

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council  
January 9, 1984

AGENDA

CALL TO ORDER: Mayor Abbott  
ROLL CALL: Councilmember Aldrighetti  
Councilmember Bradley  
Councilmember Dalmat  
Councilmember D'Ovidio  
Councilmember Haney  
Councilmember Iddings  
Councilmember Williams

PLEDGE

READING AND APPROVAL OF THE MINUTES OF SEPTEMBER 26, OCTOBER 11, OCTOBER 24, 1983

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

- Proclamation naming January 17 as Takoma Park Junior High School Day
- Other presentations and comments

ADDITIONAL AGENDA ITEMS

GENERAL CITIZENS' REMARKS. (those not directed at items for Council action)

ITEMS FOR COUNCIL CONSIDERATION: Acting City Administrator Robbins

1. Communications
2. Administrative Reports and Recommendations for Council Action:
  - (1) Administrative reports:
    - Report on status of sale/renovation of 7709 Carroll Avenue (Robbins)
    - Report on status of 7142 Carroll Avenue (Robbins)
  - (2) First reading of an ordinance amending Cable Tenant Access Ordinance
    - Citizens' comments
    - First reading
  - (3) Appointment of two Councilmembers to Fire Department Board of Trustees
  - (4) Appointment of Assistant Fire Marshal
  - (5) Appointment of members to Transportation Planning and Traffic Committee
  - (6) Nomination of Neil Nelson to the Tree Commission
  - (7) Appointments to Council of Governments' committees
  - (8) Proposed ordinance authorizing the disposal of a refuse truck and a wrecked police cruiser
    - Citizens' comments
    - Council action
  - (9) Authorization to proceed with Mississippi Avenue lighting improvements
    - Citizens' comments
    - Council action

ADJOURNMENT

THE CITY OF TAKOMA PARK, MARYLAND  
REGULAR MEETING OF THE MAYOR AND COUNCIL

JANUARY 9, 1984

CITY OFFICIALS PRESENT:

Mayor Abbott	Act. City Administrator Robbins
Councilmember Aldrighetti	City Clerk Pusti
Councilmember Bradley	Act. Public Works Director Smith
Councilmember Dalmat	Recreation Director Ziegler
Councilmember D'Ovidio	Corporation Counsel Gagliardo
Councilmember Haney	Asst. Corporation Counsel DeNovo
Councilmember Iddings	
Councilmember Williams	

The Mayor and City Council of Takoma Park, Maryland, met on January 9, 1984, at 8:12 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, the Minutes of September 26, 1983 were moved for adoption by Councilmember D'Ovidio, seconded by Councilmember Iddings; the Minutes of October 11, 1983, were moved for adoption by Councilmember D'Ovidio, seconded by Councilmember Aldrighetti; the Minutes of October 24, 1983 were moved for adoption by Councilmember D'Ovidio, and duly seconded; each was approved unanimously.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Councilmember Dalmat read a Proclamation naming January 17 as Takoma Park Junior High School Day, paying tribute to the students, and supporting the work of the Takoma Park Junior High School staff in their efforts to develop scholarship among the youth. (Proclamation Attached).

Mayor Abbott announced that on Wednesday, January 11, citizens and staff are invited to attend a meeting at 7:30 p.m., in City Hall with representatives of Prince George's County pertaining to the County's Tax Differential Bill. Under the bill, the City would receive nothing; instead taxpayers in the Prince George's County section of the City would receive a reduction in County taxes based upon a formula which would be explained at the meeting. Unless Montgomery County adopts a similar measure, the City will be faced with a problem in setting the tax rate.

Mayor Abbott announced that the "Walk-the-Line" event to further unification efforts would be held on January 21, from 10-12 a.m.

Jan Schwartz, 7309 Garland Avenue: As coordinator of the "Walk-the-Line," along with Gene Freeman, urged citizen participation in this event, saying it would be widely publicized, and therefore be necessary for the City to show a strong force. Citizens of both Counties would join together on Ethan-Allen and Jackson Avenues, walking from University Boulevard down to Carroll Avenue; the other group would start at Second and Eastern Avenues. Citizens for a Referendum is asking for the right for all Takoma Park citizens to decide which County they want to live in. The Prince George's County Delegation has introduced a bill (PG/MC 4-84) to counter the Montgomery County bill (PG/MC 12-84). Mayor Abbott stated that if the Prince George's bill is passed, along with the Montgomery County bill, citizens in both sides of the City would have, by referendum vote, the right to decide whether or not they wish to join the other County. This could result in the Montgomery side staying in Montgomery County; the Prince George's side remaining in Prince George's; Prince George's could decide

to join Montgomery County, or Montgomery County could vote to join Prince George's. The status quo would be retained if one or the other vetoes the bill.

Councilmember Haney thanked Jan Schwartz and Mr. Freeman for all the work they have done on this project.

ADDITIONAL AGENDA ITEMS

Councilmember Haney stated that the City received notice last week that the City of Takoma Park is one of six cities in the State of Maryland which had been nominated for "Tree City, USA" status from the National Arbor Day Foundation. The results would be received in February.

Councilmember Aldrighetti requested that the issue of 7403 Garland Avenue be added to the Agenda under Item (1).

GENERAL CITIZENS' REMARKS

Bob Freedman, 7118 Cedar Avenue: Speaking on behalf of some 15 neighborhood residents who were present, expressed concerns regarding the proposed subdivision of the Southeast corner of Cedar and Tulip Avenues to allow for three additional building lots. He had received notification of the proposed subdivision before Christmas and noted there would be a meeting in the Subdivision Review Office of Park and Planning the following week. He expressed concern that the environmental and historical character of Takoma Park would be threatened if the subdivision is approved, and would set a precedent for additional subdivisions. It also violates both the letter and the spirit of the Takoma Park Master Plan and the Sector Plan, which specifically pledges preservation of the low-density character of the neighborhood. Mr. Freedman requested the following: 1) that the Council inquire of Park and Planning as to why the City and the neighbors were not better notified; 2) that the Council become actively involved in the process; and 3) that the Council go on record opposing the proposed subdivision. Councilmember Iddings stated he had received numerous calls from residents expressing concern over the subdivision and had asked City staff to follow up, but they had received no response from Park and Planning.

Jim Douglas, 212 Tulip Avenue: Informed the Council he had not been notified of the proposed subdivision; had communicated with Park and Planning and was told that the applicant is required to notify all adjacent property owners at some point in the process but that the Subdivision Office could not verify the listing. He has been in contact with the engineer on the subdivision but received no information from him. Mr. Douglas told the Council that the scheduled meeting on January 17 would be closed. Councilmember D'Ovidio moved that the Council support a strong letter from the City Administrator to Park and Planning requesting postponement of any decision until the City is properly notified. Mayor Abbott moved to add "any meeting" as well to the letter. Councilmember Iddings seconded the motion, and moved to amend it to include a statement that in the eventuality they choose to go ahead with the meeting, the City's position would be one of opposition since it had not been fully informed; also that the letter should include the impact the subdivision would have on the City's urban forest. Councilmember D'Ovidio accepted the amendments and the motion passed unanimously, with Councilmember Dalmat abstaining because of a possible conflict of interest.

