

Mayor and Council Worksession

June 1, 1982

The Mayor and Council met in worksession on Tuesday, June 1, 1982, at 7:30 P.M. The Mayor and all members of the Council were present, together with the City Administrator, Assistant City Administrator, Mr. and Mrs. Travis Price and Mr. and Mrs. Harold Phipps and Mike Messinger.

The following matters were discussed and acted on as indicated:

Mayor Abbott reported on a summer job program and the COG Nuclear Freeze Resolution.

1. Payment of insurance claim--Mrs. Mary V. Bennett, 7300 Birch Avenue. Upon motion by Mayor Abbott, the Council, by majority vote, with Councilmember Iddings abstaining, approved payment of \$700 over and above the amount allowed by the insurance company for an accident involving a city trash truck colliding with her car on Birch Avenue. Funds to be taken from Mayor and Council account. The City Administrator was instructed to have the Corporation Counsel review the case and determine the best method of payment and to state what impact or precedent this would have on future claims. It was agreed that insurance coverage in general would be discussed at next worksession.

2. Decisions made at worksessions. Motion was made and passed unanimously to publish all decisions made during worksessions.

3. Ticketing of car bearing handicapped license tags in parking permit area. Agreed that Mrs. Elaine LaVaute of Park Avenue should be notified that prosecution would not be pursued on ticket she received in March.

4. Takoma Old Town park briefing: Presentation made by the Asst. City Administrator, Hal and Frances Phipps and Mr. and Mrs. Price. The City Administrator was directed to prepare an article for next newsletter to include a notation that the plans for the park will be available for neighborhood review until July 15.

It was also agreed that objection be made to Park and Planning on a proposed zoning text amendment which would permit in the TSM zone, parcels of less than 40,000 feet, thus permitting constant expansion.

5. Sligo Creek Sewage Facility Plan Citizens Advisory Committee. The following persons were nominated: Ronald Turcheck, Phil Vogel, James DiLuigie and Ron Albaugh.

6. Montgomery County CDBG Citizens Advisory Committee alternate to Councilmember D'Ovidio. Mrs. Susan Daniel was approved for this slot.

7. Centennial Committee Chair. The following were decided on as co-chairs of the Committee, replacing Mary Ann Leary, who resigned earlier: Mary Ann McGuire and Jack Hammond.

8. Washington Adventist Hospital long-range plan. The City Administrator was directed to request a meeting with hospital officials to discuss the plan and its ramifications.

9. Mayor and Council vacation time: It was agreed that no meetings would be scheduled during the period August 16 through August 30.

10. Budget matters were considered, decisions made as noted below:

--Reviewed Cost of Living increase plans submitted by the City Administrator and Councilmember Iddings. It was decided that an across-the-board Cost of Living raise of $2\frac{1}{2}\%$ be applied to each grade, on the pay schedule and that an additional $2\frac{1}{4}\%$ be applied to each step on the schedule, using the

following formula: Divide the total amount required to fund 2½% (\$60,000) by the number of full-time equivalent positions in the City's service and apply this amount to each step on the salary schedule.

- A code amendment is to be prepared setting up Housing Services, along the same lines as other departments
- Library book budget to be reduced by \$4,000
- All City employment vacancies are to be listed in City Newsletter
- Delete National League of Cities dues from budget, saving money for later
- Capital Improvements Reserve: reevaluate Crime Prevention program. Decision deferred.
- The City Administrator was directed to look into the possibility of including Councilmembers in health insurance plan

11. The City Administrator was instructed by the Mayor and Council to make housing arrangements for any tenants displaced by a recent sewage problem at 7511 Maple Avenue and charge the expense to the Mayor and Council expense fund.

Next worksession: Monday, June 7; main topic of discussion: Corporation Counsel Search criteria.

APPROVED _____

Sam A. Abbott
Mayor

ATTEST: _____

Alvin J. Nichols
City Administrator

THE CITY OF TAKOMA PARK, MARYLAND
7500 Maple Avenue

Notice of

MAYOR AND COUNCIL WORKSESSION
Monday, June 7, 1982
7:00 PM

Council Chamber

The Mayor and Council will hold a worksession at the above-stated time and place. The public is invited to attend.

The worksession will adjourn at 8:00 PM to hold a Public Hearing on proposed amendments to the Landlord-Tenant Ordinance, and will reconvene immediately following the Public Hearing.

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING ON COLTA AMENDMENTS

June 7, 1982
8:00 P.M.

The Mayor and Council of Takoma Park, Maryland met on June 7, 1982, at 8:00 P.M. in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland for the purpose of hearing testimony on proposed amendments to the Landlord-Tenant Relations Ordinance, No. 2587. Present were: Mayor Abbott in the chair; Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, and Williams; City Administrator Nichols, Asst. City Administrator Schnuer, and Landlord-Tenant Coordinator Tyree.

At the request of Ms. Adele Abrams, 311 Elm Avenue, and upon motion by Councilmember Eckert, duly seconded, the Council endorsed a letter prepared by the Takoma Park Nuclear Freeze Committee, requesting the Montgomery County Council to hold a public hearing on the County's crisis relocation plan.

Landlord-Tenant Coordinator Dedra Tyree gave a report on 74 COLTA cases filed since September 1981, which included cases filed during transition period, when the County was phasing out authority. Councilmember Bradley asked if COLTA would automatically be advised by the courts if either a landlord or a tenant did appeal, and Mrs. Tyree responded, probably not. Councilmember Williams asked whether the majority of complaints were still of the retaliation type, and Mrs. Tyree responded affirmatively. Councilmember Garcia was interested in the type of cases coming before COLTA since three amendments were made to the ordinance on February 22, 1982, saying that there has been a charge that landlords are evicting tenants in order to acquire vacancies so they can charge whatever they want. Mrs. Tyree said she could not generalize on the basis of the cases now at hand.

Mayor Abbott described the three amendments which has been passed on February 22, 1982, and which were to be considered for repeal: 1) Ended rent stabilization for vacated apartments; 2) Allowed one Landlord Commission member to live outside Takoma Park; and 3) Removed the Mayor and Council as the appeal body, so that appeals would have to go to District or Circuit Court of Maryland.

CITIZENS' COMMENTS

1. Vernon Ricks, 7667 Maple Avenue. Spoke about earlier landlord/tenant problems, prior to passage of legislation, particularly with respect to the Winchester-Takoma. Noted that among his neighbors, families of five and six have incomes under \$16,000 per year, and urged Mayor and Council to take cognizance of this group. Supported not decontrolling vacancies.
2. Steve Rollins, 7520 Maple Avenue. Opposed vacancy decontrol, saying it encourages displacement. Said people who serve on COLTA should live in City, and that tenants need protection of Mayor/Council involvement in the appeals process. Pointed out 53% of City's residents are tenants; urged preventive measures in advance of rental building deterioration.
3. Charles Van Tassel, 116 Lee Avenue. Representing AFGE Local 2463, discussed problems of tenants living on Social Security and government pensions and urged repeal of all three amendments.
4. Diane Loya, 801 Snyder Lane, Silver Spring, Md. Discussed her survey of 1,298 rental units in City, noting 12 evictions since January through court action; for 30-day notice, four evictions; for 60-day notice, one eviction. Total of 25 vacancies for almost 1,300 units, with a vacancy rate at less than two per cent. Pointed out it is illogical to empty units for no other reason than raising rent. In answer to Mayor Abbott's question, Ms. Loya said survey was taken over the previous week and the compilation was done the day of the hearing. Takoma Park residency as a COLTA requirement was discussed. Ms. Loya urged that COLTA have at least one member with experience in highrise buildings, saying 50% of complaints originate in such buildings. Ms. Loya urged "balanced legislation," saying she had no real objections to the Mayor, Council as the body of appeal. Rent increases were

discussed, in connection with vacancy decontrol. Ms. Loya reiterated her feeling landlords should not be stereotyped, nor should residents.

