

CITY OF TAKOMA PARK, MARYLAND  
MAYOR AND COUNCIL WORKSESSION  
December 1, 1981

Councilmembers Present:

Mayor Abbott  
Councilmember Garcia  
Councilmember Holland  
Councilmember Patrick  
Councilmember Ramsey  
Councilmember Saloma  
Councilmember Weisman  
City Administrator Nichols  
Harold and Frances Phipps, City Consultants

The meeting was called to order by Mayor Abbott at 7:30 P.M.

1. Letter of Intent to Maryland Industrial & Commercial Redevelopment Fund (MICRF). After a briefing by Harold and Frances Phipps, Takoma Old Town Coordinators, the Council authorized a letter of intent to be sent to the MICRF, but only after expressions of interest are received from the three major developers in the area, i.e., Citizens Bank of Maryland, K.C. Associates, and Silver Spring Ambulance Service.
2. COG Annual Meeting. Mayor Abbott, along with Councilmembers Garcia and Ricks and Administrator Nichols, will attend on behalf of the City.
3. Use of Council Chamber for Concert Series. After considerable discussion, it was determined that the Council Chamber was not an appropriate place to hold concerts. The Mayor and Council suggested that the upstairs meeting room or one of the nearby school auditoriums would be a more suitable location.
4. Program Open Space (POS) Application. Administrator Nichols reported that the POS application, which the City submitted last year, will be considered at a Public Hearing of the Montgomery County Park & Planning Commission on Thursday, December 3. The City has applied for funding to acquire two parcels of land.
5. Proposed Garage at 8015 Maple Avenue. Administrator Nichols reported that he was advised by the supervisor of Montgomery County Building Permit Office that the two lots on which the garage is to be built were combined by deed and that this was sufficient to issue a permit. Mr. Nichols will send a letter to the Director of the Department of Environmental Protection questioning this procedure.
6. Washington Adventist Hospital Proposed Special Exception. Administrator Nichols reported that the Hospital had accepted the invitation of the Mayor and Council to present a public briefing of their project at the December 14 Council meeting.
7. Availability of \$5,000 Pledged to the "Save the Junior High" Effort. After considerable discussion, it was decided that the money should be taken from the Mayor and Council Expense Account, but that prior to any expenditures, representatives of the Junior High Committee should meet with the Mayor and Council at their next worksession, to discuss how the money would be used and the extent of any planned involvement of the City's Corporation Counsel.
8. Proposed Congressional Redistricting. The Mayor and Council briefly discussed the Congressional redistricting process, as it relates to Takoma Park. No consensus was reached.



- 9. Financial Reports. Administrator Nichols presented the 1980-81 Audit and the first quarter statement for Fiscal Year 1982. These reports were discussed at length.
- 10. Tentative December Agenda. The Mayor and Council reviewed the first issues to be taken up during January.

There being no further business to discuss at this time, the meeting adjourned at 11:15 P.M.

APPROVED

ATTEST

Alvin J. Nichols  
City Administrator



CITY OF TAKOMA PARK, MARYLAND  
MAYOR AND COUNCIL WORKSESSION  
December 7, 1981

Councilmembers present:

Mayor Abbott  
Councilmember Garcia  
Councilmember Holland  
Councilmember Ramsey  
Councilmember Ricks  
Councilmember Saloma  
Councilmember Weisman  
City Administrator Nichols  
Asst. City Administrator Shaffer  
Corporation Counsel Gingerich

The meeting was called to order by Mayor Abbott at 7:30 P.M.

1. Request for Dedication of Upper Portal Park. After a report by Administrator Nichols and discussion, the Council determined that if agreeable to the Horticulture and Azalea Clubs, the azalea garden in Upper Portal Park would be dedicated to Clarence and Catherine Casey.
2. Request for Curb Cut at 7047 Eastern Avenue. Administrator Nichols reported that when the present owner acquired the property, no curb cut existed, and that if one had existed previously, it was evidently removed at least seven years ago, with no objection from the owner at that time. The Council requested that the Administrator ascertain the cost and they would make a decision at the next work-session.
3. Sale and Use of Maplewood Avenue Properties. The Mayor and Council discussed this issue briefly, in preparation for taking action at the next Council meeting.
4. Use of Funds Granted to "Save the Junior High" Committee. After a lengthy report by spokes-persons of the Committee, followed by considerable discussion, the Mayor and Council decided to advance the Committee \$500, to cover miscellaneous initial costs, while the Committee prepares a written report for the Council, outlining the parameters of how additional monies would be used.
5. Corporation Counsel Activity Report. Corporation Counsel Gingerich presented a report, detailing the status of all litigation in which the City is involved.
6. Municipal Infractions Program Report. The Mayor and Council heard a report by the City Administrator, outlining the progress of the Municipal Infractions program, for both Public Works and Housing Code Enforcement.
7. Request by Owners of Parkview Towers to Drop City's Legal Actions. After lengthy discussion and advice from the Corporation Counsel, based upon the positive efforts made by the new owner thus far, and out of a desire to demonstrate the City's good faith in working with "the landlord community", it was the consensus of the Mayor and Council that the equity proceeding against 7667 Maple Avenue should be withdrawn, and the Corporation Counsel was directed to so proceed. The Counsel also noted to the owner that the Municipal Infractions served on the violations still outstanding would not be withdrawn.