Roland Halstead, 7116 Maple Avenue: Stated he is an adjacent property owner who had received notification. Read the notice, which stated there are four lots on the Southeast corner of Tulip and Cedar Avenues and it would be reviewed by the County Board staff, under the provisions of Chapter

50 of the County Code. Mr. Halstead concurred with earlier comments and pointed out the subdivision would create five lots instead of four; he also expressed concern about the impact on utility services. Further commented that Historic Takoma Committee would take up this item on January 18, and he would inform the Council of the results.

Jim Douglas. Informed the Council there would be no parking facilities on the lots which would exacerbate the existing situation.

Mayor Abbott stated that a letter would be forwarded to Chairman Christletter of the Park and Planning Board immediately.

Carlos Stewart, 7718 Maple Avenue: Asked for Council opinion on a recently published article in the Washington Post regarding disbursement of Federal and State money for education in the amount of \$2,000 per student for one part of Montgomery County and in another, only \$1,000 per student. Councilmember D'Ovidio stated this related to the proposed County school budget which includes the construction of two new up-County schools. Mayor Abbott suggested that Mr. Stewart attend the Education Committee meeting scheduled for January 18 at 8:00 at the Municipal Building.

ITEMS FOR COUNCIL CONSIDERATION: Acting City Administrator Robbins

1. Communications

The Acting City Administrator made the following announcements:

1. Board of Appeals hearing on a variance at 300 Mississippi Avenue, February 9, 1984, COB first floor hearing room.

2. Public Hearing on Special Exception #3447, 7403 Garland Avenue, February 22, 1984 at 9:00 a.m., CAB, Upper Marlboro. January 12 Agenda of the Prince George's Planning Board will include a related matter--departure from design standards to permit additional parking.

2. Administrative Reports and Recommendations for Council Action:

(1) Administrative reports:

--Resolution concerning the sale/renovation of 7709 Carroll Avenue

Councilmember Aldrighetti stated that this property has been pending before the Council for two years. The City had reached the point of demolition, but held off to permit Dr. Wunderlich and prospective buyers to reach some agreement. An agreement proposed by Corporation Counsel includes a schedule for construction by the purchasers with a check from Dr. Wunderlich for \$5,000, which would be guaranteed by the buyers if work is not completed in accordance with a proposed work schedule. Corporation Counsel explained the terms of the agreement. If the work is completed on schedule, the \$5,000 would be returned to Dr. Wunderlich; if work is not completed, the City would proceed with demolition and the money would be applied to the costs. If there is any deficiency, it would stand as a lien against the property, thus protecting the City. Corporation Counsel stated an addendum had been made to the agreement which insures the property would be used as proposed, in exchange for the City's refraining from demolition. The extended family of the buyers are to occupy the house. Councilmember

Aldrighetti moved the resolution; Councilmember Dalmat seconded the motion and it carried unanimously. (At this point the check was presented to the Council.)

RESOLUTION  
(Attached)

--Report on status of 7142 Carroll Avenue:

The Acting City Administrator stated that this property, zoned R-20, was purchased by Tim Casey of Potomac, Maryland. At the present, he is actively rebuilding the property as promised. The property has three rental units and he will add a fourth. The land area (over 11,000 square feet) is sufficient to permit the additional unit.

--7403 Garland Avenue:

Councilmember Iddings discussed the City's comments on the hearing of January 12 on relaxation of zoning requirements for the driveway. When the Prince George's Master Plan was presented, the Council voted unanimously that all homes zoned less than R-55 be immediately rezoned to R-55, causing a phase-out of multi-family units in that area upon the sale of the property. The provision was adopted by the Planning Board. If the petitioners are successful, it would be the first step in achieving relaxation of the Master Plan. Corporation Counsel stated that if the driveway is approved, the Patners (owners of the property) would be more likely to achieve success at the February 22 Special Exception hearing. If they lose on the driveway request, they would be in a more difficult position in providing the required parking. In October 1982, the Patners were cited for a zoning violation, operating a four unit rental facility in a single-family zone. Corporation Counsel's argument before the Board of Zoning Appeals was that the Patners must comply with the law. This was twice argued successfully by Corporation Counsel. The Patners then took two administrative appeals to the Circuit Court and in mid-November, both cases were heard. The Court's decision was not to overturn the Board of Appeals. The Assistant County Attorney handling the case stated he would move on an injunction, which has not occurred. On the last day to appeal the Circuit Court decision, the Patners took another appeal which is now pending before the Court of Special Appeals. When the appeal was filed, they asked that the Circuit Court decision not be enforced; this was denied. The County is now free to enforce the zoning laws. There was further dialogue among Corporation Counsel and the Mayor and Council on the injunction and other legal issues. The Corporation Counsel was instructed to attend the hearing scheduled for January 12. Councilmember Aldrighetti moved that the Mayor and Council go on record affirming the City's position on this matter and to ask that the Board deny the Patner's request; the motion was duly seconded. Councilmember Iddings recommended adding that the City's opposition was based on the fact that the Mayor and Council oppose the Special Exception altogether, and to reaffirm the provisions of the Master Plan; the motion carried unanimously.

(2) First reading of an ordinance amending Cable Tenant Access Ordinance

The Assistant Corporation Counsel stated that the amendments to the ordinance were technical to pick up omissions in the original. This ordinance was accepted for a first reading.

PROPOSED ORDINANCE  
(Attached)

(3) Appointment of two Councilmembers to Fire Department Board of Trustees

Mayor Abbott moved the appointment of Councilmembers Iddings and Dalmat to serve as City representatives on the Fire Department Board of Trustees. Councilmember D'Ovidio seconded the motion; it passed unanimously.

(4) Appointment of Assistant Fire Marshal

Upon motion, duly seconded and passed, Mr. Paul Mok was appointed Assistant Fire Marshal of the City.

(5) Appointment of members to Transportation Planning and Traffic Committee

Upon motion, duly seconded and passed, the following persons were appointed to the Traffic Committee: Ward 1: Jim and Judy Colwell (shared seat), Art Jasso, Ruth Abbott (alternate); Ward 2: Jonathan Weiss, Earl Shoop, Juan DeGuera; Ward 3: Dave Taylor, Mr. and Mrs. Clyde White (shared seat), Maureen Kohl (alternate); Ward 5: Susan Lender, Susan Thomas; Ward 6: Ron Harn, Steve Delguidice, Dave Cruze, and Kathy Burns (shared alternate seat); Ward 7: Phil Vogel.

Mayor Abbott requested a list of projected public hearings on the traffic review for publication in the Newsletter. Informed Council that the Washington Post would be running a story on the City's speed humps and other traffic measures. Councilmember Iddings noted that the Traffic Committee would prepare a report, and obtain citizens' input to be presented at the first hearing, and the issue of where additional speed humps would be placed would be the subject of the second public hearing.

Councilmember Iddings announced that the Police Department applied for and received a grant to improve traffic enforcement. The department received \$12,000 this year to be matched with funds from the City to monitor traffic, particularly on the high volume accident streets; it will start immediately. The City's goal is to issue 50% more moving traffic violations in the course of the year, and to start a program whereby residents would identify chronic speeders, report the cars to the Police Department, and a non-offensive form letter to be issued. Councilmember Bradley recommended the use of the form letter by the school crossing guards.