5. Carlos Stewart, 7710 Maple Avenue. Supported ending vacancy decontrol; from personal experience stated that tenants are leaving Maple View because of escalating rents, as they are from Park View Towers. Councilmember Williams said that 7620 Maple Avenue has rents of \$550 for a one-bedroom apartment; \$700-plus for a two-bedroom apartment. Mayor Abbott pointed out that this is an atypical situation, since all are Section 8. Mr. Stewart supported the COLTA residency requirement covering all representatives and the return of appeal function to the Mayor and Council.

6. Stanley Parris, 7600 Maple Avenue. Supported end of vacancy decontrol and return to COLTA residency requirement for all members, and return of the Mayor and Council as appeals body. Spoke in behalf of retired senior citizens who contribute volunteer hours to the community but cannot afford large rent increases.

7. Dr. Ellen Bunyon, 8215 Roanoke Avenue. Pointed out many landlords are trying to be reasonable but want to protect their own retirement incomes. Believes landlords would welcome a survey on evictions, and believes landlords should be required to supply data, after which Council could decide whether vacancy decontrol is advantageous or disadvantageous. Costs of such a survey were discussed, Dr. Bunyon suggesting perhaps Council and landlords could share the cost. She owns one rental unit, in a duplex house and stated she, personally, has no problem one way or the other with vacancy control but would like to see the decision made on the basis of factual analysis. Dr. Bunyon supported reinstating Mayor and Council as appellant body; has no strong feeling about COLTA residency requirement.

8. Vincent Abell, 7667 Maple Avenue. Mr. Abell resides at Park View Towers. Requested information from Ms. Tyree on number of 30-day and 60-day notice cases for non-cause eviction which have been received since February; to which the response was that there had been no significant increase or decrease. Expressed wish to cooperate in compiling an in-depth survey. Believed one landlord should be exempted from residency requirements on COLTA in order to encourage cooperation between landlords and residents. Believed COLTA as a body would be stronger without Mayor/Council involvement, and favored vacancy decontrol.

9. Connie Hill, Roanoke Avenue. Expressed dislike of polarization and emotionalism she feels are evident at hearing; advocated revoking vacancy decontrol, giving appeals function back to Mayor and Council, and residency requirement for all COLTA members.

10. Diane Jenkins, 7611 Maple Avenue. Spoke for protection of tenants by Mayor and Council acting as appeals body. Favored COLTA representation from City residents only; opposed vacancy decontrol.

11. Brent Dillingham, 7018 Carroll Avenue. Supported end of vacancy decontrol; making residency a COLTA requirement and making Mayor and Council part of the appeal process.

12. Marie Long, 7611 Maple Avenue. Urged Council to vote in three amendment changes in the ordinance immediately. Is resident of Sylvan Terrace, which she characterized as having dirty halls, unremoved trash throughout.

13. Sarah Barnes, 7611 Maple Avenue. Supported vacancy control, residence requirement for COLTA, returning appeals function to Mayor and Council. Discussed conditions at Sylvan Terrace, citing lack of maintenance personnel or emergency telephone number; ceiling leaks; trash overflow; elevator malfunction; broken mailboxes, washers, dryers, broken glass in lobby. Said about half the apartments have leaking ceilings.

14. Julius Kopit, Shannon & Luchs Company. States he has recently become property manager of the Park Ritchie. Discussed "fair market value" rent. Opposed residency requirement for COLTA, saying requirement rejects business ability and acumen; did not have strong feelings about Council as part of the appeals process, but feels generally appeals should go to the judicial system. Said study should be made to

show what happens in the absence of rent control.

15. Veronica Zeldin, 657 Houston Avenue. Asked for clarification of "tenant options" in getting help. Councilmember Bradley explained that the three amendments being discussed could not work overnight to rectify conditions in buildings; discussed need for landlord licensing and ability to enforce the City Code.

16. Luther Woodruff, 7611 Maple Avenue. Discussed conditions at his building and urged Mayor and Council to act on conditions of most buildings in the area.

17. Aleta Delguaro, 702 Chaney Drive. Supported residency requirement, Mayor and Council as appeals body and end to vacancy decontrol. Deplored adversary feelings between tenants and landlords.

18. Rahul Briggs, 7513 Maple Avenue. Discussed maintenance problems at his building and escalating rents.

* * * * *

Councilmember Williams moved that the amendments be voted upon immediately, and the motion was seconded by Councilmember Iddings. Councilmember Faulkner spoke in opposition, pointing out that the hearing was not a regular session of the Council and was not advertised as a regular meeting. Councilmember D'Ovidio said that people in the community might not know the issue was to be voted upon, and said he would be more comfortable if the vote were to be published as an agenda item for the regular meeting on June 14, and not voted on at a meeting publicized as a public hearing. Councilmember Garcia said he was prepared to vote, but noted that the usual procedure is to receive testimony at a public hearing and schedule a vote at the following Council meeting. Mayor Abbott pointed out that agenda items were piled up due to lack of action and that the meeting could easily be convened as a Council session. Councilmember Eckert noted that the issues were not new to the Council; that discussions had been held previously, and it was his understanding the issues were to be voted upon after the hearing. Felt adequate time had been devoted to the issues and that action was appropriate. Councilmember Iddings assented that the vote should not be delayed even though he would have preferred it be done at a regular meeting. Councilmember Bradley agreed but urged that in the future, the matter of voting should be cleared up in advance. The motion was carried, Councilmembers Faulkner and D'Ovidio voting nay, all other Councilmembers voting aye.

Mayor Abbott constituted the meeting a regular meeting of the Council for the purpose of amending three sections of the Landlord-Tenant ordinance, pointing out that the original amendments changing the language of the ordinance were accomplished in one meeting.

Councilmember D'Ovidio moved that the following language in Sec. 7(a) Article II, of Ordinance No. 2598 be deleted: "except that one landlord representative may be exempted from the residency requirements," leaving other language in 7(a) intact. The motion was duly seconded and passed by roll call vote recorded as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Iddings, and Williams; NAY: Councilmembers Garcia and Faulkner; EXCUSED: None.

Councilmember Williams moved that Sec. 21 of Ordinance No. 2598, Article IV, shall read "Any person aggrieved by a final action of the Commission rendered under the Ordinance may appeal to the Mayor and Council." The motion was duly seconded and passed by roll call vote recorded as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Iddings, and Williams; NAY: Councilmembers Faulkner and Garcia; EXCUSED: None. Councilmember Bradley asked that arrangements be made to discuss administrative details and disposition of current cases.

