

Mayor and Council Worksession

April 2, 1984

The Mayor and City Council met in worksession at 7:35 p.m., Monday, April 2, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; Acting Asst. City Administrator Robbins, Recreation Director Ziegler, Housing Director Tyree, Economic Development Coordinator Mok, Mark LaPierre, and a group from Farmers' Market.

The following matters were discussed and acted upon as indicated:

1. Discussion regarding Kass Lot. Tom Robertson from Park & Planning spoke; pointed out certain zoning issues and explained their impact. Councilmember Dalmat stated the Pizza Hut issue is dead, but the commercial use of the property will remain a question mark under present ownership. Recommendation was made that the City Administrator send a letter to Mrs. Kass' attorney to ascertain the status of the property; options for acquisition by the City will be pursued and determinations made concerning cost distribution among businesses benefitting therefrom.
2. Presentation of TOT street signage, clock, color of benches, and modification to 7042/44 Carroll Avenue planters and deck. Mark LaPierre spoke; suggested all benches in area be black in color, Council concurred unanimously. Said that samples of two lamps will be available at a later date for review by Mayor and Council. Clock construction will be steel and concrete, color selection to be provided at later date; cost figure requested; design approved by Council. Comments were made concerning provision of adequate head clearance to pedestrians in relation to signs and banners in the area; placement of signs in strategic locations on highways with permission from pertinent jurisdictions. Suggestions were made that the planter cutback at 7042/44 Carroll be pulled back approximately 2 feet; brick wall terminate in a pillar; property owners to maintain plants in planters. Mayor and Council requested a status report of work schedule and problems encountered, to be furnished by Mike Warring at a future worksession.
3. Budget Worksession - Housing Services Department. Number of inspections performed was discussed, Mayor and Council requested a more complete statistical breakdown. Councilmember Iddings wanted 100% inspection annually; Housing Director Tyree stated 60% is feasible with current staffing. Question of licensing power for the City arose; Ms. Tyree will submit memorandum to the City Administrator on the subject; it will be discussed with Corporation Counsel and placed on the worksession agenda at a later date. There was additional discussion of the transfer of responsibility for municipal infractions covering trash and vegetation from Public Works to Housing; possibility of no COLA or merit increases for employees City due to projected budget deficit.
4. Budget Worksession - Recreation Department. Discussions took place concerning the ideal recreation budget, staff program at SSI, and funding for Eastridge through CDBG. Recreation Director Ziegler spoke of Public Work's need for an additional Parks employee, cited deterioration in the parks and equipment needing painting. Discussed various aspects of 4th of July Expense account with relation to Recreation, Police and Public Works departments. Councilmember Iddings stated the Recreation Fund should be a part of the Recreation budget.
5. Farmers' Market Discussion. The Mayor expressed concerns about farmers purchasing produce and selling it as their own; said a fee of \$25. per week should be assessed for selling the goods. There was discussion as to whether farmers could or could not afford such a fee. Paul Plant felt they could, cited reasons; expressed distress over staff's failure to investigate more thoroughly what farmers pay elsewhere and type of goods they offer. The group from the Farmers' Market explained they require permission from the county agent, complaints are directed to that

official, and what they sell must be home grown; would require a license to sell goods they did not grow. If sale of goods not grown by farmers were permitted in the City, a mechanism would have to be established to ensure appropriate inspections and enforcement. Decisions were that a meeting would be held Thursday, April 12, and farmers should attend to discuss expansion, types of goods and sale of other than home grown goods; Corporation Counsel will be directed to report on the Farmers' Market in relation to the City Code; farmers are to contact City Administrator Wilson to discuss their needs.

6. Charter amendment regarding tax rate ceiling. Rate presently proposed is \$3.50 per \$100. There was discussion of separate tax districts, need for state legislation, need for tax to relate to specific services.
7. Nuisance ordinance to proceed against 7709 Takoma Avenue. Following discussion of options, decision was made to prepare the ordinance requiring the owner to show why the property should not be declared a nuisance, contact the owner and advise of the City's intention; procedure to board up structure will be commenced.
8. Cable TV Update. Councilmember Bradley spoke; said there was reason to believe Tribune United might be trying to raise their rates; advised that the Acting Asst. City Administrator had increased the CATV budget request to cover the committee's failure to request sufficient funds.
9. Discussion to pass a resolution for the 80th anniversary for Columbia Union College. Councilmember Bradley presented the resolution in special session, resolution was passed unanimously.

Additional Comments

Councilmember Iddings will be attending the upcoming Park & Planning Hearing on the Siegler Property.

The Education Committee will be presented at the next worksession.

There being no further business for discussion, the meeting adjourned.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
and
Public Hearing on Proposed Charter Amendment
to Increase Maximum Tax Levy

April 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 MARCH 26, 1984

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Proclamation in commemoration of Buddy Poppy Month, May 1984
2. Other presentations and comments

ADDITIONAL AGENDA ITEMS

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

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Wilson

1. Communications
Announcement of Public Hearings on tax rate and pay plan
8:00 p.m., Monday, June 4, 1984
2. Administrative Reports and Recommendations for Council Action
 - (1) Administrative reports
--Report on Unification Bill (HB 1178) by Mayor Abbott
--Status report on Cable TV (Bradley)
--Status report on Operation Turnaround Board (Wilson)
 - (2) Public Hearing and second reading of a proposed Charter amendment to increase the maximum allowable tax levy from \$2.00 per \$100 assessed valuation to an amount sufficient to meet future expenses of the City (\$3.50 per \$100 considered)
Citizens' comments
Council action
 - (3) Second reading of an ordinance amending Sec. 6-80.17, "Rent Guidelines" of the City Code to provide penalty amounts for certain municipal infractions
Citizens' comments
Council action
 - (4) First reading of an ordinance establishing a 4-way stop at Takoma and New York Avenues
Citizens' comments
Council action
 - (5) First reading of an ordinance to install a stop sign at Hilltop Road and Mississippi Avenue
Citizens' comments

ADJOURNMENT

THE CITY OF TAKOMA PARK, MARYLAND
REGULAR MEETING OF THE MAYOR AND COUNCIL
APRIL 9, 1984

CITY OFFICIALS PRESENT:

| | |
|---------------------------------|----------------------------------|
| Mayor Abbott | City Administrator Wilson |
| Councilmember Aldrighetti | Acting Asst. City Admin. Robbins |
| Councilmember Bradley | City Clerk Pusti |
| Councilmember Dalmat | Community Dev. Coordinator Neal |
| Councilmember D'Ovidio | Recreation Director Ziegler |
| Councilmember Haney | Acting Public Works Dir. Smith |
| Councilmember Iddings | Corporation Counsel Gagliardo |
| EXCUSED: Councilmember Williams | Asst. Corp. Counsel DeNovo |

The Mayor and City Council of Takoma Park, Maryland, met on April 9, 1984, at 8:12 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made by Councilmember D'Ovidio, duly seconded by Councilmember Bradley, that the Minutes of March 26, 1984, be approved; approval was unanimous.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Mayor Abbott presented the Quartermaster and other officials of VFW Post No. 350 of Takoma Park with a Proclamation designating May 1984 as Buddy Poppy Month, commemorating disabled and deceased veterans and authorizing the sale of Buddy Poppies for fundraising purposes with the proceeds to benefit disabled and needy veterans, widows and children of deceased veterans. Introduced the Buddy Poppy Queen; remarked that everyone should turn out for the Memorial Day Services to be held in Memorial Park at 2:00 p.m. on May 30; City's Municipal Band will perform.

2. Mayor Abbott remarked that, in his opinion, those who missed the April 5 Commemoration of Dr. Martin Luther King, Jr., held at the Piney Branch Elementary School missed the best meeting ever held in Takoma Park or the District of Columbia, on that or any other subject. Commented that the oration given by Rev. Walter E. Fauntroy was both moving and memorable; carried the message that the principles that Dr. King stood for should be a guide and inspiration for everyone; hoped that next year there would be a turnout that the quality of the program merits. Remarked that the choir and Rev. James D. Ross from Parker Memorial Baptist Church, as well as students from the Duke Ellington School for the Arts, participated in the program.

Regarding Unification, said the City was let down by the State Senatorial Delegation; was not advised in advance when the Prince George's Delegation would meet; when the Mayor and Corporation Counsel Gagliardo arrived 10 minutes prior to the scheduled time, the subject had already been acted upon. Remarked that County Executive Glendening did not support either Bill, did not want the City unified into Prince George's County, the argument being that the county could not handle an influx of that number of people, did not want new population of that magnitude; said another unpublished reason for opposition is that if Montgomery County residents in November voted an overwhelming "no" to unifying into Prince George's County, then P. G. County could not refuse a referendum allowing their residents to vote on the issue of joining Montgomery County. Remarked that neither he nor any other representative of the City was permitted the opportunity of addressing members of the Prince George's County State Senatorial Delegation. Corporation Counsel Gagliardo spoke at the Mayor's request; agreed with statements made by the Mayor regarding the play of forces the City has been caught up in Annapolis during the past year; said that the task force that formulated a lengthy report detailing the pros and cons and problems of unification included Mr. Glendening's lobbyist, Royal Hart, and that, at no time during his participation on that task force, did Mr. Hart raise the arguments that he did in the closing days of the General Assembly session; said many of the last-minute arguments he presented were fabricated to panic the State Senate Delegation.

Said the defeat should not discourage the City, the fight for unification should continue. Remarked that he and the Mayor had heard repeatedly in Annapolis that the Bill was for the convenience of the elected officials and the City staff, was not a popularly-supported issue impacting citizens; denied implicitly that was the case and pointed out issues affected by being a bi-county municipality. Mayor Abbott stated he had spoken to the heads of both delegations, Sen. Kramer of Montgomery County and Sen. Dorman of Prince George's, as well as members of the Assembly Delegation from both counties, and all expressed a willingness to attend a public hearing in the City toward the end of May addressing what transpired and what the City can do; once a definite date has been set it will be published in the Newsletter; hoped it would be well attended.

