

June 29, 1984

MEMORANDUM

TO: Mayor and Council
FROM: James S. Wilson, Jr., City Administrator
SUBJECT: Worksession, Monday, July 2, 7:30 PM

AGENDA

Announcement re name change of Lee Avenue to Mitchell Avenue

- (1) Meeting with Columbia Union College Representative (Aldrighetti)
- (2) Variance Request of Donald Norton, 1300 block of Holton Lane (MICRF applicant - materials in package)
- (3) Housing Services Report
- (4) Clinic Alternative (D'Ovidio)
- (5) Cable Compensation Commission (Bradley) (materials in package)
- (6) Agenda setting for "Mandatory Review" (Mayor)
 - (a) Landlord/Tenant Ordinance
 - (b) Speed Humps
 - (c) Newsletter
- (7) Nuclear Free Zone Committee (materials in package)
- (8) COG "Memorandum of Understanding ... Addressing the Problem of Homlessness in the ... Metropolitan Area" (materials in package)
- (9) Municipal Classification (MML) (materials in package)
- (10) Open Space (Haney)
- (11) Historic Preservation Intern - request of Historic Preservation Committee (Iddings) (materials in package)

Mayor and Council Worksession

July 2, 1984

The Mayor and City Council met in worksession at 7:30 p.m., Monday, July 2, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; City Administrator Wilson and Asst. City Administrator for Operations Robbins.

The following matters were discussed and acted upon as indicated:

Announcement re name change of Lee Avenue to Mitchell Avenue. Mayor Abbott related that the proposed name change would have to be accomplished through Park and Planning; Councilmember Williams that his contingent of constituents requesting the change understand it is not a simple procedure; however, hope the change can be made.

Immigration Bill. A resolution opposing a proposed immigration bill, stated to be oppressive, was presented by Rudy Arredondo, who volunteered to speak at the July 9 regular Council Meeting, along with Mr. Horwitz who can give additional details.

1. Meeting with Columbia Union College Representative. Councilmember Aldrighetti and Fenton Froom (C.U.C.) spoke; explained the college is hoping to hold inexpensive night classes for adults; there is a good possibility of borrowing computers from Radio Shack. Subject has been discussed on a preliminary basis with Library Director Spottswood and City Administrator Wilson; a meeting for further discussion will take place in the Mayor's office July 11 at 7:30 p.m.

2. Variance Request of Donald Norton, 1300 block of Holton Lane (MICRF applicant - materials in package). No objections to the proposed variance were received by the City; one couple, possibly concerned, but seemingly confused departed without leaving their name(s) or voicing any opinion(s). Mayor Abbott remarked Holton Lane should not be cut through to University Boulevard. Councilmember Bradley moved to support granting of the variance, Council concurred unanimously.

3. Housing Services Report. A brief status report was given; hearing dates are to be communicated to landlords.

4. Clinic Alternative. Comment was made that no written response to the City Administrator's communication was received from Chuck Beard of Montgomery County, input will be sought at the July 4th festivities. Possible private locations have been contacted by Councilmember D'Ovidio, such as schools, churches, apartment buildings (Park Ritchie); Dr. Hineckley has doctors and equipment ready to set up operations. Councilmember Bradley commented other doctors might be willing to share their office space; lines of communication should be opened up; mention was made of utilizing the park building at Heffner Park (cost of modification to permit that use will have to be ascertained); Mr. Arredondo (resident) volunteered to look into possible federal funding assistance.

5. Cable Compensation Commission. Proposed functions of the commission were stated, i.e., ensure renters are not overcharged, screen applications for the staff position open (cable TV coordinator). Comment was made that there are qualified individuals in the community who should apply for the job. Councilmember Aldrighetti remarked the proposed Cable TV Ordinance appeared to be well thought out, will be discussed at the July 10 worksession; additional work can be done on it over the summer months.

6. Agenda setting for "Mandatory Review"

(a) Landlord/Tenant Ordinance. Decision was made that it is imperative that landlords be notified of the impending ordinance review; Housing Department will be directed to ensure that is done.

(b) Speed Hump Program. A Public Hearing will be held and first reading on proposed changes on August 8, 1984, at 8:00 p.m.

7. Nuclear Free Zone Committee. Following discussion, suggestion was made that the City subscribe to the newspaper "The New Abolitionists."

8. COG "Memorandum of Understanding ... Addressing the Problem of Homelessness in the ... Metropolitan Area." Mayor Abbott commented on his involvement in the inception of COG's memorandum. Comments were made concerning the need to develop a way of dealing with this problem; the counties should be the referral agencies for persons in this predicament. The City Administrator was directed to contact COG, advise them the City has no social services department, procure a referral list from them and ascertain if there is an agency that can be contacted outside of regular work hours in emergency situations. Councilmember Bradley remarked that the police department has "off-hours" contacts.

9. Municipal Classification (MML). Councilmember Bradley commented that some municipalities are essentially overgrown civic associations, not full service cities; issues the City deals with are considerably more complex than those most other municipalities face. It was stated the City should support MML's classification process; input was requested from Corporation Counsel and the City Clerk. Comment was made concerning the need to have Corporation Counsel review the Tillie Frank issue, place it on the agenda for consideration after September.

10. Open Space. Councilmember Haney spoke; decision was made that Assistant City Administrator Robbins will serve as a member of the committee until such time as the position of Director of Public Works is filled.

11. Historic Preservation Intern - request of Historic Preservation Committee. Councilmember Iddings stressed the need for the Historic District to be included on the Master Plan for formal protection; emphasized the need for someone to perform a survey of the area (which would take approximately two years); volunteer help was tried but not satisfactory due to limited time to give. Suggestion was made that the City furnish a total of \$2,000; matching funds could be procured from the state. Councilmember Aldrighetti stated that staff should be permitted to develop their proposed intern program; the Mayor commented this request should be placed on the list of intern requests from City departments and compete with other projects submitted. Councilmember Bradley concurred with the Mayor's suggestion. Morrie Berez stated the City had previously promised money, had to date given only lip service. David Saumweber was to provide the City Administrator with additional relative information.

12. Traffic Signals at Flower and Carroll Avenues. Concerns were expressed that the City was not notified prior to commencing installation of the new signalization. Staff was directed to contact State Highway Administration and request that crosswalk signals be included in the regular signal sequence, ask that traffic from University Boulevard through the city be limited to 25 mph, request traffic counts and accident counts for both before and after signal installation, and ascertain where the city right-of-way line is situated.

13. Takoma Old Town Street Lamps. Council approved the lamps being black; requested a demonstration of the lamps with the bulb in a frosted chimney and with a complete frosted globe (for aesthetic comparison purposes), also display with 50 watt bulb in a 50 watt ballast.

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

THE CITY OF TAKOMA PARK, MARYLAND
Regular Meeting of the Mayor and Council

July 9, 1984
8:00 P.M.

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 JUNE 4, 1984 SPECIAL MEETING OF THE COUNCIL AND JUNE 25, 1984 REGULAR MEETING

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Presentation to Mayor and Council of a Centennial Quilt on behalf of Takoma Park Azalea Quilters (Mrs. Patsy Zerne)
2. Other presentations or comments by Mayor Abbott

ADDITIONAL AGENDA ITEMS

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

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Wilson

- (1) Administrative reports
- (2) Resolution urging Congressional representatives to vote against Immigration Reform legislation presently in House-Senate Conference Committee
Citizens' comments
Council action
- (3) Matter of action pertaining to the Montgomery County Human Relations Ordinance prohibiting discrimination on the basis of race, age, ethnic background or sex
Citizens' comments
Council action
- (4) Appeal No. 7244, Sligo Press, requesting waiver of rear yard and screening requirements to construct a commercial building in the 1300 block of Holton Lane (Public hearing rescheduled to: 6:00 p.m., 7-11-84, Room 1040, CAB, Upper Marlboro)
Citizens' comments
Council action
- (5) Special Exception Case No. S-952, Patrick R. Keyes, to permit the continued use of an existing Accessory Apartment at 113 Sherman Avenue (Hearing: 1:30 p.m., 7-19-84, 1st floor auditorium, Stella B. Werner COB, 100 Maryland Avenue, Rockville)
Citizens' comments
Council action
- (6) Proposed ordinance authorizing purchase of McQuillan's Municipal Corporations, as approved in 1984-85 budget, using Revenue Sharing Funds.
Citizens' comments
Council action
- (7) 1985 Legislative Action Requests
Citizens' comments
Council action

ADJOURNMENT

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

CITY OFFICIALS PRESENT:

Mayor Abbott	City Administrator Wilson
Councilmember Aldrighetti	Asst. City Administrator Robbins
Councilmember Bradley	Asst. City Administrator Habada
Councilmember Dalmat	City Clerk Pusti
Councilmember D'Ovidio	Police Sgt. Duvall
Councilmember Haney	Recreation Director Ziegler
Councilmember Iddings	Corporation Counsel Gagliardo
Councilmember Williams	Asst. Corp. Counsel DeNovo

The Mayor and City Council of Takoma Park, Maryland, met on July 9, 1984, at 8:10 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland.

Following the pledge, a motion was made, duly seconded and carried unanimously that the Council Meeting Minutes of June 4, 1984, be approved as written. Councilmember Bradley moved adoption of the June 25, 1984, Council Meeting Minutes with an amendment to include reference she made to youth employment under the Recreation Department's Youth Worker Program funded by the City (page 1, Emmanuel Heard's remarks). Motion duly seconded, carried unanimously.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

1. Presentation to Mayor and Council of a Centennial Quilt on behalf of Takoma Park Azalea Quilters. Mrs. Patsy Zerne made the presentation, gave a history of the group; said it began in 1978 with 8 ladies participating, there are now 35-40 members. Expressed appreciation for use of City facilities; said the quilt commemorates the City's 100th birthday; 15 members helped in making it (investing over 2,000 hours), hoped the City would provide a nice display case in the lobby area. Mayor Abbott accepted the quilt on behalf of the City and expressed appreciation.

2. Other presentations or comments. Councilmember D'Ovidio expressed thanks to the Independence Day Committee for the outstanding job they did on this year's July 4 activities; congratulated and thanked Belle Ziegler and all who worked with her on the events. Councilmember Aldrighetti echoed appreciation for Recreation Director Ziegler's efforts and achievements; commented favorably on the reptile show provided this date for children and parents at Piney Branch Middle School. Mentioned recently participating in the Police Department's Ride Along program; said it was a very worthwhile experience and encouraged others to take advantage of the opportunity.

City Administrator Wilson introduced and welcomed Beverly Habada, the City's new Assistant City Administrator for Administration; commented today was her first day in her new position with the City.