- 8. Takoma Old Town Administration Budget. Asst. City Administrator Shaffer presented a report detailing the expenditures of the program to date, including funding from all sources.
- 9. 1982-83 Budget Process and Schedule. Due to the lateness of the hour, this item was deferred until the next worksession.

There being no further business to discuss, the meeting adjourned at 11:20 P.M.

APPROVED \_\_\_\_\_

ATTEST: \_\_\_\_\_  
 Alvin J. Nichols  
 City Administrator



THE CITY OF TAKOMA PARK, MARYLAND  
Regular Meeting of the Mayor and City Council  
December 14, 1981

AGENDA

8:00 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 SPECIAL COUNCIL MEETING OF NOVEMBER 2, 1981  
READING AND APPROVAL OF THE MINUTES OF REGULAR COUNCIL MEETING OF NOVEMBER 9, 1981

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

8:10 BRIEFING BY WASHINGTON ADVENTIST HOSPITAL STAFF ON PLANS FOR AMBULATORY CARE FACILITY AND PARKING DECK

8:25 Presentation by citizens' group regarding the facility  
8:35 Question and answer period

9:00 ADDITIONAL AGENDA ITEMS

9:05 CITIZENS REMARKS

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Nichols

1. Communications
2. Administrative Reports and Recommendations for Council Action

9:40 (1) Action on sale and use of Maplewood Avenue properties

9:50 (2) Dedication of Upper Portal Park azalea garden to Mr. and Mrs. Clarence Casey

9:55 (3) First reading of a proposed Charter amendment requiring the reporting of election campaign contributions

10:00 (4) Charter amendment making certain changes in procedure for the nomination of Council candidates

10:05 (5) Ordinance authorizing Caucus on February 16, 1982, and a City Election on March 23, 1982

10:10 (6) Consideration of amendments to Landlord-Tenant ordinance (#2587)

11:40 (7) First reading of a proposed Emergency Powers ordinance

11:45 ADJOURNMENT



THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council  
December 14, 1981

City Officials Present:

Mayor Abbott	City Administrator Nichols
Councilmember Garcia	Asst. City Administrator Shaffer
Councilmember Holland	City Clerk Pusti
Councilmember Patrick	Administrative Asst. Tyree
Councilmember Ramsey	Sgt. W. P. Winkler
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 December 14, 1981, at 8:07 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, motions were made and duly seconded to approve the minutes of the Council meetings held November 2 and November 9, 1981. Motions carried.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Councilmember Ricks spoke on his recent attendance at the National League of Cities Conference in Detroit, Michigan. Stated the theme of the conference was responsibility, resources, and relationships. Workshops were conducted on various subjects, including finance, inter-governmental relations, transportation, and communications. One policy discussed that could have a direct relationship to Takoma Park is a requirement that state and local governments consult municipalities in the design and carrying out of programs under the new block grant program. In some of the workshops, a bleak picture was pointed for the future of cities - the failing structure, problems of roads, sewage, etc., and the question of how maintenance of them will be coped with in the future. The overall tone of the conference was opposition to any further cuts in funding allocations to cities. The presidency of the organization changed hands; the new president is Fred Harrison, the Mayor of Scotland Neck, North Carolina, a municipality considerably smaller than Takoma Park. Mr. Ricks said he was nominated by the Mayor of East Orange, New Jersey, to fill a position on the NLC Board of Directors, was supported by the Maryland Municipal League, and elected to the Board.

Councilmember Weisman presented three proposed ordinances for consideration:

(1) Proposed that the present provisions governing the red-tagging of motor vehicles remain intact except for the following suggested modifications:

On private property, the vehicle shall be subject to a schedule of fees for vehicles stored on a property as follows: \$25.00 for the first vehicle; \$50.00 for the second vehicle; \$75.00 for the third vehicle; \$100.00 for the fourth vehicle.

The red sticker period shall be 10 working days and the vehicle shall be towed away from the property on the 11th working day following the application of the tag. Liability for these payments shall be the responsibility of the property owner, who shall be notified when the sticker(s) is/(are) applied.