Councilmember Aldrighetti, joined by balance of Council and the Mayor, unanimously expressed thanks to City Clerk Pusti and Recreation Director Ziegler for their help with the pre-meeting reception for City Administrator Wilson. Mr. Wilson introduced his wife, Phyllis; expressed best wishes and God speed, joined unanimously by Mayor and Council, to Tony Smith, Acting Director of Public Works, who is leaving the City's employ. Councilmember Bradley added thanks to Library Director Spottswood who had set up an exhibit table in the lobby and was recruiting library volunteers.

ADDITIONAL AGENDA ITEMS

Condemnation of 7709 Takoma Avenue (City Administrator Wilson)

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

Arthur Karpas, 6916 Westmoreland Avenue: Said he had previously inquired about plans for TOT parks, was told a letter was expected from Park & Planning and that he could have a copy of the letter; reiterated his inquiry and requested a copy of the letter. Councilmember Iddings stated that the thrust of the letter was that priority would be made of getting the equipment and landscaping in this spring/summer. Mayor Abbott assured that Park & Planning would be contacted regarding specific targeted completion dates and would be advised that WACO wished to be contacted for citizen input.

Paul D'Eustachio, 6611 Alleghany Avenue: Stated that the Washington Area Bicyclists' Association, whom he is representing, has worked for years to preserve what remains of Rock Creek Park; WABA has been working with the Department of the Interior to reduce the amount of commuter traffic that utilizes the 4-lane highway bisecting the park; plan would block off certain entrances, eventually establish a barrier somewhere in the middle of Beech Drive so that traffic from the Maryland suburbs would not find that route as convenient to downtown as it presently is. Said Congressman Barnes originally supported the effort, but had cooled due to expressed opposition from constituents; hoped to regain his support and requested support of Mayor and Council; wished to present a Resolution at the next Council Meeting. Councilmember Iddings remarked that the original Traffic Committee in the City, a citizens' group, addressed this issue, supported reducing traffic in Rock Creek Park. Councilmember Bradley requested that a draft of the proposed Resolution be provided for the Worksession; said preliminary discussions had taken place regarding having at least some weekend control in Sligo Creek Park so that bicyclists and others could enjoy the park. Councilmember Iddings commented that Mr. D'Eustachio had been elected Chairman of the CDBG Citizens' Advisory Committee; expressed congratulations.

Ralph McGee, 7203 Holly Avenue: Queried whether the City was

responsible for the publication of the Business Directory recently distributed with the City Newsletter, to which the Mayor responded that other parties compiled, printed and paid for the directory, City only distributed with the Newsletter in exchange for a listing of City phone numbers. Mr. McGee questioned how many Council Meeting Agendas are mailed, to which City Clerk Pusti responded "very few" (and only to those who have specifically requested them). Mr. McGee commented that very few laws passed are of an emergency nature, suggested that publication of them in the Newsletter should be required prior to passage. Councilmember Aldrighetti pointed out that it is the right of every citizen of the City to receive the Agenda (currently accompanied by a Summary of Council Actions), if so desired; encouraged that people wanting them make a request.

Carlos Stewart, 7710 Maple Avenue: Expressed welcome on behalf of the Maple Avenue Corridor to Mr. Wilson, new City Administrator.

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Wilson

1. Communications

City Administrator Wilson requested that the Mayor and Council consider scheduling public hearings on the tax rate and pay plan for Monday, June 4, 1984, at 8:00 p.m. Said that in looking at the FY 84-85 budget schedule, he noted that on June 11, there would be an adoption of the tax rate and pay plan and no prior public hearing had been scheduled. Agreement was unanimous that a public hearing would be scheduled for the aforementioned date and time on these two items.

2. Administrative Reports and Recommendations for Council Action

(1) Administrative Reports

--Report on Unification Bill (HB 1178) by Mayor Abbott. (Given earlier under Mayor's Comments and Presentations.)

--Status report on Cable TV (Councilmember Bradley). Said that when the final draft of the agreement came out, it was realized that the county had allocated only one county-wide channel for all municipalities in the county, at which point the county chapter of MML negotiated with County Executive Gilchrist, who determined that based on the contract and discussions municipalities had had with the county, it was appropriate that there be three municipal county-wide channels - 1 for Rockville, 1 for Takoma Park, and 1 for other municipalities that are part of the Maryland Municipal League; adjustments were made with Tribune United to provide for the 3 channels. Montgomery County Council (in closed session) contended that this was a substantial change in the cable contract and, therefore, Mr. Gilchrist did not have the authority to make this adjustment; resolved the County Council would disapprove those particular channels; spoke of the possibility of litigation. Said it is presently unclear what the position of any part of the county or any of the municipalities would be; requested that Corporation Counsel's office examine the contract, county laws, etc., and advise of the City's legal options. Remarked that the M. C. Chapter of MML would be meeting next week on the issue; members of the City's Cable Committee would attend and would need information from Corporation Counsel prior to attendance. Bruce Moyer, Chairman of the T. P. Cable Committee, recommended that the City communicate its concern to the County Executive and request that there be no disparate treatment of the City. Mayor Abbott commented that Takoma Park, as well as other municipalities, is caught in the middle of disagreements on the issue between the County Executive and the County Council. Mr. Moyer commented that the channel issue is only one of a number of cable issues that have become extremely

political between the County Executive and the Council. Regarding the question of a satellite access studio in Takoma Jr. High, depending upon available space, Councilmember Bradley thought this is also subject to litigation and should be researched by Corporation Counsel. Jim Holland commented that a poor job must have been done in drafting the contract for questions to be arising at this stage; Councilmember Bradley stated that there have been legal opinions expressed that the City's contract is quite sound, current problem is the last-minute insertion of authority by the County Council. Corporation Counsel Gagliardo stated he thought the contract should hold, but would examine it more closely in a technical sense. Authorization to study the contract and furnish a legal opinion, as suggested by Councilmember Bradley, was unanimously granted Corporation Counsel.

--Status report on Operation Turnaround Board (City Administrator Wilson). Community Development Coordinator Daniel Neal presented the report; said a pre-audit was performed latter December-early January, determined that the available fund balance at that time was \$16,082.10, after the disposition of 6705 Eastern Avenue (the last project performed under Operation Turnaround). Said a total of \$50,000 is projected to be received from CDBG monies under Year 10 contract, bringing the anticipated total for the upcoming fiscal year to \$66,082.10. Commented there have been 2 vacancies on the Operation Turnaround Board since November 1983. Mayor Abbott commented that a determination of the future of the program would be made at a later date with public input.

(2) Public Hearing and second reading of a proposed Charter amendment to increase the maximum allowable tax levy from \$2.00 per \$100 assessed valuation to an amount sufficient to meet future expenses of the City (\$3.50 per \$100 considered).

Mayor Abbott spoke at length on the reasons for the proposed tax lid increase (refer to 3/26/84 Council Minutes); said the anticipated direct rebate to the City from Montgomery County this year is approximately \$600,000; Prince George's County has adopted a tax differential payment which, in effect, reduces taxes for residents in that portion of the City for services not provided them by the county; major problem faced is how to equalize municipal tax levy when counties utilize 2 different approaches; hoped the end result would be citizens in either county paying less than the combined City/County tax; emphasized that no one should be concerned by the \$3.50 proposed figure, which was chosen to hopefully remain valid for a number of years (\$2.00 figure was in effect for 22 years).

Frank Garcia, 1117 Holton Lane: Questioned whether Montgomery County would consider a tax differential for citizens as P. G. County is doing, which would facilitate the problem for the City; wondered what the anticipated \$600,000 from Montgomery County amounted to in taxes for the citizens. Mayor Abbott responded that he had raised the question with Montgomery County of adopting an approach such as Prince George's County's; they were willing to consider it, but not this year. Said a workshop will be held on the 16th of April in the Council Chamber; the consultants working under contract to the City will present their fiscal study and recommendations at that time; hoped there would be a good public turnout.

Frances Phipps, 7210 Holly Avenue: Questioned whether any sort of information on this issue was prepared for public dissemination; expressed concern that the first notice came out subsequent to the first public hearing; wondered if there were any citizen comments at that hearing. Mayor Abbott stated "no," explained that there is a June 11 deadline to be met, a timetable has been published, there is a possibility of having to go to referendum.

Ms. Phipps expressed concerns about the way the matter is being handled, whether it is within the bounds of legality; thought the issue should have been clarified to the citizens and publicized more prior to public hearing. City Clerk Pusti verified that the public hearing was advertised 3 times in regular newspapers, as required by law. Mayor Abbott pointed out that in the recent Washington Post listing of 27 municipal tax rates, the City residents in the Prince George's section are paying the least amount in the whole county; reiterated that the City would have to give residents of the Montgomery County sector a tax credit in order to be equitable. Councilmember Aldrighetti stated that the issue came before the Council 2 weeks ago, after Prince George's had finalized their plans for tax rebates, thus the short time frame and deadlines to be met; said the Charter amendment needs to be passed as Council does not have criteria to decide what a fair figure will be and the amendment will only raise the maximum allowable tax levy. Ms. Phipps stated she feels this is a complex issue that has not been sufficiently addressed publicly, will place a significant administrative burden on the City that will not be without cost. Mayor Abbott pointed out that administrative costs will be addressed in the budget hearings; urged that Ms. Phipps and all citizens attend those and offer their input. Councilmember Haney pointed out that last May there was an article in the City Newsletter explaining what the tax differential was, that there have been continuing discussions, but the City has been at the mercy of Prince George's County due to lack of figures which were only recently developed.

Mrs. Pennifield: Said taxes would not be an issue if salaries were not increased; senior citizens are not receiving increases in income; spoke against yearly pay raises; wondered what inducement the City could offer Prince George's County residents of the City so that they would desire unification.

Jim Holland, 19 Pine Avenue: Questioned the urgency of the proposed Charter amendment; while the issue must be addressed, it need not be an emergency situation. Councilmember Iddings pointed out that presently 23 cents of a Montgomery County resident's City tax goes to subsidize residents of the Prince George's sector. Mr. Holland reiterated that the issue should be postponed until such time as Montgomery County addresses the issue as Prince George's has, and lowers its tax rate to citizens. Councilmember Aldrighetti stressed that the inequity between taxpayers in the two sections of the City must be addressed; was not pleased with the urgency of the situation, but felt it imperative that the City proceed with steps to rectify the inequality.