Councilmember Williams moved the deletion of the following language in Section 22(g)(6), Article IV, Ordinance 2598: "Any apartment unit which becomes vacant voluntarily or for cause may be rented at its fair market value; once rented, the unit becomes subject to all provisions of this ordinance," and the reinstatement of the original

Public Hearing on COLTA
June 7, 1982

Ordinance (No. 2587) language, as follows: "Any vacant apartment unit may be rented at the level of comparable apartment units within the building with comparability being defined on the basis of square footage, efficiency, one-bedroom and two-bedroom apartments." The motion was seconded and approved by roll call vote recorded as follows:
AYE: Councilmembers Bradley, D'Ovidio, Eckert, Iddings, and Williams;
NAY: Councilmembers Faulkner and Garcia; EXCUSED: None.

A motion to adjourn was made and seconded; the meeting adjourned at 12:15 a.m., to reconvene on June 14, 1982, at 8:00 P.M.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council

June 14, 1982

AGENDA

8:00 CALL TO ORDER: Mayor Abbott
ROLL CALL: Councilmember Bradley
Councilmember D'Ovidio
Councilmember Eckert
Councilmember Faulkner
Councilmember Garcia
Councilmember Iddings
Councilmember Williams

PLEDGE

READING AND APPROVAL OF THE MINUTES OF APRIL 12, 1982

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Presentation of certificate of appreciation to retiring Librarian, Betty Barclay
2. Other comments

ADDITIONAL AGENDA ITEMS

8:15 GENERAL CITIZENS' REMARKS (those not directed at items for Council action)

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Nichols

1. Communications

2. Administrative Reports and REcommendations for Council Action:

- (1) Proposed ordinance setting City Tax Rate for FY-83 for all real and public property, and all corporate tangible property
Citizens' comments
Council action
- (2) Proposed ordinance approving City Pay Scale Plan for FY-83
Citizens' comments
Council action
- (3) Council approval of Proposed Use of Federal Revenue Sharing Funds ,FY-83
Citizens' comments
Council action
- (4) Proposed ordinance adopting Fiscal Year 1982-83 City Budget
Citizens' comments
Council action
- (5) Proposed ordinance establishing the position of Director of Housing Services and amending relevant sections of the City Code
Citizens' comments
Council action
- (6) Appeal Case No. A-912, 505 Tulip Avenue, request for variance of 14.3 feet to construct stairway on exterior of building (Public Hearing: 6-17-82, 9:00 AM, COB, Rockville)
Citizens' comments
Council decision
- (7) Proposed ordinance authorizing solicitation of bids for the demolition of 6761 Eastern Avenue
Citizens' comments
Council decision
- (8) Proposed ordinance authorizing solicitation of bids for the demolition of 7511 Carroll Avenue
Citizens' comments
Council decision

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
June 14, 1982

City Officials Present:

Mayor Abbott	City Administrator Nichols
Councilmember Bradley	Asst. City Administrator Schnuer
Councilmember D'Ovidio	Administrative Asst. Tyree
Councilmember Eckert	Library Director Barclay
Councilmember Faulkner	Police Chief Carter
Councilmember Garcia	Public Works Director Robbins
Councilmember Iddings	Recreation Director Ziegler
Councilmember Williams	Corporation Counsel Culpepper

The Mayor and City Council of Takoma Park met on June 14, 1982, at 8:10 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made and duly seconded to approve the minutes of the Council meeting held April 12, 1982. Motion carried.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

A certificate of appreciation from Mayor and Council was presented to retiring Library Director Betty Barclay for her years of dedicated service to the City.

Mayor Abbott called to Council's attention the fact that the budget proposal they would act on has a two cent (2¢) tax rate reduction; explained that the reason for the reduction is that Montgomery County has begun to respond to alleviate and rectify double taxation; said that while it is not everything asked for, the amount to be rebated is considerable. Stated this is the result of presenting the issue to the County Executive and County Council, having citizens write legislators on the subject, and making people aware of the issue. The City Administrator gave a summary of the funds received from Montgomery County in prior years. Said the City in the past received approximately \$85,000 per year for police service, will receive \$223,000 in FY 83; said the \$90-95,000 for roads will remain the same, but with an additional one-time payment of \$52,000 (prior money which had not been paid); housing services - in previous years no money was received, this year approximately \$10,600 will be received; in prior years no money was received for development and maintenance of parks, approximately \$35,000 will be received this year. Stated that additionally (not connected with double taxation) the City will receive in state police impact aid, through the counties, approximately \$22,600 from Montgomery County and \$9,700 from Prince George's County.

Mayor Abbott stated the City will have a Summer Youth Job Bank, funded by \$1,500 allocated by Montgomery County, to line up jobs for young people - from yard/house work to office/store help.

Mayor Abbott mentioned the unique clean up project by tenants of Sylvan Terrace Apartments; commended Councilmember Williams for his leadership and the tenants (approximately 50) for a job well done. Councilmember Williams spoke on the project and said people were pleased and proud of the results; stated management should follow suit and assure tenants they will have the living conditions they are paying for.

Mayor Abbott announced that on June 18 at Takoma Park Junior High School all Montgomery County School Board candidates, with the exception of incumbent Carol Wallace, would meet for the purpose of responding to citizens' questions; said it is imperative to have a real turnout for this meeting; said a reversal of the decision for closure was possible if the composition of the board changed. Said two or three of the candidates have already met with Council and assured that they would examine very carefully the criteria that was used by the incumbent school board which resulted in misapplication and recommendation for closure. Said on June 10 closing arguments were presented, Takoma Park separated itself from the law firm of Covington and Burling (a consolidated suit) because in the judgment of the citizen committee and elected officials

present, the City was not getting correct representation. Said the difference between closing Takoma Junior High and Eastern Junior High was submerged; everything concentrated on Rosemary Hills. Urged citizens to attend the June 18 meeting and requested Press Secretary Messinger to bring the information to the attention of the media; said publicity flyers would be distributed in all wards.

Councilmember Bradley extended, on behalf of Ward 5, an invitation to all citizens of the City, Mayor and Council, to their first neighborhood picnic on June 19 in Sligo Creek Park at the intersection of Houston and Kennebec. Remarked on the excellent support for this event received from area businesses and extended thanks for their assistance.

Councilmember Faulkner spoke against two of three actions (amendments to Landlord-Tenant Ordinance) taken by Council at the June 7th COLTA public hearing. Said he is opposed to Mayor and Council as a first appeals body since, as a political body, they are subject to pressures of the moment and many find it difficult to make objective decisions based on the law. Said that the majority of complaints brought before COLTA have been settled by the Landlord-Tenant Coordinator; suggested having a hearing examiner rather than involving Mayor and Council in the process, and use of the commission as a reviewing authority and appeals body; thought this would be both faster and more economical. Addressed the control of vacant apartments; said when decontrol was first suggested he was very skeptical, feared landlords would use this as an excuse to evict tenants to exceed the 10% rent increase limit they are allowed for occupied units. Said his experience on COLTA has led him to believe this is not the case; no complaints involving this as a problem were received. Stated that what the City currently has is rent control, not rent stabilization. Said rent control attempts to place the burden of inflation on a relatively small group, i.e., the apartment owners; stated this burden should be borne by the general public. Said he felt landlords will not carry the burden, apartment conditions will deteriorate, the burden will ultimately end up on the shoulders of the citizenry (renters and non-renters alike) and this is neither fair, nor a wise approach, nor does the City have the resources to correct the situation in which it will find itself. Said many people who testified at the hearing complained of conditions in their buildings; he did not feel the amendments passed would rectify those conditions but possibly worsen them. Stated code enforcement needs to be strengthened and he felt the City needs licensing authority which it does not presently have; should try to get it through state law, and in the meantime negotiate with the counties to use their licensing authority or to have them temporarily exercise their authority on behalf of the City. Said the City should also look to establishing a fund for handling emergency situations that arise; perhaps the larger apartments who do not have resident managers available could be assessed to start such a fund; apartments with poor code enforcement records might also be assessed. Reiterated his objections to Council making formal decisions at public hearings and worksessions; said he felt the procedure is contrary to democratic principles and unethical if not illegal.