(6) Appointments to the Tree Commission

Councilmember Haney moved the appointment of Mr. Neil Nelson to serve on the Tree Commission, and Mr. John Hemphill as an alternate. Councilmember D'Ovidio seconded the motion and it passed unanimously.

(7) Appointments to Council of Governments' committees

Mayor Abbott moved the following appointments to the Council of Governments' committees and boards: Board of Directors - Mayor Abbott, Mayor Pro Tem D'Ovidio, alternate; Public Safety Policy Committee - Police Chief Fisher; Transportation Planning Board - Councilmember Iddings; Land Use Policy Committee - Councilmember Aldrighetti; Energy Policy Advisory Committee - Councilmember Haney; Public Advisory Committee - Councilmember Dalmat; Water Resources Policy Board - Councilmember Bradley; Human Resources Policy Committee - Councilmember Williams; Councilmember Bradley seconded the motion, and it passed unanimously. Mayor Abbott directed the City Clerk to notify COG of the appointments.

At this time, Mayor Abbott moved that Councilmember D'Ovidio continue to serve as Mayor Pro Tem; Councilmember Iddings

seconded the motion and it passed unanimously.

(8) Ordinance authorizing the disposal of a refuse truck and a wrecked police cruiser

The Acting City Administrator recommended that these vehicles be disposed of as stated in the ordinance. Councilmember Iddings suggested looking into the use of a consent agenda to handle actions of this type and possibly others. Ordinance No. 2707 was moved, duly seconded and adopted with the roll call vote recorded as follows: Aye: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings, Williams; Nay: None; Excused: None.

ORDINANCE NO. 2707  
(Attached)

(9) Authorization to proceed with Mississippi Avenue lighting improvements

Mayor Abbott noted that Council had received a diagram of the location of the proposed improvements. Acting Public Works Director Smith stated that \$9,000 had been set aside by the Mayor and Council for improved street lighting in the City. The total cost of the Mississippi Avenue lighting would be \$2,787.00. An estimate has been requested from PEPCO on the installation of a 100 watt mercury vapor light at the intersection of Eastridge and Hudson Avenues. Also, estimates would be requested from PEPCO for various methods of increased lighting at the intersection of Takoma and Fenton Avenues on the College side. Councilmember Haney suggested that the Police Department as well Public Works have input on recommendations for improved lighting. Councilmember Bradley moved to proceed with Mississippi Avenue lighting improvements as proposed; Councilmember D'Ovidio seconded the motion, and it passed unanimously.

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Upon proper motion, the meeting adjourned at 9:50 p.m., to reconvene on Monday, January 23, 1984 at 8:00 p.m.

PROCLAMATION

WHEREAS, under the leadership of Takoma Park Junior High School Principal, Dr. Thomas E. Quelet, and the cooperative efforts of students, parents, and mathematics teachers Alfred Brown and Elaine Tanenhaus, the ninth grade students have tied for first place in Montgomery County for the highest passing rate (92%) of a statewide math test; AND

WHEREAS, that remarkable achievement is even more impressive when viewed in the context of the previous year's passing rate--46%; AND

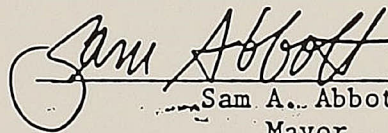
WHEREAS, the Mayor and Council wish to take recognition of the ninth grade math students and the school personnel who engendered their pursuit of excellence.

NOW, THEREFORE, I, Sam A. Abbott, Mayor of the City of Takoma Park, Maryland, proclaim the 17th day of January as


TAKOMA PARK JUNIOR HIGH SCHOOL DAY

in the City of Takoma Park, and call upon our citizens to join the Mayor and Council in paying tribute to the students, and in supporting the work of the Takoma Park Junior High School staff in their efforts to develop scholarship among our youth.

JANUARY 9, 1984.

  
\_\_\_\_\_  
Sam A. Abbott  
Mayor

ATTEST:

  
\_\_\_\_\_  
Richard L. Robbins  
Acting City Administrator





RESOLUTION

WHEREAS, the Mayor and Council stayed a demolition order on the structure located at 7709 Carroll Avenue to await final negotiations for the sale of said structure by its owner, Richard A. Wunderlich, to a responsible purchaser who would agree to a timely renovation schedule; AND

WHEREAS, the owner has entered into a contract of sale with Solyman and Davood Ashrafi who, on December 11, 1983, submitted a schedule for renovation of the structure and, along with the owner, agreed to execute a binding agreement with the City to the effect that the renovation would be carried out in conformance with all codes, ordinances and zoning regulations; AND

WHEREAS, the said agreement has been drawn up and executed by Richard A. Wunderlich and Solyman Ashrafi, a copy of which is attached hereto and incorporated by reference; AND

WHEREAS, in consideration of the City's suspension (tabling) of the demolition order, Richard A. Wunderlich has tendered a bond in the form of a cashier's check for \$5,000, said bond being recoverable by the City in the event the buyers fail to conform to the terms of the agreement and the demolition order is revived.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of the City of Takoma Park, Maryland, hereby ratify the "Agreement Between the City of Takoma Park, Montgomery County, Maryland, and Richard A. Wunderlich, Solyman Ashrafi and Davood Ashrafi," and authorize the Mayor and the Acting City Administrator to sign the agreement on behalf of the City.

JANUARY 9, 1984.

## ORDINANCE NO.

WHEREAS, Ordinance No. 2689, as enacted, contained an error in the provision concerning the maximum fine for violations of that Ordinance and did not specify the terms of the Cable Compensation Commissioners; AND

WHEREAS, the Mayor and Council wish to correct these errors in Ordinance No. 2689 by means of this amendment.

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

Article 7, Section 3 of Ordinance No. 2689 hereby be repealed and simultaneously reenacted to read as follows:

"Section 3. In addition to the foregoing, any violation of this ordinance shall constitute a municipal infraction for which a citation may be issued. The minimum fine for each violation shall be \$25.00, and the maximum shall be \$100.00, \$200.00 for repeat offenses, or such other greater maximums as may be permitted by state law. The minimum fine may be suspended only upon a finding that such violation is a first offense and that no wilfulness was involved. The provisions of Sec. 1.17(b) of the City Code are repealed, to the extent that they are inconsistent with this section.) Each unit with respect to which the violation exists and each month or other billing cycle for which a violation exists shall constitute a separate and distinct violation."

Article 4, Section 1 of Ordinance No. 2689 hereby be repealed and simultaneously reenacted to read as follows:

Section 1. The Mayor and Council shall appoint a Cable Compensation Commission, whose function shall be to hold hearings and make determinations of reasonable compensation to a property owner for the occupation of a cable operator's equipment upon the owner's property, as more fully set forth in this Ordinance. The Cable Compensation Commission shall be composed of three members, one of whom shall be a professional real estate appraiser or agent with expertise in valuation of multi-family rental property, one of whom shall be a person with architectural expertise, and one of whom shall be a citizen with knowledge of cable communications systems; provided, however, that no member of the Commission shall have any financial interest in any franchisee or any multi-family rental property in the City of Takoma Park.