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

John Pietz, 111 Sherman Avenue: Raised the issue of trash accumulation in the Carroll/Grant Avenues area, near the High's Store. Suggested strategic placement of several trash receptacles along the block. Asst. City Administrator Robbins stated there are City funds allocated this fiscal year for purchase and placement of trash receptacles around the city; choice of sites would be coordinated through the Takoma Junction Committee. Councilmember Bradley commented the problem exists citywide; hoped staff would look at all areas when considering where to place available receptacles. Councilmember Haney commented that if Mayor and Council approval is required on container placement or design selection, the issue should be put on the worksession agenda as soon as possible.

Daryl Stevens, 6800 Westmoreland Avenue: Presented petitions on behalf of the Coalition of Representative Government; it was hoped the issue would be on the ballot in November if enough signatures could be procured. Explained the proposal deals with how the County Council is elected; proposes electing 5 by Councilmanic Districts, 2 at-large,

rather than all at-large as is presently done, does not propose changing the present district boundaries.

ITEMS FOR COUNCIL CONSIDERATION:

(1) Resolution urging Congressional representatives to vote against Immigration Reform legislation presently in House-Senate Conference Committee.

Lenora Odeku, Legislative Assistant representing Congressman Michael Barnes: Stated the legislation is now at the stage where it should go to a conference committee; House and Senate versions of the bill are very different. In light of the fact that it is unknown what will emerge from the conference if one is held, said it would be premature for Council to vote on a resolution; however, it would certainly be valid for Council to express an opinion on the final product. Stated if the Panetta-Morrison Amendment (mentioned in the resolution) is included in the conference report, Congressman Barnes feels strongly about that particular part of the bill and is prepared to oppose it (he voted against it in the House consideration of the bill). In response to query, explained that the H-2 Program under the current immigration system allows non-immigrants to come into the country to work on a temporary basis; has quite a number of restrictions as to how requests are made for workers to enter (reason for the restrictions is protection of job rights for American citizens and permanent residents). The Panetta-Morrison Amendment relaxes those protective requirements, would permit farmers on a group basis to request temporary workers to come in for perishable crop picking, etc. - hints of the "Bracero" Program, which was very discriminatory and was abandoned some time ago. This amendment was one of several controversial issues in the bill. Said the bill passed in the House by a 5 vote margin - not a sizeable margin; a lot of members in the House have considerable leverage over what is done in the conference committee. Mr. Barnes has many misgivings about the bill - it is not a perfect bill. Congress has been studying this issue for years; this would be the first major reform in immigration law since the major part was enacted thirty years ago. Consensus seems to be there is a need for immigration law reforms, however, opinions differ greatly on what the reforms should be; reiterated there are serious problems with these laws and it is Congress' responsibility to address them, hopefully to come up with a product as close to perfect as possible. Said there have been 69 amendments to the current bill. During the legislative process, there have been people who advocated voting against the bill completely, voting against the rule so that the bill would not be considered on the House floor. Commented this bill was first introduced in the House during the 97th Congress, went through the process, came to the floor at the end of the session, was killed because members were offering 100 amendments and there was no time to consider that number of amendments.

Mary Sue Hackner, Congressman Hoyer's Office: Said she had read the resolution - agreed with some parts, disagreed with others - which is exactly what members of Congress have had to deal with relative to the national problem of immigration. Said the problem will not dissolve, will worsen; has been thoroughly studied by commissions and subcommittees dating back to the 1950's. The Census Bureau estimates that there are 3.5-10 million illegal aliens in the United States today, with an estimated 100,000 to 1/2 million undocumented workers entering the country per year. Long term implications affect legal immigration and that will have to be addressed. The current bill presents a conflict of interest for some traditional groups, such as labor and minorities. Mentioned talking with an Hispanic labor leader who was faced with the problem of attempting to reconcile the two conflicting interests in his mind. Said Congressman Hoyer is unquestionably at odds with certain members of the Hispanic community, as well as certain members of the labor community, due to his vote - these are traditionally groups where mutual support existed. Said she felt what Mr. Hoyer and other legislators did in voting for the bill was address a national problem and the need for longterm reform.

Councilmember Bradley moved adoption of the resolution and thanked Ms. Odeku and Ms. Hackner for attending; motion duly seconded by

Councilmember Iddings. Councilmember Bradley commented that the point at hand is to bring the issue before the public/community for consideration and debate; read the resolution.

Councilmember Iddings commented that Rudy Arredondo, who drafted the resolution, works with farmworkers and the Hispanic community, is a resident of Takoma Park (currently out of town temporarily); for the record, read a statement dated July 9, 1984, prepared by Mr. Arredondo:

"Dear Neighbors and Interested Citizens:

First, I want to commend the Mayor, Sammie Abbott, and the City Council for running an open, citizen-oriented government in this city. My family and I are extremely proud of our city and our city government officials. I thank everyone here for the opportunity to publicly express my views on the subject of the recently passed immigration reform legislation, Bill HR-1510. I regret not being able to address you in person, but my job responsibilities demand that I be in Pittsburgh until Wednesday. As a member of the Hispanic community in this city, the vote by my congressional representatives, Steny Hoyer, Michael Barnes and Senators Sarbanes and Mathias, felt like a slap in the face, not only to me, but to my family and the entire Hispanic community. The meetings that were held by our elected officials smacked of tokenism, but we were hopeful. However, on June 20, despite what appeared to be votes consistent with the congressional Hispanic caucus members and the best interests of the Hispanic community, Congressmen Hoyer and Michael Barnes cast their vote in favor of one of the most oppressive legislative measures affecting the Hispanic community. This legislation, if enacted, will have far reaching ramifications for foreign-born, foreign-looking citizens and residents not only of this community, but of communities with diverse populations across the nation. It will also further exacerbate the already tense race relations in this country. The resolution which is to be considered here tonight explains my concern, as well as that of the Hispanic community. It also requests that all our elected officials/representatives vote against this legislation after the House-Senate conference. It further recommends that a solution be pursued, but not during the heat of a presidential campaign. Immigration reform is too important an issue to be exploited by politicians whose main concern is seeking reelection. Thank you for your attention and the Council for their vote.

Sincerely,

Rudy Arredondo"

Justo Reyes, 7118 Woodland Avenue: Stated he had kept abreast of the issue; expressed disapproval of the role played by our congressmen (their vote on the issue). Said the H-2 program is the subject of continuous litigation against the federal government for lack of enforcement of the existing law protecting U. S. workers. Said according to the committee record, program being talked about would include up to 1/2 million workers coming in for Arizona and California alone; those workers would not be afforded any rights or protection at all; said there is a moral obligation to look to the welfare of persons brought into the country, the Bracero program should be an example of what can happen. Hoped Council would pass the resolution as an expression of their dissatisfaction not only with our legislators' votes already cast, but with any future votes cast in favor of legislation including similar provisions.

Charles Horowitz, 7429 Baltimore Avenue, (Immigration attorney): Said he had always supported, thought well of Congressmen Barnes and Hoyer; hopes when the bill comes back from the conference committee, they will cast their votes against it. Thought Council's passage of the resolution might have a favorable influence; probably no other municipality in the state would have such an opportunity to take a position on the issue. Stated he has children in local schools; this bill would have an adverse effect on minorities, not only Hispanics but Asiatics as well. Recently traveled and took part in Department

of Labor hearings on farm worker issues, met many people of foreign origin who told him they are routinely stopped and questioned by police who think they are illegal aliens; this is a fact of life for many Hispanics, particularly throughout the southwest and Florida. Said there is no guarantee that the guest worker provision won't be in the bill when it comes out of the conference committee; there are enormous pressures being brought to bear from many groups for the legislators to vote in favor. Reiterated that under the Guest Worker Program, 500,000 seasonal foreign agriculture workers would be brought in yearly - a bonus for large agricultural enterprises and a slap in the face for American farm workers; urged passage of the resolution. Mayor Abbott questioned whether this bill denies appeal process beyond INS to immigrant workers, which Mr. Horowitz affirmed, explaining that the Civil Liberties Union feels this is complete denial of the due process guaranteed all Americans, presumption of innocence until proven guilty is reversed. Cautious employers will simply refuse to hire foreign looking/foreign speaking persons to avoid possible problems.

John Pietz, 111 Sherman Avenue: Said it sounded as though there was much to be said against the bill, but no solution dealing with the problems had been offered. Requested clarification as to what the bill requires of employers/foreign workers. Councilmember Bradley commented on the fact that aliens are required to carry their "greencards" on their person at all times; there is nothing to distinguish a foreign-born person who has lived here for many years and acquired citizenship (most would not carry their citizenship papers and may not have other identifying documentation on their person). This bill would impact foreign-born persons in all areas of the country; would instill a great deal of fear. Councilmember Iddings remarked that there were some alternative bills introduced, one would have substituted labor law sanctions (enforcement by the Labor Department) rather than employer sanctions; however, apparently the Republican administration had ideological problems with that particular bill. Mr. Pietz stated he did not understand, if employers ascertained alien employees' status at the time of initial employment, why anyone would have to carry their green card at all times. The Mayor spoke, explaining the nature of the problem; referred to a front page story in the July 9 New York Times particularly concerned with the problem in Europe where workers are being paid to return to their country of origin; said the problem in this country stems back to Franklin D. Roosevelt's Good Neighbor Policy which was passed, never implemented. Said economic necessity is what impels people to cross borders - 1,000 per day cross the border illegally from Mexico into the U. S.; commented on the living conditions of some Salvadorans in the City. Said the money being spent on armaments should go, in part, toward funding programs to enable needy countries to exist economically; no other stopgap measure will meet every problem. Despite Ms. Odeku's earlier statement that voting on the resolution prior to the bill coming from the conference committee would be premature, the Mayor said what went to the committee deserved non-support, flew in the face of democratic principles. Stated that vigilance at this point in the process is essential, urged that Council oppose the legislation and convey to the two Congressmen strong encouragement to do likewise when the bill comes from the conference. Said Congressman Barnes is well aware of the economic problems that plague Central America, has spoken out on the subject; should remember that in his attitude toward the bill. Commented that there is no conflict between labor and the Hispanic community; labor support dwindled rapidly as certain amendments were added to the bill. Mr. Pietz requested to be put on record as supporting the City's position of opposition to the bill; would also like to see something in the way of a firm statement to the effect that the U. S. should be expending money on assisting in raising the standard of living in these economically troubled countries. The Mayor stated he views the issue on the bill as a type of litmus test for Congressman Barnes (as Chairman of the committee); hoped he would pause and consider expressed opinions of constituents on the matter. Councilmember Bradley commented positive steps must be taken; immigration reform is a very complex issue; present policies have created many of the existent problems; foreign policies that have an effect must be analyzed also. Councilmember D'Ovidio stated that the question of cause of the problems in the Latin American countries is a policy issue that will be widely debated

in the upcoming election, i.e., whether it is outside people coming in and fomenting problems or whether it is a basic internal situation perpetuated for hundreds of years relative to control of money and power. Ms. Odeku spoke in response to query from Councilmember D'Ovidio; verified that Congressman Barnes would vote against the bill when it comes from the conference committee if it includes the Panetta-Morrison Amendment, has so informed the Chairman of the Immigration Subcommittee several times. Did vote for the Hawkins Amendment which would have provided for a comprehensive grievance mechanism; voted against the Wright Amendment on the legalization part which restricted the legalization program; position on employer sanctions is that the current situation is very discriminatory - employers are exploiting undocumented workers to no end (INS can come into a shop and remove persons not having the proper documentation; employer can stand by and observe and has no liability whatsoever). Congressman Barnes feels that there should be a measure of responsibility placed on employers for those situations. Ms. Odeku stated she felt Congressman Barnes was very sensitive to most of the concerns raised; however, the issue needs to reach the point where the House and Senate again have an opportunity to attempt improvements and changes in what has been an ongoing process; cited improvements that have been accomplished in the process.