On public property (streets and alleys), red-tagged vehicles shall be subject to a parking fine of \$25.00 a day each day they remain on the street or alley. They shall be red-tagged for 10 calendar days and towed at owner's expense on the 11th calendar day. On public property, red-tagged vehicles shall be subject to the same schedule of fees as vehicles on private property except that the owner shall be charged.

Exceptions: Stolen vehicles - if the owner claims vehicle and towing is necessary, the towing shall be the owner's liability, but there shall be no daily infraction charge, except if the thief is apprehended; the thief, if convicted, shall be charged with the fee. Vehicles parked on private property without permission of owner or tenant shall be tagged for 5 working days and towed from the property at the property owner's expense on the 6th working day.



(2) Proposed that City adopt an ordinance stating that temporary construction or repairs in streets, alleys, sidewalks, and grass strips shall be designated by appropriate barriers and light reflectors or lights at least equivalent to those required on Maryland State highways. Failure to provide such barriers shall be subject to fees as a municipal infraction at the rate of \$25.00 per day per infraction for the first 3 days. On the 4th day, the City of Takoma Park shall have the appropriate barrier installed at the expense of the party who created the obstruction. The \$25.00 per day infraction shall continue until the party who created the opening closes it or installs a barrier.

(3) Stated that there are a lot of delayed payments on property in the City and the City loses revenue in this way; penalty for late payment is very small. Would like to see an ordinance established stating that charges on delayed payment of Takoma Park real estate taxes and other fees shall be 10%, plus 1% per month penalty. Said that in conjunction with the fair share approach from the two counties, there should be a taxpayer's right to know - each property tax bill should be accompanied by a statement of the amount of tax attributable to the property, which would give a comparison; said people should have the right to know how much more they are paying to live in the City than they would if they owned a comparable property elsewhere in the county.

A joint request from the Azalea Committee and the Horticulture Club was presented by Mrs. Chicello and Mrs. Reilly asking that the azalea garden in Upper Portal Park be dedicated to Clarence and Catherine Casey in honor of their long and dedicated service in both organizations. A motion was made by Councilmember Garcia, duly seconded by Councilmember Holland, unanimously approved, that the garden be so named. It was agreed that the two organizations would order a name plaque for the garden, date of formal dedication to be set at a later time, and the City Administrator would provide a statement of the motion for presentation to the Caseys at a dinner in their honor on December 20.

Briefing by Washington Adventist Hospital Staff on Plans for Ambulatory Care Facility and Parking Deck

Mayor Abbott stated that the county hearing on the special exception is scheduled for January 7; said Council has options of taking immediate action, action at the next worksession on December 21 by declaring it a special session, or the possibility of a postponement of the January 7 hearing date. Councilmember Ramsey stated that the mandatory referral to the Planning Board for their action is scheduled for December 17 at 1:30 P.M. Hoped the Board would take the City's opinion into account; may need to request a postponement from them. Pointed out that WAH is in his ward; realizes there are some problems, but stated there is a time for confrontation and a time for conciliation, and hoped the hospital and residents of the area would cooperate in working out problems to the extent possible.

1. Harry Lerch, Law Firm of Lerch, Early & Roseman, Attorneys for Washington Adventist Hospital: congratulated Councilmember Ricks on being elected to the NLC Board of Directors; stated it is a wonderful achievement both for the City and Mr. Ricks personally. Said John Wilmot, Architect, would be making the presentation for the hospital; Dr. Shiroma unable to attend due to a prior commitment, sent his regrets. Named the following persons affiliated with the hospital as being present: Jan Paul, Hospital's Planner; Robby Brewer of Lerch, Early & Roseman; Dr. Marter, Washington Adventist staff; Ron Marks, Washington Adventist Hospital Vice President for Finance; Jim McGettigan of Wilmot, Bower, Quinlan & Associates; and Steve Pearson, Traffic Planner. Said the hospital plans to construct the proposed facility adjacent to the hospital on the north side, on the north end of the present Emergency entrance, a four-story structure lower in height than the existing hospital, thus not adding to the skyline or roof elevations.

