

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING

RIDE-ON Bus Routes and Related Issues

Wednesday, February 13, 1985
7:30 PM

Those wishing to speak should use the sign-in list.

Speakers will be called in groups of five, to eliminate delays.

AGENDA

- 5 minutes Opening Comments - Mayor Abbott
- 15 minutes Response to Communications from Traffic Committee -
 Robert McGarry, Director, Montgomery County Department
 of Transportation
- 15 minutes Supporting Route Change - Maple Avenue Coalition
- 15 minutes Opposing Route Change - Philadelphia/Carroll Avenue
 Coalition
- 3 minutes
(per person) Comments by Citizens
- 5 minutes Supporting Route Change Rebuttal
- 5 minutes Opposing Route Change Rebuttal
- 5 minutes each, for Mayor and Council Comments

Resolution of Mayor and Council re Vehicle Size and Type, Noise, etc.

Resolution of Mayor and Council re RIDE-ON Bus Routes 13 and 17

ADJOURNMENT

THE CITY OF TAKOMA PARK, MARYLAND

PUBLIC HEARING
RIDE-ON BUS ROUTES AND RELATED ISSUES
February 13, 1985

CITY OFFICIALS PRESENT:

Mayor Abbott	Asst. City Administrator Robbins
Councilmember Aldrighetti	City Clerk Pusti
Councilmember Bradley	
Councilmember Dalmat	
Councilmember D'Ovidio	
Councilmember Haney	
Councilmember Iddings	
Councilmember Williams	

The Mayor and City Council met on February 13, 1985, at 7:45 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland, for the purpose of conducting a Public Hearing on Ride-On Bus Routes and related issues. In addition to those City officials above listed, Montgomery County Transportation Director Robert McGarry and several of his staff were present.

Following his opening comments, Mayor Abbott introduced the Acting Director of Transit Services, Ms. Genevieve Larry, Director of Equipment and Maintenance, Mr. Sherman Suwani, and Superintendent of Bus Maintenance, Mr. Joseph Shelton. He summarized the agenda and time allotments for various speakers; commented on the two factions with opposing viewpoints involved in the issue, the substantial amount of discussion that has occurred; said the February Newsletter articles presenting the two views were cogently stated. He explained that a Special Session will be convened at the conclusion of the hearing for adopting resolutions; decisions made by Mayor and Council will be based upon their elected responsibilities. He commented that material was supplied by the Traffic Committee to Mr. McGarry in advance of the hearing so that he would be prepared to respond.

RESPONSE TO TRAFFIC COMMITTEE COMMUNICATIONS:

Mr. McGarry thanked the Traffic Committee for the material provided; he addressed the points outlined in the proposed resolutions: said in the area of noise reduction, staff has examined the issue and does not know of any technical fix that would have even a small probability of reducing the operating engine noise; will continue to check for possibilities, however, no other companies checked with have had any advice to offer on that subject either. Concerning use of only non-turbo-charged buses in the City, pointed out that 90% of the routes in the county go through residential areas; decision as to where to place buses was based on maintenance (the non-turbo-charged buses were assigned to Gaithersburg because they require less maintenance and there is no maintenance facility there, whereas there is a maintenance facility in Silver Spring; cost factors had to be considered). He said maintenance will be increased on brakes to reduce noise caused by dirt, but that does not ensure that there will not be buses with squeaking brakes because that dirt accumulation can build up rapidly; will also increase the effort to promote adherence to regulations concerning slower starts on Maple Avenue after traversing speed humps. Regarding use of smaller buses, said there are none available - system has 4 smaller buses which operate on MacArthur Boulevard where there is a weight limit and 2 on the shuttle service in Bethesda; a few others operate on the para-transit service (which is subsidized and serves the disabled and elderly), were purchased for that purpose and will remain in that use; no provision for purchasing smaller buses was made in the proposed budget and he could not recommend that approach due to cost factors. The present size bus was put in service a number of years ago because the smaller ones were very expensive to maintain and did not hold up. Concurred with replacing current buses with quieter ones in the course of the procurement process, but noted that no replacement is planned for the near future. Plans are to rehabilitate and extend the life of the current system by about 5 years, rehabilitation program is projected to begin in 1988; next major purchase of buses will not occur before 1993. Concerning relocating bus routes from Maple Avenue, noted that when the issue first arose he wrote to the Mayor suggesting relocation and stating he was prepared to do so; said noise tests conducted by Montgomery County did indicate

that the speed humps were a cause of increased noise; concurred with information he had received that there was some hazard connected with having buses on that street. He stated his position that it would be worthwhile to relocate the buses and he is prepared to do so if that position is endorsed by Council; however, should Council not concur, then the buses will not be relocated.

SPEAKERS SUPPORTING ROUTE CHANGE:

Sandy Maynard Mack, Jr.: Based on the proposed resolutions, thought decisions had already been made, however, hoped that was not the case and that Council, as well as Ride-On, would make decisions based on solid fact rather than misinformation disseminated. Said if Council voted against the route change, the clear message would be that the end justifies any means whether it be spreading untrue, distorted information, making racial class statements, or dividing neighbor against neighbor. He stated that the struggle between the two factions is legitimate and inevitable in light of the sole option proposed by Ride-On; referred to a flyer disseminated by the opposing group on Philadelphia and Carroll Avenues which he said carried divisive misinformation; said Council cannot afford to reward a group using such tactics, a compromise must be worked out and if Council cannot do so, then the county must. Sympathized with residents not wanting more buses on their streets, expressed concern for elderly and disabled, however, said their needs are not met by the system except on upper Maple Avenue; said officials in possession of accurate statistical information had not spoken out to refute inaccurate claims at prior meetings on the subject (particularly a 90 second delay factor which was stated as 10 minutes); said rerouting would provide improved service, opposition is based on putting more traffic on other streets; reiterated that compromises must be considered and requested that the county assist in providing options that will both alleviate the problem on Maple and not incur damage on any other single street. The Mayor noted that neither he nor Councilmembers, with the exception of Mr. Aldrighetti, had seen the flyer referred to prior to the current hearing - Mr. Aldrighetti had seen it at a meeting with some of the people from Maple Avenue.

Steve Quick, 7112 Maple Avenue: Stated that the basis of the problem is that the county's bus fleet is extraordinarily noisy, therefore people on the route will be unhappy regardless of where they are routed. Assumed that the proposed rerouting will be voted down, did not think that totally unreasonable but questioned what alternative will be offered; did not think Mr. McGarry's responses were very encouraging insofar as what the county is prepared to do. He circulated copies of a proposal which he stated would improve service, relieve crowding and would more equitably share the burden of the bus routes; he spoke at length on that proposal which in effect would maintain (and increase) bus service on Maple during rush hours, but reroute the buses to main shopping areas during the day; hoped the discussion would focus on compromise solutions; urged Council not to ignore that petitions stating that the status quo is not acceptable had been signed by 350 citizens. In response to query from the Mayor, he stated that this proposal had not been presented to the Traffic Committee. Mr. Mack stated he had submitted similar proposals to that committee, however, they had been discarded; Councilmember Iddings commented that was not quite the case, that those proposals had inherent drawbacks.

OPPOSING ROUTE CHANGE:

Elliott Schwartz, 7 Philadelphia Avenue: Spoke in opposition to the proposed rerouting; reviewed the history of the issue and the efforts put forth on all sides; particularly applauded Councilmember Iddings and the Traffic Committee. He presented arguments against the rerouting, e.g., service would deteriorate due to longer travel times, access to the service would be reduced, delicate neighborhood balances would be jeopardized due to excessive traffic on already overburdened streets; said the proposal violates the spirit and letter of the Master Plan which calls for controlling and reducing traffic on Carroll and Philadelphia Avenues, Maple Avenue is the most natural and direct route for the buses (is considered a primary, major collector street); said speed humps should not be used as justification for rerouting, rerouting would interfere with operations of the Fire

Department (which strongly opposes rerouting); stated the proposal is only a bandaid for serious problems that are equipment-related rather than route-related. He noted that Ride-On's noise study indicates that noise and inconvenience on Maple Avenue would be considerably lessened if the speed humps were not there; said the problems, some of which are self-inflicted, should not be pushed off onto residents of other streets. He spoke at length addressing and rebutting the arguments raised by residents of lower Maple Avenue, said their primary goal, regardless of what is claimed, is getting the buses off their street. In closing, emphasized the need to end the issue permanently; urged Council to state their position definitively and support the present routing of the buses so that time and energies can be devoted to healing the rift that has occurred and dealing with more constructive and pressing issues.

Naomi Turner, 7667 Maple Avenue: Strongly opposed the proposed rerouting; said residents of upper Maple (including many elderly and disabled persons) are dependent upon the service and the new route would take them the long way around through heavy traffic and 4 additional stoplights; during rush hour could add 5-10 minutes to commute time, thus destroying the attractiveness of riding the bus. Commented on the overwhelming opposition generated by the proposal and said any other proposal for rerouting would draw a similar response.

The Mayor inquired of Mr. Quick whether his proposal was his own or whether it is supported by the lower Maple Avenue coalition; he responded that discussion had occurred of many different possibilities, his proposal was only one possible alternative, there are many others; noted that it is going to be difficult, if not impossible, to find a solution satisfactory to everyone concerned. Because of Mr. Quick's new proposal, the Mayor stated he would allow a few unscheduled minutes for comments on that item.