Councilmember D'Ovidio made a motion, duly seconded by Councilmember Haney, that a figure of \$3.00 per \$100 assessed valuation be inserted in the ordinance. Corporation Counsel Gagliardo pointed out that a Charter amendment must be accomplished in compliance with state law; said all of the requirements have not only been met, but exceeded. Tax rate must be set on June 11 and, if the Charter was not amended, it would not permit the tax rate to be sufficient to meet the needs of the City. Said the City Newsletter was not used for publication because it does not publish frequently enough to meet legal requirements - Suburban Record and Prince George's Post were used according to City Clerk Pusti.

Clarence Boatman, 133 Ritchie Avenue: Had no problem with the proposed increase in maximum tax levy; questioned how City taxes in the two sections would be equalized (Mayor Abbott explained); concurred with Ms. Phipps and Mr. Holland, requested more information be furnished to citizens clarifying the issue.

John Hemphill, 8112 Flower Avenue: Remarked that the maximum

figure set should be one that will be valid for another 22 years; did not understand the controversy going on since the question of increasing the tax lid and the actual tax rate to be set are 2 separate issues.

Ralph McGee, 7203 Holly Avenue: Questioned when the City learned of P. G. County's rebate figures, to which the Mayor responded April 4 when the article appeared in the Washington Post. Wondered whether it would be legal for the City to give citizens in the Montgomery County section a tax credit; Corporation Counsel Gagliardo opined in the affirmative. Said the constant increase in assessments should provide funds needed by the City without any raise in the tax rate; expressed complaints about the poor job done with CDBG funds on the curbing and grass area in front of his property.

Frank Garcia, 1117 Holton Lane: Stated Mr. Glendening is the first P. G. County Executive sympathetic to the City; said the City has received far more from P. G. County than just the \$44,000 for street lighting; did not agree that Montgomery residents subsidize those in P. G. County section; had no problem with the \$3.50 tax lid - did not think that figure would be reached once the tax burden was equalized.

City Administrator Wilson: Thought bar graph depiction would clarify the situation for citizens; said the reason the tax rate may have to exceed \$2.00 would be to equalize taxes in the two sections of the City by increasing rate in Prince George's, while crediting in Montgomery. Looked forward to the consultants' report which would facilitate answering a lot of questions raised. Frances Phipps requested that an explanation be furnished of how the rebate would be handled administratively, the amount of manpower that would be required.

The motion for an amendment inserting \$3.00 as the maximum allowable tax levy previously made and seconded was passed by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmember Williams.

Councilmember Aldrighetti reiterated concerns about timing; said the City is in a tough situation and it is important that the ordinance be passed; registered displeasure with the tardiness in receipt of figures; would vote against adoption to register that displeasure, but if his vote were needed for adoption, would vote affirmatively. Councilmember Iddings stated he knew for a fact that the issue could have been on the agenda at an earlier date. Councilmember D'Ovidio remarked that Council had to assume a portion of blame for not educating citizens on the issue, knowing that it was forthcoming. Councilmember Dalmat stated she felt ill-informed on the issue, thought it would have been helpful to have an ongoing commentary of what was transpiring. Councilmember Bradley expressed support for the ordinance, stated it was Council's responsibility to adopt it so that the City would not be placed in a bind come June 11. Councilmember Haney stated that, up until 2 weeks prior, there was very little information available to proceed upon until firm figures were received from P. G. County. Mayor Abbott stated that the issue was previously addressed in the Newsletter by an article authored by former Councilmembers Eckert and Faulkner, could not be followed up due to a lack of information from P. G. County; imperative that Councilmembers explain to their constituents that the rebate to P. G. residents is a first time event, the administrative problems that will result are due to being a bi-county municipality, would not exist if unification were a reality. Councilmember Aldrighetti stated that he felt the tax lid figure should be projected as closely as possible considering what would be required, and then reviewed at routine intervals.

Charter Amendment Resolution 1984-1, Ordinance #2715, was adopted by roll call vote as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney and Iddings; NAY: Councilmember Aldrighetti, EXCUSED: Councilmember Williams.

Charter Amendment Resolution 1984-1
Ordinance #2715
(attached)

(3) Second reading of an ordinance amending Sec.6-80.17, "Rent Guidelines" of the City Code to provide penalty amounts for certain municipal infractions.

Councilmember Bradley remarked that this ordinance had been discussed, had a first reading and public hearing, was a followup to previous changes in the Landlord-Tenant Ordinance; made a motion for adoption, duly seconded by Councilmember D'Ovidio. Ordinance #2716 was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmember Williams.

Ordinance #2716
(attached)

Mayor Abbott remarked that Housing Services Department should see that copies of the Ordinance are distributed to all landlords in the City.

(4) First reading of an ordinance establishing a 4-way stop at Takoma and New York Avenues.

Councilmember D'Ovidio stated that this ordinance was at the request of the North Takoma Citizens' Association through the Traffic Committee. Councilmember Iddings remarked that the committee had reviewed the matter on several occasions, recommended that the 4-way stop be installed as requested; for the record, stated that Police Chief Fisher submitted a memorandum stating there was no real need for a 4-way stop at that intersection; however, it has been City policy for a number of years to install 4-way stops when requested and supported by citizens of the area. Upon motion, duly seconded, the ordinance was accepted for first reading.

Proposed Ordinance
(attached)

(5) First reading of an ordinance to install a stop sign on Hilltop Road at Mississippi Avenue.

Councilmember Iddings stated that this request came via the Traffic Committee; the county ceded responsibility for this intersection to the City so that some sort of traffic control could be installed due to various existent safety hazards; suggestion was made that a wide stop stripe be painted on the roadway in addition to stop sign for visibility purposes. Ordinance was accepted for first reading.

Proposed Ordinance
(attached)

(6) Condemnation of 7709 Takoma Avenue.

City Administrator Wilson referred to a memorandum from Housing Services Department regarding the property; said recommendation was made that the City proceed with condemnation; Bernard Rudolph was instructed to board all accessible openings in the structure; considerable latitude to resolve violations had already been granted the owner; requested the ordinance for condemnation be accepted for first reading and a letter be sent

the owner advising accordingly. Mr. Wilson reminded there had to be 2 readings to determine if the property should be declared a nuisance, after the 2nd reading of the first ordinance, the City would have to advertise for 14 days, hearing date would be May 29. On that date, the first of two readings would take place to declare the property a public nuisance, if the Mayor and Council so desire at that point. After the second reading, 90 days would be afforded the owner to abate the violations, following which the City would go forward with demolition proceedings. Mayor Abbott questioned whether, once the structure is boarded up, the owner would be permitted to abate the violations; said problems in this regard had been encountered in the past. Acting Asst. City Administrator Robbins stated that the owner, if he came to the City, would be given a letter authorising entry into the property for the purpose of abating the violations. Councilmember D'Ovidio pointed out that this is an historic property, the elements have done considerable damage due to openings in the structure, staff estimates \$40,000-\$50,000 to rehab the property; said one problem is who to deal with as the owner is an elderly woman whose capabilities are under question, the person who has been working intermittently on the property and who has given verbal commitments does not really have legal control. Councilmember Bradley expressed support; said while it is very hard to take steps that may destroy someone's property, Council has received considerable support when demolition has taken place in the past, gratitude from residents for the improvement in their surroundings. Councilmember D'Ovidio remarked that there is no question of support from neighbors in the area of the property; hoped the process would force steps to be taken to abate the violations and preserve the property. Consensus was that the proposed ordinance for condemnation be accepted for first reading.

Proposed Ordinance
(attached)

(7) Update on Kuriakose Property, 7309 Flower Avenue.

Mayor Abbott reminded that Council had voted for demolition on this property, the owner put up money for repairs; wondered if, indeed, progress was being made on abatement of violations. Acting Asst. City Administrator Robbins verified that money was put up, there were initial concerns about permits, P. G. County was asked to inspect the property, they advised that permits would not be required for the type of work to be done. The City's concerns about the soundness of the structure itself were reiterated, the county advised that it did not fall into any particular violation in their opinion. Said based on that and inspections made by both the county and the City, the owners have been allowed to proceed. Commented that the owners came in at the last minute to put forth an effort to abate the violations, were technically in violation of the nuisance ordinance for some time. Said future followup inspections will be performed to assure that repairs proceed according to plan. Mayor Abbott commented that the same strong position taken by Council also resulted in abatement of problems with a property on Carroll Avenue; Mr. Robbins stated that property had been inspected twice, repairs are ahead of schedule at present and proceeding as hoped.

Upon motion, duly seconded, the meeting adjourned at 11:10 p.m., to reconvene on Monday, April 23, 1984, at 8:00 p.m., in regular session.

CHARTER AMENDMENT RESOLUTION 1984-1
ORDINANCE NO. 2715

A RESOLUTION TO REPEAL AND REENACT WITH AMENDMENTS SEC. 1.9(f) OF THE CHARTER OF TAKOMA PARK, MARYLAND TO CHANGE THE MAXIMUM ALLOWABLE TAX LEVY ON REAL AND PERSONAL PROPERTY

WHEREAS, the Mayor and Council, after deliberation, have concluded that the present tax limit of \$2.00 per \$100.00 assessed valuation may not produce sufficient revenues to meet future expenses of the City; AND

WHEREAS, it is necessary to amend the City Charter to set a new maximum allowable tax levy.

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

SECTION 1. THAT Sec. 1.9(f) of the City Charter be amended to read as follows:

Sec. 1.9. Taxes and assessments generally.

(f) On or before the last day of June in each year, the Council shall, by ordinance, levy the general taxes for the fiscal year ensuing, which taxes shall not exceed ~~[[Two-Dollars (\$2.00)]]~~ THREE DOLLARS (\$3.00) on each One Hundred Dollars (\$100.00) of assessed valuation. All improvements which become substantially completed between July 1st and September 30th in any year shall be assessed for taxes and such improvements shall be subject to municipal taxation in said year on the basis of three-fourths of the regular assessment made for State and County purposes for said year. All improvements which become substantially completed between October 1st and December 31st in any year shall be assessed for taxes and such improvements shall be subject to municipal taxation in said year on the basis of one-half of the regular assessment made for State and County purposes for said year. In the case of buildings under construction, the term "substantially completed" shall mean when the building is under roof, plastered (or ceiled) and trimmed. Such taxes are due and payable without interest as of the first day of July in each taxable year; and taxes are overdue and in arrears on the first day of the succeeding October, and from and after this day of October 1 they shall bear interest at the rate of 2/3 of 1 percent for each month or fraction thereof until paid. In addition to the said interest on overdue taxes, a penalty rate of one per cent (1%) per month or fraction of a month shall be imposed on all taxes which are overdue and in arrears after October 1. Nothing herein contained shall in any way operate to or be construed to repeal, alter, revise, amend or operate to or in any affect any other provision of this Charter as to the assessment, collection, or sale for non-payment of taxes, and all taxes, notwithstanding the provisions of this section, shall be collected, except as herein specifically provided for, and all proceedings for sales for the non-payment thereof shall be conducted, at the times and in the manner provided for in other sections of this Charter.