Mr. Lerch presented the following background information: in 1978, Washington Adventist Hospital applied for and received permission to construct the buildings that are now nearing completion. At the time the 1978 application was considered by the county government and Board



of Appeals, it appeared that parking was going to be insufficient to meet the needs of the new buildings - the county has a requirement of "x" number of spaces based on square footage of buildings. At that time, since it appeared the old San Building had been condemned by the national authority that accredits hospitals, Washington Adventist Hospital reluctantly made the decision to remove the building and replace it with parking spaces. At hearings before the Planning Commission and Board of Appeals, citizens of the City made a very strong plea that the San Building not be demolished; a decision was reached that it was not an historic structure, and the Board ultimately decided it could be demolished; in fact, the present special exception requires it be torn down to provide parking. This decision was made by the Montgomery County Board of Appeals in December 1977, 1978; due to subsequent efforts of citizens to retain the San Building, the hospital hired a new architect and has put forth exhaustive efforts to find a way of retaining the building and putting it to a use that would satisfy both the citizens of the area and the State Cost Review Care Commission which must set the costs of the hospital. Washington Adventist Hospital has come to the conclusion that by providing structured parking at the north end it can retain the San Building and still provide the required parking, additionally answering the needs of the medical staff for an ambulatory care facility. The hospital does not have finalized plans as far as who the developer would be, financing, etc.; feels the first step is to get zoning approval; in terms of this application, an amendment to the hospital's special exception - not a rezoning but a modification of the existing special exception to accomplish three things:

- (1) to remove from the books the existing requirement that the San Building be torn down and replaced with parking;
- (2) to allow construction of the new ambulatory care facility;
- (3) to allow construction of the new structured parking garage.

Mr. Lerch stated that the first step, prior to obtaining financing is getting zoning approval, which in this case, means getting approval on the special exception. In response to query, he stated that the Board of Appeals normally requires ground breaking within one year following approval, but they could extend that. If such things as industrial revenue financing are applied for, that would require Washington Adventist Hospital to come back to Mayor and Council. Stated that if the San Building is retained, not only does the hospital lose the space it occupies as far as utilizing it for parking, but it additionally has to provide, under the county ordinance, enough parking to accommodate the square footage contained in that building. Robby Brewer said that inspectors from the county's Department of Environmental Protection are pursuing the question of why the San Building hasn't been taken down, will not grant a full-occupancy permit until it is; they are only being granted temporary ones which are extended and that is all they will receive until the issue is resolved. Councilmember Ricks questioned whether removal of the San Building and parking are inextricably tied together; Mr. Lerch clarified that if sufficient parking as required by county ordinance could be provided for the new buildings as well as the San Building, the San Building could be retained. In the opinion of the hospital's planners and board, the proposed structured parking garage and ambulatory care facility offer the best possible solution for all concerned - this structured parking would include the 150 minimum additional parking spaces presently required. In response to query from Councilmember Holland, Mr. Lerch stated that there was no legal requirement that the San Building be torn down to provide the 150 parking spaces, that building could be retained and the spaces placed on other available ground in order to meet the minimum parking space requirement, if Washington Adventist Hospital so desired. Councilmember Holland questioned what assurances the hospital could offer the community in regard to preservation of the San Building. Mr. Lerch stated the hospital's primary concern and mission is the health needs of the community; however, legally, the hospital is saying that if the current application is granted, the special exception will show the San Building remaining, which means that for all time, that building cannot be torn down unless Washington Adventist Hospital goes back to the Board of Appeals and repeats the complex process they are currently undergoing. Councilmember Holland questioned whether the Board of Directors could possibly furnish the City a statement that they would



actively resist any change in the status of the San Building; Mr. Lerch affirmed they could and, he felt - would - furnish such a statement.

2. John Wilmot, Wilmot, Bower, Quinlan & Associates, Health Facility Architects: Reviewed drawings of existing buildings and proposed facilities; stated that proposed location for the ambulatory care center and structured parking garage had been decided upon after extensive study and meetings with hospital officials. Ambulatory care center building would be approximately 60,000 square feet, at one corner would tie in to the outpatient entrance; materials would be the same as in existing new buildings; would be one level lower in height than existing buildings. One would drive under the ambulatory care building to reach the ambulance and outpatient entrances, the concrete turnaround area adjacent to the emergency area will be the top level of the parking facility which will be nestled into the hillside; the present roadway to be used and garage accessed either at the top level or the lower level. Upon query, Mr. Wilmot clarified that the hospital intends to retain the 54 gravel-covered parking spaces located in the maintenance area; their total available parking will be 1,113 spaces which exceeds the required minimum by 125-150 spaces approximately. The present required minimum is 769, they have 713; with construction of the ambulatory care facility, required minimum will be 950-1,000 spaces.

3. John Walsh, representing Flower Avenue Park Neighborhood Association: said his organization and many citizens of the area, after reviewing Washington Adventist Hospital's plan, felt the proposed construction would not be in the best interest of the community; that it conflicts with the land use and transportation elements of the Takoma Park Master Plan; and due to its magnitude of size, the proposed structure would not be in harmony with the residential character of the neighborhood; said that the newest buildings at Washington Adventist Hospital are not harmonious with the surrounding neighborhood nor with the older red brick hospital buildings; did not think the proposed buildings would be in character with the area either and would probably be poorly screened. Questioned the impact on public roads and on services such as police, fire, etc., and recompense to the City; stated figures in the traffic study performed for the hospital may have indicated less traffic volume than actually exists. Questioned the benefits to the community of the construction versus the adverse effects; stated the hospital has not made clear why it needs the proposed structures; does not believe the proposed building meets the zoning test for residential exception; thinks it will be detrimental to the quality of life in the neighborhood, and may represent a financial burden to the City if tax-exempt. Requested that Council oppose the proposed construction.