Mayor Abbott reminded that the original Landlord-Tenant legislation came about after a half dozen very lengthy, well-attended meetings; the City operated under the original language for almost a year and 9 months, and in February, only a month before the election, the outgoing Council passed the three amendments (removing Mayor and Council as an appeals body, lifting controls from vacant apartments, and lifting residency requirements for landlord representatives). Stated the three amendments recently passed are in actuality re-amendments, restoring the original language and intent. Said nothing was done undemocratically.

Councilmember Williams said that at the June 7 hearing many people, including both landlords and tenants, spoke, and most of those who did speak favored the "re-amendments" that were passed. Said the views expressed by Councilmember Faulkner must be his own personal views.

CITIZENS' COMMENTS

1. Phil Vogel, 7117 Garland Avenue: spoke on an article which

appeared in the June 10 edition of the Washington Post (series on Blair High School) and referred to the Maple Avenue corridor as "reportedly the worst slum in Montgomery County." Said the Council should not let that slur on the City and the residents of Maple Avenue pass unchallenged. Wondered who reputes it to be the county's worst slum and what statistics the Post could furnish to back up that statement.

Mayor Abbott stated he did write a letter to the Post regarding the matter and Councilmember Iddings was drafting a response from Council; Committee to Save Our Community School responded also. Said there is no justification whatsoever for the statement made by that author and citizens were very irate about it.

Mr. Vogel stated he thought the Post ought to offer an apology to residents of the area; the statement was in poor taste and irresponsible, whether any justification existed or not. Said 7709 Carroll Avenue continues to deteriorate, is presently loosely boarded up; mentioned the possibility of Operation Turnaround funds had previously been broached. Said residents of the neighborhood do not want it to remain in its present condition, but, if torn down, the fear exists that Sligo Church may purchase the property for use as a parking lot which neighbors do not want either.

Councilmember Faulkner stated he thought this property would be a good candidate for Operation Turnaround funds. Councilmember Eckert said he would like to see the City come up with flexible alternatives/options for cases such as this other than demolition, leaving vacant land; said he would prefer seeing houses restored to their original soundness and use. The City Administrator stated that the condemnation process is the only action the City can take without the property owner's cooperation. Corporation Counsel Culpepper said that is correct, unless the City establishes a housing authority. The City Administrator said Council does have the power under its charter to establish a housing authority, which would considerably broaden its powers with respect to dealing with property in the City.

Mr. Vogel thanked Mayor Abbott for his rousing and effective speech given at Washington Adventist Hospital on June 13 on behalf of the San Building.

2. John Fleming, 6909 Westmoreland Avenue: stated he operates a business at 7334 Carroll Avenue; attended the recent hearing on the Montgomery County Sectional Map Amendment and gave testimony; said he had an opportunity to discuss the C-1, C-2 zoning in the 7300 block of Carroll Avenue. Read from a letter he had directed to the County Council in February, expressing dissatisfaction with City Council's approval of spot zoning (mixed C-1, C-2) in this area; said he felt this was both unwise and unjust; assumes the small C-1 businesses can exist side by side with substantially larger wholesale-oriented C-2 businesses for whom walk-in traffic is insignificant, customer parking is not an issue, and exterior appearance is of little or no consequence; said quite the opposite is true for the C-1 merchant, thus the mix actually discourages a healthy atmosphere for the C-1 merchant. Strongly recommended rejection of the mixed zoning proposal and support for either all C-1 or all C-2 activity in the area. Stated he thought the mixed zoning decision by the prior Council was an empty compromise, there exists little attraction for C-1 businesses to move into the area as long as mixed zoning prevails. Stated the County Council at the June 14 hearing agreed to reconsider this issue at their June 24 worksession.

Councilmember D'Ovidio stated he had talked to County Councilmember Ruth Spector and she brought up this matter, as County Council is concerned; it seems they do not favor the mixed zoning, feel uncomfortable about it. Said he thought the City Council should advise County Council what they favor at this point. Requested that this issue be made an additional agenda item, and that a letter be sent to the County Council stating City Council's position on the matter.

Mayor Abbott stated that the previous Council did spend a great deal of time on this issue, in addition to public hearings, the final

vote on it was split 4 to 3, and that while the present Council is not bound by prior decisions in a matter such as this, he did feel serious consideration should be afforded it; made a motion that a two-week postponement of the county's reconsideration be requested; no second was offered. Discussion followed, it was decided to add the issue to the agenda as #9.

3. Roland Halstead, 7116 Maple Avenue: stated he concurred with Phil Vogel's earlier remarks and, as a homeowner, was also saddened by the Washington Post's remarks; thought it laudable that Council was drafting a letter of response; suggested the letter might make reference to the efforts of the individuals who helped clean up the Sylvan Terrace apartments. Expressed thanks to Mayor Abbott for his efforts on the double taxation issue and the substantial tangible results.

4. Dr. Joseph Lerner, 7708 Takoma Avenue: expressed astonishment at the time lag in preparation of Council meeting minutes; said these should be of highest priority as Council must vote on their acceptance, and interpretations could be crucial. Said the minutes are not only of importance to operation of the Council, but of interest to the citizenry also and should be available promptly without a time lapse. Councilmember Faulkner reminded that it had been agreed to put the highest priority on the most recent minutes and try to catch up the interim ones as time permits.

Dr. Lerner remarked that in his area a number of trees have died, said there is no provision in the City budget for replacing them, thought the City would suffer aesthetically if there was not a replacement program. Registered tentative opposition to making Albany Avenue one-way, cited his reasons.

5. Ron Albaugh, 7202 Central Avenue: spoke on the importance of the City establishing a fund to meet emergencies that arise in apartment buildings, as mentioned earlier by Councilmember Faulkner. Said the City and County should not have to foot bills, as in the past, that are the responsibility of the apartment owners. Mentioned he represents the City on a citizens' committee at Council of Governments at the Mayor's request. Said "Additional Agenda Items" should be placed at a later point on the agenda, after "Citizens' Remarks."

6. Lance Compa, 7717 Garland Avenue: queried whether the committee investigating seceding from the counties and setting up a City school system would be making a report at the present meeting; Mayor Abbott responded in the negative.

ITEMS FOR COUNCIL CONSIDERATION

Administrative Reports and Recommendations for Council Action

1. Proposed ordinance setting City Tax Rate for FY-83 for all real and public property, and all corporate tangible property. The City Administrator spoke on the proposed ordinance, stating that the proposed tax rate of \$1.55 per \$100 is two cents (2¢) less than the current tax rate of \$1.57; in response to query from Mayor Abbott, the City Administrator stated short-term borrowing would probably be necessary to meet expenses during May-early June when there is a cash-flow shortage from state and counties.