Naomi Turner, Pres. Upper Maple Avenue Citizens' Assn.: Said this issue has divided City residents, needs to be resolved and put behind; the residents of upper Maple need and are entitled to the bus service; reiterated strong opposition to the rerouting.

Bruce Moyer, 37 Philadelphia Avenue: Wished Mr. Quick had presented his proposal at an earlier point in the established process; said the riders of the bus already have access to the business district through the stop at Maple and Carroll Avenues, thought a survey of riders' interest should be made prior to instituting such a change.

CITIZENS' COMMENTS:

Tom Twomey, 7315 Willow Avenue: Spoke of past involvement in many fights to preserve the residential character of neighborhoods; said any citizen or citizens' group is entitled to voice their opinion(s) without any threat of reprisal and that is being denied the citizens of lower Maple Avenue; was appalled and surprised at the slanderous cartoon in the last Newsletter which he thought depicted the residents of lower Maple Avenue as a lower mean class of people; felt that Council had organized to oppose the wishes of the people on lower Maple Avenue and was willing to present verbal, as well as written, testimony to that effect at a later date, if so desired.

Daniel Bloom, 41 Philadelphia Avenue: Opposed rerouting; commented he felt Councilmember Iddings had been very unbiased on the issue; thanked the Mayor for conducting the hearing and hoped the issue would be resolved and ended; said any solution is bound to be a tradeoff, will not satisfy everyone; urged Council to vote in favor of the proposed resolutions and against rerouting.

Bill Robinson, 7409 Maple Avenue: Sympathized with both sides of the issue; thought there should be a compromise including some rerouting reached and asked that Council do that; played a recording made at a little after 6:00 P.M. at the mid-point between two speed humps on Maple Avenue, demonstrating the noise factor which he said is horrendous - nobody should have to put up with that sound - did not want to inflict that on residents of other streets. In response to query, Mr. McGarry reiterated his earlier statement that no approach had been found through research that would significantly reduce the noise level

of the buses. Mr. D'Ovidio inquired whether the muffler could be enlarged or modified if it were on the outside of the body of the bus; Mr. McGarry said that could be examined. Mr. Iddings stated he would like to know the process undergone to locate the current mufflers and whether they could be modified as suggested by Mr. D'Ovidio. The Mayor stated that Mr. McGarry would be asked to respond prior to considering the resolutions.

Virginia Bloom, 41 Philadelphia Avenue: Was not overly concerned with the noise, had learned to live with it; was concerned about traffic volume, has trouble getting out of her driveway; opposed the rerouting; said it sets a precedent for restricting access to the Metro station which is a community resource, would benefit a few residents but inconvenience many more; expressed complaints about noise generated by the Fire Department's T2 fire engine. The Mayor commented that the City divested itself of responsibility for the Fire Department in 1974, it is now under county jurisdiction.

Jesus Alamayos, 7218 Maple Avenue: Said inadequate planning went into purchasing of the noisy buses - had traveled many places in the world and never seen such noisy buses anywhere else; commented that there are many buses available that don't generate so much noise and pollution; abhorred the fact that the issue had divided neighborhoods.

Steve Meloff, 7302 Maple Avenue: Expressed concern about the proposed resolution indicating opposition to any proposed rerouting; did not think rerouting alternatives other than the sole one proposed by the county should be discarded prior to being discussed. He hoped that the expressed concern for safety on Maple Avenue would not be ignored; asked Mr. McGarry (disregarding the issue of the speed humps) whether it is possible for two buses to safely pass each other (without endangering people walking on the sidewalk) at the posted speed limit in the 7100 block of Maple considering the parked cars on one side of the street. Mr. McGarry responded that drivers would undoubtedly slow down in order to pass safely. Mr. Meloff suggested removing the parking on one side of the street and replacing the planting strip that was previously removed by the City, thus allowing buses to move more expeditiously and safely. Commented in favor of the speed humps and the safety they provide.

Bruce Wadel, 7315 Maple Avenue: Spoke of the disinterest he encountered when circulating a petition door-to-door on Westmoreland Avenue, however, said people did express dislike of the tactics employed by certain factions involved in the issue. He said there seemed to be a consensus among people he talked to that the buses would be a problem wherever they are due to noise, however, the problem should be shared; did not think the existing situation was equitable; suggested the issue be referred to an independent committee to come up with a solution fair to all concerned.

Dennis Seekins, 8217 Roanoke Avenue: Supported Ride-On going through residential areas for the sake of riders' convenience; opposed the proposed rerouting based on dislike of the tactics employed by the Maple Avenue group; suggested petitions might be required to provide space for opponents to sign as well as proponents so that a more valid representation of public opinion is acquired whenever petitions are circulated. In response to query, stated he felt the present routes serve the public well.

Manuel Palau, 7138 Carroll Avenue: Did not think Council was naive enough to be misled by representations made by either faction, would look at the whole picture and make a decision based on what they perceive as being best for the entire city. Opposed the proposed rerouting, however, would support any rerouting that would result in greater good for the entire community; thought the speed humps on Maple should be examined - not removed, but perhaps the size, shape, placement, etc., altered, which might alleviate the problem. He expressed thanks to Mr. McGarry for his time and efforts on this issue, and expressed gratitude for the Ride-On system and the service it provides.

Paul Plant, 7411 Carroll Avenue: Commented on traffic being a long-

time problem in the city, the history of traffic in the city and its related problems; said in order to reach a solution to the current issue, everyone must work together; opposed the proposed rerouting.

Wayne Upton, 7600 Maple Avenue: Concerning the proposal to reroute buses from Maple during non-rush hours, commented that many of the buses are sparsely used during those hours and there are already buses serving the routes proposed; noted that late night service to and from the Metro station is poor, does not serve all routes, in particular upper Maple Avenue, could be planned to better accommodate those using the service during late night hours.

Jimmy Kline, 7406 Maple Avenue: Referred to a comment made by Councilmember Bradley at a prior meeting; said the county is not doing its job in looking out for the best interests of all the citizens, is seizing upon the division of the citizens to take the easy way out; did not think the status quo should be accepted; encouraged taking Mr. Quick's proposal as a starting point, urged Council not to vote on anything at the present hearing but to continue working toward a fair and acceptable solution.

Lucinda Leach, 7207 Maple Avenue: Remarked on having recently purchased her home, has not yet moved in; expressed disappointment that she had searched for a long time for a home on a quiet residential street in a community with an open political process and now felt that she had been misled on both counts (had looked at the house on a weekend prior to purchase). The Mayor spoke in rebuttal, commented on the emphasis placed on citizen committees in Takoma Park (greater than in any other municipality in the metropolitan area) and the opportunity afforded for citizens to participate; urged involvement in the process. He pointed out that resolutions can be voted up or down, the proposed resolutions summarize recommendations of the Traffic Committee, the final outcome is not prejudged.

Carol Robinson, 7409 Maple Avenue: Spoke in defense of the speed humps, said traffic was a severe problem prior to the coming of the buses, problems with the buses exceeding safe speed existed prior to installation of the humps; people still go too fast even with the speed humps; thought existing problems are due to the nature of the street itself rather than to the speed humps; felt removal of the speed humps was being used as a threat to quiet complaints from residents.

Maureen Thompson, 7330 Piney Branch Road: Opposed the proposed rerouting; said apparently residents of lower Maple Avenue thought that if they put enough inconvenience in the way of motorists, traffic would automatically be diverted onto other streets and to an extent they achieved what they sought; however, the burden of commuter traffic is a community problem and should not be imposed solely on any one section of the community; asked that Maple Avenue residents share the traffic burden as other residents have shared in meeting past challenges.

Shirley True, 7202 Maple Avenue: Stated that Mr. McGarry does a great disservice to residents by attributing the noise problem on Maple to the speed humps; asked that he withdraw that statement; said the buses make the same amount of noise when accelerating after stopping at a stop sign as when they accelerate after a speed hump, thus the cause of the noise is the buses and not the speed humps. Mr. McGarry commented that the noise evaluation report, which was done by the Department of Environmental Protection, clearly indicated that the speed humps cause increased noise on that street. The dialogue which followed indicated that the noise level is approximately the same whenever the bus accelerates after a stop, however, the amount of noise is exacerbated on Maple due to the number of stops and/or near stops on that street. Ms. True asked that the City have an independent authority measure the time and distance increase involved if the buses were rerouted since that is a central issue and riders' opposition to rerouting appears to be primarily based on those two factors; Mayor Abbott stated that request would be met. Upon request, Asst. City Administrator Robbins read his memorandum to Mr. Iddings which stated that Public Works personnel timed Ride-On routes 13 and 17 through the city between 5-

5:30 P.M., 4 times each route (twice in each direction) - average trip time was 2 minutes 29 seconds; average time for the proposed route timed at 4 minutes 8.5 seconds (a difference of 1 minute 39 seconds); these figures did not take into consideration bus stops for loading and unloading.

Jamie Yeagher: Was not sure he could support rerouting buses onto Carroll Avenue during non-rush hours; stated that relative emptiness of a bus during non-rush hours should not be an indication that the bus is not needed, those people using it desperately need the transportation; commented on the potential for worse problems in relation to the Fire House if additional buses were run on Carroll. Hoped the possibility of a less drastic speed hump which slows traffic but has a lesser impact on the buses would be pursued.

Theodora Saunders, 30 Philadelphia Avenue: Opposed rerouting, supported the proposed resolutions prepared by the Traffic Committee and thanked that committee for the hard work they've done trying to resolve the issue. Thought all possible arguments had been presented and decisions should now be made.