Councilmember D'Ovidio stated that the resolution urges the congressmen to vote against whatever comes out of the conference committee; proposed amending the last paragraph to insert "if it continues to contain the above provisions" immediately following "...vote against the Immigration Reform legislation after the House-Senate Conference..." Councilmember Aldrighetti commented he occasionally wonders about Council's role in dealing with issues beyond the City's borders; however, expressed concern about the employer sanction provisions of the bill, thought them most unfair. Recognized commissions have studied the problems which exist, however, reestablishment of a Bracero program would be wrong and hoped both congressmen would vote against the bill on that basis. Councilmember Williams referred to military service in Texas, seeing Mexican workers crossing the Rio Grande between Laredo and Nuevo Laredo, trying to eke out a bare survival wage. Said he understands both sides of the plight; compared the green card to yellow stars required in pre-World War II Germany to mark certain persons; stopping foreign-born persons and taking them away smacks of secret police or Ku Klux Klan tactics; for those reasons would support the resolution. Councilmember Dalmat stated she had not seen or heard any compelling evidence to vote in favor of the resolution; would not be persuaded nor coerced to do so. Said as a municipal official, her job is basically the city government; felt this issue was outside the City's jurisdiction, information was incomplete, drew the line on voting in favor of this resolution. Stated she had talked to Ms. Odeku and expressed concerns regarding the bill. Councilmember Iddings stated he would vote in favor of the resolution; felt it was directly appropriate for him as a City official; said a longtime goal of the city had been to build a community that accepts all residents as having equal worth and equal voice; said the bill inherently creates a sub-class of foreign-born/foreign-looking people, which goes against the goals and philosophical beliefs of himself and other close Council associates. Councilmember Dalmat expressed concern about the 4th paragraph of the resolution (concerning mandatory imposition of English and civics class enrollment); said in speaking with Ms. Odeku and also a member of the Legislative Council of the Subcommittee on Immigration and Naturalization, the way the bill presently stands that statement is not true - some rudimentary understanding of English and/or civics would be required, but enrollment in a class is not; moved to amend the resolution by deleting that part. Ms. Hackner explained that this new classification does not pertain to all persons wishing to become citizens, deals with the Amnesty Program (people who have lived underground for 10-20 years); Congressman Hoyer voted against it, however, there are certain favorable aspects. Ms. Odeku stated Congressman Barnes is unequivocally opposed; INS has not yet decided what they will require and how it will be implemented; the Wright Amendment creates a temporary status rather than giving people permanent resident status, puts another step in the process. Mr. Barnes favors the committee-passed provision on legalization which does not have any of these requirements, but which would

provide for people who come forward in that year who meet the date requirement to receive permanent resident status.

Richard Fuhargo, member of Mexican-American Legal Defense Fund:

Stated the Wright Amendment does require that one know and/or demonstrate a proficiency in English and North American history and government, or be enrolled in courses making progress toward learning those subjects. The problem is that this is an additional requirement, is a way of weeding out persons who do not meet these requirements. Referred to the problem in San Francisco where there is a 500 person waiting list to enroll in English courses at local schools; the situation will be exacerbated as more persons have to enroll in classes to meet these requirements - a related problem is that the courses will have to be approved by the Attorney General, which will weed out persons not having access to programs so approved. His organization's position encourages learning English, but at the individual's own pace; should not be a requirement in order to enter into a program that will grant them status. The Mayor commented on living in earlier years in Buffalo, N.Y., coming in contact with large numbers of immigrants who spoke little or no English (it was not a requirement). Councilmember Williams remarked that about 1/2 of the residents of 7620 Maple Avenue are Russians who don't speak English and he had not heard of any of them attending class. Councilmember Bradley stated she felt it was appropriate for Council, as elected officials, to take a position on the issue, to begin public debate, and to pass the resolution. Said there is a genuine fear among foreign-born persons that this type of discrimination will become a reality, will expand current discriminations. Commented the 1980 census indicates a 5% Hispanic population in the City (8% in her ward); said the numbers are rapidly increasing and thought the percentage is currently much greater. As elected officials, part of the role is to convey the fears and concerns of constituents to the legislators. Councilmember Haney stated that, as an employee of the Immigration and Naturalization Service, he would not be voting on the resolution. Question was called on the resolution as amended by Councilmember D'Ovidio; passed by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, D'Ovidio, Iddings and Williams; NAY: Councilmember Dalmat; ABSTAINED: Councilmember Haney.

Resolution
(attached)

(2) Resolution pertaining to the Montgomery County Human Relations Ordinance prohibiting discrimination on the basis of race, age, ethnic background or sex. Councilmember Bradley read the resolution, moved that it be passed, duly seconded by Councilmember Dalmat. Councilmember Iddings commented that the 1st paragraph pertains to a resolution adopted last fall in which Council endorsed amendments to the County Human Rights Ordinance and urged passage by County Council (which they did); said in November 1980, Council adopted the Human Relations Act as City law and asked the county to enforce it in the Montgomery County portion of the City. The Mayor queried Attorney Silber as to what happened to the provision stating it is unlawful to bar families with children from apartments; wondered how that would be affected by the referendum being considered concerning the sexual preference part. Attorney Silber responded that that is part of Bill 65-83; opponents to the legislation single out the sexual preference part of the bill in their petition drive, want to bring to a vote that section only; however, that jeopardizes the entire bill because the County Charter only permits referendum on full legislation. Councilmember Bradley commented that the City entered the suit as a plaintiff at no cost to the City. Attorney Silber explained that legal representation will be pro bono; national public interest law groups are paying for the cost of litigation (Women's Legal Defense Fund of Washington, D. C. and National Gay Rights Advocates). Mayor Abbott commented he heard the petitions securing citizens' signatures was inconsistent with the language used to change the law. Ms. Silber explained that, under the County Code, there are two problems with the petitions: 1) they don't identify the title of the legislation; and, 2) they don't explain what it is they are attempting to bring to referendum. Councilmember D'Ovidio moved an amendment to the resolution to insert the title and number of the

subject legislation. Councilmember Aldrighetti expressed support for the resolution, said it pertains to civil rights of the citizenry. Councilmember Iddings commented support would be consistent with Council's position taken on previous related issues. The question was called, resolution passed by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Iddings and Williams; NAY: None; TEMPORARILY ABSENT: Councilmember Haney.

Resolution
(attached)

(3) Appeal No. 7244, Sligo Press, requesting waiver of rear yard and screening requirements to construct a commercial building in the 1300 block of Holton Lane (Public hearing rescheduled to: 7:45 p.m., 7-18-84, Room 1040, CAB, Upper Marlboro).

City Administrator Wilson stated notification was made to neighboring property owners, as required; one response was received via phone from an adjacent property owner supporting granting of the appeal. Sligo Press is still awaiting a commitment from the bank to which they have applied; MICRF funding will eventually be sought. Councilmember Iddings commented this issue was addressed in the last worksession; moved to reaffirm Council's support for granting of the Special Exception, duly seconded by Councilmember D'Ovidio; passed unanimously.

(4) Special Exception Case No. S-952, Patrick R. Keyes, to permit the continued use of an existing Accessory Apartment at 113 Sherman Avenue (Hearing: 1:30 p.m., 7-19-84, 1st floor auditorium, Stella B. Werner COB, 100 Maryland Avenue, Rockville).

Assistant Housing Director Austin spoke concerning reinspection of the property; said several violations were found, entry was not gained, there will be coordination with the Office of Landlord-Tenant Affairs to ascertain what violations they have on record to assure that all are addressed. Said the history of the owner has been excellent with the Code Enforcement Department (brick structure, no violations in the past); said the work that had to be done was trim and shutter painting, about 3/4 has been completed; interior painting has to be done, but coordinated with the fact that there is a disabled, bed-ridden individual in the property. In response to query from the Mayor, it was stated that a total of 21 applications for accessory apartments in the City have been received by the county; this is the second one to come before the Council. Majority of these units are inspected by Housing under the annual inspection program; the Mayor emphasized the importance of routine inspection to ensure that the apartments are in compliance with the Code and sub-standard conditions are eliminated. Mr. Austin commented that Housing views this as a special opportunity to look at a number of properties in relation to legislation other than local law; said the accessory apartment legislation is quite stringent in some regards; did not see any conflict between the accessory apartment legislation and the Zoning Text Amendment which requires a phaseout in 1988. In response to query, clarified that accessory apartments would not be subject to the City's Landlord-Tenant Ordinance. Councilmember Iddings commented that these units could be subject to a licensing ordinance, should Council so decide. Councilmember Aldrighetti complimented the City Clerk on her memo suggesting how the Special Exception petitions might be handled; was pleased that out of 113 applications made to the county for accessory apartments, only 21 were in the City.

John Pietz, 111 Sherman Avenue: Said he was present (as a next-door neighbor) primarily to seek answers to such questions as the purpose of the Special Exception, who would live in the apartment, etc. Had not noticed any problems generated by existence of the apartment, would generally favor granting of the Special Exception. Commented there is a residence a few doors down from his where some sort of cabinet work is being done (whether just on the premises or for other addresses as well was unknown); noisy machinery is turned on at 7-7:30 a.m., trucks have been parked in front of his residence. Councilmember D'Ovidio moved deferring decision on the Special Exception until the July 16 worksession so that it might be considered in relation to, and following review of, the proposed City review process for accessory apartment applications; motion duly seconded by Councilmember

Iddings. Councilmember Bradley expressed concern about postponing this issue for the second time primarily due to a time delay in formulating the City's review process, particularly since it is an application that would probably ordinarily be supported; favored approving the request. Councilmember Iddings inquired as to whether the property owner is requesting waivers or exemption from certain of the county regulations; wanted an answer as to exactly what they are. Councilmember D'Ovidio said there is a master list of the ±400 apartments designated in Zoning Text Amendment 77003 for phaseout; would be useful to be able to pinpoint those in relation to accessory apartment requests. The question was called; motion carried with Councilmember Bradley voting Nay, Councilmember Aldrighetti temporarily absent, balance of Council voting Aye.

(5) Proposed ordinance authorizing purchase of McQuillan's "Municipal Corporations", as approved in 1984-85 budget, using Revenue Sharing Funds.