Persons under consideration for appointment to the Commission shall disclose any financial or managerial interest they may have in any property in Takoma Park or any cable communications system or cable operator and shall provide such additional information as the Mayor and Council may request.

Commissioners shall serve for two years or until their successors are appointed and qualified. The terms of those Commissioners appointed initially shall commence upon their appointment by the Mayor and Council. Thereafter terms shall commence on the first day of January of even numbered years.

ORDINANCE NO. 2707

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

SECTION 1. THAT it has been determined that the following vehicles are beyond economical repair and their usefulness as a source of spare parts has been exhausted:

1969 International sanitation vehicle, Title 0654548,  
Serial #231912G325885;

1977 Ford police vehicle, Title #6724401, Serial  
#7H27H176460.

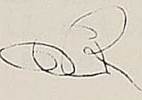
SECTION 2. THEREFORE THAT the City Administrator is hereby authorized to remove these vehicles from City records and dispose of them through a salvage company.

ADOPTED BY THE MAYOR AND COUNCIL JANUARY 9, 1984.

January 13, 1984

MEMORANDUM

TO: Mayor and Council

FROM: Richard L. Robbins, Acting City Administrator 

SUBJECT: Worksession, Monday, January 16, 7:30 P.M.

AGENDA

1. Variance for 300 Mississippi Avenue - Purpose to enclose and expand. Requesting front yard variance less than 8 feet.
2. Lake Avenue Development - possible construction of 3 to 8 homes by Gary Hoobler on paper street - Lake Avenue
3. Announcement regarding Cedar and Tulip Avenues subdivision. Discussion of M-NCPP response to concerns raised by Mayor and Council.
4. Unification Report - Jan Schwartz
5. Report by Paul Mok
  - Takoma Old Town
  - Takoma Junction
  - Takoma Crossroads (University Boulevard, New Hampshire Avenue area).
6. Tax Review Task Force - Councilmember Haney
7. Traffic Committee - Determination of Hearing Dates - Councilmember Iddings.
8. Discuss Council sending letter to MML re Measured Rate Phone Service - Councilmember Dalmat
9. Update on enforcement of Tree Code Violation.
10. Remind Councilmembers of City Administrator interviews.

RLR:imr

Mayor and Council Worksession

January 16, 1984

The Mayor and City Council met in worksession at 7:45 p.m., Monday, January 16, 1984, with the Mayor chairing. Present were: Councilmembers Aldrighetti, Bradley, Dalmat, Haney, and Iddings; Acting City Administrator Robbins, Economic Development Coordinator Mok, Press Secretary to the Mayor and Council Mike Messinger.

The following matters were discussed and acted upon as indicated:

1. Variance for 300 Mississippi Avenue. Purpose to enclose and expand deck. Requesting front yard variance less than 8 feet. Decision was that no position will be taken provided in the absence of complaints. If complaints are received, staff will notify the Mayor and Council, as well as the applicant for the variance.
2. Lake Avenue development. Possible construction of 3 to 8 homes by Gary Hoobler on paper street (Lake Avenue). Meeting to take place with Mr. Hoobler on February 4 at 9:00 a.m.; Mayor and Council to meet regarding Poplar at Dempsey's prior to the February 4 meeting. Acting Public Works Director Tony Smith to be directed to complete the vacant lot survey.
3. Announcement regarding Cedar and Tulip Avenues subdivision. Discussion of MNCP&PC response to concerns raised by Mayor and Council. Decision was made to take a position of opposition to the group meeting scheduled for January 17, including any decision made and/or action taken; notification of this position to be delivered by Community Coordinator Neal and a copy of the letter provided to concerned residents. A motion to this effect was passed with Councilmember Dalmat abstaining. Recreation Director Ziegler is to be directed to procure information on Project Open Space - its purpose, possibility of funding for acquisition of this property.
4. Unification Report. Following presentation of the report, there was discussion of organizing a march in support of the issue, possibly to start at noon, with press to be notified.
5. Report on Takoma Old Town, Takoma Junction, Takoma Crossroads. Following presentation of the report by Paul Mok, a unanimous decision was reached that lamps and all iron work in TOT should be black in color; the azalea committee will be asked to donate azaleas for planting in the area. Costs will be procured for doing sidewalk and curb work around trees and for moving the stop light pole at the Exxon station. Three suggested dates are to be furnished to Council for the festival, from which they will select one; also names for the festival are to be suggested. Concerning Takoma Crossroads, a letter will be sent to David Bone of Montgomery County re the Ride-On bus and the need to relocate the bus stop (Paul Mok or Mike Haney can be contacted for specifics).
6. Tax Review Task Force. Councilmembers are to propose names of individuals for appointment to the task force; Councilmember Haney will document the purpose/mission of the group for presentation at a later date, following which appointments will be made.
7. Discuss Council sending letter re Measured Rate Phone Service. Following discussion, decision was made to send a letter supporting legislation to oppose measured phone rates (Councilmember Bradley opposed, balance of Council in favor).

There being no further business to discuss, the meeting adjourned.

T H E C I T Y O F T A K O M A P A R K, M A R Y L A N D

Regular Meeting of the Mayor and Council  
January 23, 1984

AGENDA

CALL TO ORDER: Mayor Abbott  
ROLL CALL: Councilmember Aldrighetti  
Councilmember Bradley  
Councilmember Dalma  
Councilmember D'Ovidio  
Councilmember Haney  
Councilmember Iddings  
Councilmember Williams

PLEDGE

READING AND APPROVAL OF THE MINUTES OF NOVEMBER 14, 21 and 28, 1983

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

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

ITEMS FOR COUNCIL CONSIDERATION: Acting City Administrator Robbins

1. Communications
2. Administrative Reports and Recommendations for Council Action:
  - (1) Administrative reports  
--Report on Cedar-Tulip resubdivision (Daniel Neal)
  - (2) Appeal No. A-1132, 8' front yard variance to enclose and expand existing deck, 300 Mississippi Avenue (Public Hearing: 2-9-84, 9:00 AM, COB, Rockville)  
Citizens' comments  
Council affirmation of earlier decision
  - (3) First reading of an ordinance instituting condemnation proceedings of structure at 7401 Flower Avenue  
Citizens' comments  
First reading
  - (4) Council discussion and position on two Unification bills:  
PG/MC 12-84 (referendum to unify into Montgomery County) and  
PG/MC 12-4 (referendum to unify into Prince George's County)  
Citizens' comments  
Council action
  - (5) Discussion regarding Montgomery County's allocation of funds for municipal cable access equipment  
Citizens' comments  
Council action
  - (6) Second reading of an ordinance amending Ordinance 2689, Cable Tenant Access Ordinance  
Citizens' comments  
Council action
  - (7) Ordinance authorizing lease/purchase financing agreement for refuse truck  
Citizens' comments  
Council action

RESOLUTION:

CREATION OF REVENUE TASK FORCE

(MUST BE ANNOUNCED AS ONLY

MAYOR AND COUNCIL PACKAGE

HAS IT ADDED.)