Bruce Moyer: Reiterated opposition to rerouting the buses from Maple Avenue; expressed confidence in the process in Takoma Park; said while the issue has to an extent divided the neighborhood, there has been honest, forthright, open debate in a fair and decent manner. A citizens' committee (the Traffic Committee) was charged with providing options, any citizen so wishing had the opportunity to participate and offer proposals. He emphasized that the City should join with other communities in the county and require Ride-On to make improvements to their equipment to abate noise and pollution.

Michael Davidson, Edinburgh House Tenants' Assn., 7513 Maple Avenue: Opposed rerouting based on additional commuting time which he felt would exceed any estimates made; said according to Ride-On drivers, the hidden agenda in the whole issue is that Ride-On wants the speed humps removed; he personally thought the speed humps should remain as they reduce traffic volume; commented tenants in his building do not want the route(s) changed; remarked in terms of safety, the Ride-On drivers are good, safe drivers.

REBUTTALS:

Steven Quick: Stated his proposal was an attempt to reunite the community; he had discussions with a number of Councilmembers; questioned whether the idea of a compromise supported by Council was discussed by Council and rejected. Councilmember Aldrighetti responded that compromise was discussed many times and under many conditions; said issues tend to swing, Mr. Quick should have presented his idea at an earlier point in time when the two factions had not formed organized groups - there might have been more interest in sitting down and working toward compromise; reiterated that Council had promoted the idea of compromise at an earlier point in time, provision of a negotiator was even considered, however, people had firmly chosen sides. Mr. Quick requested that Council demonstrate their leadership by stating to Ride-On that their proposal for rerouting is not acceptable, nor is the status quo acceptable, and something better must be provided.

Elliott Schwartz: Questioned the fairness of the letter that was written to Mr. McGarry by residents of Maple Avenue without going through Council or advising anyone else who might be affected; was glad, however, that public discussion had occurred; said the compromise process is one of demanding more than can reasonably be gotten and then settling for a little less, which is what the group on Maple Avenue has done; pointed out that Maple Avenue has speed humps which Philadelphia cannot have, they should be willing to share some of the traffic burdens with the rest of city residents. In light of adequate prior opportunities for presentation, he saw Mr. Quick's last minute presentation of his proposal as a delaying tactic; also noted there had been no request from riders of the buses for any rerouting; urged Council to adopt the resolution opposing rerouting without any delay.

In response to a question posed earlier, Shirley True stated that the proposal for split routing was brought up at a Traffic Committee meeting and Mr. Iddings stated that the split routing was not acceptable to Mr. McGarry; Councilmember Iddings stated he did not make that comment, but thought someone else at the meeting did. In response to query, Mr. McGarry said he had never made such a statement, had not previously heard any proposal to split the routes. Ms. True commented she stood by her earlier contention concerning Mr. Iddings' statement.

Clarence Boatman, 133 Ritchie Avenue: Opposed rerouting the buses, sympathized with the people living on lower Maple Avenue but noted the need of the people living on upper Maple for public transportation; hoped Council would seriously consider the needs of those people in their deliberations. He recalled attending a meeting wherein a representative of the county bus system (not Mr. McGarry) did state that the routes would not be split.

Councilmember Aldrighetti moved convening in Special Session, duly seconded by Councilmember Bradley; carried unanimously. Special Session convened at 10:05 P.M.

MAYOR AND COUNCIL COMMENTS:

Councilmember Iddings reiterated denial of having made the statement attributed to him by Ms. True and gave substantiating reasons. Councilmember D'Ovidio commented that the citizens of lower Maple Avenue had a unique opportunity to solve a problem equitably, but it was handled poorly; said the chance to do something positive and constructive was rejected early on; commended Mr. Iddings and other members of the Traffic Committee for their work on the issue; he spoke concerning some of the unsavory tactics employed and attempts made to deny responsibility by those who generated the situation. He said one thing that bothered him about Mr. Quick's proposal was that while it mentions sharing the burden of Ride-On, it does not allude to sharing all the other traffic burdens borne by other streets in the city; expressed support for the proposed resolutions on the basis that they are reasonable; said he did think the county could do something to improve the mufflers on the buses and reduce their noise and hoped they would voluntarily respond to that request.

Councilmember Haney expressed confidence that given technical capability existent in our society, a quieter muffler system could be devised; noted that the small Metro buses used in downtown D. C. are considerably quieter, also those used in Annapolis are extremely quiet; hoped Ride-On would explore the situation further. He noted that Sweden has come out with a noise-free bus. Mr. McGarry concurred that various buses produce varying noise levels, however, reiterated that purchase of new buses is not planned for the near future, county is not going to rush out and replace the buses with Swedish buses. He said if there is a cost-effective muffler or other modification that can reasonably be made throughout the county, it would be considered; however, his choice would be to provide Ride-On service to communities not currently having it (such as Damascus, where citizens are desperate for public transportation) prior to addressing one or two neighborhoods that have particular problems. Following dialogue between Councilmember Haney and Mr. McGarry concerning municipalities in the county uniting and lobbying for quieter mufflers on the buses, Councilmember Iddings commented on encountering the response from various political leaders at meetings that if there is any complaint about something it can be taken away, which is a threat and not an answer dealing with the problem. Councilmember Williams stated that Mr. McGarry's answers equate with "what you've got is what you have," and imply that if the service is not appreciated it can be taken away; noted a comment he had received from a citizen that if the situation continued, Ride-On might be boycotted; did not accept the idea that there was nothing Ride-On could do about the noise; said Takoma Park has the second largest ridership in the county, should have some clout on that basis. He cited problems he foresaw if buses were rerouted; noted that people in other areas of the City have enough serious and pressing problems that they are not yet concerned with noisy buses; however, agreed that with modern technology it should be possible to provide the buses with a quieter muffler system.

Councilmember Aldrighetti commented on being totally unbiased when the issue first surfaced; noted that this was one the rare issues that has divided rather than united the citizenry; commented on the failure of involved people to talk to one another about the issue, however, said he believed that if an issue could not be resolved by the persons involved that it is Council's responsibility to do so, and Council has an obligation to deal with the proposed resolutions presented and not prolong the unpleasant situation. He remarked that people have spoken about working together toward a solution, but self-interest appears to be the key factor; hoped that whatever comes out of the current meeting, people will reunite and work toward a common goal. Councilmember Bradley expressed agreement with comments made by her colleagues, sympathized with claims that the buses on Maple Avenue divide the neighborhood, but commented that if rerouted onto other streets they would do the same, and perhaps more, damage; however, said common concerns such as more effective mufflers, etc., should unite the community. She noted that, in terms of the Council process, there was a consensus of support for any negotiations that could take place, various Councilmembers talked with constituents on the Traffic Committee offering assistance and requesting feedback. She said it did disturb her that a group of citizens involved the county without any prior knowledge of City officials or attempt to involve the City in dealing with their problem; commented her constituents are very concerned about the divisive nature of the issue; she thought that opposing rerouting at the present time would be the move that would be most helpful to the most people; remarked on traffic problems on other City streets.

Councilmember Dalmat commented on a couple of Maple Avenue residents who recently moved to Silver Spring because they no longer enjoyed living on the street due to the acrimony prevalent there; said she felt no particular bias either way on the issue, however, had friends on both sides. She concurred that lower Maple Avenue has a problem as do all other areas in the City, in one way or another, but more people would suffer as a result of rerouting than if the status quo is maintained. She assured that the problem would not be forgotten, hoped Maple Avenue residents would not despair and would work with Council and the Traffic Committee to consider options for improving their situation. Councilmember Iddings agreed with comments already made; supported the resolutions; had never believed that traffic solutions that relocate problems onto another street are legitimate and that is what rerouting would do; was heartened by Mr. Quick's proposal because it moves toward compromise rather than a win or lose situation; hoped proposals will be developed that examine improvement of Ride-On service for the entire city, including development of a route for the Prince George's section. Noted the need for formation of county-wide coalitions to address and force needed changes in the system; said Ride-On is an essential service for the city, is strongly supported, but there are problems with the equipment that require correction and that point must be strongly stressed. The Mayor commented that the county's responses to the points addressed to them in the resolution were not acceptable; noted, however, that the department head is not the final arbiter of policy, County Council will make the final decisions. He stated that Ride-On is an indicator not only of poverty level of users who do not have cars, but also of environmental interest of citizens who have vehicles but choose to use public transportation. He pointed out that the system is subsidized - \$1.00 fare covers 30% of operating cost; reiterated that existing quieter buses in the system should be put in the heavily used Takoma Park area; noted that when the large, noisy buses were acquired and put into use, there was no citizen input on the change; hoped through united action, county could be persuaded to assume their responsibility and alleviate the existing equipment noise problems, even if it became necessary to get rid of or restructure the current turbo-charged fleet.

COUNCIL ACTION ON RESOLUTIONS:

Councilmember Iddings moved passage of the first resolution detailing the four points on which the Traffic Committee reached a consensus and resolving that Council approves those four points and that appropriate

county authorities be informed of the action, duly seconded by Councilmember Bradley; carried unanimously (by roll call vote).