Vernon Ricks, 7667 Maple Avenue: commended City Administrator Nichols for the work he did on the committee working with the county to procure rebate money for the City. Stated he is opposed to lowering the tax rate; said in the past when Council was able to reduce the tax rate, increased energy costs, inflation, short-falls in revenue, etc., caused the City to get into unforeseen problems. Said he would like to see the approximately \$26,000 that would not be forthcoming to the City if taxes were reduced, collected and invested in a fund as a hedge against revenue short-falls and other possible problems, at least for this one year, when the City is just coming up out of a financial slump. Strongly urged maintaining the \$1.57 per \$100 tax rate for the present.

Mayor Abbott reminded that taxpayers will be paying more even with the \$1.55 tax rate due to the fact that assessments have risen appreciably; said he felt it important that taxpayers receive some recognition of this from Council; i.e., through the reduced tax rate.

Clayton Forshee, 722 Kennebec Avenue: supported the tax rate reduction.

A motion was made by Councilmember D'Ovidio, duly seconded by Councilmember Eckert, that the ordinance be adopted, setting the City tax rate for FY-83 at \$1.55 per \$100 assessed valuation. Councilmember Garcia stated he is in agreement with remarks made by Mr. Ricks; said it is always harder to have to raise the tax rate than to lower it; mentioned the large yearly amount the City will owe Maryland State Retirement commencing in 1985; said the City should put the \$26,000 a year aside for that purpose between now and then and retain the \$1.57 tax rate. Ordinance 2612 was adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Iddings, and Williams. NAY: Councilmember Garcia.

ORDINANCE NO. 2612
(Attached)

X 2. Proposed ordinance approving City Pay Scale Plan for FY-83. City Administrator Nichols explained that the 5% cost of living increase in the proposed pay scale plan is applied in a unique way this year: 2.5% increase is applied across the board and the remaining approximately \$60,000 is divided by the total number of employees, amounting to approximately \$500 per employee; said the \$500 was applied to each step in the pay scale which meant those employees at the lower end of the scale received a slightly higher percentage increase than those at the higher end of the scale, the range being approximately 4-6% increase.

Councilmember Iddings explained that the budget, as originally drawn up, did not provide for a cost of living increase for employees; however, thanks to the diligent efforts of the City Administrator and the Mayor, additional funds were received by the City, making an increase feasible. Said it was recognized that in previous years it was not possible to grant increases that would keep up with the inflation rate, and those workers at the lower end of the pay scale were harder hit by inflation than those at the higher end; thus the present increase should help alleviate that inequity to an extent. Said the sliding scale increase ranges from approximately 3.6% at the high end of the scale to 7.5% at the low end. Councilmember D'Ovidio stated he would like to see, as an amendment when a motion is made, an explanation in Section 3 of the ordinance reflecting how the increase was developed, i.e., language describing how the ".5" formula was developed.

Roland Halstead, 7116 Maple Avenue: stated he is a federal employee, applauds City Administration's efforts to cope with inflation and put money back in the lower echelons of employees; said he feels the federal system is very unfair to lower-paid employees in this regard. Said he thought Council's action in this matter should greatly benefit employee morale.

A motion was made by Councilmember Iddings, duly seconded by Councilmember Faulkner, that Council adopt the ordinance, as amended. Ordinance 2613 was adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, and Williams. NAY: None.

ORDINANCE NO. 2613
(Attached)

3. Council Approval of Proposed Use of Federal Revenue Sharing Funds, FY-83. The City Administrator stated that approximately \$86,000 in Revenue Sharing Funds will be received by the City; said Mayor and Council held public hearings on the use of the funds and solicited comments from citizens. Said the recommended use in the proposed budget is for application of the full amount to the general operating funds of the City; pointed out that is a departure from prior procedure, with the exception of last year. Said in previous years, the funds were used for such things as capital purchases, funding of the landlord-tenant program, etc.; in this year's budget, some of these items would be provided for in the general fund, along with other issues that need to be addressed. Spoke on the suggested uses of the funds as put forth by citizens, and on the intended use of these funds as propounded by the federal government. Councilmember Iddings made a motion, duly seconded by Councilmember Bradley, and unanimously approved, that Council approve the proposed use of Federal Revenue Sharing Funds for FY-83.

Vernon Ricks, 7667 Maple Avenue: stated for the record that he is opposed to the use of Revenue Sharing Funds in the general operating fund, feels it is a bad practice; would rather see the \$1.57 tax rate retained, the \$26,000 gained thereby placed in the operating budget, and the Revenue Sharing Funds earmarked for other projects so that the City does not become reliant on those funds.

Ron Albaugh, 7202 Central Avenue: expressed agreement with Mr. Ricks.

Councilmember Eckert stated he thought the situation as outlined by the City Administrator spoke to the soundness of the proposed use; said perhaps some other arrangement would be preferred, but with the safeguards Council has built in, did not think reliance on these funds would become a future problem. Said the present Council was faced with a \$180,000 deficit at the beginning of FY-82, projected to be \$38,000 at the end of the fiscal year, and the proposed budget reflects their attempt to resolve the situation and climb out of the fiscal problem which they inherited. At the request of Reverend Albaugh, City Administrator Nichols reviewed the budget revenues and expenditures, spoke of the long and short-range objectives. Reverend Albaugh urged that Council, within the next three months, decide upon a special project requested by citizens, upon which to expend at least on a token basis, a portion of Revenue Sharing Funds, as a symbol of their intended purpose.

4. Proposed ordinance adopting Fiscal Year 1982-83 City Budget. Mayor Abbott stated that the proposed budget worked on by Mayor and Council was supplied by the City Administrator who had formulated it in conjunction with department heads, using a bare bones approach; said 3 categories of possible funding were supplied, adoption of the cost of living increase for employees meant adoption of the high level of funding in the budget.

City Administrator Nichols spoke on several items he felt particularly important in the budget; cited establishment of the Capital Improvements Reserve Fund, providing for major improvements of streets, gutters, curbs, and sidewalks (formerly provided for by Revenue Sharing Funds and CDBG funds). Said this fund will require 1% of any new revenue be set aside for exclusive use in the improvement of public space, commencing in FY-84; said \$15,000 will be put in the fund in FY-83 to begin it. Said an attempt has been made in the proposed budget to furnish more explicit information to the public, for instance, fringe benefits have been removed from the "Miscellaneous Expenditures" category and included in each department's budget where they actually apply. Said it is hoped that even better, more complete information can be furnished in the next budget preparation process, including improved services descriptions. In response to query, explained the disparity in figures between projected and actual revenues from Corporate Personal Property Taxes (see Council Meeting Minutes, May 24, 1982; page 5, #9). Stated he feels the City now has a list from the state of most corporations within City boundaries; said receipt of the listings is a

one-by-one process and must be cross-checked carefully.

Vernon Ricks, 7667 Maple Avenue: stated that he supported the Corporate Personal Property Tax during his tenure as Councilmember; said he wished to make clear to previous speakers that the budget deficit did not come about through negligence or dereliction of duty on the part of the former Mayor and Council, but primarily through the problem of projection of revenues (and collection of the revenues) connected with the Corporate Personal Property Tax, as outlined by the City Administrator.