SECTION 2. THAT this Charter amendment shall become effective on the fiftieth day after adoption

ADOPTED BY THE MAYOR AND COUNCIL APRIL 9, 1984.

NOTE: ~~[[Brackets]]~~ denote deletions.
CAPITALS denote additions.

ATTACHMENT
Council Meeting Minutes
April 9, 1984

3-21-84

ORDINANCE NO. 2716

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

SECTION 1. THAT Subsection (j) of Section 6-80.17, "Rent guidelines," of the Code of Takoma Park, Md., 1972, as amended, be amended to read as follows:

Sec. 6-80.17. Rent guidelines

(j) Any violation of Subsections (c), (d), (e) or (f) of this section of this Article shall be a municipal infraction, the penalties for which shall be as follows:

(1) Imposition or attempts to impose a rent increase in excess of the limit provided in Section 6-80.17(c) without the approval of the Commission on Landlord-Tenant Affairs: fifty dollars (\$50.00) per dwelling unit;

(2) Imposition or attempts to impose more than one (1) rent increase in a twelve-month period: fifty dollars (\$50.00) per dwelling unit;

(3) Imposition or attempts to impose any rent increase without substantial compliance with the notice provisions of Section 6-80.17(e): fifty dollars (\$50.00) per dwelling unit.

SECTION 2. THAT this ordinance shall become effective upon adoption.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 9, 1984.

ATTACHMENT
Council Meeting Minutes
April 9, 1984

4-6-84

PROPOSED ORDINANCE

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

SECTION 1. THAT all vehicular traffic on Takoma Avenue shall come to a complete stop at that street's intersection with New York Avenue, thereby creating a 4-way stop, AND

SECTION 2. THAT the Director of Public Works is hereby instructed to install the signs necessary to effect the directive in Section 1 of the ordinance, AND

SECTION 3. THAT this ordinance shall become effective upon completion of the signing, AND

SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ATTACHMENT
Council Meeting Minutes
April 9, 1984

4-6-84

PROPOSED ORDINANCE

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

- SECTION 1. THAT all vehicular traffic travelling in a southerly direction on Hilltop Road shall come to a complete stop at its intersection with Mississippi Avenue, AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install the appropriate signing, which shall include a warning sign at the curve immediately north of the intersection, AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing, AND
- SECTION 4. FURTHER THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ATTACHMENT
Council Meeting Minutes
April 9, 1984

4-9-84

PROPOSED ORDINANCE

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

- SECTION 1. THAT whereas it has been report to the Mayor and Council by the City Administrator and the Fire Marshal of the City that the build-
named in Section 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
7709 Takoma Avenue, on Lot 8, Block 73, Takoma Park Loan and
Trust Co. Subdivision, within the City of Takoma Park, Maryland,
recorded in the Land Records of Montgomery County in Liber 588
at Folio 131, and Tax REcord A/C #1069112, Edith L. Latham,
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: Sections PM-302.2; PM-302.3.4; PM-302.3.7;
PM-302.8.2; PM-302.3.6; PM-301.9; PM-302.3.3; PM-302.4;
PM-302.3.1; PM-302.3; PM-301.3; and PM-506.1; AND
- SECTION 4. THAT certain members of the city staff have inspected the build-
ing referred to above and have verified the conditions to be as
reported.
- SECTION 5. THEREFORE THAT the Mayor and Council hereby designate the build-
ing located at 7709 Takoma AVenue as unfit for human habitation
and hereby authorize the legal procedure be instituted 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 Tuesday, May 29, at 8:00 PM, in the Council
Chamber of 7500 Maple Avenue, Takoma Park, Maryland, has been set
as the time and the place for a hearing as to the condition of the
aforenamed building And Edith L. LATHAM shall on that date or
before show cause as to why the building at 7709 Takoma Avenue
should not be declared a nuisance; AND
- SECTION 7. THAT the City Clerk is hereby instructed to give notice Within
ten days of the adoption of this ordinance to all persons known
to be involved in These proceedings in accordance with the pro-
visions of Article 6 of the City Code.

WORKSESSION AGENDA

April 16, 1984

7:00 PM

30

1. Discussion of preliminary collection of tax data by consultants
2. Discussion with Dr. Hinckley regarding support clinic that previously served WAH patients (D'Ovidio)
3. Discussion of TOT clock design (Haney)
4. CATV options (Bradley)
5. Budget worksession for Police Department (Fisher)
6. Review of proposed corporate personal property tax form (Haney)
7. Education Committee report (Bradley)
8. Request for City to contribute to Blair High School handicapped student event fund (Iddings)

Mayor and Council Worksession

April 16, 1984

The Mayor and City Council met in worksession at 7:35 p.m., Monday, April 16, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighett, Bradley, D'Ovidio, Haney and Iddings; Acting City Administrator Robbins, Police Chief Fisher, Economic Development Coordinator Paul Mok, Asst. Corporation Counsel DeNovo, John Short, Robert Hacken, Mike Warring, Mark LaPierre, Ed McMahon.

The following matters were discussed and acted upon as indicated:

1. Discussion of preliminary collection of tax data by consultants. Consultants Robert Hacken and John Short made the presentation; including the following points:
 - State tax in future will only provide low growth;
 - City can expect zero to modest increases in revenues;
 - Future revenues for growth must come from local taxes;
 - Rebate from Montgomery County for police service does not include communications, no overhead charge, grants should not be subtracted;
 - Library rebate is half what it should be (\$68,200.) from Montgomery County, presently \$36,320. City can collect for 3 prior years; County Code, Section 2-53, is the law by which this is calculated;
 - Some revenue from Montgomery County for Crossing Guards lost as they based their calculations on their actual cost, not ours;
 - Rebate in the amount of \$660,000. can be expected from Montgomery County in the coming fiscal year;

Concerning the tax differential, comment was made that P. G. is not providing sufficient funds, Montgomery is carrying more than their fair share; said no "credits" should be given P. G. residents, credits to Montgomery residents should be no more than 1/2 of \$.62, spread over 2-3 years; said 100% parity is not probable but relative parity is. Suggested attempting to create separate taxing districts by having a state-wide bill; said a municipality situated in 2 counties should be permitted to set up 2 tax rates. Mentioned increasing use and service fees; requiring business license fees (which could not exceed regulation); coordinating assessable base with state and county; and investigating business and license fees in other municipalities.

2. Discussion with Dr. Hinckley regarding support clinic that previously served WAH patients. Dr. Hinckley spoke on the proposed reinstatement of the former Georgetown Clinic, which would serve Medicaid and "gray zone" patients; volunteers and interpreters would be needed; said he is in need of contacts at the county level to negotiate for available space - Councilmember D'Ovidio agreed to provide names.
3. Discussion of TOT clock design. Ed McMahon voiced complaints that opportunity was not afforded for review of the original design, a choice of designs was not offered; commented that funding has been extended for Year 9 CDBG. Mayor Abbott stated that Council had to make decisions in order for the work to proceed in a timely fashion, unlikely that concurrence from all would be reached regarding color and style combinations. Mark LaPierre spoke concerning the process used for development of the design. Councilmember Haney requested that staff meet with pertinent citizen groups to review the design; said communication appeared to have suffered on this issue.

Status of Old Town Construction. Mike Warring gave an update on the project, including work completed and target completion dates for other. The Mayor asked that a sidewalk material that would reduce slipperiness be used on the section near the wall at "Shampoo." It was remarked that the cost from PEPCO for consolidating wires will be kept in the budget; Councilmember Bradley requested that staff ensure that consolidation of wires will not affect CATV (contact Tribune United and PEPCO). It was recommended a letter be sent to PEPCO requesting installation of high pressure sodium lighting in Takoma Old Town.

4. CATV Options. Councilmember Bradley spoke in closed session; requested authorization to enter into discussions regarding possible litigation; said the County Council will have to go to court to revoke the County Executive's 3 channel allocations for municipalities. Suggested working with the Maryland Municipal League to develop a strategy plan; Mayor and Council expressed support for this proposal.
5. Budget worksession for Police Department. Chief Fisher spoke on the department's proposed budget. Suggested that when adopting ordinances, a cost impact projection should be made.
6. Siegler property proposal. In special session, Councilmember Aldrighetti made a motion, duly seconded by Councilmember Iddings, that the City seek Open Space Program funding for the purchase of the 3 lots proposed for subdivision. Councilmember D'Ovidio suggested that Open Space funds may not be the most appropriate source; Councilmember Bradley indicated opposition due to incompleteness of the Open Space Study and the fact that priorities have not been set city-wide on sites for use of these funds. Motion passed with Councilmembers Aldrighetti, D'Ovidio, Haney and Iddings voting Aye; Councilmember Bradley, Nay.