RESOLUTION #1985-3
(attached)

Councilmember Iddings moved passage of the second resolution stating that the City opposes the proposed rerouting of Ride-On routes 13 and 17 and that appropriate county authorities be informed of Council's recommendation that the routes remain as presently located, duly seconded by Councilmember Bradley. Councilmember Iddings, in light of the interest in implementing an ongoing process to examine route structures in the city and possible improvements, offered an amendment which would delete opposition to any proposed rerouting and insert "the" in place of "any," and insert "at this time" following "...routes 13 and 17..." in Section 1. The amendment was accepted. In response to query, Mr. McGarry stated that schedule reviews are an ongoing process, however, no changes are anticipated prior to September; the resolution, if adopted, would not prevent implementation of any suggestions upon which Council may agree. He pointed out that any question of additional service was not raised until the current meeting; said that is usually adjusted to meet need, through examination of ridership; said prior to any bus schedule change, a public hearing is held. Following discussion of operating times of bus routes, the Mayor requested that night time operating hours of route 17 be examined. The resolution passed unanimously.

RESOLUTION #1985-4
(attached)

Upon motion, duly seconded, the meeting adjourned at 10:50 P.M., to reconvene in regular session on February 25, 1985, at 8:00 P.M.

INTRODUCED BY: Councilmember Iddings

RESOLUTION NO. 1985-3

WHEREAS, the City Traffic Committee has arrived at a consensus on the following points:

1. The City urges RIDE-ON to immediately implement a noise reduction program, as outlined by the Traffic Committee;
2. The City urges RIDE-ON to use its new, non-turbocharged buses on all RIDE-ON routes in Takoma Park, particularly including routes 13 and 17;
3. The City urges RIDE-ON to use smaller, quieter buses on all RIDE-ON routes in Takoma Park, particularly including routes 13 and 17, when passenger loadings permit; and
4. The City urges Montgomery County to develop a long term goal of replacing its current RIDE-ON fleet with buses that are significantly quieter than existing or anticipated Federal noise standards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Takoma Park, Maryland hereby approves the four points listed above and that the appropriate Montgomery County authorities be informed of this action.

February 13, 1985

INTRODUCED BY: Councilmember Iddings

RESOLUTION NO. 1985-4

WHEREAS, the City Traffic Committee has held several forums on the subject of RIDE-ON buses, and wide discussion has occurred,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Takoma Park, Maryland that:

1. The City of Takoma Park opposes the proposed rerouting of RIDE-ON bus routes 13 and 17 at this time; and
2. The appropriate authorities of Montgomery County be informed of the City Council's recommendation that RIDE-ON bus routes 13 and 17 remain as presently located.

FEBRUARY 13, 1985.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
February 25, 1985

AGENDA

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

PLEDGE

MAYOR ABBOTT'S COMMENTS AND PRESENTATIONS

READING AND APPROVAL OF THE MINUTES OF JANUARY 28 AND FEBRUARY 4, 1985

ADDITIONAL AGENDA ITEMS

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

ITEMS FOR COUNCIL CONSIDERATION: City Administrator Wilson

- (1) Administrative reports and correspondence
- (2) First reading of an ordinance authorizing installation of speed humps on Holly, Sycamore and Roanoke Avenue
Citizens' comments
First reading
- (3) Show cause public hearing as to why the structure at 7709 Takoma Avenue should not be declared a nuisance
Citizens' comments
Council decision
- (4) Second reading of an ordinance instituting condemnation proceedings at 7114 Sycamore Avenue; setting a date for show cause hearing
Citizens' comments
Council action
- (5) Consideration of application for alcoholic beverage license at Luu's Restaurant and Carryout, 916 East West Highway
Citizens' comments
Council decision
- (6) Second reading of an ordinance removing parking restrictions at SE corner of Piney Branch Road, north of Eastern Avenue
Citizens' comments
Council action
- (7) First reading of an ordinance authorizing Recreation Department to employ professional services of Interprofessional Planning and Design, Ltd. for development of POS park on Eastridge Avenue
Citizens' comments
First reading
- (8) First reading of an ordinance authorizing Recreation Department to employ professional services of the Landscape Group for development of POS park on Jackson Avenue
Citizens' comments
First reading
- (9) Second reading of an ordinance accepting contract offer for consultant engineering services for CDBG street improvement project
Citizens' comments
Council action

- (10) First reading of an ordinance authorizing retention of Peat, Marwick, Mitchell & Co. as City's auditor for a three-year period
Citizens' comments
First reading
- (11) First reading of an ordinance accepting bid on 2000 burlap squares for use by Public Works Department
Citizens' comments
First reading
- (12) First reading of an ordinance accepting bid on copier for City Office
Citizens' comments
First reading

ADJOURNMENT

Note: The Mayor and Council will meet with City employees at 6:30 PM to discuss proposed changes in personnel policy.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
February 25, 1985

CITY OFFICIALS PRESENT:

Mayor Pro-Tem D'Ovidio	City Administrator Wilson
Councilmember Aldrighetti	Asst. City Administrator Habada
Councilmember Bradley	Asst. City Administrator Robbins
Councilmember Dalmat	City Clerk Pusti
Councilmember Haney	Asst. Corporation Counsel DeNovo
Councilmember Iddings	

EXCUSED: Mayor Abbott, Councilmember Williams

The Mayor Pro-Tem and Council met on Monday, February 25, 1985, at 8:10 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland.

Following the pledge, the Mayor Pro-Tem reminded that the Board of Education would be hearing testimony from affected schools in relation to the 15 Year Facilities Plan on February 26 at Wheaton High School; the City will be providing testimony as will schools located in the City; he noted that copies of the City's testimony will be available at the City Office. He also referred to the Bill pending in the state legislature which would allow students residing in the City to attend either Prince George's or Montgomery College and pay resident tuition; said some opposition may be encountered from the Montgomery County delegation. Councilmember Haney commented on attending the Senate Committee hearing on the Bill; said no opposition was expressed by anyone, assurance was offered that the Montgomery County delegation had seen the Bill and had no opposition at that time. Councilmember Aldrighetti remarked that if the opposition appeared to be growing, a letter could be dispatched; Mr. D'Ovidio commented that the Montgomery County Office of State Affairs had requested documentation; Mr. Aldrighetti asked that his and Mr. Haney's testimony be included, that the county delegation be advised that the City would appreciate their support, however, if that is not forthcoming, would appreciate their talking directly with our legislators.

Minutes of the January 28, 1985 Regular Meeting were presented for approval; Councilmember Iddings noted that on page 4, the fourth speaker was incorrectly identified, should be "Susan Ellen Wilde, Attorney" rather than "Anne DeNovo, Attorney;" he moved approval with the noted correction, duly seconded; carried unanimously. The minutes of the February 4, 1985 Special Meeting and Public Hearing were presented; Mr. D'Ovidio referred to his request on page 2, last paragraph, that old CDBG records be pulled to ascertain what happened to the 1981 request for curb and gutter work on Geneva, Ritchie and Oswego Avenues; inquired whether that had been done and/or whether the request was passed on to Mr. Neal; assurance was given it would be checked on. Councilmember Iddings moved acceptance of the minutes as written, duly seconded by Councilmember Haney; carried unanimously.

ADDITIONAL AGENDA ITEMS:

Appointments and Reappointments to Historic Preservation Committee (Iddings)
Procurement Ordinance First Reading (Wilson)

Mr. D'Ovidio noted that item #3 is being removed from the agenda as published due to death of Mrs. Latham, owner of the structure at 7709 Takoma Avenue and a former resident of the City.

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

Mort Hawkinson, 209 Lincoln Avenue, Pres. of Takoma Park/Silver Spring Food Co-Op: Spoke of being approached last October by Dave Lorenz, a City resident and circus fan, who was seeking a sponsor for a circus in Takoma Park. He said that space to hold a circus in the city has been sought since that time; a circus representative will be coming to sign a contract on February 28, if space is not available and secured, the contract will not be signed and the event will have to be held elsewhere; he hoped Jequie Park could be used if other more appropriate space was not available. Asst. City Administrator Habada stated that the City had approached the General Conference of SDA concerning using the Review and Herald parking lot, no response has been re-

ceived, however, she would contact them on February 26 and press for a reply. She stated that questions concerning liability did arise which might be resolved if the Co-Op could provide required insurance.

Pat Saumweber, North Takoma Citizens' Association: Referred to her memo of several weeks ago; commented that Jequie Park is located in a totally residential area, citizens' fears concerning safety must be considered.

Sue Lerner, 7708 Takoma Avenue: Commented she had heard gossip indicating that Washington Gas Light is considering putting up a satellite office location near one of the Metro stops; said if they would consider Takoma Park that would provide good employment opportunities for residents, as well as an increase in tax revenues; hoped the City would investigate the situation. Mr. D'Ovidio commented that was a valuable bit of information and would be passed on to the City's Economic and Community Development Coordinator, Daniel Neal.

Dr. Joseph Lerner, 7708 Takoma Avenue: Stated that to his knowledge, the memorandum referred to by Ms. Saumweber accurately reflects attitudes in the neighborhood; expressed concern lest a precedent be set for commercial ventures being held in the park; said that area has been affected enough by non-residential functions (Montgomery College), the proposed use would violate the residential character of the neighborhood.