THE CITY OF TAKOMA PARK, MARYLAND  
REGULAR MEETING OF THE MAYOR AND COUNCIL  
JANUARY 23, 1984

CITY OFFICIALS PRESENT:

Mayor Abbott	Act. City Administrator Robbins
Councilmember Aldrighetti	City Clerk Pusti
Councilmember Bradley	Community Dev. Coord. Neal
Councilmember Dalmat	Det. Sgt. Duval
Councilmember D'Ovidio	Housing Services Director Tyree
Councilmember Haney	Corporation Counsel Gagliardo
Councilmember Iddings	Asst. Corporation Counsel DeNovo
Councilmember Williams	

The Mayor and City Council of Takoma Park, Maryland, met on January 23, 1984, at 8:10 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, the Minutes of November 14, 1983 were moved for adoption by Councilmember D'Ovidio; seconded by Councilmember Bradley. The Minutes of November 21, 1983, were moved for adoption by Councilmember D'Ovidio, seconded by Councilmember Bradley; the Minutes of November 28, 1983, were moved by Councilmember Bradley, seconded by Councilmember D'Ovidio; all were unanimously approved.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

Mayor Abbott commented on the "Walk-the-Line" event that took place in the City on January 21. Noted that, despite the cold weather, it was a success and would highlight to the members of the General Assembly the City's support for the two bills pending on unification which, if passed, would permit citizens of both Counties the right to decide their County of residence. Mayor Abbott had received a letter from Senator Dorman which stated he hoped this would be the year a bill would be passed; the letter will be published in the City Newsletter. Mayor Abbott noted Delegate Mooney's opposition and comments about the bills.

ADDITIONAL AGENDA ITEMS

Resolution creating a citizens' Revenue Task Force (Councilmember Haney).

ITEMS FOR COUNCIL CONSIDERATION: Acting City Administrator Robbins

1. Communications

The Acting City Administrator announced a meeting of the Prince George's County Planning Board, Thursday, January 26, which will include Special Exception #3447, 7403 Garland Avenue. Their recommendations will go to the Hearing Examiner for the February 22 public hearing. Corporation Counsel pointed out that this is the most critical hearing in the process for the applicants. If the special exception is granted, it would permit the Patners to operate the residence as a three-unit dwelling in a single-family zone. Following a lengthy discussion, it was the consensus of the Council that Corporation Counsel should attend the meeting or arrange to have a member of the City staff attend. The City's opposition is based upon the fact that the special exception would violate the intent of the Master Plan. Councilmember D'Ovidio recommended that members of the Citizens' Association make contact with the County Council, since they would make the final decision.

The Acting City Administrator reported that Special Exception # S-900, 7420 Maple Avenue, had been granted with the City's stipulations that residents could only be

ambulatory and elderly and limited to no more than five at any given time.

2. Administrative Reports and Recommendations for Council Action

(1) Administrative Reports

--Report on Cedar-Tulip resubdivision(Daniel Neal)

Mr. Neal reported on a January 19 meeting of Park and Planning's subdivision review staff on the proposed resubdivision, which he had attended. Those present were primarily representatives from other governmental agencies who have input into the subdivision process. Five Takoma Park citizens also attended. No date has been set for the proposal to go before the Planning Board; they have 60 days to review the plan, and it is not likely to be completed before February 23. They will, however, await the City's recommendations. Mr. Neal had secured a copy of the proposal at the Subdivision Review Office, since none had been received by mail. The Acting City Administrator stated the City would be contacting the Historic Preservation Committee and the Maryland Historic Trust to obtain their help. Councilmember D'Ovidio noted that a staff member from Park and Planning had been asked to attend the Council Meeting on February 13. He asked the City staff to research the possibility of obtaining funds to maintain the property as it is, and to notify the County Historic Preservation Commission. Mayor Abbott directed the City staff to continue to monitor the situation, and to request proper notification.

Herbert Coffman, 214 Tulip Avenue: Read into the record a letter from Old Takoma Park Citizens' Association in opposition to the proposed resubdivision. (Letter attached.) The Association has set up a Committee to canvass the City and have received 50 letters from citizens opposing the resubdivision. Copies were sent to the Council and Park and Planning. Mr. Robbins stated the Recreation Director had contacted "Open Space" officials and was advised that the space does not qualify for funding, because of the small area; however, that is being checked further. Councilmember Iddings recommended that the Recreation Director apply for funding at the State level as opposed to the County level. Councilmember Bradley stated staff should make sure that Montgomery County is not discouraging open space acquisition because of the future option of applying a portion of the funds to development. Councilmember D'Ovidio suggested contacting Maryland Historic Trust regarding funds to preserve "historic vegetation."

Faith Stern, 103 Grant Avenue: Thanked citizens and the Council for their diligence in pursuing this issue and stated her support for their efforts.

(2) Appeal No. A-1132, front yard variance to enclose and expand existing deck, 300 Mississippi Avenue (Public Hearing: 2-9-84, 9:00 AM, COB Rockville)

The Acting City Administrator stated that the owner of the property applied for a variance to enclose and expand an existing deck to the street, requiring a variance of 8 feet. A notice was received on January 23 that a variance of 16 feet is required. Councilmember Bradley moved to table until the applicant appeared to explain the discrepancy. Councilmember D'Ovidio seconded the motion and it carried unanimously.



(3) First reading of an ordinance instituting condemnation proceedings of structure at 7401 Flower Avenue:

The Acting City Administrator referred to a memo from Mr. Austin of Housing Services, indicating the condition of the structure at 7401 Flower Avenue to be in a state of disrepair with many code violations. The owner had planned to rehabilitate the structure for a multi-family dwelling in an R-55 zone. A work-stop order was issued, and no work has been done since the summer. He was informed of the pending condemnation proceedings and was given one week to contact the City, which he had failed to do. Mr. Robbins, as Fire Marshal, ordered the property boarded up and the cost applied to the owner's tax bill. Inspectors have reported some very recent activity at the building. It was agreed that the City would check with appropriate County authorities on the status of the building permit and stop-work order, and investigate the possibility of having the County obtain an injunction. After further discussion, the proposed ordinance was accepted for a first reading.

PROPOSED ORDINANCE  
(Attached)

(4) Council discussion and position on two Unification bills: PG/MC 12-84, (referendum to unify into Montgomery County) and PG/MC 12-4, (referendum to unify into Prince George's County)

Councilmember D'Ovidio stated that at the end of the last session of the General Assembly, the Prince George's delegation by a vote of 9:9, killed the Unification Bill. A Task Force had been formed for summer study of unification. However, no meetings were held until October. The Chairman of the Prince George's delegation, Delegate Ryan, directed the Task Force to work only on issues that would make it easier for the City to exist as a bi-County City, not unification. The Task Force has addressed unification, however, and agreed to finalize its work by February 7 and report to the Prince George's delegation. There has been no date set by either delegation to discuss the pending bills. Mayor Abbott commented that early in March, the City would begin to press for County delegations to hold hearings; encouraged citizens and associations to contact their delegates. The Mayor said he had received notification that Delegate Pesci would resign as Chairman of the Prince George's Committee on bi-County matters on January 12, with the effective date Friday, April 13. Councilmember Bradley moved that the City of Takoma Park, under the Mayor's signature, send a letter thanking Delegate Pesci for his support of unification. Councilmember D'Ovidio seconded the motion and it passed unanimously. Mayor Abbott directed Councilmember Bradley to draft the letter. Councilmember D'Ovidio moved support for both unification bills--PG/MC 12-84 and PG/MC 12-4, with members of both delegations to be notified; Councilmember Bradley seconded the motion, and it carried unanimously.