Councilmember Ramsey questioned whether Mr. Walsh's organization had considered the possibility of a smaller version of the parking garage without the ambulatory care center; Mr. Walsh said they had not, but that there must be a variety of possible solutions to the parking problem.

Councilmember Ramsey posed the question to the hospital staff of whether the wooden frame San Building was considered a fire hazard and might be torn down for that reason due to its proximity to hospital buildings; the response was negative, there are two hour fire barriers between the buildings. Mr. Wilmot, in response to query from Councilmember Ramsey concerning screening of the parking facility to prevent glare, cited a parking structure his firm had recently completed for Montgomery County at Woodmont and Old Georgetown Road; said the building was screened on the exterior and used low sodium lighting set back from the edge of the facility - didn't believe the parking structure would provide any glare to the surrounding area. Councilmember Ramsey questioned whether Washington Adventist Hospital proposed charging for parking; it was clarified that visitors and non-employees would have to pay to park; Councilmember Ramsey indicated he thought overflow onto City streets for parking would result when people had to pay to park, which might create problems. Councilmember Ramsey stated the hospital has not explained its need for the office facility, Dr. Linden Marter responded.



4. Dr. Linden Marter, Staff Surgeon & member of Board of Washington Adventist Hospital: stated the chief reasons the ambulatory care center is needed is a matter of convenience and conservation of time. Presently patients visit their physician's office, often outside the City, then have to travel to WAH for tests, subsequently making a second trip to the doctor's office. Locating physicians' offices in an ambulatory care center at the hospital would delete numerous trips for sick, elderly, and infirm people as all the required facilities for testing and treatment would be close at hand. Stated that, to his knowledge, WAH is probably the only hospital in Montgomery County that doesn't have an ambulatory care center nearby; pointed out that it is inflationary and not cost effective for doctors to have mini-labs, as some do, in their offices.

5. Rino Aldrighetti, 7213 Central Avenue: thanked WAH for sharing the information and thanked the City for requesting the hospital to do so. Stated Longbranch-Sligo Citizens' Association had considered the hospital's plan in a limited scope, would be meeting again in two days for further discussion, at that time would make a decision as to whether they are pro or con. Said that the Council has to decide what the interests and benefits are that they must protect and make their decision accordingly; other cities with great amounts of property off the tax rolls require as part of the bond language, payment in lieu of property taxes. Said the City might consider, as another option, a professional tax.

6. Phil Vogel, 7117 Garland Avenue: stated that preservation of the San Building and construction of the parking garage should not be tied together; said the Board of Appeals in the 1977 special exception did not require demolition of the building - the hospital offered the demolition in order to provide parking spaces. Said that the Advisory Commission on Historic Sites for Montgomery County recommended to the Montgomery County Planning Board that the San Building was historic; it was only through the efforts of Mr. Lerch as attorney for WAH that the Planning Board voted that recommendation down. Condemned the hospital for bringing the issue before the Council on December 14 when it goes to the Montgomery County Planning Board on December 17 and the Board of Appeals on January 7; said the citizens and the Council deserve more time; asked Council to request postponements on both hearings.

7. Joseph Lerner, 7708 Takoma Avenue: stated it would be prudent to go to the lowest possible amount of parking space at WAH that would meet requirements - cited availability of public transportation and smaller size of cars. Said whoever passes on the proposed construction should scrutinize the proposed parking building carefully as there must be ways of making the structure unobtrusive and congenial with the surrounding area. Said that approaching the hospital on foot from the Maple Avenue side, the area seems almost quasi-industrial; expressed his feeling that in this situation, whichever way it goes, the citizens will not benefit; suggested WAH should contribute toward community improvement in the area such as screening, streets and curbs, etc.

8. Roger Davis, 705 Erie Avenue: said it appeared from the material presented that there is inadequate evidence to justify approval of the hospital's plans, in fact what had been presented would suggest disapproval. Stated the overriding question from a legal standpoint was whether there should be an exception from residential zoning and the effect it would have on the area. Said he thought the county statute had different parking space requirements for a clinic than for a hospital. Questioned whether WAH had offered incentives to reduce employee parking at the hospital; said that sort of effort should be made before considering a large parking garage in a residential neighborhood. Said it should be ascertained exactly how many doctors would want to locate their offices in the proposed ambulatory care center; stated that on page 6 of the petition filed by WAH with the county Board of Appeals there is a statement indicating that the San Building will be used for examination areas by medical staff physicians as well as functions similar to the ambulatory care center - this is in direct conflict with statements made by hospital representatives as to how the San Building will be utilized.



