying booth; and 3) purchase of typewriter. Councilmember Ricks noted that the extension of the driveway onto Ritchie Avenue would be beneficial to the residents and traffic situation on Oswego Avenue, where the Department's large trucks now travel through; questioned whether it would be a permanent driveway, and when he was told that at this time there is not enough funds for such, requested that when bids are solicited for the temporary driveway, that estimates for permanent installation also be acquired.

2. Appointment of members to the Landlord-Tenant Commission. Mayor Abbott stated that the Council had interviewed 21 citizens who had applied to serve on the Commission; that all those interviewed were extremely high quality individuals, and of those, the following were chosen: Tenants: Carlos Stewart, Thomas Gagliardo, Dr. Emanuel Oheming, Herman Williams, alternate; Landlords: Ronald Payne, Resident Manager, Parkview Towers, Shirley Jones, Marlene Moody, and Ralph Porter, alternate; General Public: Joseph Faulkner, Donald Woodhams, Lynn Brown, and Ronald Wylie, alternate. Upon motion by Councilmember Ricks, duly seconded by Councilmember Weisman, the persons above were unanimously appointed by the Council.

3. Councilmember Saloma announced her interest in attending the Local Government Institute to be held at the University of Maryland during the week of August 4-8; stated that she would like to pay for half of the tuition cost herself (a total of \$260), with the remainder being paid by the City; noted that the Institute was originally developed for the Maryland Municipal Clerks Association, but has been expanded to be appropriate for elected officials as well. Councilmember Ricks moved that Councilmember Saloma be the City's official representative to the Institute with the City paying the entire bill; that she also report back her findings on the program to the Council; the motion was seconded by Councilmember Weisman, with Councilmember Saloma stating that she

would prefer to pay half the tuition. There was some discussion by the Mayor and Councilmembers concerning funding for the tuition and what the program would have to offer. When the motion was put to a vote, it was approved unanimously by the Council.

4. Concerning the announced co-op conversion at 8624-26 Flower Avenue, Councilmember Ramsey stated that the total number of units involved are 28; that there are problems to consider, such as displacement of current tenants, appropriate disclosure of the conditions of the building to prospective buyers and the disclosure of any fees; noted that the prospect of the buildings being turned into a cooperative is intriguing, although the buildings lack the usual amount of renovations/remodelling; that the estimated selling price per unit is \$25,000; noted that there is no law in the City which would provide protection to the current or future tenants of cooperatives or condominiums; stated that there may be a meeting between the tenants and the management company to discuss the conversion on Thursday evening and suggested that members of the Council attend; also suggested that a staff person of the D.C. government, with whom he has made contact and is knowledgeable on this subject, be retained as a consultant to the Council. After some discussion, it was the decision of the Council that Councilmember Ramsey attend the meeting of the management company and tenants and report back to the Council on his findings. Mayor Abbott stated that the reason the Council has not brought up Montgomery County's Condominium Conversion Bill for adoption by the City (Bill must be adopted in its entirety, if at all) is because of a provision in it that states that after the tenants first right of refusal, the County itself and the Housing Opportunities Commission have first right of refusal before the units are placed on open market; that this provision is a cause of some concern and a decision must be reached by the Council before bringing the Bill up for Second Reading.

Upon motion, duly seconded, the meeting adjourned at 9:58 PM, to reconvene on Monday, August 11, 1980 at 8:00 PM.

NOTE: The Council Meeting scheduled for August 25, 1980 has been cancelled to
afford Councilmembers vacation time.

APPROVED _____
Sam A. Abbott
Mayor

ATTEST _____
Herbert W. Gilsdorf
City Administrator