Mort Hawkinson: In response to comments by Dr. Lerner regarding the commercial nature of the Co-Op, he stated it is designed to be essentially non-profit, prices are set at the lowest level possible to simply maintain the business and structure and provide equitable salaries to employees; any profit from the circus would directly benefit the community through lesser prices and/or less increase in prices, would possibly be used for better equipment or to replace failing equipment. Mr. Lerner reiterated that the circus, regardless of who is sponsoring it, is not a residential operation; commented that the Co-Op, regardless of their method(s) of doing business, is still a business and what they do with proceeds is independent of the basic function. Councilmember Aldrighetti commented that the circus is a recreational service that citizens want (as indicated by a random polling); Jequie Park is being considered only as a backup site, but neighborhood concerns, such as cleanup, would have to be addressed if that site were used; he expressed support for holding of the circus. Councilmember Bradley moved approving Jequie Park as a backup site for the Co-Op-sponsored circus, taking into consideration any extra insurance required as well as other provisions for safety and well-being as outlined in previous discussions; motion duly seconded by Mr. Haney. It was noted that during worksession discussion, consensus was that the Co-Op would have to put up a \$2,000 bond to cover any damage to grounds, etc., not covered by insurance; that stipulation was accepted as an amendment to the motion. Councilmember Bradley remarked that the site at Eastern and Carroll which is being sought would be a better location for the event in a number of ways. Mrs. Lerner raised the question of liability of the City in the event of an accident in connection with the circus; Mr. Aldrighetti stated that the insurance would be in the amount of \$2,000,000; however, the City should procure a copy of the policy. Mr. Robbins commented that a signed document holding the City harmless should be gotten. Mr. D'Ovidio suggested that Mr. Hawkinson arrange a meeting between circus representatives and City staff on February 26 so that necessary issues can be addressed. The question was called; motion carried unanimously.

ITEMS FOR COUNCIL CONSIDERATION:

(1) First reading of an ordinance authorizing installation of speed humps on Holly, Sycamore, and Roanoke Avenues.

Keith Woodside, 7215 Holly Avenue: Questioned whether any changes have been made in proposed locations of speed humps since the last meeting. Mr. D'Ovidio responded that location change of one hump on Holly was submitted to the Police Department for their comment; they recommended leaving the location as originally proposed due to safety factors.

Ruth Abbott, 7308 Birch Avenue: Hoped the hump would be sufficiently removed from the crest of the hill that someone would not come over

the hill and hit it unexpectedly. Mr. Robbins explained the rationale for locating the hump, and stated that between 7416 and 7418 Holly is the only logical location for that hump because of factors that preclude installation any further down the hill. Mr. D'Ovidio noted that Baltimore Avenue was not included in this ordinance due to remaining questions about placement of the hump in the 7200 block; asked that it be placed on the next worksession agenda. Upon motion, duly seconded, and carried unanimously, the proposed ordinance was accepted for first reading; second reading to take place March 11.

PROPOSED ORDINANCE
(attached)

(2) Second reading of an ordinance instituting condemnation proceedings at 7114 Sycamore Avenue; setting a date for show cause hearing.

Mr. Wilson noted that the date proposed in the ordinance for the show cause hearing is March 25; no response has been received to correspondence sent to Scottsville, Virginia, to the property owner.

Tim Smith, 7016 Sycamore Avenue: Expressed support for the condemnation; was concerned that the property owner might once again get his building permit renewed through the county; encouraged that the City advise county officials of the ongoing problems encountered and request that no further permits be issued to Mr. Burdine. Mr. Robbins commented he had spoken with the county and the stop work order is still in effect - the owner cannot obtain a new building permit without providing new site plans. The county stated that a building engineer did inspect the structure once before, the instruction to again do that has to come from a Mr. Campbell who was on leave; upon his return, Mr. Robbins will request that an engineer again inspect the structure for possible problems and ask that it be mandatory a favorable report be obtained from the engineer prior to the owner being able to get a new building permit. Mr. D'Ovidio requested that it be ascertained whether taxes have been paid to date on the property. Councilmember Iddings commented that the structure is in the Historic District, the County Historic Preservation Commission voted favorably on the initial application; Mr. D'Ovidio requested that a copy of the ordinance be forwarded to that organization, as well as to the City's Historic Preservation Committee. Councilmember Bradley remarked that a formal letter from Council, rather than staff, should be sent through the Historic Preservation Committee to the County Historic Preservation Commission and all pertinent county officials. Mr. Smith commented that pressure should be brought to bear on the county not to reissue a building permit in light of the fact that over a 4-year period the property owner has not shown good faith in accomplishing a substantial amount of work or completing the building. Mr. D'Ovidio stated that the communication to the County Historic Preservation Commission should state that the City hopes they will withdraw their initial support of this structure. Councilmember Dalmat emphasized that any communication with the Building Permit office (Mr. Campbell) should be written rather than verbal, so the City has substantiation of anything transpiring. Councilmember Bradley inquired whether there might be some other approach that would be productive, such as the threat presented to health and safety. Question was raised concerning a prior directive to the City Attorney to look into the situation and report back on the legal aspects; consensus was that it was found as long as the owner had a valid building permit, nothing could be done. Councilmember Dalmat moved adoption of the ordinance, duly seconded by Councilmember Bradley. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmember Williams.

ORDINANCE #1985-14
(attached)

(3) First reading of Proposed Procurement Ordinance.

Mr. Wilson noted that the ordinance would repeal and reenact, with amendments, Chapter 2, Art. 4, Secs. 2-40 through 2-49, City Code. Asst. Corporation Counsel DeNovo explained that the ordinance provides a centralized system of purchasing and procurement to be administered by the City Administrator; does some things that have probably been needed for a long time such as designating responsibilities; she noted

that purchases over \$5,000 would go to public bid; purchases under \$2,500 would not be subject to any approval by Mayor and Council, nor would they be put out to bid; purchases between \$2,500 and \$5,000 would be subject to approval of Mayor and Council, but not required to be put out to bid; she pointed out specified categories of purchases exempt from bidding and noted that there were several unresolved issues, such as professional services. Ms. Habada commented that either of the options provided for that category would be workable; Councilmember Iddings expressed preference for option 1 which would require Mayor and Council to approve all expenditures for professional services so that body is aware of what services are needed. Councilmember Aldrighetti expressed support for option 2, but suggested that the level for that category requiring Council approval be stated as all expenditures of \$1,000 or more.

Councilmember Iddings raised the question of how many readings ordinances pertaining to budget line items require; Ms. DeNovo stated that Corporation Counsel's Office's interpretation of the Code is that if provision is made in the budget for a specific item, then that item requires only one reading (noted that the proposed ordinance should be changed to reflect that), e.g., expenditures of \$1,000 or over for professional services and \$2,500 or over for other items would involve only one reading if already specifically authorized. She pointed out that the ordinance does not have a low bid requirement, does require that the lowest responsive and responsible bidder whose bid meets criteria set forth be awarded a contract. Councilmember Iddings pointed out that Sec. (vi), page 4, appears to nullify disclaimer language commonly used in RFP's which reserves the right for the City to reject any or all bids and deletes the Mayor and Council's role; Ms. DeNovo stated that was not the intent and a clarifying section should be added stating that the entire solicitation can be cancelled at any point and all bids rejected. Councilmember Iddings expressed a desire to see some sort of preference given local firms in the bid process, they should be encouraged to bid; he cited Greenbelt's legislation which does that. Following discussion, Ms. DeNovo commented that perhaps a statement to that effect should be included in the City's Requests for Proposals; Mr. D'Ovidio requested that language to that effect be included in Sec. (iv) prior to second reading at which time a vote would be taken and final decision made on the appropriateness of its inclusion.

Ms. DeNovo noted that a statement concerning who is empowered to sign contracts for the City is required Sec. 2-42.(a), page 2; staff feels that the City Administrator should sign purchase orders, however, she felt, due to experience in dealing with the county and other governmental entities, there are some contracts that are appropriate for the Mayor's signature. In response to query, she stated contracts with other governmental agencies as an example of those which should be signed by the Mayor as the Chief Executive Officer, and perhaps purchases over some specified amount. Councilmember Aldrighetti commented on a contract signed by a previous Mayor concerning the Fire Department which did not go through the staff process and said the City is still paying the price for that. Ms. DeNovo noted that contracts other than purchases are really the sticky area requiring provision and clarification. She stated that in Montgomery County, the County Executive is authorized to enter into contracts on behalf of the county unless otherwise provided in the County Code; the Code sets forth specific areas in which contracts must have approval of the County Council. Dialogue ensued concerning the distinction between purchase orders and contracts; consensus was that the Mayor as the Chief Executive Officer should sign policy-type contracts, the City Administrator would sign procurement (budget-related) contracts (purchase orders); language reflecting those decisions would be provided prior to second reading. Councilmember Aldrighetti commented on lack of responses to past invitations to bid, said one thing that will be done in future (on items under \$5,000) is contact with several suppliers for prices prior to purchase even though an item is not put out for bid. Upon motion, duly seconded, carried unanimously, the ordinance was accepted for first reading, second reading to be March 11.

PROPOSED ORDINANCE
(attached)

(4) Consideration of application for alcoholic beverage license at Luu's Restaurant and Carryout, 916 East-West Highway.

Mr. Wilson noted that at the worksession, comments were made concerning the Class D license and its on-off sale provisions; consensus was that license would not be supported by Mayor and Council, possibly a Class B which would not allow sales for off-premises consumption would be considered. Mr. Luu Tran was contacted, Daniel Neal talked with him at length; present recommendation is that a letter be sent to the Prince George's County Alcoholic Beverage Commission Board of License Commissioners indicating that the City would oppose issuance of the Class D license, but would accept the application for a Class B license for consideration at a future hearing in the City; further it will be asked that Mr. Tran's appeal be transferred from the D to the B application and that the Board allow an additional 3-4 weeks for review by the Mayor and Council and opportunity for community response to the change. It will also be requested that Mr. Tran's application fee of \$350 be applied to the amended application. Mr. Tran has signed a letter indicating his concurrence with the stated approach.