Councilmember Eckert stated he was willing to accept his portion of the responsibility for how Council looks politically over the next two years, and former councilmembers should accept the same responsibility.

Rino Aldrighetti, 7213 Central Avenue: stated a good budget should reflect a balance between property taxes and services provided, including as well the creation of new revenue in inflationary times; thought the proposed budget fulfilled that requirement and was good.

Upon query from Councilmember Garcia concerning the newspaper recycling program, Public Works Director Robbins explained that the City originally had a verbal contract with Silver Spring Recycling; however, the bottom fell out of the newspaper market, and, rather than signing a contract, it was agreed Silver Spring Recycling would pick up the papers for whatever they can make on them, the City receives no money and pays no money, however does gain financially by not having to pay the disposal fee on whatever tonnage is contained in the newspapers. Stated that the Prince George's County disposal fee has gone up to \$15/ton and he heard that Montgomery County's has doubled (it was \$22/ton). Mayor Abbott pointed out that the savings to the City in recycling the papers is considerable, particularly with the increased disposal fees.

Councilmember Iddings expressed thanks and commendation to City department heads, the City Administrator and Assistant City Administrator, and other Councilmembers for their efforts and level of professionalism in the budget preparation process.

A motion was made by Councilmember D'Ovidio, duly seconded by Councilmember Garcia, that the ordinance be adopted.

Councilmember Faulkner expressed agreement that the City staff did an excellent job in preparing the budget. Mentioned there were several things he did not like: 1) thought funds should have been allocated for an animal control warden; 2) did not approve of placing federal Revenue Sharing Funds in the general operating fund; 3) did not like the proposition of the Library purchasing books through Montgomery County with the county making the selections, thought it detracted from the Library staff's professionalism and diminishes the City a bit.

Mayor Abbott expressed agreement with Councilmember Faulkner in his remarks regarding the Library. Spoke on City services furnished as compared to those in other Maryland municipalities.

Councilmember Bradley reiterated the amount of work, time and consideration put into budget preparation by City personnel and Council; said it is hoped next year's budget will be more program oriented. Regarding the Library situation, said whatever is done in conjunction with the county should be closely monitored, City does not need to go only to Montgomery County, enough flexibility should be maintained so that the City can withdraw from the plan or add or subtract funds, as desired. Said her preference would be purchasing through the county(ies) as a money saving measure, rather than staff reductions.

Councilmember Eckert expressed support for the proposed budget, said it begins to re-establish fiscal integrity in the City. Spoke favorably of the additional police officer provided for and establishment of foot patrol, the decent but not extravagant pay for City employees.

Vernon Ricks questioned whether an additional officer position was being authorized for the police department, to which the City Administrator responded in the negative; said the authorized number of sworn officers will remain 31; explained that the department is short two officers at present due to disability.

The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, and Williams. NAY: None.

ORDINANCE NO. 2614
(Attached)

5. Proposed ordinance establishing the position of Director of Housing Services and amending relevant sections of the City Code.

Vernon Ricks, 7667 Maple Avenue: spoke in favor of the position, said it will unify the several divisions such as code enforcement, landlord-tenant, etc., and create improved performance and accountability.

Carlos Stewart, 7710 Maple Avenue: questioned who occupies the non-vacant positions in this department. City Administrator Nichols responded that presently the occupied positions are Landlord-Tenant Coordinator, Senior Code Enforcement Officer, Clerical, and Housing Rehabilitation Specialist; said the two positions to be filled are Director (if Mayor and Council adopt the ordinance) and a Junior Code Enforcement Officer.

Upon motion by Councilmember Faulkner, duly seconded by Councilmember Eckert, the ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, and Williams. NAY: None.

ORDINANCE NO. 2615
(Attached)

6. Appeal Case No. A-912, 505 Tulip Avenue, request for variance of 14.3 feet to construct stairway on exterior of building (Public Hearing June 17, 1982, 9:00 A.M., County Office Building, Rockville, Maryland). The City Administrator explained this is a request for a side-yard variance to accomplish two things: 1) allow a variance of four feet to permit erection of a fire escape; 2) the property as it now exists violates the zoning ordinance which requires a 30 foot side yard with a minimum of 10 feet on either side, it is approximately 10 feet shy of the 30 feet and the variance would grant it legality as it exists. Said it is zoned R-20 and has one apartment and nine rooms, which, while possibly not desirable, is legal.

Robert Ford, 503 Tulip Avenue: owns the property adjacent to 505 Tulip; said according to his measurements, there is 26 feet between his house and 505; said the property is being "milked" by the landlord, the building is not structurally sound, the roof is in bad condition, and the tenants overindulge in beer and disturb the peace at all hours. In response to query, Mr. Ford explained that the fire escape would be located in the center of the side of the building going to the third floor, would be 4 feet wide which would put it approximately 24 feet from the side of Mr. Ford's house (not including the width of the extension on the side of Mr. Ford's house); said the property line is approximately in the center from the two houses, so with the fire escape built, it would be approximately 8 feet from Mr. Ford's property line. It was clarified that the fire escape is required in order to comply with the Fire Code. Discussion of the caliber of tenants ensued (number varies from 9 to 15 occupants, usually transient). Mention was made of fights, police having to respond frequently. In response to query, City Administrator Nichols stated this is listed as an appeal case

because the property has been cited for violation of the Fire Code and will have to close the third floor unless a fire escape is constructed. Mr. Ford stated the impact on the neighborhood if the construction is permitted will be continuation of the disturbing conditions; deterioration of property values.

Councilmember Iddings spoke on the potential for deterioration in the block of Tulip Avenue near Carroll; mentioned the unsightly conditions at E & X Exxon, piles of old tires, etc.

John Ballasa, 408 Tulip Avenue: said he has resided in the neighborhood since 1953; the City should check Fire and Police department records of calls to 505 Tulip; said something desperately needs to be done to alleviate the situation at that house.

Fred Brown, 500 Tulip Avenue: speaking from his 40-year experience in construction work, said the fire escape will deteriorate the community, will be visible from a half block away; expressed opposition.

Ann Ballasa, 408 Tulip Avenue: related being harassed by tenants of 505 Tulip when passing on the street going to and from work; questioned how many bathrooms are in the house and whether there exists a code requirement for a specific number of bathrooms per number of rented rooms. The City Administrator stated that to his knowledge there is no specific requirement, that there is probably a common/shared bath. The question was raised as to whether this property had been inspected for code violations, to which the City Administrator replied it had.

Lisa Ford, 503 Tulip Avenue: stated she had examined the City records - on June 6, 25 violations were cited, have since been corrected; said the code violation file on that property started in 1956; a pattern exists of violations being cited, fines being paid, and the violations being corrected; said it seems apparent there is no routine maintenance or attempt to keep the property up to code acceptability on a continuing basis. Read testimony from Mr. and Mrs. Finley, 506 Tulip Avenue, expressing opposition to any variance being granted 505 Tulip and citing numerous incidents requiring police action, the general disrepair of the property, and the transient nature of the tenants.

Mrs. Ford requested Council's assistance to the neighborhood, in whatever form possible, in putting a stop to the present use of the property and its negative impact on the community.