Councilmember Bradley moved adoption of the ordinance, duly seconded. Concerns were voiced that the resource be accessible to all City staff, as well as citizens; requested that the City Clerk coordinate with the Library Director in making the volumes available. The Mayor suggested a short paragraph explaining the publication and its use be written for Newsletter publication. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

Ordinance No. 2727
(attached)

Councilmember Haney referred to prior discussions relative to placement of the "Partners for Liveable Spaces" magazines; said those might be more accessible to City staff (and pertinent to their work) if placed in the City offices and a Xerox copy made for the Library (or vice versa); in response to query, stated City membership fee is \$75/year, includes the magazine as well as access to their computer data banks and other services. The Mayor suggested 2 copies of the magazine be requested, rather than copying.

(6) 1985 Legislative Action Requests.

Councilmember Bradley stated this concerns basic decisions that must be made relative to Mayor and Council's position on legislative initiatives for the 1985 State Assembly session; both MML and certain state legislators have July deadlines approaching. Said she and Corporation Counsel had collaborated, in conjunction with the City Administrator, in formulating the proposed options. Recommended that all of them, excluding Municipal Infractions, be forwarded to pertinent State Senators and Delegates in both counties, local support be sought from at least two from each county for the bills; recommended Municipal Infractions be forwarded to the Maryland Municipal League as a 1985 legislative initiative. Explained that what is required is broad policy decision on these issues, with details to be worked out by staff and legislators.

A. Unification. Cited 3 possible options, recommended 2 and 3: 2) submit 1 bill calling for 2 elections/referendums (1 in each county); 3) add specific new provisions on schools, compensation and other issues which legislators have specifically raised. Corporation Counsel commented that the recommended options consolidate requirements of prior bills, this approach has not been used before, but was recommended by several state legislators. Councilmember Bradley moved adoption of options 2 and 3, duly seconded by Councilmember D'Ovidio, adopted unanimously.

B. Zoning. Councilmember Bradley stated this issue has been discussed for several years, this will be a first move toward the City acquiring zoning authority. Cited 3 possible options, with the recommended one being #1 (authorize Takoma Park to exercise its own zoning authority totally), analogous to the practice in Rockville, Gaithersburg, Washington Grove; moved adoption of option 1, duly seconded. Councilmember Aldrighetti requested that as progress is made on this issue, the economics/cost to the City be formulated. Corporation Counsel commented that the city is currently paying at

least \$600,000 per annum to Park & Planning for zoning and planning, but also inclusive of parks, park police, etc.; did not think Rockville pays Park & Planning at all - inquiry should be made as to whether they are excused from all or only a part of the tax; the City should request treatment equal to that afforded other municipalities having their own zoning authority. Question was called; option 1 was adopted unanimously.

C. Municipal Infractions. Five options were cited, with options 1 through 4 being recommended (as technical amendments): 1) increase maximum penalties to \$1000 (same as counties); 2) reduce the burden of proof from beyond a reasonable doubt (the burden in criminal cases) to clear and convincing evidence, which is strict proof in civil cases; 3) provide that failure to request a trial date by a certain date results in a default judgment; 4) expressly provide the right of courts to issue cease and desist orders/injunctions in addition to imposing fines. Thought support could be expected from MML; what is proposed attempts to bring the City's program into conformance with county procedure. Councilmember Iddings commented there are two issues involved, i.e., bringing penalties and fines into line with the counties', and changing the burden of proof, which is a more technical issue; thought perhaps two bills should be presented. Corporation Counsel suggested having one bill which states "amending Section III of Article 23A, as follows:", and then addressing all four points. Councilmember Iddings stressed that his concern was that through combining all four items, the entire thing might be thrown out. Councilmember Bradley stated that MML staff would most likely combine the issues; however, they could be submitted as four separate legislative action requests. Thought there were other key municipalities that would lend support. Corporation Counsel commented that the definition of municipal infraction should be amended to include enforcement of administrative orders, so that COLTA and Tree Commission orders, for instance, would be beyond question. Referred to a letter from State's Attorney Arthur Marshall stating he would assist the City in getting the authority to prosecute municipal infractions in Prince George's County. The question was called; options 1 through 4 were adopted unanimously.

D. Tax Authority. Two possible options were cited; option 2 was recommended - authorize Takoma Park to grant tax credits. Councilmember Bradley commented this question arose during recent budget preparation when decisions had to be made how to equitably handle Prince George's County's tax differential system relative to Montgomery County's tax rebate system. Concerning taxing authority, Corporation Counsel stated for the record that this request in no way indicates that his office believes that the City does not already have the authority to confer tax credits; strongly suggested that granting of credits is an implied power and is the only way the two county difference can be reconciled. Said presenting the subject as a legislative initiative was based upon a meeting with County Executive Glendening who suggested that, in the opinion of the Prince George's County Attorney, the City did not have that power; should be clarified legally in the event of any future litigation. Concerns were raised about presenting this matter as a legislative initiative and the possibility of not getting it passed. Corporation Counsel did not think the City would be any worse off if the bill did not pass; however, said if he were on the opposing side, he might use the defeat of the bill as an argument that legislative intent was that municipalities not have authority to issue tax credits. Councilmember Aldrighetti commented he felt the risk to be worthwhile; said it would emphasize the point that the counties have not provided the City with a solution to the problem. Corporation Counsel explained that County Executive Glendening's attorney's argument is that unless the State Code specifically states that municipalities can grant tax credits, it is illegal; Corporation Counsel's counter-argument was that it has been held by the Court of Appeals that whenever a power is incident to an implicit in an express power, it is a legitimate exercise of municipal authority (if you can tax, you can credit). Following additional dialogue, Councilmember Iddings stated he felt it would be worthwhile to include option 1 also (create two tax districts); in terms of legislative strategy, it might be possible to trade off one option for another if necessary. Councilmember Bradley commented Senators Dorman

and Bainum's staffs might view submission of both options as contradictory; could require that one or the other be submitted; said they could be contacted and queried as to whether it would be possible to submit after the July 16 deadline. Concerns were expressed relative to creation of separate tax districts possibly creating a distinct split within the City. Following additional discussion, Councilmember Bradley moved submission of option 2 as a legislative initiative for 1985, duly seconded; Councilmember Iddings offered an amendment to include option 1, duly seconded. Question was called on the amendment; defeated 5-2. Question was called on the original motion; carried unanimously.

E. Fire Station. Two options were presented; option 2 was recommended (authorize Takoma Park to impose a fire tax no greater than the consolidated fire district tax, but require the county to provide services). Councilmember Bradley commented that on the one hand, the City does not wish to negate the 1974 agreement between the counties on this issue; however, this bill would demonstrate good faith to Montgomery County on the part of the City. Councilmember D'Ovidio reiterated previously stated concerns about the City getting in the middle of the two counties and acting as an agent on this issue. Following lengthy discussion, City Administrator Wilson referred to a discussion with County Councilman Cicoria; said he suggested that the City straightforwardly approach Prince George's County for revenue in the form of a straight appropriation to support the fire service; offered to arrange time before the County Council for the City to do that prior to their going on vacation the end of July. Mr. Wilson stated that, if that route is chosen, it should be ascertained from Councilman Cicoria what approach he thinks the City should use with the County Council. Corporation Counsel remarked that the City will be going before the County Council on July 30 on the Patner matter, and it would be convenient if the fire issue could be scheduled for the same date. The Mayor stated that he was in agreement with Councilmember D'Ovidio that the City should in no way move for state legislation on this issue; the matter is between the two counties; if the City can assist in a resolution being reached, that should be done; however, it appears obvious P. G. County does not wish to acknowledge the 1974 agreement and Montgomery County refuses to aggressively bill for the services. Councilmember Iddings expressed agreement; said another thing that should be done is to more actively involve the Volunteer Fire Department Corporation in the issue (it is a political issue and they have political contacts in areas where the City does not). Councilmember Bradley agreed, said they should be actively participating. A consensus was reached that this item would be deleted from the 1985 Legislative Action Requests.

F. Rebate on State Citations. Councilmember D'Ovidio moved that as an additional legislative action request the City (as was previously done) join with any other interested municipalities in attempting to recoup from the state a portion of fines collected for moving violations. Councilmember Iddings commented that what had been encountered in the past on this issue was the claim that Police Impact Aid is supposed to reimburse the municipalities for that; said a way of getting around that would be to have a hold harmless provision concerning Police Impact Aid so that all municipalities get a base amount of that aid, but increase it for municipalities with high performance in the area of ticketing. Negative comments were made concerning "quota systems;" the Mayor commented state law is quite explicit in that people cannot be fined in order to accrue revenue; said the primary objection to the present system is that it leads to lack of enforcement by police. The question was called; motion carried unanimously.

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

R E S O L U T I O N

- WHEREAS, the Immigration Reform Legislation, H.R. 1510, passed the U.S. House of Representatives on June 20, 1984, would effectively discriminate against the Hispanic community; AND
- WHEREAS, the Panetta-Morrison amendment would permit upwards of 500,000 foreign agricultural workers to legally enter and work in the United States, thereby undermining organizing efforts of the U.S. farmworkers to improve their wages and working conditions; AND
- WHEREAS, our previous experience with the Bracero Program proved that this program created an easily exploitable and enslaved class of workers; AND
- WHEREAS, the mandatory imposition of English and civics class enrollment would, for the first time in U.S. history create a sub-class of U.S. residents; AND,
- WHEREAS, the employer sanction provisions would effectively discriminate against foreign sounding/foreign looking workers, especially Hispanics; AND
- WHEREAS, the McCollum amendment would deny declared undocumented people any recourse for appealing adverse actions by the Immigration and Naturalization Service (INS), which would be contrary to the American concept of "due process of law"; AND
- WHEREAS, there is abundant documented evidence of abuses and total disregard for constitutional protections by INS officials, especially in the Hispanic community; AND
- WHEREAS, we support immigration reform, we understand that the current bills, as approved by both the House and Senate (H.R. 1510 and S. 529), do not incorporate the essential reforms on its face and in its application; AND
- WHEREAS, the City of Takoma Park has an ever growing Hispanic and other foreign born citizens and residents, we, the MAYOR AND CITY COUNCIL of Takoma Park, Maryland, are deeply disturbed and disapprove of the vote cast by our Congressional representatives Messrs: Steny Hoyer (5th Cong. Dist.) and Michael D. Barnes (8th Cong. Dist.) in favor of this legislation.

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Takoma Park, Maryland, urge its Congressional representatives Steny Hoyer and Michael D. Barnes and Senators Paul Sarbanes and Charles McC. Mathias to vote against the Immigration Reform legislation if it continues to contain the above provisions after the House-Senate Conference and to continue to work toward a more fair and just solution to the immigration problem.