Ellery Dennison, 7207 - 13th Place: Commented on the traffic congestion and problems already existent at East-West and New Hampshire; thought the alcoholic beverage license for that location should be refused; with the carryout food business, was afraid customers would order alcoholic beverages and carry them out as well. In response to query, it was stated that there are 12 tables and 30 chairs on the premises. Mr. Dennison commented on a restaurant at the corner of Holton Lane and New Hampshire applying twice for an ABC license, and being denied twice by prior City Council. He spoke of prior opposition to granting of liquor licenses in the City and hoped that position would continue as long as possible; feared that granting of a license for Luu's would set a precedent for other City restaurants. Councilmember Aldrighetti remarked that there is a consensus on Council of opposition to carryout liquor, level of internal service in a restaurant must be considered; he said there does appear to be a lot of eating occurring inside Luu's Restaurant; considering the level of police service in the City, it would be unlikely that anyone would violate the off-sale liquor prohibition of the license; he hoped that support of the business to the extent feasible would aid in stabilizing that area. Councilmember Haney commented that he did not feel that this small restaurant being permitted to serve alcoholic beverages with meals would present the potential hazard that Hampshire Motor Inn does, where alcohol is allowed to be served for wedding receptions, etc., and guests may leave in an inebriated condition to drive home; he also expressed hopes that the license would help the restaurant succeed and assist in stabilizing that small commercial area which has experienced significant turnover. Mr. D'Ovidio noted that further discussion will occur following response from the county and Mr. Dennison, as well as other concerned persons and associations, will be notified.

Steven DelGuidice, 1308 Elson Place: Was glad the City was requesting a postponement from the county on acting on the requested license; said Hillwood Manor Citizens' Association is meeting on March 5 and will discuss the issue at that time; his primary concern was additional traffic at that intersection which a Class D license would generate, was glad the B class license was being requested. Councilmember Aldrighetti requested that the two nearby churches, as well as the citizens' association and nearby residents, be notified prior to the issue again being scheduled for discussion. Regarding Mr. Dennison's concern that people might purchase alcohol and walk out with it, Mr. D'Ovidio cited the Tropicana which has presented no problems in that regard; he said there tends to be a self-monitoring factor when fear of losing the license exists. Mr. DelGuidice commented that the restaurant might consider modifying their advertising to downplay the carryout aspect. Consensus was that the aforementioned letter would be dispatched to the county.

(5) Second reading of an ordinance removing parking restrictions at SE corner of Piney Branch Road, north of Eastern Avenue.

Mr. D'Ovidio referred to a letter written by staff to State Highway Administration based on Council's prior discussion and expressing concern that SHA responded to a citizen's comments without any notification to the City. Councilmember Iddings noted Corporation Counsel's

opinion that the ordinance may place the City in conflict with SHA concerning who has jurisdiction over the parking in that area; suggested postponing action on the ordinance until a response to the letter is received. Mr. D'Ovidio suggested voting on the ordinance, but delaying any removal of signs or posting of new signs until response from SHA. Following discussion, Councilmember Iddings offered an amendment which would add a Section 4 stating that the ordinance would become effective upon completion of the necessary signage changes. Mr. D'Ovidio moved adoption, as amended, duly seconded. The ordinance, as amended, was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmembers Bradley and Williams.

ORDINANCE #1985-15
(attached)

(6) First reading of an ordinance authorizing Recreation Department to employ professional services of Interprofessional Planning and Design, Ltd. for development of POS park on Eastridge Avenue.

Councilmember Aldrighetti commented he had been instructed to state that Councilmember Bradley's neighbors and constituents are anxious to see work commence on the park. Acceptance for first reading was moved, duly seconded, carried unanimously.

PROPOSED ORDINANCE
(attached)

(7) First reading of an ordinance authorizing Recreation Department to employ professional services of the Landscape Group for development of POS park on Jackson Avenue.

Mr. Iddings introduced Carl Riedel, architect with the Landscape Group, who has been working on plans for the park, and lives at 7309 Jackson Avenue. Mr. Riedel stated he had been working with the neighborhood for about a year and a half, showed a map of the area; he stated that from a series of citizens' meetings, plans evolved for a design low-key in character, using wood furniture and preserving the large, mature Tulip Poplar trees. A large community meeting took place last fall (about 30 people) and strong support for the proposal was expressed; it would provide a gathering point for the neighborhood, which currently has none. He thanked Council for their support. In response to query from Councilmember Haney, he described specific details of the planned park in more depth; he said consideration had been given to problems of maintenance and safety, shrubs planted would be low-growing, hardy, probably azaleas. Mr. D'Ovidio commended both Mr. Iddings and the neighborhood for their efforts, the process they went through, and what appears will be a super result. Mr. Riedel commented that the process had united the neighborhood, made neighbors better acquainted. Comments were made concerning the need for providing names for certain of the City parks and how that might be done. Councilmember Iddings moved acceptance of the ordinance for first reading, duly seconded by Councilmember D'Ovidio, carried unanimously. Mr. Iddings requested that Recreation Director Ziegler be requested to present timetables for when the parks might be completed at the March 11 meeting; hoped they might be ready for the summer. Mr. Riedel estimated two months' completion time for the park once work is started.

PROPOSED ORDINANCE
(attached)

(8) Second reading of an ordinance accepting contract offer for consultant engineering services for CDBG street improvement project.

Mr. Wilson noted that the contract is for \$14,000 to Gilford & Chase, Inc. In response to query, Ms. Habada stated it is expected review on the bid specifications will be commenced by March 15. Adoption was moved by Councilmember Haney, duly seconded by Councilmember Dalmat. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmembers Bradley and Williams.

ORDINANCE #1985-16
(attached)

(9) First reading of an ordinance authorizing retention of Peat, Marwick, Mitchell & Co. as City's auditor for a three-year period.

Mr. Wilson noted the item was discussed at length in worksession; the firm will be retained for a 3-year period beginning in FY-1986 (which commences on 7/1/85), fee for the services will be \$54,550.00. Councilmember Dalmat moved acceptance for first reading, duly seconded. Councilmember Aldrighetti commended staff; said this was the first time this service had gone out to bid for a long time; noted the process works, the stated amount is less than what was paid last year. Comments of appreciation were echoed by other Councilmembers on the exemplary work done by staff during this process. The motion carried unanimously; ordinance accepted for first reading.

PROPOSED ORDINANCE
(attached)

(10) Ordinance accepting bid on 2000 burlap squares for use by Public Works Department.

Councilmember Haney moved acceptance for first reading, duly seconded. As an aside, Councilmember Dalmat questioned the cost of parachute nylon for the purpose and whether it might be more durable; Mr. D'Ovidio stated staff would investigate that suggestion. It was pointed out that this being a budgeted item, only one reading would be required. Mr. Haney amended his motion moving adoption of the ordinance, duly seconded. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmembers Bradley and Williams.

ORDINANCE #1985-17
(attached)

(11) First reading of an ordinance accepting bid on copier for City Office.

Mr. Wilson noted that this item being a budget item also requires only one reading in order to expend up to the \$5,000 amount which was budgeted. Ms. Habada explained that the supplier would be informed that the additional \$579 for the purchase would be remitted when a budget amendment covering that amount has been accomplished. Councilmember Aldrighetti commented it was his understanding that additional amount would come out of the Contingency Fund; he inquired on the status of that fund. Staff stated that approximately \$26,000 of the total \$90,000 has been expended (prior to the proposed budget amendment). Adoption of the ordinance for expenditure of up to \$5,000 was moved by Councilmember D'Ovidio, duly seconded. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmembers Bradley and Williams.

ORDINANCE #1985-18
(attached)

(12) Appointments to City's Historic Preservation Committee.

Councilmember Iddings moved retroactive appointment (beginning 7/1/84) for a two-year term of the following individuals: Morris Berez, Ed McMahon, and David Saunweber; he also moved appointment of Joanne Bowman to serve an initial two-year term (which began 7/1/83), and that members be appointed for initial two-year terms beginning 1/1/84 as follows: Mary Dean, Linda Donald, and Philip Metzger; and that two new members, Caroline Alderson and Paul Mok, be appointed for initial two-year terms beginning 1/1/85; motion duly seconded by Councilmember Haney. Mr. Iddings stated he would be presenting an amendment to the Historic Preservation Ordinance on March 11 which will lift the cap on the number of times an individual can serve; he said it has been found the cap is unnecessary as turnover in membership has occurred naturally. Councilmember Haney seconded the motion; carried unanimously. Councilmember Iddings moved confirming the committee's selection of Mary Dean as Chair, duly seconded by Councilmember Dalmat, carried unanimously.

Upon motion, duly seconded, the meeting adjourned at 10:18 P.M., to reconvene in regular session on March 11, 1985 at 8:00 P.M.

Introduced by:

1st reading: 2-25-85
2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT Ordinance No. 2676, adopted June 27, 1983, be amended by the addition of new subsections (f), (g), and (h) to Section 1, as set forth below:

Section 1. That speed hump installations, as defined in Sec. 13-2(a)(14.2) of the Code of Takoma Park, Md., 1972, as amended, be installed at the following locations:

(f) On Holly Avenue, between Eastern and Philadelphia Avenues;

(g) On Sycamore Avenue, between Ethan Allen and Elm Avenues;

(h) On Roanoke Avenue, between Houston and Hudson Avenues.