(5) Discussion regarding Montgomery County's allocation of funds for municipal cable access equipment

Bruce Moyer, 37 Philadelphia Avenue: As Chairman of the Cable TV Committee, summarized the County's contractual commitment to provide the City with an equipment package to use for programming on the channel space that Takoma Park will have on the Cable TV system. One of the provisions of that contract was that within one year after the beginning of the franchise, Takoma Park would be provided with a video package valued at \$75,000. Last Fall, the County Executive prepared a community programming plan, budgeting money for the first year. The plan was not sent to the County Council for approval until late December. In early January, it was discovered that it did not include a line

item for the equipment package. Although it does provide money for a public access center, it is in a pilot capacity, not a permanent center. It is now important to address the County Council's attention to this and make sure the package is included in the plan. Mr. Moyer and the Council considered various ways of achieving that. Councilmember Bradley pointed out that no communication on the omission from Rockville (in the same position as the City) or the MML had gone forward. It was pointed out that there would be a Montgomery County MML Chapter meeting on January 26, and prior to that meeting, those involved with Cable TV from Rockville, Takoma Park, and other municipalities would caucus and attempt to reach a mutually satisfactory plan of action. A County Council public hearing on the plan is scheduled for February 2.

Mr. Moyer noted that Tribune United in its franchise agreement with the County had agreed to provide one hundred million dollars in funds over a fifteen year period for various categories of community programming. The agreement stipulates that the County has the authority to reallocate how the money is spent. County Councilman Scull has espoused the idea of slanting the community programming budget toward "educational programming," which is not the purpose envisioned when the franchise proposals were evaluated, and could serve to effectively eliminate citizens' access to community programming. Councilmember Bradley pointed out serious threats in terms of freedom of speech, and true public access, which this development brings to light. She suggested that interested parties attend the MML meeting on January 26 and negotiate for a common letter for the municipal packages so the terms of the franchise could be met.

Mr. Moyer stated there are two citizens' committees discussing the management structure for public access within Montgomery County. He is the City's appointee to a task force on access programming. A public hearing will be held on January 25 dealing with money allocations and the structure for public access: whether it should be an entity within the County government, a non-profit corporation, tied to educational institutions, or reside within the Cable company. A report has been prepared by the task force for public comment on January 25. The Cable Committee will testify at that hearing along with other Takoma Park citizens. There is also a County Council-appointed committee who will grapple with the same issue; Mr. George Ray is the City's appointee to that committee. The Cable Committee has prepared a preliminary paper for the Mayor and Council which deals with options/alternatives that the City would have in dealing with the management and operation of its channel. Mayor Abbott thanked Mr. Moyer for his leadership, efforts, and time spent on this project.

(6) Second reading of an ordinance amending Ordinance 2689, Cable Tenant Access Ordinance

Councilmember Bradley moved for the adoption of the the ordinance; Councilmember Williams seconded the motion, and Ordinance No. 2708 was adopted, with the roll call vote recorded as follows: Aye: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings, and Williams; Nay: None; Excused: None.

Ordinance No. 2708  
(Attached)

(7) Ordinance authorizing lease/purchase financing agreement for refuse truck

The Acting City Administrator stated that the Council had earlier authorized Public Works to purchase a refuse truck

for the sum of \$79,983.00. The low bid for the lease/purchase was received from Suburban Funding Corporation for \$2,537.00 per month. Councilmember D'Ovidio moved the ordinance for adoption; Councilmember Williams seconded the motion, and it was adopted by roll call vote, recorded as follows: Aye: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings, and Williams; Nay: None; Excused: None.

Ordinance NO. 2709  
(Attached)

(8) Resolution creating a Revenue Task Force

Councilmember Haney stated that the Council had discussed a proposal he had submitted to establish a Revenue Task Force which would look at the current tax policies in the City in the belief that Takoma Park may not be receiving all revenues it is entitled to. The group would also compare the sources of revenue of other municipalities, and address matters such as bond issues, revenue sharing, grants, other financial resources providing long-range benefits, and the more immediate problem of the Prince George's County Tax Differential Bill. Councilmember D'Ovidio moved the adoption of the resolution; Councilmember Bradley seconded the motion, emphasizing the crucial need for additional revenues in FY-85. Councilmember Aldrighetti stated support, saying that there is a need for persons with special expertise to serve on the Task Force, and suggested advertisement in the Newsletter. In response to Councilmember D'Ovidio's request, Councilmember Haney added the word "citizens" to the second paragraph of the resolution. There followed a lengthy discussion of the size of group, its make-up, establishing priorities, time frame, etc.

Councilmember Iddings moved to amend the resolution to include at the end of the second paragraph "and be it further resolved that the Revenue Task Force shall also direct a subcommittee to develop the socially responsible investment policy as specified in the Nuclear Free Zone Ordinance," saying that investments are also a source of revenue for the City. Councilmember D'Ovidio seconded the motion. Councilmember Bradley opposed the amendment, stating the nuclear free investment policy should be addressed apart from the present discussion, with a view to establishing a separate committee. Councilmember D'Ovidio supported the amendment stating the Task Force could look at the investment policy on a prioritized basis established by the Council. Councilmember Aldrighetti opposed the amendment, saying the term "socially responsible" needs definition as to the scope envisioned in the ordinance, and requires further discussion. Councilmember Dalmat supported the amendment stating it is clearly within the purview of the Task Force to investigate a socially responsible investment policy as well as other issues. Councilmember Haney stated he would abstain from voting; that he had not fully investigated the effects of the amendment. Councilmember Williams recommended tabling the motion until all aspects are clarified. Mayor Abbott announced he would vote against the amendment in case of a tie, since time is of the essence in the matter of the tax differential. Councilmembers Haney, Bradley and D'Ovidio went on record in support of developing a "socially responsible investment policy." There was further discussion among Council on the amendment, and when put to a vote, it was defeated by a vote of 3:4, with Mayor Abbott breaking the tie and Councilmember Haney abstaining.

Councilmember Dalmat moved to amend the resolution to strike the additional responsibilities, thereby establishing a Task Force to investigate the tax differential; Councilmember Iddings seconded the motion. Councilmember Haney stated

there are revenues not collected by the City, which some minor changes in City laws could correct. He enumerated examples. Councilmember Bradley suggested a worksession to discuss ideas with the Nuclear-Freeze Task Force as to how to proceed with a public debate on what is "socially responsible." Councilmember Iddings subsequently withdrew his second to Councilmember Dalmat's amendment. When put to a vote the resolution carried unanimously.

RESOLUTION  
(Attached)

Upon proper motion, the meeting adjourned at 10:20 p.m., to reconvene on Monday, February 13, 1984.