July 9, 1984

R E S O L U T I O N

WHEREAS, the City of Takoma Park has endorsed the amendments to the County Human Relations Law, Bill 65-83 "An Act to Amend Article I, title "Commission on Human Relations," which protects citizens from discrimination on the basis of sexual orientation in employment, housing and public accommodations; AND

WHEREAS, citizens of Takoma Park now enjoy the benefits of that protection; AND

WHEREAS, a petition campaign has been waged by Citizens for Decent Government, a campaign which distorts the legislation and has misled the public through fear-mongering and bigotry,

THEREFORE, BE IT RESOLVED:

1. That the City of Takoma Park join as party plaintiff in the litigation to preserve the legislation, and
2. The City of Takoma Park will participate in a public education effort to ensure civil rights protection for all its citizens.

July 10, 1984

ORDINANCE NO. 2727

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

SECTION 1. THAT the 1984-85 City Budget earmarked \$900 in Federal Revenue Sharing Funds for the purchase of the treatise, McQuillan's Municipal Corporations, to be housed in the City Clerk's office for use by City staff, the Mayor and Councilmembers, citizen committees and citizens.

SECTION 2. THEREFORE THAT the purchase of McQuillan's Municipal Corporations, 3rd Ed., from Callaghan & Company, Wilmette, Illinois, for the sum of NINE HUNDRED DOLLARS (\$900), including shipping charges, is hereby approved; AND

SECTION 3. THAT the funds to cover the above purchase be appropriated from the Federal Revenue Sharing account.

ADOPTED BY THE MAYOR AND COUNCIL JULY 9, 1984.

7-13-84

TO: Mayor and Council
FROM: James S. Wilson, Jr., City Administrator
RE: Worksession--Monday, July 16, 1984, 7:30 PM

AGENDA:

1. Report on survey re instituting parking on Cherry Avenue; recommendation
2. Report on Police communication system status
3. Portman appeal of Tree Commission decision--schedule
4. Discussion of conversion of Operation Turnaround cash to Land Bank (Aldrighetti)
5. Accessory Apartments: procedure for review and decision-making
6. Report on spraying for mosquitoes (Robbins)
7. CDBG Committee (D'Ovidio)
8. Clinic update (D'Ovidio)
9. Cable Board (Bradley)
10. Columbia Union College-City Institute (Aldrighetti)
11. July 30 worksession

Mayor and Council Worksession

July 16, 1984

The Mayor and City Council met in worksession at 7:40 p.m., Monday, July 16, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; City Administrator Wilson, Asst. City Administrators Robbins and Habada.

The following matters were discussed and acted upon as indicated:

1. Report on survey re instituting parking on Cherry Avenue; recommendation. Mrs. Kadish, a resident of the area, expressed opposition to lifting the present parking restrictions. It was pointed out that Mr. Dempsey, who raised the issue, requires special parking only 4-5 times a year. Decision was that Corporation Counsel, in conjunction with the police department, will review the matter and develop a procedure for residents to obtain administrative permission to park in the posted "No Parking" area, if required on occasion.
2. Report on Police communication system status. Reference was made to a meeting held with AVCO (who deal with wavelength information) in Baltimore. It was stated that a frequency in the 470 band might be available, but a feasibility study would have to be done; odds are slim to zero in the UHF and VHF bands. Cities, counties, etc., hold on to assigned frequencies/wavelengths and pass them on to their own agencies. Takoma Park has applied for their own frequency in the 800 band, this is being reviewed by AVCO. Possibility of sharing a low-band frequency with another agency was mentioned, but that produces an inferior communication system. Comment was made that a number of companies will soon be producing equipment for the 800 band. Current options seem to be: 1) share a low-band frequency; 2) go with a frequency in the 800 band now; 3) wait and go with the 800 band when additional equipment is available. The Mayor commented on the fact that there was no request in earlier years to change the frequency or band in which police communications were operating. Comments were made that equipment cannot be procured until frequency approval is obtained; the 800 band is new and no performance evaluation is available; UHF and VHF should be seriously considered due to lower purchase cost of equipment, less expense for parts and repairs. Corporation Counsel remarked that the equipment should be rebid due to inconsistencies in specs and in-house rules when the prior bids were solicited. Regarding the 2 bids received, Councilmember Iddings remarked that they should be voted upon pro or con; Councilmember Bradley commented that as long as the City is awaiting response from FCC, no action is necessary. It was stated that the new communications system could be operational anywhere from January 1985 to more than a year hence, depending upon the system selected and when the FCC license is granted. Chief Fisher stated that the time frame on receipt of equipment would be 120 days from G.E., or 80 days from Motorola, were either of those accepted. Decision was made that the Police Department will join AVCO (\$45.00 per year membership). The Mayor and City Administrator Wilson will meet with Mr. Jackson. Additional discussion will take place at the July 23 pre-Council worksession at 6:30 p.m.
3. Portman appeal of COLTA decision. It was stated the Portman Appeal will be heard by Mayor and Council on August 13, 1984.
4. Discussion of conversion of Operation Turnaround cash to Land Bank. Councilmember Aldrighetti spoke; said the proposal is to use this money to buy land at tax sales. Staff is to prepare a financial report; meet with Daniel Neal and discuss Operation Turnaround, block grant guidelines, the rehab program, have a report ready for the July 30 worksession.
5. Accessory Apartments: procedure for review and decision-making. The procedure was discussed, various amendments were proposed and incorporated (copy of procedure attached). In conjunction with this matter, the pending Special Exception for 113 Sherman Avenue was discussed; consensus was that Council would support granting the Special Exception provided the county recognizes the need to bring the property into compliance (relative to existent code violations).

6. Report on spraying for mosquitoes. Asst. City Administrator Robbins spoke; decision was made that a public education program will be instituted; no spraying will take place in the City other than upon request and for health reasons and/or for heavy infestations.

7. CDBG Committee. Councilmember D'Ovidio nominated Paul D'Eustachio to represent the City; formal appointment to be placed on the July 23 Council Meeting Agenda; Mr. D'Eustachio will be requested to attend the pre-Council session on that date.

8. Clinic update. Councilmember D'Ovidio gave an update on the proposed clinic situation; the Mayor questioned whether the clinic would undercut services offered by the county (according to Dr. Hinckley there has been no major change in people being served). Questions were raised by Councilmember Bradley concerning whether the clinic would be profit or non-profit, what the City's role would be, why one particular physician (Dr. Hinckley) is being pushed/supported. It was requested that a discussion meeting be set up for Council with Dr. Hinckley; suggestion was made that space availability for clinic use be checked out with Columbia Union College.

9. Cable Board. Councilmember Bradley spoke concerning function and responsibilities of the board; said they will set policy and oversee direction of the City's channel.

10. Columbia Union College - City Institute. Joan Adams, representing the college, was present and spoke; said the community would need to be surveyed to eliminate duplication of service; two courses planned to be offered are "Career Assessment" and "Goal Planning." Councilmember Aldrighetti stated the City hoped to offer free to low-cost courses to meet community needs; the college's offer would provide an immediate opportunity to initiate this goal, could be under auspices of the Library, thus expanding its role and adding to its longterm usefulness in the community. The Mayor expressed concern about ensuring that such an undertaking not falter or collapse. Councilmember Bradley stated she would not support any fees if the classes were a part of Library services; thought the Library Director should assess how this proposal would fit into plans for her department, thought the classes might be a one-time event and not provide any data. Ms. Adams stated C.U.C. would be willing to run the classes and provide the City with data. Councilmember Aldrighetti thought the committee should provide recommendations relative to where classes should be held and what should be offered. Recommendation was that the Library Director be advised to furnish Council her response to the proposal by August 6, 1984.

11. July 30 worksession. Decision was that a worksession would be held on July 30.

There being no further business to discuss, the meeting adjourned at 11:30 p.m.

Process for Review
of
Special Exceptions for Accessory Apartments

- A. Procedure for handling accessory apartment petitions:
1. The City's Code Enforcement office will determine to the extent possible whether or not the property meets all Board of Appeals requirements, as set forth in the attached document and provide a report to the ACA/O for submission to the Mayor and Council.
 2. In addition, the Code Enforcement office will make a full and complete inspection of the property, using City's housing standards, and submit same to the ACA/O, along with a recommendation. The report shall include, but not be limited to, the following:
 - a. Nature and severity of any violations of the housing code;
 - b. History of property owner (if any) in making timely repairs;
 - c. Location of apartment within the main dwelling;
 - d. Whether or not apartment has been registered with the City;
 - e. Whether apartment is new, existing, or classified as noncomplying
 3. Request the Fire Department to make an inspection and provide a report.
 4. Survey property owners in neighborhood, including petitioner and local citizen's association.
 5. Channel petition through Historic Preservation Committee for recommendation, if applicable.
 6. Obtain Park and Planning's staff report from Development Review Division.
- B. The Mayor and Council shall consider, but not be limited to, the following factors in taking a position:
1. Reports from Code Enforcement and Fire Department:
 - a. Compliance with Board of Appeals requirements
 - b. Compliance with City housing codes
 - c. Compliance with Fire Code
 2. Results of neighborhood survey, including immediate concentration of accessory apartments in neighbor housing pattern.
 3. Recommendation of local citizens' association
 4. Input from petitioner, if any
 5. Historic Preservation Committee recommendation, if applicable
 6. Park and Planning's staff report recommendation.

July 20, 1984

MEMORANDUM

TO: Mayor and Council

FROM: City Administrator Wilson

SUBJECT: Pre-Council Session, Monday, July 23, 1984

AGENDA

6:30 PM Discussion of Police Communications System
- materials in package
(food will be provided)

7:30 PM Nomination of City representative to
Montgomery County Community Development
Citizens' Advisory Committee --
Paul d'Eustachio requested to attend

CLOSED SESSION - Personnel Matter
Request for extension of Injury Leave
-- Cpl. K.W. Lucas (materials in package)

Pre-Council Worksession of the Mayor and Council

July 23, 1984

The Mayor and City Council met in Pre-Council worksession at 6:30 P.M., on Monday, July 23, 1984, with the Mayor chairing. Present were: Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, Haney, Iddings and Williams; City Administrator Wilson, Asst. City Administrator Habada, Police Chief Fisher, Police Lt. Gowin, Corporation Counsel Gagliardo, Asst. Corporation Counsel DeNovo.

The following matters were discussed and acted upon:

1. Discussion of Police Communications System. Following discussion, consensus of the Council was to reject the two bids received.
2. Nomination of City representative to Montgomery County Community Development Citizens' Advisory Committee. Consensus of the Council was that Paul D'Eustachio be nominated for appointment to the county committee to represent the City.