SECTION 2. THAT funds to cover this work be appropriated from the capital expenditures account, #995.

Introduced by:
Councilmember Dalmat

1st reading: 2-11-85
2nd reading: 2-25-85

ORDINANCE NO. 1985-14

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

- SECTION 1. THAT whereas it has been reported to the Mayor and Council by the City Administrator and the Fire Marshal of the City that the building named in Section 2, below, is unfit for human habitation and is in such condition as to constitute an immediate and present danger to life, property and public safety; AND
- SECTION 2. THAT the building referred to in Section 1, above, is located at 7114 Sycamore Avenue, on Lot 10, Block 21, B. F. Gilbert's Subdivision, within the City of Takoma Park, Maryland, and recorded among the Land Records of Montgomery County in Liber 6164 at Folio 364, Tax Record A/C #13251059410, Richard C. Burdine, owner of record; AND
- SECTION 3. THAT the building referred to in Sections 1 and 2, above, is presently in violation of the Fire Safety Code of the City of Takoma Park, Md. and in violation of the following sections of the Housing Code: Secs. PM-302.3.1; PM-302.3.2; PM-302.4; and PM-301.5; AND
- SECTION 4. THAT certain members of the City staff have inspected the building referred to above and have verified the conditions to be as reported.
- SECTION 5. THEREFORE THAT the Mayor and Council hereby designate the building located at 7114 Sycamore Avenue as unfit for human habitation and hereby authorize that legal proceedings be instituted under authority of Article 6, Chapter 6, Code of Takoma Park, Md., 1972, as amended, and the Fire Prevention Code, known as Chapter 5 of the Code of Takoma Park; AND
- SECTION 6. THAT the date of March 25, 1985, at 8:00 PM, in the Council Chamber of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland, has been set as the time and the place for a hearing as to the condition of the aforementioned building, and Richard C. Burdine shall on that date, or before, show cause as to why the building at 7114 Sycamore Avenue should not be declared a nuisance; AND
- SECTION 7. THAT the City Clerk is hereby instructed to give notice within ten days of adoption of this ordinance to all persons known to be involved in these proceedings, in accordance with the provisions of Article 6, Chapter 6 of the City Code.

ADOPTED BY THE CITY COUNCIL FEBRUARY 25, 1985.

Introduced:
First Reading: 2-25-85

Ordinance No. _____

AN ORDINANCE TO REPEAL AND REENACT WITH AMENDMENTS
CHAPTER 2, ARTICLE 4 (FINANCE), SECTIONS 2-40 THROUGH 2-49,
CITY OF TAKOMA PARK CODE

WHEREAS, the Mayor and City Council, by Ordinance No. 1985-2, enacted on January 14, 1985, have resolved and ordained that Section 1.7(d) of the City Charter be repealed and reenacted to provide, *inter alia*, that the Mayor and Council shall provide by ordinance for a centralized system of purchasing and contracting for all goods and services used by the City, for competitive bidding for any single purchase by, or contract with, the City above a minimum dollar amount which they shall set by ordinance; and

WHEREAS, the above Charter amendment reenacting Section 1.7(d) will become effective on the fiftieth day after the adoption of the above ordinance; and

WHEREAS, it is necessary and appropriate that the Mayor and Council provide by ordinance for City purchasing and contracting, including a competitive bidding requirement and exemptions from that requirement,

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

Section 1. THAT Sections 2-40 through 2-49, Article Four, Chapter 2 of the City of Takoma Park Code be repealed and simultaneously reenacted to read as follows:

Section 2-40. Definitions.

Section 2-41. Expenditure of City Funds. No City funds shall be expended unless:

(a) the expenditure is authorized in the budget ordinance for the current year previously approved by ordinance or an ordinance revising it; and

(b) the expenditure is made pursuant to a contract or purchase order signed in accordance with this Article; and

(c) the contract or purchase order memorializing the expenditure has been approved by the Mayor and Council or by the City Administrator, as required by this Article.

Section 2-42. Powers and Duties of Mayor, Council and City Administrator.

(a) The _____ shall have the authority to enter into contracts on behalf of the City.

(b) The Mayor and Council shall, by ordinance duly enacted, approve

(i) all expenditures of \$2,500.00 or more for a single purchase of goods or services; and

OPTION 1

(ii) all expenditures for professional services;

OPTION 2

(ii) all expenditures of \$2,500 or more for professional services;

provided, however, that ordinances approving expenditures for professional services [of \$2,500 or more] may be enacted without being read at two meetings of the Mayor and Council prior to adoption, if each such expenditure is authorized in the budget ordinance for the current year previously approved by ordinance or an ordinance revising it.

(c) The City Administrator shall:

(i) approve all City expenditures for goods or services which are not required to be approved by the Mayor and Council, whether made pursuant to contract or purchase order;

(ii) be responsible for the administration of a centralized system of purchasing and procurement of goods and services for the City and for effectuating the provisions of this Article;

(iii) establish such rules and regulations as he or she may deem necessary in order to carry out the provisions of this Article. Such rules and regulations shall be subject to review and approval of the Mayor and Council by resolution duly enacted.

(d) The City Administrator may delegate his or her powers and duties under this Article to a designated City official.

Section 2-43. Competitive Bidding and Source Selection.

(a) All City contracts shall be awarded by competitive

sealed bidding, except as provided in:

- (i) Section (small purchases);
- (ii) Section (professional services);
- (iii) Section (emergency procurement);
- (iv) Section (sole source procurement);
- (v) Section (cooperative purchasing).

(b) The following procedure shall be followed for awarding contracts by competitive sealed bidding:

(i) Invitation for Bids. An Invitation for Bids shall be issued, which shall include a purchase description and all contractual terms and conditions applicable to the procurement.

(ii) Public Notice. Public notice of the Invitation for Bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. Such notice may include publication in a newspaper of general circulation a reasonable time prior to bid opening.

(iii) Bid Opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation for Bids. The amount of each bid, and such other relevant information as may be specified by regulation, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection.

(iv) Bid Acceptance and Bid Evaluation. Bids shall be evaluated based on the requirements set forth in the Invitation for Bids, which may include criteria to determine acceptability such as inspection; testing; quality; workmanship; delivery; suitability for a particular purpose; the bidder's ability, capacity and skill to perform the contract or provide the service required within the specified time; the bidder's character, integrity, reputation, judgment, experience and efficiency, including the reputation, experience and qualifications of the principals or agents, who would actually be performing the services; the quality of the bidder's performance of previous contracts or services; the bidder's previously and existing compliance with laws and ordinances relating to previous contracts or to the bidder's employment practices; the sufficiency of the bidder's financial resources and ability to perform the contract or to provide the services; the bidder's ability to provide future maintenance and service for the use of the subject of the contract; the resale value and life cycle costs of the subject of the contract; and whether the bidder is a defaulter

on surety to the City or whether the bidder's City taxes are delinquent. No criteria may be used in bid evaluation that are not set forth in the Invitation for Bids.

(v) Correction or Withdrawal of Bids. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in accordance with such regulations as the City Administrator may establish under Section _____. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination by the City Administrator.

(vi) Award. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the Invitation for Bids.

(vii) Multi-Step Sealed Bidding. When it is considered impractical to prepare initially a purchase description to support an award based on price, an Invitation for Bids may be issued requesting the submission of unpriced offers to be followed by an Invitation for Bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

Section 2-44. Procurements Exempt From Competitive Bidding Requirement.

(a) Small Purchases. Any procurement not exceeding the amount of \$5,000.00 may be made without the requirement of competitive bidding, in accordance with such regulations as the City Administrator may establish under Section _____; provided, however, that procurement requirements shall not be artificially divided so as to constitute a small purchase under this section.

(b) Professional Services. Any procurement of, or contract for, professional services may be made without the requirement of competitive bidding. The City Administrator may, by regulations made under Section _____, establish competitive negotiation or selection procedures for professional services contracts or classes of professional services contracts.

(c) Emergency Procurement. The City Administrator or his or her designee may make or authorize others to make emergency procurements, without the requirement of competitive bidding, when there exists a threat to public health, welfare or safety under emergency conditions; provided that: (i) the City Administrator or his

or her designee shall make a written determination of the basis for the emergency, which shall be approved by the Mayor and Council by resolution; (ii) such emergency procurements shall be made with such competition as is practicable under the circumstances; and (iii) the City Administrator shall make a written determination of the basis for the selection of the particular contractor which shall be included in the contract file.

(d) Sole Source Procurement. A contract may be awarded for a supply, service or construction item without the requirement of competitive bidding when, under such regulations as the City Administrator may establish under Section _____, the City Administrator (i) determines in writing that there is only one source for the supply, service or construction item and (ii) so notifies the Mayor and Council. The City Administrator's determination shall be subject to review and approval by the Mayor and Council by resolution.

(e) Cooperative Purchasing. The City Administrator may enter into contracts or agreements for cooperative purchasing [defined as procurement conducted by, or on behalf of, more than one local government], without the requirement of competitive bidding by the City of Takoma Park; provided that (i) such cooperative purchasing meets all of the requirements of this Article and Chapter 8A of the City of Takoma Park Code and is consistent with their provisions in every respect; and (ii) the cooperative purchasing agreement is subject to review and approval by the Mayor and Council by resolution.

Section 2-45. Procedure For Procurements Exempt From Competitive Bidding Requirement. In all procurements exempt from the requirement of competitive bidding, proposals for the good or service required shall be solicited from at least three qualified sources. In the event that three qualified sources do not exist, the City Administrator or his or her designee shall make a written determination of that fact and report that determination to the Mayor and Council.