Councilmember Iddings suggested Mrs. Ford collect written testimony from as many neighbors as possible, as well as a petition of opposition to granting of the variance; made a motion, duly seconded by Councilmember Faulkner, that Council go on record as opposing granting of the variance and direct the City Administrator to prepare testimony to be presented to the Board of Appeals at the June 17 Hearing. Councilmember Iddings stated the City should begin to use the legal tools available to put a halt to such operations which are a blight on the community. Councilmember D'Ovidio requested that an attempt be made to gain further information as to where the tenants are coming from, whether they are possibly being referred there by a county agency or if there is any group home connection of any sort. Corporation Counsel Culpepper stated that if the variance was not granted for the fire escape, the first and second floor could still be operated but not the third; said another consideration is that the ingress/egress to the third floor might become a primary stair facility adversely affecting adjacent property owners in a negative way.

Following further discussion, the motion carried unanimously.

7. Proposed ordinance authorizing solicitation of bids for the demolition of 6761 Eastern Avenue.

John Hemphill, 8112 Flower Avenue: stated he would like to see included in the criteria for bids such as this that preference will be given to contractors/groups located in the City.

Councilmember D'Ovidio questioned who pays for the demolition, removal of debris, etc. The City Administrator stated that the City pays, attaches a lien to the property; if a property is forced to a tax sale or when the property goes to sale, the lien is settled as part of the taxes.

Councilmember Eckert suggested establishment of a City Housing Authority, which is provided for in the City Charter (City could then condemn, acquire, revitalize and/or resell such properties) as an alternative to demolition, leaving vacant land. Said the City will likely have a number of these properties to deal with. Mentioned the loss of tax revenue to the City when houses are demolished.

Discussion ensued concerning pros and cons of delaying action on the proposed ordinance, investigating creation of a City Housing Authority and what advantages/disadvantages that would offer. Mayor Abbott pointed out that eminent domain, under a Housing Authority, will involve long, costly, court proceedings in the acquisition of properties.

A motion was made by Councilmember Eckert, duly seconded by Councilmember Faulkner, and carried unanimously, to postpone action on the ordinance for 60 days, until the City Administrator can investigate the implications of creating a Housing Authority and supply Council with this information for their consideration.

8. Proposed ordinance authorizing solicitation of bids for the demolition of 7511 Carroll Avenue. Councilmember Iddings stated this is an apartment building that grew like Topsy, grew appendages and things, apparently has significant structural damage. Said from speaking with neighbors, the general sentiment is that even if it were rehabilitated it would not be an asset to the neighborhood. City Administrator Nichols confirmed that the legal owner of the property, Mrs. Quarles, has made known to the City that she would not resist demolition of the building.

Following brief discussion, a motion was made by Councilmember Iddings, duly seconded by Councilmember Garcia, to adopt the ordinance. Ordinance adopted by roll call vote as follows: AYE: Councilmembers Bradley, D'Ovidio, Eckert, Faulkner, Garcia, Iddings, and Williams. NAY: None.

ORDINANCE NO. 2616
(Attached)

Mayor Abbott requested that the minutes reflect that the meeting is now continuing into June 15, 1982.

9. C-1, C-2 zoning in Carroll/Ethan Allen Commercial area. Councilmember D'Ovidio stated that in view of the concern regarding the zoning in this area, the need exists to express Council's position on it to County Council prior to their June 24 worksession; made a motion, duly seconded by Councilmember Eckert, that the Council prepare written testimony to County Council supporting C-1 zoning for that area (instead of the present mixed zoning). Councilmember Garcia stated that the former Council held numerous public hearings, expended a great deal of time on this issue, and finally made a compromise decision to permit the existing C-2 businesses which have operated there for 30 years to remain; said the owners of those properties should be present if a decision is going to be made.

Ron Albaugh, 7202 Central Avenue: spoke as a member of the committee comprised of citizens/business owners appointed by former Council to study the area; said only C-2 business people were on the committee; the two segments could come to no consensus and submitted separate reports. Former Council's vote on the issue was 4-3. Said the citizens on the committee represented four citizens' associations and their recommendation was unanimous for C-1 zoning, in agreement

with Park and Planning Planners; the C-2 business owner committee members wanted C-2 to remain; said the final vote for C-1, C-2 zoning by Council was simply a compromise to avoid the issue of what is best for the area. Said it is very legitimate for the present Council to resurrect the issue and hopes they will look closely at it. Councilmember Iddings stated he thought the former Council at some point lost sight of the real purpose of the Master Plan and chose to opt for the short-term, short-sighted interest, confusing the current use with what the long-term zoning should realistically be.

The motion carried with Councilmember Garcia voting Nay, balance of Council Aye, incorporating amendments that stated the City Administrator would follow up on the possible Park and Planning agenda item dealing with the issue and transmit Council's wishes, and Councilmember Iddings would attend the June 24 County Council worksession to represent City Council.

Upon motion, duly seconded, the meeting adjourned at 12:17 A.M. to reconvene on Monday, June 28, 1982, at 8:00 P.M. in regular session.

ORDINANCE NO. 2612

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

SECTION 1. THAT in accordance with Sec. 1.9 of the Charter of Takoma Park, Md., 1972, as amended, a general tax rate for Fiscal Year 1982-83 of ONE DOLLAR AND FIFTY-FIVE CENTS (\$1.55) 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 \$1.55 tax rate on all assessable real and public property, and 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, 1982 and ending June 30, 1983.

RESOLUTION PASSED 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 No. 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, applying an increase of \$500 plus 2.5% to each full position, to be effective July 1, 1982.

	A	B	C	D	E	F	G	H	I	J	L-1	L-2
1	8,715	9,028	9,352	9,688	10,037	10,400	10,776	11,166	11,571	11,992	12,567	13,170
6-A	2,845	3,092	3,341									
6-B	10,854	11,247	11,655	12,079	12,519	12,976	13,450	13,942	14,453	14,982	15,707	16,467
7	11,347	11,759	12,187	12,631	13,092	13,570	14,067	14,582	15,117	15,673	16,432	17,228
8	11,864	12,296	12,744	13,210	13,693	14,194	14,714	15,254	15,814	16,397	17,192	18,026
9	12,407	12,860	13,330	13,817	14,323	14,848	15,394	15,960	16,547	17,157	17,990	18,864
10	12,978	13,452	13,945	14,456	14,986	15,536	16,108	16,701	17,316	17,955	18,828	19,745
11	13,580	14,077	14,593	15,129	15,684	16,261	16,860	17,482	18,127	18,797	19,712	20,673
12	14,209	14,730	15,271	15,832	16,415	17,020	17,648	18,299	18,976	19,678	20,636	21,643
13	14,887	15,434	16,001	16,590	17,201	17,836	18,495	19,179	19,889	20,625	21,632	22,688
14	15,556	16,139	16,732	17,350	17,990	18,655	19,345	20,061	20,804	21,576	22,630	23,736
16	17,060	17,689	18,342	19,020	19,724	20,455	21,212	22,000	22,817	23,665	24,823	26,039
17	17,866	18,525	19,210	19,921	20,659	21,425	22,221	23,046	23,903	24,793	26,008	27,283
18	18,711	19,403	20,122	20,867	21,641	22,444	23,278	24,144	25,042	25,975	27,249	28,587
20	20,582	21,345	22,137	22,959	23,813	24,699	25,618	26,573	27,563	28,592	29,996	31,471
21	21,586	22,389	23,219	24,083	24,979	25,910	26,875	27,877	28,917	29,997	31,472	33,020
23	23,751	24,635	25,552	26,504	27,492	28,517	29,582	30,687	31,834	33,025	34,651	36,359
25	26,131	27,105	28,116	29,166	30,255	31,386	32,559	33,777	35,042	36,355	38,147	40,030
29	31,658	32,842	34,071	35,347	36,671	38,045	39,472	40,953	42,490	44,086	46,265	48,553