9. Tom Gagliardo, 8120 Roanoke Avenue: agreed with Dr. Marter's statement concerning lack of cost efficiency in the situation where doctors have mini-labs in their offices, but questioned who would be the ultimate beneficiary of cost savings engendered by existence of the ambulatory care center - if it is the physician who benefits, should he/she not then share that benefit with the community. Stated that, likewise, the concept of the hospital renting office space to physicians on a non-profit basis to protect their tax-exempt status raises the question of who ultimately benefits - if, as is likely, it is the physicians, then they should share that benefit with the community. Said the traffic impact of the proposed construction should be considered in conjunction with the Takoma Old Town revitalization and similar projects in adjacent D.C. rather than being considered an isolated situation. Endorsed prior requests that Council delay action on the plan until existing questions are answered satisfactorily.

10. Betsy Loar, 704 Maplewood Avenue: hoped Council would oppose the proposed structures; said the view of the hospital presently is not pleasant from her area and didn't think the two additional buildings would enhance the neighborhood; expressed concern about the additional traffic that would be generated.

11. Ron Wylie, 7618 Glenside Court: stated the briefing had been most helpful and informative; said it is imperative that institutions in the City keep in communication with the citizens' associations; suggested WAH give their 5-year plan a broad distribution, perhaps initiate some public meetings/briefings on the entire plan. Stated he had been told by Dr. Shiroma, Dr. Marter, and others that the commitment to preserve the San Building was for a couple of years and nothing beyond that - questioned whether anyone else had a different understanding. Mr. Lerch stated the hospital has no plans to tear the building down and would have to again go through the process for special exception if in the future they wished to demolish it. Mr. Wylie questioned what their real intended use is for the building. Mr. Brewer responded that at the present time, the Joint Commission on Accreditation of Hospitals will not approve use of the San Building for in-patient care; the expenditure of considerable money would be required to bring the building up to standards that would qualify it for such; thus, the hospital is looking for uses that would not involve in-patient care.

12. Lynne Bradley, 8112 Flower Avenue: endorsed comments made by previous speakers requesting postponement of any decision by Council until more accurate information on the issues is provided; requested Council encourage the county boards involved to do likewise. Expressed concerns about the impact additional traffic would have on the Sligo Creek bridge.

13. Phil Vogel, 7117 Garland Avenue: asked that Council request the hospital to take under serious consideration utilization of the San Building as an ambulatory care center.

Councilmember Holland stated the issue has several points yet to be resolved to the satisfaction of all parties concerned and it would be advantageous for Council and WAH to take time to meet and discuss these pertinent issues. A motion was made by Councilmember Holland, duly seconded by Councilmember Weisman, and passed unanimously, that WAH and Council jointly request an extension from the Board of Appeals deferring the January 7 meeting and requesting it be rescheduled for a date subsequent to February 15, 1982.

It was agreed that, prior to their December 17, 1981 meeting, the Planning Board would be advised of Council's opinion, the motion just passed, and requested to consider same.

A motion was made by Councilmember Ricks, duly seconded by Councilmember Weisman, and unanimously passed, that the December 21 worksession be declared a regular meeting and consideration of proposed amendments to the Landlord-Tenant Ordinance be placed first on the agenda for that meeting.



ITEMS FOR COUNCIL CONSIDERATION

Communications

1. City Administrator Nichols advised there would be two hearings held on January 6, 1982, by the Commission on Landlord-Tenant Affairs - complaints filed against the property at 6637 Eastern Avenue and complaints filed against the properties at 7423, 7425, and 7427 Aspen Court.

ADMINISTRATIVE REPORTS AND RECOMMENDATIONS FOR COUNCIL ACTION

1. Properties at 712, 714, 716 and 718 Maplewood Avenue previously leased from WAH by private contractors and used at various times as alcohol rehabilitation and detoxification centers. Present recommendation by a potential purchaser of 718 for Council's consideration is that Council go on record as favoring special exception for 718 to be used as a detoxification unit with the understanding that 714 and 716 will not be used for that purpose but placed on the market by WAH for sale to private owners. A motion was made by Councilmember Garcia that Council approve the special exception for 718 for the purpose as stated by the potential purchaser. The motion was seconded by Councilmember Holland with the proviso it be amended to include the statement of condition that 714 and 716 be offered for sale to private owners and the special exception on them removed. Following discussion, the motion was passed by a 3 to 2 vote: AYE: Councilmembers Garcia, Holland and Patrick. NAY: Councilmembers Ricks and Weisman. EXCUSED: Councilmember Saloma. ABSTAINED: Councilmember Ramsey.