There being no further business to discuss, the meeting adjourned at 1:30 a.m.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
and
Public Hearings on FY-85 Budgets--
Recreation, Housing and Police Departments

April 23, 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 APRIL 9, 1984

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

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

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Wilson

1. Communications
2. Administrative Reports and Recommendations for Council Action:
 - (1) Administrative reports
 - Expression of appreciation for welcoming reception (Mr. Wilson)
 - Tax differential report (Wilson)
 - Status report on 7709 Takoma Avenue (Robbins)
 - (2) Public Hearing on FY-85 Budget for Recreation Department (Ziegler)
Citizens' comments
 - (3) Public Hearing on FY-85 Budget for Housing Department (Tyree)
Citizens' comments
 - (4) Public Hearing on FY-85 Budget for Police Department (Fisher)
Citizens' comments
 - (5) Second reading of an ordinance establishing a 4-way stop at
Takoma and New York Avenues
Citizens' comments
Council action
 - (6) Second reading of an ordinance authorizing installation of a
stop sign on Hilltop Road at Mississippi Avenue
Citizens' comments
Council action
 - (7) Consideration of City contribution to Blair High School handicapped
student event fund (Iddings)
Citizens' comments
Council decision

ADJOURNMENT

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

CITY OFFICIALS PRESENT:

| | |
|---------------------------|----------------------------------|
| Mayor Abbott | City Administrator Wilson |
| Councilmember Aldrighetti | Acting Asst. City Admin. Robbins |
| Councilmember Bradley | City Clerk Pusti |
| Councilmember Dalmat | Housing Director Tyree |
| Councilmember D'Ovidio | Asst. Housing Director Austin |
| Councilmember Haney | Police Chief Fisher |
| Councilmember Iddings | Police Lieutenant Gowin |
| Councilmember Williams | Recreation Director Ziegler |

The Mayor and City Council of Takoma Park, Maryland, met on April 23, 1984, at 8:25 p.m., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, a motion was made by Councilmember D'Ovidio, duly seconded by Councilmember Haney, that the Council Minutes of April 9, 1984, be approved; approval was unanimous.

ADDITIONAL AGENDA ITEMS

Discussion of insufficient notice of required registration from county to owners of accessory apartments (Mayor Abbott)

Rock Creek Park Resolution

Appointments to COLTA

Resolution on Siegler property

Revised Ordinance on trash truck

[Mayor Abbott remarked that item (7) had been deleted from the original Agenda]

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

Robert Mandel: Remarked that a month ago he had expressed approval on behalf of the Historical Society for spending some block grant funds for the housing and preservation of old records; had been requested to project a cost figure; learned that a survey was made 2-1/2 years ago, but no figures were given; had located a company in Alexandria specializing in records preservation, awaiting a visit within next couple of weeks from their representative who will give cost estimate.

Susan Abbott, 7416 Holly Avenue: Gave a report on International Conference of Nuclear Free Zone Authorities she recently attended in Manchester, England, as the only U. S. representative; said 9 countries, 99 cities were represented, 250 people attended. Main thrust of the conference was to give cities their first opportunity to exchange information on developments on nuclear free zones within their countries. Was impressed by the extreme difference between nuclear free zones in Europe and the U. S. Said the City's ordinance was done primarily as a symbolic move, in Europe nuclear free zones are the main organizing tool of the peace movements, city governments take initiative (labor-controlled city councils), cities expend public funds in their budget for anti-nuclear publicity and activities. Remarked that the Thatcher government vigorously opposes these activities. Provided copies of Resolutions that resulted from the conference; it was hoped that one city in each country would be a clearing house for information exchange. Councilmember Iddings remarked that the Paint Branch forum had expressed some interest in getting the nuclear free zones within Maryland to network together. At the request of the Mayor, Ms. Abbott explained that there is present controversy in England over the Thatcher government's move to abolish their city councils (they tend to be very liberal) and have only county councils; hoped to do that by abolishing next elections; said this would effect a significant change in government in England. In response to query, stated England had

a large contingent at the conference, including Wales and Ireland; Holland, Germany, Japan, Spain and Italy were represented; a meeting was scheduled for next year in Cordova, Spain. No eastern block countries were represented because none have declared themselves nuclear free zones. Mayor Abbott requested that Ms. Abbott submit an article on the conference for the next City Newsletter.

ITEMS FOR COUNCIL CONSIDERATION: (City Administrator Wilson)

1. Communications

(No Communications.)

2. Administrative Reports & Recommendations for Council Action

(1) Administrative Reports

--Expression of appreciation for welcoming reception (Mr. Wilson)

City Administrator Wilson expressed appreciation on behalf of himself and Mrs. Wilson for the warm welcome extended by the Mayor, Council and community on April 9 at the pre-Council reception.

--Tax Differential Report (Mr. Wilson)

Mr. Wilson spoke on the tax differential situation (refer to 3/26 and 4/9 Minutes for additional background); said continuing analysis is being done on relating the problem more significantly to the budget and its needs; revised budget presented to Council has a shortfall in revenue which will have to be made up through the tax rate revision in Prince George's County; still awaiting consultants' report which should clarify where additional revenues can be gained in certain service areas. Commented that a letter from the Mayor was sent to Montgomery County requesting that they consider an apparent error in county calculations for library service affecting past funds rebated to the City; County Council's final worksession on their 1985 operating budget will be held April 26 and that will be the last opportunity prior to final adoption to persuade them to consider the library item and possible related adjustments; sum in question amounts to approximately \$36,000 and consultants advise that the City should be able to recoup the funds back to 1981 (a 3 year period) if the County Council considers it this year; stated the consultants' report should be received April 26 or 27, a copy will be placed in the library for citizens' perusal, and a presentation will take place at the May 14 Council Meeting.

--Status report on 7709 Takoma Avenue (Mr. Robbins)

Acting Asst. City Administrator Robbins related that a second reading of an ordinance to determine why the subject property should not be declared a nuisance was originally scheduled; however, significant progress has been made in correcting violations since the last Council Meeting, meetings have taken place with Mr. Trogden, grandson of the owner, and he is in the process of making application to the state for a \$30,000 low interest loan. State has inspected the property and indicated they feel he will qualify for the loan, which will enable him to restore the entire exterior as well as plumbing and electrical; the City will subsequently approve a low interest loan for up to \$12,000 for bringing the property into complete compliance. Property has been inspected by both City and state inspectors, and they were very impressed with the work accomplished; however, Mr. Trogden was encouraged to obtain the aforementioned loans so that the renovation can be expedited. Remarked that a meeting would take place April 24 with Mr. Trogden's 92 year old grandmother who owns the property. Councilmember D'Ovidio expressed thanks to staff for their efforts on behalf of preserving this property. City Administrator Wilson remarked that in light of the progress being made, it would be appropriate to defer further action at this time on the ordinance.

In response to query from Mayor Abbott regarding properties on Carroll Avenue and Flower Avenue, Mr. Robbins stated the property across from the fire house (7124 Carroll) was purchased by a developer, Mr. Jenkins, who had set a time table for accomplishing restoration and adhered to it; will be making a 4-unit apartment dwelling out of the property; Housing Services has been requested to gain access for the purpose of inspection so a more detailed report can be furnished on the interior. Said the property at 7709 Carroll Avenue is progressing very well, ahead of schedule, 2 inspections have taken place, another is due. The property at 7309 Flower Avenue has been restored; county inspectors advised no permits were required for the work; work accomplished did not include any plumbing or electrical.

In response to query from Councilmember D'Ovidio, stated that the state funds mentioned in connection with the 7709 Takoma Avenue property would be under a rehab program similar to the City's, with funds becoming available to qualified persons in June.

(8) Rock Creek Park Resolution

Paul D'Eustachio, 6611 Alleghany Avenue: Presented and spoke on Resolution formally requesting the National Park Service to effect a phased reduction, over a period of time, of commuter traffic on Beach Drive in Rock Creek Park. Introduced Diane Kern, member of Washington Bicyclists' Association, elicited questions she might answer.

Diane Kern, 22 Montgomery Avenue: Stated she is also a member of People's Alliance for Rock Creek; said the organizations have been working for several years with the Park Service to attempt to influence them to reduce traffic on Beach Drive and eventually close it to commuter traffic; the proposal introduced by Park Service would have closed off one lane of Beach Drive for bicyclists and pedestrians during rush hour for a couple of years until completion of the Metro Red Line to Shady Grove and completion of repairs to 16th Street. Said during a study of alternatives, Park Service recently decided to do nothing at all; they will be receiving an appropriation from Congress to formulate a Master Plan for Rock Creek Park and will again be considering Beach Drive. Commented that passage of the Resolution would indicate to Park Service that there are interested parties at this end of the park who would like to see recreational purposes favored above commuter traffic. Clarified in response to query, that the section of Beech Drive affected would be a small part between Blagden Street (just above Pierce Mill) and Joyce Road. Councilmember Bradley reiterated hopes that plans could be made concerning a bike path and some form of traffic control in Sligo Creek Park to encourage bicycling and more recreational use of that area; hoped assistance would be forthcoming from the Bicyclists' Association.

Ellery Denison, 7207 13th Place: Spoke in opposition to the Resolution and impediments to commuter traffic, transportation problems involved with growing population; said removing commuter traffic from Beach Drive would overload 16th and other streets and overflow would use residential streets, causing other problems. Mayor Abbott stated that millions of dollars have been invested in a public transportation system, and unless steps are taken to make it more difficult to commute by automobile to preserve certain areas, people will continue to drive; said any improvement to roads and accessibility to parking only attracts more vehicular traffic. Upon motion by Councilmember D'Ovidio, duly seconded by Councilmember Bradley, the Resolution was passed unanimously.

Resolution
(attached)

(9) Appointments to COLTA

Councilmember D'Ovidio explained that in the pre-Council session, Council conducted interviews for vacancies on the City's

Commission on Landlord-Tenant Affairs (COLTA); recommended Michael Clavens as a Landlord representative, Tommy Younger as a Landlord representative, Susan Bray as a General Public representative (formerly a Tenant representative), and Jerry Keker as an Alternate Tenant representative; moved Council support the recommendations, duly seconded. Councilmember Bradley abstained due to not being present for the interview process, balance of Council voted favorably.

(10) Resolution on Siegler Property

Councilmember Iddings presented and summarized the Resolution; said it formalizes a motion from last Monday's Worksession. Councilmember Aldrighetti commented that a presentation was made at that time by citizens involved in the issue; passage would support the efforts of those citizens, however, should Project Open Space funds not come through 100% as anticipated, Council would feel no obligation to persevere in the matter; citizens concurred with this. Motion for adoption of the Resolution was made by Councilmember Iddings, duly seconded by Councilmember D'Ovidio.