Closed session convened at 8:10 P.M. to consider Police Cpl. K. W. Lucas' request for extension of injury leave; adjourned at 8:15 P.M. to reconvene in regular session at 8:30 P.M.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
July 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 JULY 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

(2) Appointment of nominee to Montgomery County's Community
Development Block Grant Citizens' Advisory Committee
Citizens' comments
Council action

(3) Affirmation of Council decision on Special Exception S-952,
to permit continued use of existing Accessory Apartment at
113 Sherman Avenue (Public Hearing held 7-18-84)
Citizens' comments
Council action

(4) First reading of an ordinance establishing a City/Citizen
Cable Board
Citizens' comments
First reading

(5) First reading of an ordinance authorizing installation of a
stop sign on Kennebec at its intersection with Houston Avenue
Citizens' comments
First reading

(6) First reading of an ordinance authorizing a stop sign on
Houston at Sligo Creek Parkway
Citizens' comments
First reading

(7) First reading of an ordinance to create a 3-way stop at the
intersection of Flower Avenue and Jackson Avenue
Citizens' comments
First reading

ADJOURNMENT

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

CITY OFFICIALS PRESENT:

Mayor Abbott	City Administrator Wilson
Councilmember Aldrighetti	Asst. City Administrator Habada
Councilmember Bradley	City Clerk Pusti
Councilmember Dalmat	Housing Director Tyree
Councilmember Haney	Asst. Housing Director Austin
Councilmember Iddings	Police Chief Fisher
Councilmember Williams	Police Lt. Gowin
EXCUSED: Councilmember D'Ovidio	Recreation Director Ziegler
	Corporation Counsel Gagliardo
	Asst. Corp. Counsel DeNovo

The Mayor and City Council of Takoma Park, Maryland, met on July 23, 1984, at 8:15 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland.

Following the pledge, Council Meeting Minutes of July 9, 1984, were presented for approval. City Administrator Wilson pointed out that Asst. Housing Director Austin should have been included under "City Officials Present." Councilmember Bradley moved adoption of the minutes, as amended, duly seconded, carried unanimously.

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

The Mayor commented that a VFW representative was scheduled to appear and receive a proclamation; however, was not present. This was in connection with the VFW Muscular Dystrophy Carnival scheduled for July 21, which was rained out (held indoors).

Councilmember Iddings announced that Sunday, July 29, would be "Carfree Sunday" in Sligo Creek Park. This was accomplished through the joint efforts of City officials and various associations. The parkway between Maple Avenue and Piney Branch Road will be closed from 11:00 A.M.-8:00 P.M. Washington Adventist Hospital has volunteered use of their north parking lots (off Maple Avenue) for attendees. There will be picnics, a free bicycle maintenance clinic, free bike inspections, a guided nature ecology walk along the creek, information tables, a bike rodeo for younger children, a film presentation on bicycle commuting; encouraged everyone to participate.

Councilmember Iddings commented that on July 19, the City's Historic Preservation Committee took the first steps toward placing the National Registry areas in the Montgomery County portion of the city on the county's Master Plan for Historic Preservation. Said a hearing was held before the county's Historic Preservation Commission; vote was unanimous that generally Takoma Park is a historic district, boundaries for the first phase would be the same as the National Register districts (parts of Wards 1, 2 and 3). The process is that the commission will make a recommendation to the Park & Planning Board, another hearing will be held, and if the decision agrees with the commission's, it will then go to the County Council for Master Plan amendment and another public hearing; entire process will take at least 5-6 months. Said at a later date, the committee will be going back to the commission to request that some other areas of the city be placed on that Master Plan. Councilmember Haney commented this is a beneficial move, will enhance the city, certain areas deserve this recognition. Councilmember Iddings remarked that one benefit is that people in these areas will be eligible for tax credits if they restore their homes.

ADDITIONAL AGENDA ITEMS

Police Radio Communications System (Mayor Abbott)

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

John Hemphill, 8112 Flower Avenue: Referred to an article in the August 1984 issue of "Scientific American" magazine, entitled "The Climatic Effects of Nuclear War;" inquired whether a letter had been sent to a city in Russia similar to Takoma Park, as mentioned in the City's Nuclear Freeze Ordinance. The Mayor stated that no response was received to a letter sent to the embassy; however, the Russian government has an office that handles such requests and contact will be made with them. Councilmember Iddings remarked that efforts have been made on a number of fronts toward acquiring a sister city in

Russia. The Mayor commented on receipt of a letter from Crawley, West Sussex, England, requesting affiliation with Takoma Park (copy attached).

Margaret McFarland, 806 Maplewood Avenue, member of Montgomery County Historic Preservation Commission: Reported on the July 19 meeting concerning Takoma Park; said the commission's decision making process is a two step procedure: 1) does it meet the criteria for a historic district; and 2) what should the boundaries be. Most of the lengthy discussion that took place concerned what boundaries should be recommended to the Park & Planning Commission. Input was received from citizens' groups and local advisory committees; the commission is very favorably inclined toward working with the City and its citizens on the route they wish to follow in presenting the matter to Park & Planning. Said it was voted that the National Register boundaries would be recommended; however, everyone involved feels those boundaries are inadequate and there is a question as to what is strategically the best way of getting additional areas or some sort of combined areas to the County Council. Hoped an educational effort aimed at citizens and businesses in the City would be put forth, input sought, and additional areas submitted in the fall for consideration. Councilmember Bradley commented on the lack of an educational process, involvement of other neighborhoods in discussion; said the Mayor and Council should utilize the Newsletter, hold public hearings and briefings, and set some deadlines for decisions. Ms. McFarland stated she did not think Park & Planning would deal with the issue until all the districts are submitted (they will be advised an expansion of boundaries is anticipated); suggestion was made that the City committee divide areas for submission into sub-groups. Commented the county recently adopted legislation which provides for a property tax credit of up to 10% of the amount spent on an historic house, a positive financial benefit of having an historic house. Commented on a particular site on Tulip Avenue which was controversial procedurally and was remanded back to the local committee to be resolved with the developer.

Rachel Finan, 802 Jackson Avenue: Referred to a recent letter from Councilmember Aldrighetti concerning possible installation of a 3-way stop at Flower and Jackson Avenues; said the section of Flower from Jackson to Sligo Creek Parkway is very narrow, parking is permitted on both sides (creating a dangerous situation); commuters are using that section as a cut-through, suggested making it one-way from Sligo Creek to Jackson. Did not object to the proposed stop sign installation. Councilmember Aldrighetti commented that in talking with constituents, fears have been expressed of creating traffic "chutes" (permitting traffic to move much faster than in two-way situations) by making streets one-way. Remarked that petitions on speed bumps are circulating that people should be aware of. Mayor Abbott suggested that Ms. Finan submit her proposal in writing to Councilmember Iddings, Chairman of the Traffic Committee. The Mayor commented that, generally speaking, one-way streets tend to facilitate speed rather than traffic; other alternatives should be considered.

Marcine Rinker, 7315 Flower Avenue (corner of Flower & Jackson): Said she has resided at her present address since February 1983; in that time period, has had at least 4 people "plow through" her fence, a head-on collision occurred in front of the house; is very concerned. Said there are not obvious signs warning how sharp and dangerous the curve is (old one is inadequate and damaged); hedges obscure the view. Supported the proposed 3-way stop, and, additionally, placement of dangerous curve warning signs. The Mayor suggested that the Councilmember for that area check with the police department and set the process in motion for placement of an adequate curve warning sign.

Saul Schneiderman: Reminded that there will be a 7th annual Folk Festival held on September 9, monies raised will benefit youth-oriented organizations; fund recipients are being sought who are not only youth-oriented community groups, but who will work with the festival on a volunteer basis, e.g., Girl Scouts, Boys & Girls Club, both of whom have helped with the festival in the past. Said there are about 3 weeks remaining for groups to submit their notes of intent.

ITEMS FOR COUNCIL CONSIDERATION:

1. Communications

City Administrator Wilson stated that the City has been informed by PEPCO that they will commence consolidation of wiring in Takoma Old

Town sometime this week and it should be completed by early September; cost to the City will be \$42,000, which includes the new traffic signal. The Mayor requested that it be ensured with State Highway Administration that the traffic signal is upgraded and right turn on red will no longer be permissible. Mr. Wilson also commented on receipt of a thank you letter from the President of the Takoma Park Independence Day Committee, Inc., stating they are looking forward to working on the festivities next year.

2. Administrative Reports and Recommendations for Council Action:

(1) Appointment of nominee to Montgomery County's Community Development Block Grant Citizens' Advisory Committee. Councilmember Bradley related that Paul D'Eustachio is the current Chairman of the City's Block Grant Committee; is Council's choice to represent the City on the county committee; moved Mr. D'Eustachio's nomination, duly seconded by Councilmember Dalmat. In response to query, Mr. D'Eustachio stated he would accept the nomination, expressed thanks. The question was called; appointment approved unanimously. Councilmember Bradley stated that Mr. D'Eustachio will be receiving a letter clarifying Council's expectations, e.g., regular reports, etc. Mr. D'Eustachio stated he had sent a letter of application for the position on the county committee to County Executive Gilchrist; requested that a letter of formal recommendation from Mayor and Council be forwarded to Mr. Gilchrist.

(2) Affirmation of Council decision on Special Exception S-952 to permit continued use of existing Accessory Apartment at 113 Sherman Avenue (Public Hearing held 7-18-84). Mayor Abbott commented that a consensus of approval was reached in worksession; Councilmember Aldrighetti remarked that Council, in the same worksession, adopted a procedure for review of accessory apartment applications. The Mayor commented a number of applications have been made; hearing dates have been set; the review procedure will expedite action by the City. A motion was made by Councilmember Williams, duly seconded, that Council support granting of the Special Exception; carried unanimously.

(3) First reading of an ordinance establishing a City/Citizen Cable Board. Councilmember Bradley introduced the ordinance which was developed by the City's Cable Committee; said it proposes establishment of a board to deal with policy matters relating to public access, as well as advise the City on its use of the resources. One of the key objectives is to develop programming on the municipal channel which will advance greater public understanding of municipal and other public affairs issues and facilitate participation of city residents in municipal decision making processes. Said there might be very minor amendments to the ordinance which would not alter the substance; moved acceptance of the ordinance for first reading, duly seconded.

