

CITY OF TAKOMA PARK, MARYLAND

Special Meeting of the Mayor and Council

September 16, 1985

Present were Mayor Abbott, Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, and Haney; City Administrator Wilson, Asst. City Administrator Habada, Economic & Community Development Coordinator Neal. The Public Hearing on the Community Development Block Grant Proposals of the Citizens' Advisory Committee for Planning Year 12 (FY 1987) was called to order at 7:40 PM.

Paul d'Eustachio, Chairman, CDBG/CAC: briefly summarized the funding proposals included in the attached letter to the Mayor and Council from the Committee.

Councilmembers and the Mayor asked general questions pertaining to the projects for street, curb, gutter and sidewalks. It was noted by Dan Neal, E & CDC, that the general cost estimates for the Public Works Projects were prepared by Henry Gilford, Engineer, on a consultant basis for the Committee; that the prices listed were rough estimates and would be refined prior to submission to Montgomery County for CDBG funding.

There was a brief discussion pertaining Montgomery County's correspondence with the City regarding the reduction in CDBG monies by the Federal government; the County's suggestion of a regular stipend or a general across-the-board reduction in funding, equal to the reduction levied by the Federal government.

Councilmembers suggested that surveys be conducted (either by Council within their respective wards or by groups for the handicap within the City as a whole) regarding the need and placement of curb-cuts at the many intersections in the City. Councilmember D'Ovidio suggested contacting the State re funding for same; Mayor Abbott suggested contacting Senators Bainum and Dorman re information on such funding.

Councilmember Bradley questioned how the proposed Public Works Projects compare with the needs outlined in the Street Survey conducted a couple of years ago. Mr. d'Eustachio noted that since the preparation of the Streets Needs Survey, many of the worst situations included in the Survey have already gone through the CDBG process; referred to Carroll Avenue in particular, as one of the worst cases; that although it is a State highway, a small section is under City maintenance and felt that the State and City should/could coordinate to make the necessary improvements.

Councilmembers requested that they be kept informed of any problems arising for City/Prince George's County proposed projects; that just because the City is going through Montgomery County only for CDBG funding, projects throughout the entire City, Montgomery as well as Prince George's sections, should all be considered equally, based on necessity.

Mayor Abbott requested that the CDBG/CAC proposals for Planning Year 12 be placed on the September 23 Council meeting agenda.

The Public Hearing adjourned at 8:10 PM.

City of Takoma Park
Community Development Block Grant
Citizens' Advisory Committee
September 16, 1985

Mayor Sammy A. Abbott
Takoma Park City Council
City of Takoma Park
Takoma Park, Maryland

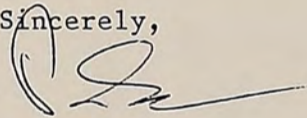
Dear Mr. Mayor and City Council Members,

The Community Development Block Grant Citizens' Advisory Committee (CDBG/CAC) is pleased to submit the attached funding recommendations for year 12 (fiscal year 1987) of the Community Development Block Grant program. We believe that this submission represents an appropriate balance of the needs of the City's diverse and multi-cultural neighborhoods against the limited resources available.

Your acceptance of these recommendations will allow the City to continue to improve its basic infrastructure, preserve and protect its existing housing stock, revitalize one of its commercial areas thus improving the City's tax base, and enhance the recreational facilities available to our residents. This report represents a significant investment of time and effort on the part of the volunteer members of the CDBG/CAC; I urge you to consider it carefully and support its recommendations.

The CDBG/CAC is pleased to have had the opportunity to provide these recommendations. We will be happy to answer any questions which may arise in the course of your deliberations.