For the record, Councilmember Ramsey stated he abstained from voting due to a long-standing tentative business relationship (real estate) with the hospital regarding those specific properties.

2. First reading of a proposed Charter amendment requiring the reporting of election campaign contributions. Councilmember Garcia explained that the purpose of the ordinance is to require henceforth all candidates for elected office in the City to file reports on campaign contributions. This would be a precaution under the new ward-only electoral system and ensure more fairness and equality of opportunity to candidates; would not limit spending, but merely require disclosure of any campaign contribution of \$25.00 or more. Said the ordinance is a model one secured through the National League of Cities, used nationwide. Mayor Abbott pointed out that in pre-Council meeting, in discussing the proposed Charter amendment with Corporation Counsel, several loopholes were discovered; it was accepted for first reading (attached) with the proviso that language would be prepared prior to second reading to rectify the ambiguities.

3. Charter amendment making changes in procedure for the nomination of Council candidates. Upon motion by Councilmember Garcia, duly seconded by Councilmember Holland, the Charter amendment was adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks and Weisman. NAY: None. EXCUSED: Councilmember Saloma.

CHARTER AMENDMENT  
RESOLUTION 1981-3  
ORDINANCE NO. 2594

(Attached)

4. Ordinance authorizing Caucus on February 16, 1982, and a City Election on March 23, 1982. Upon motion by Councilmember Ramsey, duly seconded by Councilmember Garcia, the ordinance was adopted by roll call vote as follows: AYE: Councilmembers Garcia, Holland, Patrick, Ramsey, Ricks and Weisman. NAY: None. EXCUSED: Councilmember Saloma.

ORDINANCE NO. 2595

(Attached)



At the request of Mayor Abbott, it was agreed the first reading of a proposed Emergency Powers Ordinance would be rescheduled for a later date.

Upon motion, duly seconded, the meeting adjourned at 11:43 P.M. to reconvene on Monday, December 21, 1981, at 8:00 P.M. in regular session.\*

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\* Subsequently cancelled; next regular session: January 11, 1982.



CHARTER AMENDMENT RESOLUTION NO. 1981-3  
ORDINANCE NO. 2594

A RESOLUTION TO AMEND THE CHARTER OF THE CITY OF TAKOMA PARK TO DELETE THE NOMINATION OF COUNCIL CANDIDATES BY ANY VOTER OF THE CITY AND TO SUBSTITUTE THE REQUIREMENT THAT SUCH NOMINATIONS MAY ONLY BE MADE BY VOTERS OF THE WARD FOR WHICH THE COUNCILMEMBER IS NOMINATED

WHEREAS, the City Charter was amended through passage of a citizen-initiated petition at the March 25, 1980 City election to delete at-large voting for Councilmembers and to institute ward-only elections of Councilmembers; AND

WHEREAS, Section 1.3(m) of the City Charter is at variance with the spirit of ward elections for Councilmembers in that it permits the nomination of Council candidates by any voter of the City; AND

WHEREAS, it is the desire of the Mayor and Council to amend Sec. 1.3(m) of the City Charter to provide that nominations for Council candidates may be made only by voters of the ward for which the Councilmember is nominated.

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

SECTION 1. THAT Section 1.3 (m) of the Charter of Takoma Park, Maryland be repealed in its entirety and a new section 1.3 (m) be enacted to read as follows:

Section 1.3. Elections--Generally.

(m) Each candidate for mayor and ~~[[councilman]]~~ councilmember shall reside in the city and shall be a qualified voter of the city. Each candidate for ~~[[councilman]]~~ councilmember shall at the time of his nomination reside in the ward from which he shall be nominated. Nominations of candidates for mayor ~~[[and councilmen]]~~ shall be made on motion of any voter of the city, and if such nomination is seconded by at least two additional voters of the city, and not otherwise, the person so nominated shall be considered a candidate. ~~[[and his name shall be placed upon the official ballot unless he shall in person file with the city clerk within three days after his nomination his declination.]]~~ Nomination of each candidate for councilmember shall be made on motion of any voter of his ward, and if such nomination is seconded by at least two additional voters of his ward, and not otherwise, the person so nominated shall be considered a candidate. The name of each person nominated for the office of mayor and councilmember shall be placed upon the official ballot unless he shall in person file with the city clerk within three days after his nomination his declination.

SECTION 2. THAT the provisions contained herein shall become effective upon the fiftieth day after adoption.

ADOPTED BY THE MAYOR AND CITY COUNCIL ON DECEMBER 14, 1981 BY ROLL CALL VOTE AS FOLLOWS: AYE: COUNCILMEMBERS GARCIA, HOLLAND, PATRICK RAMSEY, RICKS AND WEISMAN; NAY: NONE; EXCUSED: COUNCILMEMBER SALOMA.