OVER-

20-107

GRADE STRUCTURE

Police Department

Crossing Guard	6-A
Clerk/Dispatcher	9
Parking Enforcement Officer	10
Private	16
Private First Class	17
Corporal	18
Sergeant	20
Lieutenant	23
Police Chief	25

Public Works Department

Custodial Worker	6-B
Mechanic's Helper	7
Laborer	7
Assistant Driver	8
Driver Foreman	9
Equipment Operator I	9
Equipment Operator II	10
Equipment Operator III	11
Parks Foreman	11
Mechanic	14
Tree Maintenance Foreman	14
Public Works Coordinator	18
Building Maintenance Supervisor	18
Vehicle Repair Shop Supervisor	18
Sanitation Supervisor	18
Streets Supervisor	20
Public Works Director	25

Department of Housing Services

Code Enforcement Officer I	13
Code Enforcement Officer II	16
Housing Services Specialist	16
Community Development Coordinator	16
Director of Housing Services	21

Recreation Department

Recreation Attendant	1
Recreation Aide	6-B
Recreation Counselor	9
Recreation Supervisor	12
Recreation Director	18

Library Department

Library Assistant	8
Librarian	14
Assistant Library Director	18
Library Director	21

Administrative Staff

Clerk/Typist	7
Secretary	9
Administrative Aide I	10
Accounting Clerk I	10
Administrative Aide II	11
Accounting Clerk II	11
Accounting Supervisor	14
City Clerk	18
Assistant City Administrator/ Director of Community Development	25
City Administrator	29

ORDINANCE NO. 2614

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

SECTION 1. THAT in accordance with Sec. 1.14 of the Charter of Takoma Park, Md., 1972, as amended, the budget for Fiscal Year 1982-83 is hereby approved and adopted for the year beginning July 1, 1982, said budget providing estimated revenues of THREE MILLION, SIX HUNDRED SIXTY-THREE THOUSAND AND SEVENTY-SEVEN DOLLARS (\$3,663,077), and appropriations of THREE MILLION, SIX HUNDRED SIXTEEN THOUSAND, NINE HUNDRED NINETY-THREE DOLLARS (\$3,616,993), including a General Contingency Account in the amount of NINETY-THREE THOUSAND, FOUR HUNDRED TWENTY-SEVEN DOLLARS (\$93,427) and a Capital Improvements Reserve Fund in the amount of FIFTEEN THOUSAND DOLLARS (\$15,000); AND

SECTION 2. THAT the City Treasurer is 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 the 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 make the following transfers to the Fiscal Year 1982-83 budget:

Projected General Fund balance as of 6-30-82. . .	\$(38,047)
Inactive reserve fund	\$ 45,010

ORDINANCE NO. 2615

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

SECTION 1. THAT Chapter 2 of the Code of Takoma Park, Md., 1972, as amended, be further amended by the addition of new sections 2-38A and 2-38B, and by amending Sec. 2-40, as set forth below:

Sec. 2-38A. Office of Director of Housing Services; appointment; suspension; removal.

(a) There is hereby established the office and position of Director of Housing Services for the City, who shall be appointed by the Council.

(b) The Council shall have the power to remove the Director at its discretion.

(c) The Director shall be subject to suspension by the Mayor for good and sufficient cause until the next meeting of the Council thereafter, when the Director's status shall be determined.

Sec. 2-38B. Duties of Director of Housing Services

(a) The Director shall, under the supervision of the Mayor, have general charge of housing-related activities in the city and any other duties as the Mayor and Council may direct, including the work of the Code Enforcement office, activities arising from the operations of the Landlord-Tenant Commission, and the functions of the Rehabilitation Loan Fund program.

Sec. 2-40. Definition.

(a) Department head as used in this Article, means any one of the following:

- (1) The City Clerk
- (2) The City Treasurer
- (3) The Chief Police Officer
- (4) The Director of Public Works
- (5) The Municipal Librarian
- (6) The Director of Recreation; and
- (7) The Director of Housing Services.

AND

SECTION 2. THAT Sec. 6-6(a) of Chapter 6, Code of Takoma Park, Md., 1972, as amended, be amended to read as follows:

Sec. 6-6. Enforcement of Article; coordination with county and state.

(a) The Director of Housing Services is designated the city official responsible for the enforcement and administration of the Property Maintenance Code. The Director of Housing Services, with the approval of the City Administrator, shall appoint such number of officials designated as Code Enforcement Officers, and other employees as shall be necessary for the administration of the Property Maintenance Code and, may designate an employee as his deputy who shall exercise all his powers and responsibility during his temporary absence or disability.

ORDINANCE NO. 2616

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

- SECTION 1. THAT whereas on April 27, 1981, Ordinance No. 2563 was adopted by the Mayor and Council authorizing legal proceedings for condemnation of the building located at 7511 Carroll Avenue, situated on Lot 36, Block 37, B. F. Gilbert Subdivision within the City of Takoma Park, Maryland, recorded in the Land Records of Montgomery County, Liber 4587, Folio 761, and in Tax Record a/c #1074472, Leola S. Quarles; AND
- SECTION 2. THAT a Public Hearing was held on May 18, 1981, as prescribed by law, and that the owner or his representative was given opportunity at that time to show cause why the building should not be declared a nuisance, Minutes of such Hearing being recorded in Minute Book Volume No. 45; AND
- SECTION 3. THAT whereas, on June 8, 1981, Ordinance No. 2578 was adopted by the Mayor and Council declaring the building located at 7511 Carroll Avenue a nuisance and ordering that, in accordance with Chapter 6, Article 6 (formerly Article 7), Section 6-71 of the Code of Takoma Park, Md., 1972, as amended, the owner, Leola S. Quarles, abate code violations PM-302.3.3 (formerly H-321.3), PM-303.2 (formerly H-321.1), PM-303.3 (formerly H-337.0), PM-303.8 (formerly H-322.1), PM-602.3 (formerly H-414.1), PM-704.2 (formerly H-410.1), and PM-801.2 (formerly H-502.0) and to restore the building to a habitable condition or demolish the building and remove all debris within a period of thirty (30) days from May 26, 1981; AND
- SECTION 4. THAT whereas the owner has not accomplished, nor made a consistent effort to accomplish, the abatement of any of the aforementioned code violations as ordered under Ordinance No. 2578.
- SECTION 5. THEREFORE THAT the Director of Public Works be hereby authorized to solicit and receive at least three sealed bids from reliable persons or firms to demolish the building and appurtenances thereto and remove all debris, weeds and underbrush from same location, and to fill in the excavation and resod; AND
- SECTION 6. FURTHER THAT the Director of Public Works report the results of such bids along with his recommendation to the City Council for further consideration.