# Old Takoma Park Citizens Association

TAKOMA PARK, MARYLAND 20012

January 16, 19~~7~~<sup>8</sup>4

Mayor and City Council Members  
7500 Maple Avenue  
Municipal Bldg.  
Takoma Park, MD 20912

RE: Proposed Re-Subdivision - Corner of Tulip and Cedar - (Application Number 1-83209)

Dear Honorable Mayor and Members of the City Council:

At its January 12, 1984, meeting, the Old Takoma Citizens Association voted unanimously to oppose the proposed re-subdivision of the property at the southeast corner of Tulip and Cedar Avenues. In voting to oppose the re-subdivision the Association cited several reasons. First is the question of procedure. It was not until January 13, after two phone calls to the project engineer, that all of the adjacent property owners were finally notified of the pending applicatin. As you know, the City's notification is similarly tardy (if it has been received at all).

Beyond the procedural problems, though, are important substantive reasons why the Association opposes the application and believes that, if successful, the project will harm all of Takoma Park. These reasons include:

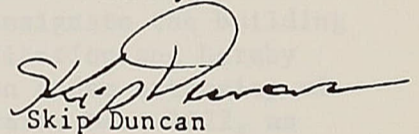
1. Historical significance - The house on the property was the first house completed in Takoma Park. It symbolizes the very history of which we are all so proud and which we have been celebrating for the last year. But more than the house, the property itself has historical significance since the original carriage house still stands and the large lot has old trees, providing the City with a sense of its origin.
2. Trees and plantings - The land around the existing house has two important resources. The large oak trees are a prime example of the sort of environment which the City has been trying to protect with such measures as the tree ordinance and which has given Takoma Park national prominence. Among these trees are plantings of azaleas including B. Y. Morrison varieties. The Morrison varieties are one of two prototypes of modern azaleas and are found in only one other place.
3. Small town character and park-like environment - One of the features of Takoma Park which makes it so distinctive is its ability to remain a small town on the immediate fringe of Washington. The small town character and park-like nature of the City comes from the mixture of large and small properties, the sprinkling of truly exceptional houses, and the enclaves of large trees and less densely occupied space.

The Association recognizes that the current owner, Mr. Siegler, needs to have reasonable alternatives to his current plans so that he does not bear the entire burden of keeping Takoma Park a livable city. One such

alternative is for the City to obtain Maryland Open Space funding to purchase a portion of the property. We voted, again unanimously, to urge the City Council to actively pursue Open Space Funding city-wide and particularly for this property. We stand ready to assist the city in identifying open space needs and other potential acquisitions. A second alternative is to find a buyer for the entire property at a fair price for Mr. Siegler. In only the last few days we have already identified several potential buyers who are prepared to donate historic easements over the property and give Mr. Siegler's mother (the current resident of the property) the right to remain in her house. We feel certain that one of these alternatives, or others which may emerge, will be more than fair to Mr. Siegler while achieving the goals of protecting an important historical, horticultural, and environmental resource for the City.

The Association urges you to act promptly to oppose this re-subdivision application and to make those views known in the strongest possible way to the Maryland National Capital Park and Planning Board.

Sincerely,



Skip Duncan

President, Old Takoma Park Citizens Association

SURNAME

ATTACHMENT

INCOMING MATERIAL



PROPOSED ORDINANCE

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

SECTION 1. THAT whereas it has been reported to the Mayor and Council by the Acting City Administrator, in his capacity as the chief administrative officer and as the Fire Marshal of the City, that the building named in Sec. 2 below is unfit for human habitation and is in such condition as to constitute an immediate and present danger to life, property and public safety; AND

SECTION 2. THAT the building described in Section 1, above, is located at 7401 Flower Avenue, on Lot 6, Block C, Cunningham Subdivision, within the City of Takoma Park, recorded in the Land Records of Prince George's County in Liber 5626 at Folio 728, And Tax Record A/C #29817-00-005, Gary R. Middleton, owner of record; AND

SECTION 3. THAT the building referred to in Sections 1 and 2, above, is presently in violation of the Fire Safety Code of the City of Takoma Park, and in violation of the following sections of the Housing Code: Sec. 6-63; PM-303.8; PM-302.32; PM-302.3.3; PM-302.4.1; PM-300.3; PM-303.2.1; PM-501.1 and PM-602.2; AND

SECTION 4. THAT certain members of the city staff have inspected the building referred to above and have verified the conditions to be as reported.

SECTION 5. THEREFORE THAT the Mayor and Council hereby designate the building located at 7401 Flower as unfit for human habitation and hereby authorize the legal procedure for condemnation under authority of Article 6, Chapter 6, of the Code of Takoma Park, Md., 1972, as amended, and the Fire Prevention Code, known as Chapter 5, of the Code of Takoma Park; AND

SECTION 6. THAT the date of March 12, 1984, at 8:00 PM, at 7500 Maple Avenue, Takoma Park, Maryland, is hereby set for the time and the place for a Hearing as to the condition of the aforementioned building, and the City Clerk is instructed to give notice within ten days of adoption of this ordinance to all persons known to be involved in these proceedings, in accordance with the aforementioned articles and sections of the City Code.

## ORDINANCE NO. 2708

WHEREAS, Ordinance No. 2689, as enacted, contained an error in the provision concerning the maximum fine for violations of that Ordinance and did not specify the terms of the Cable Compensation Commissioners; AND

WHEREAS, the Mayor and Council wish to correct these errors in Ordinance No. 2689 by means of this amendment.

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

Article 7, Section 3 of Ordinance No. 2689 hereby be repealed and simultaneously reenacted to read as follows:

"Section 3. In addition to the foregoing, any violation of this ordinance shall constitute a municipal infraction for which a citation may be issued. The minimum fine for each violation shall be \$25.00, and the maximum shall be \$100.00, \$200.00 for repeat offenses, or such other greater maximums as may be permitted by state law. The minimum fine may be suspended only upon a finding that such violation is a first offense and that no wilfulness was involved. The provisions of Sec. 1.17(b) of the City Code are repealed, to the extent that they are inconsistent with this section.) Each unit with respect to which the violation exists and each month or other billing cycle for which a violation exists shall constitute a separate and distinct violation."

Article 4, Section 1 of Ordinance No. 2689 hereby be repealed and simultaneously reenacted to read as follows:

Section 1. The Mayor and Council shall appoint a Cable Compensation Commission, whose function shall be to hold hearings and make determinations of reasonable compensation to a property owner for the occupation of a cable operator's equipment upon the owner's property, as more fully set forth in this Ordinance. The Cable Compensation Commission shall be composed of three members, one of whom shall be a professional real estate appraiser or agent with expertise in valuation of multi-family rental property, one of whom shall be a person with architectural expertise, and one of whom shall be a citizen with knowledge of cable communications systems; provided, however, that no member of the Commission shall have any financial interest in any franchisee or any multi-family rental property in the City of Takoma Park.

Persons under consideration for appointment to the Commission shall disclose any financial or managerial interest they may have in any property in Takoma Park or any cable communications system or cable operator and shall provide such additional information as the Mayor and Council may request.