Section 2-46. Validity of Claims. No person or entity shall have a valid or enforceable claim against the City for the payment of any monies or any other thing of value pursuant to an alleged contract or agreement unless the contract or agreement has been signed and authorized as provided in this Article.

Section 2-47. Records of Procurement Actions.

(a) Contents of Record. The City Administrator shall maintain a record of all procurement actions taken for a minimum of [five] years.

(i) For procurement actions taken following competitive bidding, the record shall contain: each contrac-

tor's name, the amount and type of each contract; a listing of the supplies, services or construction procured under each contract; the Invitation for Bids and all attachments and specifications; all documents relating to the evaluation of bids; and both accepted and rejected bids or proposals.

(ii) For procurement actions taken without competitive bidding, the record shall contain: each contractor's name; the amount and type of each contract; a listing of the supplies, services or construction procured under each contract; records of all quotations or proposals obtained, whether orally or in writing; complete records of any competitive negotiation or other competitive selection procedures undertaken; in emergency procurements, any determination of the basis for an emergency and for the selection of a particular contractor under Section _____; in sole source procurements, the determination that there is only one source for a supply, service or construction item under Section _____; and any cooperative purchasing agreements entered into under Section _____.

(b) Submission to Mayor and Council. A copy of such records shall be submitted to the Mayor and Council upon request. Such records shall be available for public inspection.

Section 2-48. Compliance with Chapter 8A. Notwithstanding any other provision of this Article, all procurement actions shall be comply in every respect with all the provisions of Chapter 8A of the City of Takoma Park Code, known as the "Takoma Park Nuclear Free Zone Act."

Section 2-49. Purchase Orders.

(a) City purchases shall be memorialized by a written contract or a purchase order signed in accordance with this Article. Purchase orders shall be in triplicate and shall be consecutively numbered from the start of each fiscal year. Purchase orders shall be signed by the City Administrator or his or her designee.

(b) No department head shall make any purchase on behalf of or chargeable to the City except by means of a purchase order signed in accordance with Section 2-49(a); provided, however that this subsection (b) shall not apply to the daily purchase of expendable supplies and incidental recurrent materials so designated in the budget and to emergencies as defined in, and subject to, the regulations established by the City Administrator under Section _____.

(c) No person employed by the City or providing services to the City as an independent contractor shall purchase, or cause to be purchased, through or from the City any item for his or her personal use. Without limitation on

any other legal actions or remedies available, violation of this section shall be sufficient cause for dismissal, suspension or termination of any contract for services, as the Mayor and Council may determine.

Introduced by:
Councilmember D'Ovidio

1st reading: 2-11-85
2nd reading: 2-25-85

ORDINANCE NO. 1985-15

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

- SECTION 1. THAT the parking restrictions near the southeast corner of Piney Branch Road, just north of Eastern Avenue, be removed, said restrictions presently being attached to two unnumbered Pepco poles, one in front of 7307 Piney Branch Road, the other at the property line between 7301 and 7303 Piney Branch Road; AND
- SECTION 2. THAT a sign reading "No Parking from Here to Corner" be installed on the east side of the 7300 block of Piney Branch Road forty feet (40') from that street's intersection with Eastern Avenue, said location being the distance from an intersection prescribed by Sec. 13-63(a)(4) of the City Code: AND
- SECTION 3. THAT the penalty for violation of Section 2 of this ordinance shall be as prescribed in Sec. 13-64.2 of the Code of Takoma Park, Md., 1972, as amended.
- SECTION 4. THAT this ordinance shall become effective upon completion of the necessary sinage changes.

ADOPTED BY THE CITY COUNCIL FEBRUARY 25, 1985.

Introduced by:

1st reading: 2-25-85
2nd reading:

ORDINANCE NO. 1985-

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

- SECTION 1. THAT the Recreation Department be authorized to employ the professional services of The Interprofessional Planning and Design Studio, Ltd. (IPDS), 802 Sligo Avenue, Silver Spring, Maryland, for the landscape improvement of the Eastridge Park located on the west side of Eastridge Avenue, adjacent to 8308 Eastridge Avenue and approximately 100 feet south of Roanoke Avenue, Lot 16, Pt. 13, Pt. 15, B1 56B, BFG under the Takoma Park Community Development Block Grant Program.
- SECTION 2. THAT IPDS will provide detailed plans, working drawings, specifications, assist in soliciting bids, consultations and construction supervision for the park for a fee not to exceed \$2,500.00, and other items supplied and extra work not to exceed \$500.00.
- SECTION 3. THEREFORE, THAT funds in the amount not to exceed \$3,000.00 (THREE THOUSAND DOLLARS) to cover the services of Interprofessional Planning and Design Ltd. be allocated from YEAR 10 CDBG Funds.

Introduced by:

1st reading: 2-25-85

2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT the Recreation Department be authorized to employ the professional services of the Landscape Group, 206 Lincoln Avenue, Takoma Park, Maryland, for the landscape improvement of the Jackson/Boyd Park located at 7312 Jackson Avenue, Pt. Lot 10, Bl 91, Beale's Addition to Takoma Park, under the Takoma Park Community Development Block Grant Program.

SECTION 2. THAT the Landscape Group will provide the schematic design and design development, construction drawings and specification, construction coordination and assist in soliciting bids for an estimated fee of 10% of the construction budget or \$3,120.00.

SECTION 3. THEREFORE, THAT funds in the amount not to exceed \$3,120.00 (THREE THOUSAND ONE HUNDRED TWENTY DOLLARS) to cover the services of the Landscape Group be allocated from YEAR 10 CDBG Funds.

INTRODUCED BY:

1st reading: 2-11-85

2nd reading: 2-25-85

ORDINANCE NO. 1985- 16

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

SECTION 1. THAT it has been determined the City is in need of consultant engineering services for the current year's Community Development Block Grant Street Improvement Project; AND

SECTION 2. THAT Gilford & Chase, Inc. have been selected to provide those engineering services by Ordinance enacted January 14th.

SECTION 3. THEREFORE THAT the Mayor and Council does authorize the City Administrator or his designee to accept the contract offered by Gilford & Chase to provide Engineering Services for the contract amount of \$14,000.

ADOPTED BY THE CITY COUNCIL FEBRUARY 25, 1985.

Introduced by:

1st reading: 2-25-85

2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT proposals were solicited and advertised according to law for qualified firms to serve as the City's auditor for a three-year period, beginning in Fiscal Year 1986; AND

SECTION 2. THAT six CPA firms submitted proposals, which were subsequently reviewed by an ad hoc Auditor Selection Panel; AND

SECTION 3. THAT the Panel has recommended retention of the firm Peat, Marwick, Mitchell & Co.

SECTION 4. THEREFORE THAT the proposal of Peat, Marwick, Mitchell & Co. to perform the City's auditing functions for a three-year period beginning in Fiscal Year 1986 for the quoted amount of \$54,550.00 is hereby accepted.

Introduced by:

ORDINANCE NO. 1985-17

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

- SECTION 1. THAT the fiscal year 1985 City Budget allocated funds under the Sanitation Division's budget for the purchase of burlap squares; AND
- SECTION 2. THAT bids were solicited from qualified dealers and advertised twice in each of two weekly newspapers of local circulation; AND
- SECTION 3. THAT bids were publicly opened at 3:30 PM, February 12, 1985, with a low bid having been received from Kane Bag Supply Co., Baltimore, Md.; AND
- SECTION 4. THAT Kane Bag Supply Company has submitted the required notarized statement certifying that company is not involved in the nuclear weapons industry or the sale of merchandise produced by companies so involved.
- SECTION 5. THEREFORE THAT the bid of Kane Bag Supply Company for 2000 80" x 80" burlap squares in the amount of THREE THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$3,980.00) is hereby accepted; AND
- SECTION 6. THAT funds in the amount \$3,980 to cover this purchase be appropriated from Public Works Budget a/c #879.

ADOPTED BY THE CITY COUNCIL FEBRUARY 25, 1985.

Introduced by:

ORDINANCE NO. 1985-18

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

- SECTION 1. THAT the fiscal year 1985 City Budget earmarked Federal Revenue Sharing Funds for the purchase of an additional dry electrostatic copier; AND
- SECTION 2. THAT bids were solicited from qualified dealers and advertised for two consecutive weeks in two newspapers of local circulation; AND
- SECTION 3. THAT bids were publicly opened at 2:00 PM, December 28, 1984, with four bids having been received; AND
- SECTION 4. THAT the bid of Royal Business Machines, Inc. is deemed to be the best suited to the needs of City staff.
- SECTION 5. THAT Royal Business Machines, Inc. has submitted the required notarized statement certifying that company is not involved in the nuclear weapons industry or the sale of merchandise produced by companies so involved,
- SECTION 6. THEREFORE THAT the bid of Royal Business Machines, Inc. for one Royal 2502MR copier, including automatic document feed and 10-bin sorter, in the amount of FIVE THOUSAND, FIVE HUNDRED SEVENTY-NINE DOLLARS (\$5,579) is hereby accepted; AND
- SECTION 7. THAT funds in the amount of \$5,579.00 to cover this purchase be appropriated from the capital expenditures account, #995, and posted to the Revenue Sharing Account, as authorized by the FY-1985 City Budget and Budget Amendment No. 2.

ADOPTED BY THE CITY COUNCIL FEBRUARY 25, 1985.