Mayor Abbott registered objection to the constant repetition of the phrase "The Mayor and Council," said it is a pro forma designation historically used to cover actions taken by the Council; if he did not participate and vote on a subject and indicate his support, requested that the wording "The Mayor" be deleted. In the Resolution at hand, was not convinced that Project Open Space or City funds should be used for the purchase of this property, both could be utilized where they would have greater impact; favored preservation through the purchase by an individual of the entire parcel; expressed reservations based upon prior crimes that have occurred on the property, safety concerns should a public walkway be constructed through the property; specifically requested that his title be removed from this Resolution. Councilmember Haney stated that Project Open Space funds as devised by the state were to be utilized for multi-purpose recreation areas for children and families; said a park could be designed for that property with consideration given to safety factors, still preserving azaleas and other desirable shrubbery; pointed out there is no park area in the general vicinity, since citizens support the acquisition of the property for this purpose, thought it important that the Mayor and Council be united in their support. Mayor Abbott pointed out there would be a vest pocket park space in the 7100 block of Cedar where a building was removed, as well as park space on Holly Avenue, both cleared and ready for development; questioned just how many neighbors of the property would want a Tot lot park at that location. Councilmember Haney commented that he believed they hoped for something similar to Rock Creek Park, preserving existent vegetation.

Councilmember Bradley stated she would vote in the negative, explained that she hoped all neighborhoods in the City would benefit from the use of Open Space funds; did not specifically oppose this particular property, but did not feel a good case had been made or adequate time devoted to analysis of the use of these funds; felt more time should be allocated for locating private purchasers wishing to procure the entire parcel. Expressed explicit opposition to the use of City funds for the purchase of such property. Councilmember D'Ovidio concurred with this statement, however, did not think a lack of data sufficient reason not to plan toward the use of Project Open Space funds in the event other options did not materialize. Councilmember Bradley expressed concern that if the Resolution was passed, the other options might not be pursued. Mayor Abbott directed attention to page 2, Section 2, of the Resolution; inquired how reference to the Block Grant Program and funds became included. There was a consensus of opinion that CDBG was not discussed at the Worksession, nor intended for inclusion as it would not be appropriate use of those funds. Councilmember Aldrighetti offered an amendment striking reference to Community Development Block Grant Program, accepted by Councilmember Iddings. Councilmember Haney stated the Council had been requested by citizens of the area to support

their efforts to preserve this piece of property, committing the City in a very limited way, by attempting to obtain funds from the Open Space Program; said the City is not limited to one application for these funds. Councilmember Iddings stated that alternatives are being vigorously pursued, i.e., buyers for the entire parcel, which would be the ideal solution; the Resolution is an additional strategy for the ultimate goal which is preservation of the property. Stated he wished to respond to the Mayor's prior statements regarding use of "The Mayor and Council;" said this does not refer personally to Mayor Abbott, but to the corporate body as governed by the majority; expressed opposition to deleting "The Mayor" from the Resolution. Mayor Abbott responded that, as the elected official, it is his prerogative to do so in order to avoid misrepresentation of his position on issues; requested the City Clerk explain the use of the phrase. Ms. Pusti stated the use of the phrase is longstanding, perhaps representing the corporate body, but not uniformly used by all municipal bodies. Mayor Abbott reiterated his opposition to the use of the phrase, but declined to prolong the discussion; Councilmember Haney inquired whether he was indicating that the Resolution could stand as presented in that regard, to which the Mayor stated Council could "do as they wish" on the matter for the present. City Administrator Wilson remarked that the Siegler property would be before the Montgomery County Planning Board on April 26 at 7:30 p.m. as a part of a subdivision plan, and a copy of the Resolution will be forwarded to that Board. The question was called; Resolution passed with Councilmember Bradley voting Nay, Councilmember Williams Abstaining, balance of Council voting Aye.

RESOLUTION
(attached)

(2) Public hearing on FY 85 Budget for Recreation Department

City Administrator Wilson commented that the budget copies furnished are a second revision. Mayor Abbott questioned the unfunded portion of the budget mentioned in the cover letter; City Administrator Wilson explained that at the present point in time, prior to any tax rate adjustment, the budget reflects a \$488,203 deficit. In projecting the tax revenue outlook, if that were done, the \$488,203 would translate to approximately .32+ on the tax rate. Recreation Director Ziegler commented that only a few items reflect an increase, among them Office Machines Maintenance (due to inflation and based upon prior figures); Special Programs which includes the Hallowe'en Party, Christmas Party, Kite Contest, Easter Egg Hunt, etc., (includes cost of supplies for the events, as well as cost of reproduction of flyers, etc.); thought other items were self-explanatory. Said that under Salaries in the unlimited budget, a part-time person was requested, if possible, as well as reinstatement of the one day which was deleted 3 years ago from the SSI after school program, cost would amount to \$1,062. Remarked on a discrepancy due to the fact that there have not been volley ball or roller skating programs since closure of the gym. In response to query from the Mayor concerning projected salary for the Youth Worker, Ms. Ziegler stated the current \$15,000, with the projected 8.8% increase, would be approximately \$17,000. Mayor Abbott remarked that while the position originated as a summer job with the intent of counteracting ill effects of young people having no planned activities to occupy their time, it appeared to have evolved into a permanent position involving working with young children as well. Ms. Ziegler responded that the position involves working with youth who are not participating in every day programs and who have other needs and problems; said her understanding was that if the trial program was a success and beneficial to the community, it would be implemented on a year-around basis. Explained in response to query that individuals teaching classes do not receive fringe benefits, nor do part-time help (although part-time help must be included in workmen's compensation and social security); requirement is that person work 20 hours per week to qualify for benefits, at this time none do so. Stated it was her understanding that the sizeable increase

in amount for fringe benefits was attributable to health insurance. Acting Asst. City Administrator Robbins commented that health coverage will be coming under scrutiny, probably going out for bids. Councilmember Bradley remarked that efforts should continue toward developing a standard and equitable policy on fringe benefits for part-time employees.

Councilmember Iddings queried how income from classes is handled; Ms. Ziegler explained that a fund was set up called "Special Reserve Recreation Fund;" all the monies from classes go into that fund and all expenses related to classes are paid from that same account; a balance is maintained in the account as it is difficult to always project upcoming expenditures; if an anticipated expenditure exceeds \$500, it is first presented to the Recreation Council and then to the Mayor and Council. Councilmember Iddings commented on the fact that, by contrast, fines collected by the Library and/or the Police Department go into the general fund; reiterated that an accounting for those funds should be included in the budget process. Councilmember Aldrighetti inquired how decisions are made regarding changes in programs offered; Ms. Ziegler said surveys had been tried but did not prove very effective, trial of new and innovative programs seemed to be more successful. Upon request, Ed Hutmire spoke on the membership and function of the Recreation Council; encouraged persons interested to participate; said additional membership would be welcomed. Mayor Abbott commented it had been his observation that at concerts presented, the attendant audience was always predominantly white in spite of the nearby concentrated black population; wondered what could be done to attract/appeal to a wider segment of the citizenry. Ms. Ziegler remarked that there are at least 2 jazz concerts every summer, usually well-attended; said a wider variety is not presented due to lack of funds, all the bands utilized are unpaid; a couple of rock concerts were presented, but very unfavorable reactions and complaints were received from nearby residents (there is not a really suitable place in the City to hold them, considering the volume and vibrations). Councilmember Aldrighetti questioned out of which account advertising (flyers, etc.) comes; was told "Special Programs" and that it comprises 5-10 percent of that item; expressed hope that trying door-to-door delivery of flyers may spark additional community interest in recreation programs available; at present, they are distributed through the schools, Library and Municipal Building. Councilmember Bradley questioned why there is not a separate user fee for residents vs. non-residents for such things as classes; Ms. Ziegler stated that was tried, but not successful due to such problems as citizens having a Takoma Park mail address but their residence not actually being within the corporate boundaries of the City; said the majority of attendees are City residents. Councilmember Bradley commented that it might be advantageous to give thought to some sort of interdepartmental group who could study promotion and publicity and provide options for improved coverage as well as consolidation and cost-cutting in this area. Councilmember Iddings commented that most activities are presently located at the Municipal Building, thought some could be advantageously relocated, for instance, the Antique Show might be held in Takoma Old Town. Ms. Ziegler said that had been suggested and considered, however, problems such as lack of space and adequate parking rendered it impracticable. Spoke on various capital items, emphasized that Heffner Park Rec. Center building is badly in need of screens to prevent window breakage from children throwing rocks. Councilmember Aldrighetti stated that Park & Planning is having their budget hearings which will continue through April 27, Ms. Ziegler will be submitting the following items to them: replacement of the bridge that washed away on Sligo Creek Parkway, erosion problems on Longbranch Creek and visible sewer lines on Sligo Creek, deteriorated park path at Garland and Jackson; moved support for Ms. Ziegler's letter requesting inclusion of these items in Park & Planning's budget, duly seconded by Councilmember D'Ovidio, approved unanimously.

Ed Hutmire, 21 Columbia Avenue: Reiterated invitation for people to become involved in Recreation Council, as well as volunteer

capacities with Recreation Department. Said Recreation Council would also be sending a letter to Park & Planning concerning the items mentioned in Ms. Ziegler's letter, and additionally, salaries for recreation workers and park maintenance in the counties. Spoke in support of Recreation Department budget; particularly a construction area and storage structure for tools and materials utilized in building floats, haunted house for Hallowe'en Party, etc. Mentioned donations, cash and otherwise, given by area businesses for certain events held.

(3) Public Hearing on FY-85 Budget for Housing Department

Housing Director Tyree gave an overview; stated the department annually inspects approximately 4,000 multi-family units, as well as single-family rental units, and mediates/adjudicates landlord-tenant disputes. Said the budget reflects increases due to expanded job responsibilities and a recent shift in departmental duties, adding municipal infractions previously handled by Public Works. Hoped the additional Inspector requested could divide work time between interior inspections and those relating to trash and vegetation. In response to questions posed in Worksession, stated the initial projection was that 3,098 units would be inspected between March 1983-March 1984, and 3,300 were actually inspected; of those, 2,900 units have been brought into compliance, with approximately 400 others still having outstanding violations not corrected.