Commissioners shall serve for two years or until their successors are appointed and qualified. The terms of those Commissioners appointed initially shall commence upon their appointment by the Mayor and Council. Thereafter terms shall commence on the first day of January of even numbered years.

ADOPTED BY THE MAYOR AND COUNCIL JANUARY 23, 1984.



ORDINANCE NO. 2709

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

SECTION 1. THAT Ordinance No. 2687, adopted August 16, 1983, authorized the purchase of a 1984 White WX-64 diesel-powered refuse truck, at a cost of \$79,983.33, said purchase to be financed by a lease-purchase arrangement; AND

SECTION 2. THAT proposals for lease-purchase financing were solicited from qualified agents and advertised in accordance with standard procedures; AND

SECTION 3. THAT three proposals were received, the lowest of which was submitted by Suburban Funding Corporation, Bethesda, Md.

SECTION 4. THEREFORE THAT the Mayor and Council hereby authorize the Acting City Administrator to enter into a vehicle lease agreement with Suburban Funding Corporation for a term of 36 months with monthly rental payments of \$2,537, and an option to purchase for \$1.00 at maturity of the lease.

ADOPTED BY THE MAYOR AND COUNCIL JANUARY 23, 1984.

RESOLUTION

WHEREAS, the Mayor and Council are charged with the task of ensuring the continuance of essential and desired city services while at the same time maintaining a reasonable and equitable tax rate; AND

WHEREAS, toward that end, the Mayor and Council deem it desirable to establish a citizens' task force to investigate present sources of revenue and others which have been heretofore untapped, as well as new developments which may now or in the future affect the taxpayers of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK MARYLAND THAT a Revenue Task Force be hereby established to review present and future sources of revenue for the City, said review to include, but not be limited to, bonds, grants, taxes, revenue sharing, and various types of financial packaging being used in the private and public sectors; AND

BE IT FURTHER RESOLVED THAT the first order of business of the Revenue Task Force shall be to consider the effects of the newly created Prince George's County tax differential plan and to recommend to the Mayor and Council a fair and equitable tax formula for the City.

JANUARY 23, 1984.

- 1. City space update  
Councilmember Williams
- 2. Cedar and Tulip Avenues subdivision update  
Daniel Neal
- 3. Pre-budget - Housing Services Department  
Debra Tycas
- 4. Review six month finance statement  
Richard Robbins
- 5. Parking restrictions on Mississippi Avenue  
Councilmember Williams
- 6. CRTV report, Rockville and WM position  
Councilmember Bradley
- 7. Reiterate policy of contact between Council and Corporation Council  
Mayor Abbott
- 8. Sligo Creek Bridge, need to pursue Park and Planning for bridge replacement  
Councilmember Adrighetti
- 9. Council to reiterate position on moving Fire Department  
Councilmember Balman
- 10. Revenue Task Force, remind Councilmembers to submit names  
Councilmembers are reminded that their presence is required at 6:00 p.m., sharp Monday for City Administrator's position.

TO: Mayor and Council  
FROM: Richard Robbins, Acting City Administrator  
DATE: January 27, 1984  
SUBJ: Worksession, Monday January 30, 1984 - 7:30 p.m.

AGENDA

1. Swearing in of Police Officer Scott McAuley  
Mayor Abbott
2. Variance for 300 Mississippi Avenue  
Richard Robbins
3. CATV Comm. Preliminary report regarding  
Takoma Park's access channel  
Bruce Moyer
4. Clinic space update  
Councilmember Williams
5. Cedar and Tulip Avenues subdivision update  
Daniel Neal
6. Pre-budget - Housing Services Department  
Dedra Tyree
7. Review six month finance statement  
Richard Robbins
8. Parking restrictions on Mississippi Avenue  
Councilmember Williams
9. CATV report, Rockville and MML position  
Councilmember Bradley
10. Reiterate policy of contact between Council  
and Corporation Counsel  
Mayor Abbott
11. Sligo Creek Bridge, need to pursue Park and  
Planning for bridge replacement  
Councilmember Aldrighetti
12. Council to reiterate position on moving Fire Department  
Councilmember Dalmat
13. Revenue Task Force, remind Councilmembers to submit names

Councilmembers are reminded that their presence is required  
at 6:00 p.m., sharp Monday re: City Administrator's position.

Mayor and Council Worksession

January 30, 1984

The Mayor and City Council met in worksession at 8:00 p.m., Monday, January 30, 1984, with the Mayor chairing. Present were: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; Acting City Administrator Robbins, Police Chief Fisher, Community Development Coordinator Neal, Police Officer McAuley, Corporation Counsel Gagliardo, Asst. Corporation Counsel DeNovo, Cable TV Committee Chairman Bruce Moyer; Chuck Beard of Montgomery County Govt.

The following matters were discussed and acted upon as indicated:

1. Swearing in of Police Officer Scott McAuley. Officer McAuley took the oath and was duly sworn by Mayor Abbott.
2. Variance for 300 Mississippi Avenue. The need for additional information was cited, i.e., where the deck is in relation to the street, what impact erosion will have on the deck, whether the property owner, Mr. Zitleman has been notified of the February 6 hearing date.
3. CATV Committee Preliminary report regarding Takoma Park's access channel. Bruce Moyer presented the report; said the City may have to budget \$30,000 for the first year. Mr. Moyer will be formulating pertinent questions for consideration by the Mayor and Council; a briefing with Tribune United will be set for February 27.
4. Clinic space update. Chuck Beard agreed to ascertain Prince George's County's position on this issue and report same to the City Administrator; also to look into possible use of a county building for development of the clinic.
5. Cedar and Tulip Avenues subdivision update. Following update report furnished by Daniel Neal, decision was made that a letter will be sent to Park & Planning requesting a postponement of any action until March 23.
6. Pre-budget - Housing Services Department. Presentation of the proposed budget was made by Housing Director Tyree.
7. Review six month finance statement. Question was asked how the \$82,000 figure was arrived at for item 403 "Corporate Personal Property" under Revenue Detail for FY 1983-84; memorandum to be provided by Accounting Supervisor McKenzie, Mayor and Council to be advised.
8. Parking restrictions on Mississippi Avenue. Suggestion was that "no parking" be modified to "Restricted" to allow for snow and ice; amendment to ordinance to be presented at February 13 regular Council Meeting; required signs for change to be ordered immediately to expedite installation.
9. Reiterate policy of contact between Council and Corporation Counsel. Mayor Abbott spoke; said all contacts must be logged prior to being forwarded on; this includes staff as well as Council.
10. Council reiteration of position on moving Fire Department. Decision was made that a letter of opposition to the proposed move will be sent to the President of the Takoma Park Volunteer Fire Department and to Dr. Robert Wilson, Chairman, Montgomery County Fire & Rescue Commission.

Additional Discussion:

- Councilmembers were reminded to submit names for the Revenue Task Force.
- Speeding on Hilltop Road. Comments were made that stop signs should be installed, the City has requested but was denied by the county. Chuck Beard volunteered to contact Mr. Wilke and see what can be done; a motion to that effect was approved unanimously.

There being no further business to discuss, the meeting adjourned.