Paul D'Eustachio, 6611 Allegheny Avenue: Spoke in support of the ordinance; said it was drafted over a 4-year period, a very substantial amount of work and effort was invested. Remarked on extensive publicity in the City Newsletter covering cable matters; commented the Cable Committee meets the second Tuesday of each month. Commented on the numerous alternatives discussed; said the proposed ordinance is a compromise which presents a solution acceptable to everyone involved and can provide the city with excellent service. In response to query from the Mayor, City Clerk Pusti stated that holding a "straw vote" on the issue during the City election had been discussed; said Cable Committee Chairman Bruce Moyer suggested it would be best to hold the straw vote in a part of the building separate from election proceedings, using paper ballots. Question was posed why board members were not made elected officials; response was that approach would complicate the process; formal election would entail more substantial expense to the City. Councilmember Bradley remarked that the straw vote is used in other communities for this purpose; commented that the language on page 3, Sec. (E)(1)(a) should be clarified relative to whether participation will be limited to registered voters only, meaning of "straw" vote; said this should be done prior to second reading in August. Mr. D'Eustachio stated that the question of who could vote was not ignored by the Cable Committee, was very extensively discussed, there is no simple solution; however, the point will have to be clarified prior to second reading. Did suggest that the vote be limited to Takoma Park residents. Councilmember Bradley commented

that subscribers help to pay for the service, thus should be entitled to vote whether or not they are registered voters. Commented many municipalities have no specific plan; Rockville will permit no programming that is not approved or sponsored by the city; Takoma Park hopes to have not only City government sponsored programming, but also public access without government intervention. Councilmember Iddings questioned the intent of the word "manage" as used in line 3 of the "NOW, THEREFORE" paragraph on page 1 of the proposed ordinance. Mr. D'Eustachio stated that in relation to the overall substance, he thought it was clear that the Board will not be dealing with day to day management issues; inclusion of the word may be unnecessary and provide unintended implications; however, a certain degree of management is implicit in the function of the various committees named on page 3 of the ordinance. Councilmember Iddings expressed concern that a problem might arise relative to the Cable Coordinator being responsible to two bosses; thought the language of the ordinance should be examined and made more explicit in that area. Councilmembers Aldrighetti and Bradley stated they felt the ordinance to be acceptable in this aspect; that it has been previously clarified that the Cable Coordinator will report to the City Administrator; the Board's role is supportive, advisory, and is set out in great detail. Councilmember Iddings pointed out that Section 3(C) does not include a Council review process; Mr. D'Eustachio commented it could be amended to do so, however, he did not support that concept. From a practical standpoint, did not think Council should be burdened with examining, considering and deciding upon each and every policy decision that arises relative to the channel; Council has the ultimate power to examine and change anything/everything in the ordinance. Councilmember Bradley stated that there is no formalized policy at present in Montgomery County; the City's situation is somewhat unusual in that the one channel will be shared by the government and the community (other areas frequently have several channels, one assigned for public access, others for government use). Those areas having a separate public access channel have boards whose function is to assure that there is not government interference, that the channel is run by and for citizens. This government/citizen separation should be ensured on the City's channel, even though it is shared, and citizens should share in the responsibility. Councilmember Iddings raised a question regarding Sec. 6 (B)(2), meaning of "technically acceptable;" response was that intent was that technical aspects be without fault, e.g., when the camera pans, it doesn't smear; color balance be correct, etc.; technical minimum standards are met. In discussion that followed, Mr. D'Eustachio pointed out that if any one section of the ordinance was singled out and considered by itself, it would present a distorted view; said the sections relate directly to one another and must be considered in that context. Councilmember Iddings suggested adding to the aforementioned section the wording "in accordance with the policies set by the Board." Comment was made that statement seemed to be inherent in the document; Mr. D'Eustachio agreed but commented that if Council would feel more comfortable with insertion of that wording, the committee would have no problem with so doing.

Robert Smith, 640 Kennebec Avenue: Expressed support for the ordinance; said it is well-planned, complete, and meets the needs of the city and its citizens; leaves room for adjustment and growth, creates a partnership between city government and members of the community; urged Council to move forward on the ordinance.

John Hemphill, 8112 Flower Avenue: Spoke in support of the ordinance; mentioned the time and effort invested in its creation.

Adele Abrams, 311 Elm Avenue: Stated the way the Board is set up relative to members provides a good system of checks and balances; saw the role of the Board as being primarily advisory and oversight of issues in cooperation with the Cable Coordinator; supported the ordinance. Expressed concern that all residents be permitted to vote in the straw vote; said it is very important that minority populations be included in the decision making process. In response to query from Councilmember Haney, stated there is an Hispanic woman member of the Cable Committee; hoped other minority groups would become involved. Councilmember Bradley remarked that a varied number of persons representing all segments of the citizenry have taken the course related to cable TV (120-150 people have taken the course). The Mayor commented that Tribune United will soon be advertising a large number of positions available in the county system; that information will be in the City

Newsletter.

Rosemary Dillingham, 7018 Carroll Avenue: Said she participated in the video course, found it very exciting; encouraged minority groups to take advantage of this opportunity.

The ordinance was accepted for first reading.

Proposed Ordinance
(attached)

(4) Resolution on Police Radio Communications System. Councilmember Iddings read the resolution which states that bids on the system were received only from General Electric and Motorola, both of whom are engaged in nuclear armaments research and production activities, and City Ordinance No. 2703 prohibits the City from entering into contracts with such firms; cites lack of Notice of Certification required by the aforementioned ordinance; resolves that the two bids be rejected. He made a motion that the resolution be passed, duly seconded by Councilmember Bradley. Councilmember Iddings commented that the issue had been discussed extensively; Council is bound by the ordinance to reject the bids. The question was called; resolution passed unanimously.

Resolution
(attached)

(5) First reading of an ordinance to create a 3-way stop at the intersection of Flower Avenue and Jackson Avenue. Councilmember Aldrighetti proposed amending the ordinance under Section 2 to include language requiring Public Works to install appropriate warning signs on Flower Avenue, duly seconded by Councilmember Bradley; amendment carried unanimously; ordinance accepted for first reading, as amended.

Proposed Ordinance
(attached)

(6) First reading of an ordinance authorizing installation of a stop sign on Kennebec at its intersection with Houston Avenue. Councilmember Bradley remarked that this ordinance and the next one on the agenda relate to a complicated and dangerous intersection, heavily traveled. Urged that the ordinances be accepted for first reading and installation of the signs be expedited. Councilmember Iddings proposed an amendment, creating a new Section repealing Section 3 of Ordinance 1465 (which originally authorized installation of the Yield sign on Kennebec); amendment duly seconded, carried unanimously. Ordinance accepted for first reading.

Proposed Ordinance
(attached)

(7) First reading of an ordinance authorizing a stop sign on Houston at Sligo Creek Parkway. Councilmember Iddings proposed amending the ordinance by addition of a Section repealing Sections 1, 2, 4, and 5 of Ordinance 1465; duly seconded; carried unanimously. Ordinance was accepted for first reading.

Proposed Ordinance
(attached)

Reminder was made that the Patner Appeal would be heard before the Prince George's County Council at 1:30, Monday, July 30. Councilmember Bradley commented that the Open Space Advisory Committee will be verifying the existing survey on open spaces in the City; will be formulating criteria; staff and others will look into Open Space funding. Upon motion, duly seconded, the meeting adjourned at 9:40 p.m., to reconvene in regular session at 8:00 p.m. on Monday, August 13, 1984. (Two public hearings will be held during the interim period: 1) Public Hearing on Landlord-Tenant Ordinance, 7:00 p.m., Monday, August 6; 2) Public Hearing on the Speed Hump Program, 8:00 p.m., Wednesday, August 8.)

Home Address: 36 Deerswood Road, West Green, Crawley, West Sussex,
Great Britain.



From the Council Members' Room at the

TOWN HALL, CRAWLEY, SUSSEX.

To: The Mayor, City of Takoma Park, 7500 Maple Avenue, Takoma Park,
Maryland 20912, United States of America.

Date: 17th July 1984

Dear Mr. Mayor and Councilmembers of the City of Takoma Park,

I had the great privilege of attending the First International Conference of Nuclear Free Zone Local Authorities in Manchester between 12th and 15th April this year, as one of the delegates of Crawley Borough Council, of which I am a Member.

At that Conference I had the pleasure of meeting your daughter and listening to the very warming news of how the Nuclear Free Zone movement is growing in the United States. In particular, I obtained -and have shown to my colleagues- your Ordinance No. 2703 declaring your City a Nuclear-Free Zone.

In support of the Conference Resolution urging all supporting authorities "to develop and encourage peace education and international links", Crawley Borough Council is seeking to extend its formal "town twinning" links and to try and set up less formal links with other local authorities throughout the world which share our belief and work towards a nuclear-free world. I am therefore writing to you to ask whether you would be prepared to set up with Crawley an interchange of ideas and news about our activities, whilst spreading news about our towns and the people who live there. This has not yet been formally approved by my Council but my colleagues have informed me that should your Council desire such an arrangement, we should be only too happy to pass the necessary Resolution.

For your information, Crawley Borough Council was one of the first Nuclear Free Zone local authorities in this country, and living with Gatwick Airport -the second London airport after Heathrow- in our Borough, we are clearly going to be a major strategic target in



From the Council Members' Room at the

TOWN HALL, CRAWLEY, SUSSEX.

: 2 :

the event of a nuclear war. It has been the intention of my colleagues and I to work with other local authorities in this country to educate the public and work with the Peace Movement here, in order to show the folly of nuclear war and any pretence of civil defence. I believe that the City of Takoma Park has a comonality of interest with Crawley Borough Council in this matter, and I hope that your Council will agree to sharing information about our peoples.

This is important for us because I am to present to this Council a Resolution declaring 1985 the Crawley Peace Year, during which we shall be intensifying national and international activity culminating in the international week of action during August 1985 to commemorate the dropping of the first atomic bombs on Japanese cities.

I fervently hope that we can share our experiences and interests and work together, in furtherance of our stated aim of a nuclear-free world.

Yours most sincerely,

Councillor Graham Todd

PROPOSED ORDINANCE

ON THE ESTABLISHMENT OF A CABLE TELEVISION BOARD

WHEREAS, the City of Takoma Park, Maryland is a co-franchisor of the Montgomery County cable television franchise; AND

WHEREAS, a municipal channel on the Montgomery County cable television system has been dedicated for the use of the City of Takoma Park; AND

WHEREAS, the Takoma Park municipal channel has significant potential as a communications vehicle for use by the City of Takoma Park and its residents to inform, educate, and entertain city-wide and county-wide with regard to matters of public and cultural interest; AND

WHEREAS, it is in the interest of the City of Takoma Park and its residents to actively promote and use the municipal channel as a municipal communications resource; AND

WHEREAS, both municipal access and public access programming should be presented on the Takoma Park municipal channel; AND

WHEREAS, the management of the municipal channel is best promoted by a partnership of City and citizen participants widely representative of the City population.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND that a Cable Television Board be established to oversee, manage and promote the use of the Takoma Park municipal channel by the City and its residents, as set forth below:

Section 1. Establishment of a Takoma Park Cable Television Board.

A Takoma Park Cable Television Board is established, which shall possess all powers and responsibilities as set forth in this ordinance.

Section 2. Objectives.

The objectives of the Takoma Park Cable Television Board are to support and promote:

(A) Programming on the Takoma Park municipal channel that advances greater public understanding of municipal and other public affairs and that facilitates the greater participation of City residents in

municipal decision-making processes and the life of the community.

(B) Programming that widens public knowledge of City and community programs and events and enhances the quality of life within the community.

(C) Programming that fosters a greater sense of community in the City through recognition of the broad span of nationalities, ages, races, cultures and talents that flourish throughout the City.

Section 3. Authority and Responsibility.

The Board shall assist in the management of the Takoma Park municipal channel by performing responsibilities including, but not limited to, the following:

(A) Advise the Mayor and City Council on policy relating to the production and presentation of municipal access programming appearing on the channel;

(B) Advise the City Administrator on the selection and hiring of staff to manage and operate the channel;

(C) Determine all policy relating to the production and presentation of public access programming appearing on the channel;

(D) Establish rules of procedure necessary for the conduct of its affairs.