Mayor Abbott questioned an \$18,000 difference under Salaries between what was requested and what was proposed by administration; Ms. Tyree explained that she had originally asked for an additional clerical person as well as an additional Inspector; spoke concerning clerical overload problems. Mayor Abbott remarked on the year by year decrease in Transportation Expense; Ms. Tyree commented that there are more City vehicles available now, reducing the necessity of using personal vehicles and incurring mileage costs; said the Printing budget is significant because it includes municipal infraction forms, as well as warning notices which are sent out; no Court Costs are listed because they will be included in the General Administration budget. Councilmember D'Ovidio questioned whether Ms. Tyree foresaw the clerical backlog worsening with the advent of an additional Inspector on staff; she hoped that with the cooperation of her staff, several of whom type, that would not occur. Suggestions were made concerning acquisition of volunteer clerical and/or diversion of existent staff to cover emergency backlog situations. Councilmember Williams questioned whether it would be of benefit to have a Deputy Fire Marshal (with fire experience and background) as a member of the department, Ms. Tyree responded "no," that current employees have a general knowledge of the fire code and work well with the county Fire Marshal; fire code violations, per se, are not a current responsibility. Councilmember Iddings remarked that the Fire Department performs inspections, suggested coordination with the Fire Chief rather than any consideration of a paid staff person; said Chief McGary is entirely willing to cooperate with City departments. Councilmember Williams stated that inspections are not being performed as they should by the county, are done only by request, and the City did have active inspections at one time; said better protection should be afforded the citizens and he would be presenting further information on the subject; expressed support for the City having a Deputy Fire Marshal to work in conjunction with Housing and the Police Department.

Councilmember Bradley questioned whether the City has sufficient staff, clerical and otherwise, to implement licensing and permits in the coming fiscal year. Ms. Tyree stated that during the initial 12-month phase of setting up such a program, an additional clerical person would be needed. Councilmember Iddings posed questions concerning proposed computerization; Ms. Tyree commented that worksessions with other jurisdictions were attended, efforts are being made to get all card files in order to facilitate feeding information into a computer system; no specific plan has

yet been made for implementation; remarked \$30,000 was allocated in the Capital Budget for office automation. Councilmember Williams stated he felt it imperative that the City be covered for housing emergencies outside of normal business hours as mentioned in item 6 under "Major Initiatives;" said this has become a major issue to citizens, a staff person should be on-call. Ms. Tyree pointed out the expense that would be involved in having someone on-call; Acting Asst. City Administrator Robbins commented on Public Works at one time having an on-call policy which eventually had to be discontinued due to cost. Councilmember Williams questioned removal of the Mayor and Council's approval in the hiring of code enforcement officers; Ms. Tyree explained that Code changes brought Housing Services' hiring practice into compliance with that of other departments of the City. Mayor Abbott commented that the advertisement in the Newsletter that would be coming out shortly listed a wide salary range; Ms. Tyree stated that the budget provides for an entry-level person, but hoped someone with the education, plus some experience would be found; the ad covers entry to top-level salary for the position; if a well-qualified and experienced person applied, a request for additional (more than entry-level) salary funds would be made to the City Administrator.

(4) Public Hearing on FY-85 Budget for Police Department

Chief Fisher prefaced his presentation with statistical information; mentioned a correlation between the decrease in traffic accidents within the city and a 304% increase in state traffic citations issued; said the ETSE Program, a federal grant, provided overtime funds for additional selective traffic enforcement and contributed significantly to the increase in traffic citations issued, as well as to the overall decrease in the accident rate. Commented on an overall reduction in Part I (criminal) offenses in the 1st quarter of 1984 as compared to the 1st quarter of 1983 within the city. Remarked that anticipated equipment improvements and salary increases in the proposed budget had contributed to bolstered morale and performance within the Police Department as indicated by the reduction in crime. Stated that "Salaries" includes 1 new staff person and 1 new officer as proposed by Administration; other categories are fairly consistent with what was departmentally proposed. Under Capital budget items, a reduction in cruisers requested was made; emphasized the seriousness of the transportation problem. Lt. Gowin spoke on the vehicle situation; explained that the department has 11 cars (7 marked, 4 unmarked); said all 4 of the unmarked CID units are old and reconditioned, (some vehicles have in excess of 100,000 miles). Said of the 7 marked units, there are often 3 out of service for various reasons; during the shift overlap, there can be as many as 10 officers on duty, with a severe lack of available cars; "shortage of vehicles" is often cited as the reason for requesting leave during the shift overlap. Said under ideal conditions where vehicles never broke down, the present number of cars might be feasible; however, additional cruisers are needed to compensate for the fact that there realistically is going to be out of service time on them, particularly considering age and constant use. Pointed out that the potential benefit of the shift overlap cannot be realized until there are enough available vehicles to put the personnel on the street. Mayor Abbott alluded to recent meetings addressing problems with priority on repair of police vehicles and coordination of communication between the Police and Public Works departments; wondered if any implementation had taken place of recommendations made. Police Chief Fisher commented Lt. Gowin had been working with Public Works to improve communication and identify problems; assured steps have been taken to eliminate problems identified. The problem of delays in repair due to having to await parts was mentioned; Acting Asst. City Admin. Robbins remarked that both counties were queried about their stock of parts and possible access; they stock the same as the City and experience the same problems with procurement and delays; said consideration was previously given to putting parts procurement out to bid and letting a commercial parts business handle it, which he would

strongly support. For planning purposes, Councilmembers Iddings and Bradley expressed hopes that some sort of long-range projections could be made of the number of replacement vehicles required per year (or every "x" number of years) by both the Police Department and Public Works. City Administrator Wilson commented that using revenue bonds had been discussed to support rolling stock and other major equipment; the present proposed budget minimally addresses capital item needs, a study will have to be done and strategy developed for procuring bonds, which will take more time than is available prior to budget adoption, thus, this capital budget will be an interim, stop-gap one in that regard. Consideration will have to be given to the best long-range program and ways of financing it. Expressed concerns about the tenuousness of the bond market, the time frame that would be placed on the bonds, and the attendant debt service. In response to query from the Mayor, Chief Fisher stated that bids on the consultant's specifications for the radio communications system had gone out to bid, bids should be in May 11. Councilmember Aldrighetti referred to information previously disseminated which reflected Crossing Guard salaries and benefits; wondered at what point part-time employees qualify for benefits (whether it was 20 hours or more), and how many hours guards work. Chief Fisher stated he would have to ascertain an exact figure, to be furnished at a later time; an apparent difference in benefits between guards was due to some opting for health coverage (some not), some being on the pension system and some on the old retirement system, etc. Councilmember Bradley reiterated concerns regarding a fair and consistent policy on benefits for part-time employees, with perhaps a "grandfather" clause covering present employees, if necessary. In response to questions concerning the proposed new civilian employee, Chief Fisher explained that the position is entitled "Research Planning & Information Specialist," person is currently doing extensive research in the area of available funds. Said that the new officer position would permit reorganization of the department, allowing for 2 Lieutenants and a Captain, so that every day including Saturday, a command-level person would be on duty; additionally, a command-level officer could be on the street, affording better supervision. Councilmember Williams questioned reinstitution of foot patrols; Chief Fisher stated that until more effective radio communications equipment was a reality, the safety and effectiveness of an officer on foot was questionable. Mayor Abbott commented that, upon completion of Old Town, he felt foot patrol should be instituted in that area; would be conducive to use of the park, etc.

(5) Second reading of an ordinance establishing a 4-way stop at Takoma and New York Avenues

Councilmember D'Ovidio stated that Linda Peek, President of the North Takoma Citizens' Association, the group supporting the ordinance had left the meeting due to the hour. Said the traffic committee of the association approved the suggested stop sign and the ordinance. City Administrator Wilson commented that a telephone call was received from the Superintendent of Maintenance for Montgomery College supporting installation of the stop sign. A motion for adoption was made by Councilmember D'Ovidio, duly seconded by Councilmember Bradley. Ordinance No. 2717 was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: None.

Ordinance #2717
(attached)

(6) Second reading of an ordinance authorizing installation of a stop sign on Hilltop Road at Mississippi Avenue

Councilmember Iddings commented that this stop sign was requested by the traffic committee as a means of alleviating safety hazards in the area; said it is barely within the City limits, Montgomery County had concurred with placement of the sign. Adoption of the ordinance was moved by Councilmember Bradley, duly seconded, and

adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: None.

Ordinance #2718
(attached)

(11) Revised ordinance on funding for trash truck

Adoption of the ordinance was moved by Councilmember Iddings, duly seconded by Councilmember Bradley; adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: None.

Ordinance #2719
(attached)

(7) Discussion of insufficient notice of required registration from county to owners of accessory apartments

Councilmember Bradley related receiving a call on the weekend from a resident concerning receipt of a notice from Montgomery County requiring application by April 25 for a variance for accessory apartment per the new county law; said complaints are also being received by the City office; moved that the City Administrator and the Mayor forward correspondence to Council President Gelman, Councilmember Scull and Mr. Ferrara supporting an extension of the application deadline (by at least two weeks) and requesting clarification of requirements. Said many important questions arise relative to this legislation, including coordination, inspection, etc. Thought a time extension would require County Council action; Councilmember Iddings believed the deadline was promulgated administratively. Councilmember Bradley remarked she had heard reports that county staff did not think the April 25 deadline reasonable. Councilmember Aldrighetti commented that the Council was opposed to accessory apartment legislation, but the county passed it anyway; thought each case should be reviewed as a special exception. Councilmember Bradley remarked on the unreasonable amount of documentation and information required to accompany the application, given such a short time frame. Mayor Abbott expressed resentment at the fact that the accessory apartment legislation relieves the county of responsibility relative to the law passed several years ago requiring reversion of certain multi-family dwellings to single-family by 1988. Councilmember Bradley's earlier motion was duly seconded and passed with Councilmember Aldrighetti voting Nay, balance of Council, Aye.

Upon motion, duly seconded, the meeting adjourned at 12:22 a.m., to reconvene on Monday, May 14, 1984, at 8:00 p.m., in regular session.