[[ ]] denotes deletions

Underscoring denotes additions



Attachment to  
December 14, 1981  
Regular Council meeting  
minutes

ORDINANCE NO. 2595

- SECTION 1. THAT the City Clerk shall call a meeting of the citizens for the nomination of candidates for Mayor and Councilmembers on Tuesday, February 16, 1982, at 8:00 PM in the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland; the said meeting shall be conducted as prescribed in the City Charter; AND
- SECTION 2. THAT a City Election shall be held at the Municipal Building on Tuesday, March 23, 1982, between the hours of 7:00 AM and 8:00 PM for the purpose of electing a Mayor and seven Councilmembers. The Mayor shall be elected at large and each Councilmember shall be elected from his ward by the voters of that ward only. The election shall be conducted by voting machines and, as nearly as practicable, all laws and regulations governing the use of voting machines in Prince George's County elections shall apply. Absentee voting shall be conducted in conformance with the City Charter; AND
- SECTION 3. THAT the City Clerk shall arrange with the Supervisors of Elections of Prince George's County for the use of eight voting machines at the said election, with a separate machine for the exclusive use of each of the seven wards, and an eighth for use only in the event of malfunction. The City Clerk shall place the names of the candidates nominated for Councilmember at the Citizens' Meeting on separate ward voting machines, with each machine displaying the names of candidates for one ward only; and shall place the names of persons nominated for the office of Mayor on all voting machines; all the names of candidates nominated at the Citizens' Meeting shall be so placed, except any who within three days may have filed in writing with the City Clerk a declination; AND
- SECTION 4. THAT the City Clerk shall cause a notice of the Citizens' Meeting and the City Election to be inserted in the Suburban Record and the Prince George's Post for two weeks prior to February 16, 1982. In addition, the Clerk shall have inserted in the Suburban Record and the Prince George's Post, on the third week in March 1982, a facsimile of the arrangements of the names and wards which will appear on the voting machines; AND
- SECTION 5. THAT the City Clerk shall prepare cards, for each ward separately, bearing the names, addresses and election wards of all eligible voters as certified by the Boards of Supervisors of Elections of Prince George's and Montgomery Counties and shall supply such cards to the Judges of Election on election day; AND
- SECTION 6. THAT the City Clerk shall recommend to the Mayor and Council the names of twenty-two persons for designation by the Council as Judges of Election; AND
- SECTION 7. THAT the City Clerk, with the assistance of the Chief of Police, shall see that the City Election is conducted in accordance with the provisions of this ordinance and the City Charter; AND



FIRST READING

PROPOSED RESOLUTION/ORDINANCE

CHARTER AMENDMENT

WHEREAS, it is the desire of the Mayor and Council, recognizing that our system is dependent upon the citizens maintaining the highest trust in their elected officials, to enact a provision requiring all candidates for elective office to file reports on campaign contributions.

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

SECTION 1. THAT Section 1.3, entitled "Elections-Generally," of the Charter of Takoma Park, Maryland be hereby amended by the addition of the following subsection:

(w) Campaign Contributions

(1) Report required.

Each candidate for the office of Mayor or Council-member or their designated campaign treasurer shall file with the city clerk reports as specified below which shall list the name and address and amount contributed of each and every contributor, other than the candidate or a member of his/her immediate family, who has contributed twenty-five dollars (\$25.00) or more in furtherance of the candidate's nomination or election. The reports shall include all contributions received by the candidate him/herself, or, with the knowledge of the candidate or his/her treasurer, by any other person or groups of persons. All reports filed shall be available for examination by any member of the public during the normal office hours of the city clerk.

(2) Deadline for filing report.

Any interim report of campaign contributions received since the date of the last preceding regular election and prior to the tenth day preceding the election shall be filed no later than noon on the seventh day preceding the election. A final report of campaign contributions received and not previously reported shall be filed no later than 5:00 PM of the Monday following the election.

(3) Form; affirmation of report.

The reports shall be made on forms provided by the city clerk and approved by the corporation counsel. The reports shall be subscribed and sworn to (or affirmed) by the candidate, and his/her treasurer if a person has been so designated, before a notary public as to its completeness and accuracy.

(4) Penalties.

Any person who shall violate any provisions of this subsection shall, upon conviction, be sentenced to pay a fine of not more than five hundred dollars (\$500), or be sentenced to imprisonment for not more than ninety (90) days, or both, in the discretion of the court.

APPROVED \_\_\_\_\_

Sam Abbott  
Mayor

ATTEST: \_\_\_\_\_

Alvin J. Nichols  
City Administrator