(E) Coordinate and perform fundraising efforts to assist in the operations of the channel;

(F) Annually report to the Mayor and Council and the public on the operations of the municipal channel. The report shall include an assessment of the Board's operating structure and the suitability of a non-profit corporation as an alternative operation structure.

Section 4. Organization of Board.

(A) The Cable Board shall be composed of 11 members.

(B) The Mayor and Council shall appoint the initial 11 members of the Board, who shall broadly represent the population of the City and include people knowledgeable about community service and television production.

(C) All members shall be residents of Takoma Park.

(D) The term of office of 8 of the initial members shall run to 60 days after the November, 1985 City election. The term of office of the 3 remaining members shall run to January 1, 1986.

(E) Successors to the 11 initial members shall be selected in the following manner:

(1) In years of city elections:

(a) Four members shall be elected by the citizens of Takoma Park by a straw vote held during the City election;

(b) Four members shall be appointed by the newly constituted City Council within 60 days of the City election.

(2) In years between city elections, 3 members shall be appointed by the members of the standing Board.

(F) Except for the initially-appointed members, members of the Board shall serve a term of two years. No member, including those initially-appointed, may serve more than 3 consecutive terms.

(G) The Board shall select its chairman, upon confirmation of the Council, to serve for one year.

(H) Upon the creation of any vacancy on the Board, the Board shall nominate for the consideration of the Mayor and Council a person to fill the remaining term. The Mayor and Council shall be appoint qualified persons to fill all Board vacancies.

(I) Every effort shall be made in the appointment and nomination of members to the Board to assure Board membership broadly representative of the City's population and knowledgable about community service and television production.

Section 5. Committees.

The Board shall establish the following standing committees, composed of Board members and City residents, to assist the Board in the performance of its responsibilities:

- (A) Program Committee
- (B) Operations Committee
- (C) Fundraising Committee

(D) Nominating Committee

Section 6. Use of Municipal Channel Resources.

(A) All City staff, equipment, air time and other resources related to the operations of the channel shall generally be shared evenly among municipal and community needs. In the event of conflict, municipal needs shall be met on a priority basis.

(B) All qualified City residents, whose qualifications shall be determined by the Board, shall have the right of reasonable use of:

(1) The City's video equipment package to produce public access programming for presentation on the channel.

(2) Air time on the channel to present technically acceptable public access programming.

RESOLUTION

WHEREAS, bids were solicited for a police radio system; AND

WHEREAS, the only bids received were from General Electric and Motorola; AND

WHEREAS, both General Electric and Motorola are knowingly and intentionally engaged in the development, research, testing, evaluation, production, maintenance, storage, transportation and/or disposal of nuclear weapons or their components; AND

WHEREAS, it appears, in addition, that the request for proposal issued in this case did not include the notice of certification required by Section 6 of Ordinance No. 2703.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT the bids from General Electric and Motorola be rejected.

ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK,
JULY 23, 1984.

ORDINANCE NO.

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

- SECTION 1. THAT all vehicular traffic travelling in either a northerly or a southerly direction on Flower Avenue shall come to a complete stop at that street's intersection with Jackson Avenue, thereby creating a 3-way stop; AND
- SECTION 2. THAT the Director of Public Works is hereby requested to erect the appropriate signs and install the following crosswalks and stop bars: a stop bar and crosswalk across Jackson Avenue and a stop bar and crosswalk across Flower Avenue designed in such a way as to connect the two existing handicapped ramps; in addition, he shall install signs warning approaching motorists on Jackson Avenue of the stop signs and sharp curve ahead; AND
- SECTION 3. THAT this ordinance shall become effective upon completion of the signing and installation of the crosswalks and stop bars; 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.

ORDINANCE NO.

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

- SECTION 1. THAT Section 3 of Ordinance No. 1465, adopted October 28, 1957, is hereby repealed; AND
- SECTION 2. THAT all vehicular traffic on Kennebec Avenue shall come to a complete stop at that street's intersection with Houston Avenue and Sligo Creek Parkway; AND
- SECTION 3. THAT the Director of Public Works is hereby requested to erect the appropriate sign and to install a stop bar on the roadway of Houston Avenue; AND
- SECTION 4. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 5. 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.

ORDINANCE NO.

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

- SECTION 1. THAT Secs. 1, 2, 4 and 5 of Ordinance No. 1465, adopted October 28, 1957, are hereby repealed; AND
- SECTION 2. THAT all vehicular traffic on Houston Avenue shall come to a complete stop at its intersection with Sligo Creek Parkway; AND
- SECTION 3. THAT the Director of Public Works, in consultation with the Chief of Police, shall install a stop sign and stop bar on the extreme southwest corner of Houston Avenue at its entrance to Sligo Creek Parkway; AND
- SECTION 4. THAT this ordinance shall become effective upon completion of the signing; AND
- SECTION 5. 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.

July 27, 1984

MEMORANDUM

TO: Mayor and Council

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

SUBJECT: Worksession, Monday, July 30, 1984, 7:30 PM

AGENDA

- (1) Stormwater Management Program
- (2) Cable Television Board Ordinance Modifications
- (3) Landlord-Tenant Ordinance
- (4) Nuclear Free Zone Ordinance Amendments (Iddings)
- (5) Takoma Old Town Issues:
 - Status Report
 - Decision regarding lamp posts
black lamp posts, frosted globes, 70 watt bulbs
 - Move bench at Suburban Bank (because of potential use by
criminals) to spot against window of Middle East Grocery
 - Move bench at Shampoo from curb to spot against window
 - Trash Cans
 - Retaining wall and Exxon driveway
 - Facade compliance
- (6) Program Open Space Report/Update
- (7) Amendments to Montgomery County Accessory Apartment Law
- (8) Takoma Junction "Study" (prepared by Morton Hoffman & Co., Inc.)
- (9) Safeway Expansion Update (Haney)
- (10) Council action on Citizens' Advisory Committee's position to
replace Project Manager of Sligo Creek Sewerage Facility Plan
- (11) Report on resolution of City paychecks
- (12) Report on meeting with Prince George's Co. Council re Fire
Service Issue

Mayor and Council Worksession

July 30, 1984

The Mayor and City Council met in worksession at 7:35 p.m., Monday, July 30, 1984. Present were: Mayor Abbott; Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; City Administrator Wilson, Asst. City Administrators Habada and Robbins; Corporation Counsel Gagliardo.

The following matters were discussed and acted upon as indicated:

1. Stormwater Management Program. A resolution to adopt the Prince George's County law will be prepared for review at the August 6 worksession. Concerns were expressed regarding the August 31 compliance deadline.
2. Cable Television Board Ordinance Modifications. City Clerk Pusti is to review and comment upon the fourth of the changes proposed by Cable Committee Chairman Bruce Moyer. Questions concerning cable tenant access will be referred to Corporation Counsel for clarification, including exclusivity of contracts vis-a-vis anti-trust regulations, public policy, etc. Comment was made that Cable Compensation Commission members should be appointed as soon as possible.
3. Landlord-Tenant Ordinance. There was a consensus that the 3-member hearing panel system for COLTA would be considered for incorporation as opposed to rules; other issues to be addressed are possible insertion in the ordinance of a time requirement for COLTA decisions; problem of deterioration of units, transfer of properties; matter of extending condominium conversion coverage to Prince George's County section of the City. Councilmember Bradley commented on a problem in regard to status reports from the department; focus should be directed more toward violators/violations, meeting deadlines for response. Requests were made for a report on municipal infractions by August 6, including the number written, negotiated, and delinquent fines; devisal of a form by Housing staff for COLTA's written opinions which would state particulars at the end; a cross-reference on zoning and registration. Comment was made concerning the need to devote more staff time to the question of a process for licensing in the City. Following discussion, agenda items were scheduled as follows: 8/6/84, Rent Guidelines Public Hearing; 8/13/84, COLTA Operations/administration and first reading of proposed amendments; 9/4/84, Municipal infractions, second reading of proposed amendments; 9/10/84, adoption of amendments to ordinance.
4. Nuclear Free Zone Ordinance Amendments. Section 6(e) concerning "buy American" was dropped from amendments proposed by Councilmember Iddings; amendments will be discussed further at the August 6 worksession. Questions were posed regarding the evaluation of the current police radio communications system and when it would be presented; whether there will be a recommendation made to upgrade the current system and what the cost would be to do so as a temporary measure. Request was made that a copy of the contract with Mr. Frost, consultant, be procured for examination. As a step toward procuring new equipment, specifications will be prepared for 450 MHz and 800 MHz bands, taking into consideration all possible available frequencies.
5. Takoma Old Town Issues: Following presentation of a status report, decision was made to use black lamp posts, frosted globes, and 70 watt bulbs; move the Suburban Bank bench to a spot against the window of the Middle East Grocery and move the Shampoo bench from the curb to a spot against the window; use galvanized steel trash cans in Old Town. Discussion centered on the E & X Exxon area; mention was made of a railroad tie sticking out of the retaining wall at that location; screening requirements; problems with storage of auto body parts, tires, etc.; abandoned autos which should be disposed of; and an unused lamp post. Questions were raised concerning whether car repair at the Exxon is a permitted use; facade compliance at Suburban Bank and by property owner Daugharthy. Comment was made that the contractor on the poster was paid \$1,000 and now refuses to complete it; decision was made to drop it with Corporation Counsel to proceed with termination of the contract and procurement of a refund to the City. Decision was made to direct staff to provide options on use of the \$11,800 remaining project funds. Mention was made of the need to

get State Highway to upgrade the traffic signal at Laurel and Carroll; need to communicate with businesses in the area concerning use of the Review & Herald Parking lot, issuance of cards to employees to use the lot. Concerning parking in the area, comment was made that enforcement is not consistent and police department should be so advised; parking on the sidewalk is a problem at Classic Auto Repair and should be strictly enforced; reduction of time periods on meters was suggested; City Clerk Pusti commented that the parking meter plan when completed will require amending the Code. Question was posed whether it would be possible to speed up installation of the clock in TOT. In response to query, it was stated that bike racks have been ordered, the architect will propose installation location.

6. Program Open Space Report/Update. Recreation Director Ziegler presented the report; information was requested concerning a fitness trail. Questions were raised concerning the Siegler property, i.e., what the appraised value was, who did the existent drawings and where did they come from, etc.

7. Safeway Expansion Update. Following discussion, consensus was that there was no objection; letter indicating approval of the proposed landscaping will be sent to the architect.

8. Council action on Citizens' Advisory Committee's position to replace Project Manager of Sligo Creek Sewerage Facility Plan. Decision was made to include this item on the August 6 worksession agenda and request local CAC members and legislative representatives to be present for discussion.

There being no further business to discuss, the meeting adjourned at 11:25 P.M.