RESOLUTION

- WHEREAS open space and parkland are critical to maintaining the quality of life in urban areas; and
- WHEREAS Rock Creek Park represents one of the premier urban parks in the Washington Metropolitan Area; and
- WHEREAS the heavy volume of automobile traffic along Beach Drive in Rock Creek Park, and the associated air pollution, water pollution, and wildlife habitat alteration, threaten to irreparably damage the park's fragile ecosystem; and
- WHEREAS the heavy volume of automobile traffic along Beach Drive in Rock Creek Park significantly reduces peoples' recreational and aesthetic enjoyment of the park; and
- WHEREAS the proposed phased reduction of automobile commuter traffic effects only Beach Drive, and will not prevent automobile access to Rock Creek Park by those wishing to use the park for recreational purposes; and
- WHEREAS the limited experimental road closings by the National Park Service have been enthusiastically received by the general public, and these closings have not created a significant disruption to automobile traffic in the District of Columbia.
- NOW THEREFORE be it resolved that the Mayor and City Council of Takoma Park, Maryland, call on National Park Service, National Capital Region, to implement a plan that will result in a phased reduction of automobile commuter traffic along Beach Drive in Rock Creek Park.
- AND FURTHER be it resolved that a copy of this resolution be communicated to the National Park Service, National Capital Region, and Congressman Michael Barnes, to encourage prompt and effective actions.

APRIL 23, 1984.

RESOLUTION

- WHEREAS, The owner of the Thomas-Siegler property at 201 Tulip Avenue in Takoma Park, Maryland, has applied to the Montgomery County Planning Board for approval of a resubdivision plan for the apparent purpose of further developing the property; AND
- WHEREAS, A large number of citizens and local citizens' groups have expressed opposition to this proposed resubdivision plan and a desire to preserve the subject property and all that it represents; AND
- WHEREAS, The staff of the City of Takoma Park, at the direction of the Mayor and Council, has thoroughly analyzed various alternative proposals for the subject property in an effort to meet both the needs of the Siegler family and the aforementioned desire of the citizenry of Takoma Park to preserve this unique and valuable community asset; AND
- WHEREAS, The City staff has recommended to the Mayor and Council a proposal which involves the acquisition, with the assistance of the Trust for Public Land, Inc., a nonprofit land acquisition and conservation organization, of a part of the Siegler's property, specifically, lot 31 of B. F. Gilbert's Addition to Takoma Park and a contiguous parcel precisely equivalent to lots 40 and 41 as described in the proposed resubdivision plan; AND
- WHEREAS, The Mayor and Council of Takoma Park, after careful consideration and deliberation, feel that the aforementioned staff proposal is compatible with the Adopted and Approved City of Takoma Park Master Plan and with the aims of the Mayor and Council to
- a) Support reasonable and responsible efforts to preserve the City's cultural, historical, environmental and architectural resources;
 - b) Preserve the City's scarce open space; and
 - c) Make available to the citizens of Takoma Park neighborhood parks where they are both needed and feasible;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Takoma Park, Maryland, THAT

SECTION 1. The Mayor and Council do intend to take reasonable, responsible and practicable steps, insofar as circumstances allow, to acquire the aforementioned parcel of land, with the assistance of the Trust for Public Land, Inc., for the purpose of developing the parcel into a neighborhood park.

SECTION 2. Pursuant to these intentions, the Mayor and Council shall, at the appropriate time, direct the City Administrator to apply for one hundred percent (100%) of the necessary acquisition funds through Program Open Space.

SECTION 3. Pursuant to the acquisition plan proposed by the City staff, the City shall make every effort to acquire the aforementioned parcel at the earliest possible date.

ADOPTED BY THE CITY COUNCIL APRIL 23, 1984 by a vote recorded as follows: Aye: 5; Nay: 1; Abstentions: 1; Excused: none; the Mayor not voting, but expressing dissent.

ORDINANCE NO. 2717

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

- SECTION 1. THAT all vehicular traffic on Takoma Avenue shall come to a complete stop at that street's intersection with New York Avenue, thereby creating a 4-way stop, AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install the signs necessary to effect the directive in Section 1 of the ordinance, AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing, AND
- SECTION 4. THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED APRIL 23, 1984.

ORDINANCE NO. 2718

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

- SECTION 1. THAT all vehicular traffic travelling in a southerly direction on Hilltop Road shall come to a complete stop at its intersection with Mississippi Avenue, AND
- SECTION 2. THAT the Director of Public Works is hereby instructed to install the appropriate signing, which shall include a warning sign at the curve immediately north of the intersection, AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing, AND
- SECTION 4. FURTHER THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972, as amended.

ADOPTED APRIL 23, 1984.

ORDINANCE NO. 2719

WHEREAS, Ordinance No. 2709, adopted January 23, 1984, authorized the Acting City Administrator to enter into a lease-purchase agreement with Suburban Funding Co. for a 1984 White WX-64 diesel-powered refuse truck, at a total cost of \$79,983.33; AND

WHEREAS, due to various factors, it has been determined that the best vehicle for financing the said purchase is via a promissory note with Suburban Bank for the same amount.

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

- SECTION 1. THAT Section 4 of Ordinance 2709 authorizing the lease-purchase agreement be repealed; AND
- SECTION 2. THAT the Mayor and Council hereby authorize the Acting Assistant Administrator to execute a promissory note and security agreement with Suburban Bank for a total amount of \$79,983.33, to be repaid in thirty-six (36) monthly installments of \$2,553.00 including interest to be computed at an annual rate of 9.25%, for the purpose of financing the above-mentioned White refuse truck.

ADOPTED BY THE MAYOR AND COUNCIL APRIL 23, 1984.

April 27, 1984

MEMORANDUM

TO: Mayor and Council

FROM: James S. Wilson, Jr., City Administrator

SUBJECT: Worksession, Monday, April 30, at 7:30 PM

AGENDA

- (1) Education Committee Report (Bradley)
- (2) Deputy Fire Marshal Discussion (Williams)
- (3) "Knox-Box" System - Fire Department Issue
- (4) Fire Service Reimbursement from Montgomery County - Fire Department Issue
- (5) City CDBG Proposals for FY 1985 (D'Ovidio)
- (6) Budget Worksession for Public Works Department
 - Sanitation Division
 - Government Buildings Division
 - Parks Division
- (7) Tree City USA Signs (Haney)
- (8) Lake Street (paper street) properties - discussion of public improvements (Dalmat)

Mayor and Council Worksession

April 30, 1984

The Mayor and City Council met in worksession at 7:35 p.m., Monday, April 30, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings, Williams; City Administrator Wilson, Acting Asst. City Administrator Robbins, Fire Chief McGary, Fire Department Board Member Tom Williams.

The following matters were discussed and acted upon as indicated:

1. Education Committee Report. Councilmember D'Ovidio stated the committee should be comprised of citizens, without Council representation; Councilmember Aldrighetti thought the committee superfluous, in light of existing P.T.A.; others thought the committee would be helpful in focusing on issues and representing the community in contrast to the P.T.A. which represents a large area. Councilmember Iddings expressed support for an ordinance making the committee official; ordinance to be read at May 14 regular session; Councilmember Dalmat asked that Ridgecrest be included.
2. Deputy Fire Marshal Discussion. Tom Williams iterated his credentials and explained what type of problems a Fire Marshal is likely to encounter. Chief McGary explained that the Fire Department does not cite fire code violations, a Fire Marshal responds; said Montgomery County Fire Marshals are slower to respond to the P. G. County section of the City; stated public buildings are inspected annually. Mr. Williams commented that the Municipal Building has not been inspected for over a year. Councilmember Williams requested reinstatement of the Fire Marshal position in the City. Staff was directed to prepare figures reflecting cost for a full-time person in the position, including a vehicle; additional staff time, if required. Suggestion was made that it be examined administratively whether Housing could work with the Fire Department to fulfill the function. Councilmember Iddings had reservations about whether the position was a City responsibility. Corporation Counsel's office was to be directed to explore the status of the position, provide answers to related questions and advise Mayor and Council.
3. "Knox-Box" System - Fire Department Issue. Chief McGary requested that an ordinance be enacted making the system (which provides access with a key to buildings) mandatory; said only 6 buildings now have it, access has to be gained to others through forced entry (property damage incurred is at owner's expense). Stated keys cannot be duplicated; would be in possession of an officer in charge. Council expressed hopes that compliance could be voluntary; Councilmember Iddings suggested Housing contact landlords with a strong recommendation for compliance; figure of \$99. to \$114. was cited for the system, plus installation. Recommendation was that the potential liability to the City if the "Knox-Box" is made mandatory be ascertained; Chief McGary to return in one month.
4. Fire-Service Reimbursement from Montgomery County - Fire Department Issue. Recommendations made were that calls be made to find out who is behind this issue, scope of conversations be broadened, a direct response be sent to County Councilmember Hanna stating that the City has a full-service police department, and Takoma Park Police be directed to contact Montgomery County P. D. and enlist their support.
5. City CDBG Proposals for FY-1985. Councilmember D'Ovidio presented a report relative to new CDBG policy. Pertinent City committees will be holding emergency meetings to discuss the new procedures; copies of all correspondence to the county relative to this matter are to be furnished to City Council. A request was made that Between the Creeks Neighborhood Association be furnished a copy of the agreement between Montgomery County and the City; that group will be meeting May 3, Daniel Neal will attend.

6. Budget Worksession for Public Works Department. Recommendations were made that:
- a) Investigation be made of utilizing Horticultural interns and/or community service people on a part-time basis for additional help;
 - b) Articles be placed in the Newsletter concerning places that recycle glass, aluminum, etc.;
 - c) Mike Messinger be made aware of Kenny Jones' award so that appropriate coverage can be handled.
- Comment was made that the Azalea Committee has three snowball trees to be planted in Bliss Garden.
Street lamps are to be installed in Takoma Old Town prior to the weekend and ready for Council review.
7. Tree City USA Signs. Locations 1 through 6 were approved (#5 to be placed with the "Takoma Park" sign); suggestion was made for placement at Sligo Creek Parkway and New Hampshire Avenue.
- Recommendation was made that the "Operation Spider" sign be removed at Piney Branch Road and Eastern Avenue.
8. Lake Street (paper street) properties - discussion of public improvements. Cary Hoobler made the presentation requesting the City to install a street; Ms. Gabardi expressed opposition to the proposed construction. Decision was that Mr. Hoobler would return at a later date with cost estimates; Council would then consider and possibly take action relative to funding. The question was posed whether the City could control the style of homes to be built on the properties.

There being no further business to discuss, the meeting adjourned at 1:00 a.m.