Sincerely,



Paul d'Eustachio
Chairman

REPORT AND RECOMMENDATIONS TO THE MAYOR AND COUNCIL FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS' ADVISORY COMMITTEE FOR FISCAL YEAR 1987

The Community Development Block Grant Citizens' Advisory Committee (CDBG/CAC) has proposed the funding of projects in the following three general categories:

1. City Administration Proposed Projects	- High Priority:	\$104,820
2. Commercial Revitalization Projects	- High Priority:	\$305,000
	- Low Priority :	\$ 14,235
3. Public Works Projects	- High Priority:	\$140,872
	- Low Priority :	<u>\$644,792</u>
Total	- High Priority:	\$550,692
	- Low Priority :	<u>\$659,027</u>
Grand Total		<u>\$1,209,719</u>

CITY ADMINISTRATION PROPOSED PROJECTS

As in past years, the City Administration has proposed a series of eligible, well conceived and important projects. The CDBG/CAC has placed a high priority on all of the following. The order of listing does not indicate any priority.

PROGRAM ADMINISTRATION (\$35,800) - The purpose of these funds is to cover a portion of the City's cost of administering the Block Grant program. While the entire cost is not reflected in the recommendation, this amount is based on what the City has historically received from the County, and is the amount specifically requested by the City Administration.

→ REHAB
HOUSING^A (\$50,000) - The CDBG/CAC believes that the Housing component of the City's CDBG program is central to its basic purpose, and an essential element of the program. We believe that the Division of Economic and Community Development has overcome its administrative problems of past years and will make effective use of the recommended funds.

RECREATION DEPARTMENT/SPRING PARK (\$14,000) - Spring Park continues to battle on-going problems with erosion which has had a devastating effect on existing play equipment, basketball courts, and the ballfield. In addition to erosion, the present shelter is old, water damaged, and needs to be replaced. The CDBG/CAC strongly supports the request for more versatile, tot-safe equipment and benches. The CDGB/CAC is recommending \$14,000 with the remainder of the \$56,250 cost being matched with Project Open Space funds.

TAKOMA PARK LIBRARY (\$5,020) - This project is for the purchase of 12 audio-cassette player/recorders and educational tapes for circulation to the general public. This is a relatively low cost project that has the potential to significantly expand the scope of services offered by the library.

COMMERCIAL REVITALIZATION PROJECTS

Block Grant funds provide an import source of economic development funds to the City of Takoma Park. In general, the County is willing to fund projects of this type as they increase the County's tax base at no additional cost to the County.

TAKOMA JUNCTION (\$305,000) - Takoma Junction is the only Commercial Revitalization project given a high priority this fiscal year by the CDBG/CAC. This is the third and final year of this project. The City, with the successful revitalization of Old Town has demonstrated its ability to carry out projects of this nature. Montgomery County has recognized both the City's ability and the necessity of projects of this type by granting funding for the first two years of the Takoma Junction revitalization. The Committee believes that a high priority for the last year is justified.

UNIVERSITY/CARROLL COMMERCIAL AREA (\$14,235) - The CDBG/CAC has recommended a low priority for the University/Carroll commercial area improvements requested by New Hampshire Gardens Citizens' Association. The Committee suggests that the Citizens' Association work with the City to explore other possible actions such as code violation inspections, contacting the property owners, and developing a facade ordinance (similar to the one already in place for Takoma Junction) before Block Grant funds are spent in this area.

*pulled -
Co. to fund* FLOWER/ERIE INTERSECTION - It is the Committee's understanding that the project proposed for the Flower/Erie intersection by the Between the Creeks Neighborhood Association will be carried out by the Montgomery County Department of Housing and Community Development. Thus no funds are recommended for this project.

PUBLIC WORKS PROJECTS

Virtually all street, sidewalk, and curb and gutter repairs in the City of Takoma Park are carried out with Block Grant funds. While this is clearly not an ideal situation, it a fact of life given the constraints of the City's budget. Thus competition between neighborhoods for particular projects is strong, and the Committee's job of recommending priorities is difficult. The projects below are listed in the Committee's order of priority with the exception of the items listed in #4 below where no specific priority between these sidewalk projects has been made.

The following projects are recommended at a high priority:

1. Maple Ave. sewer grates (\$2,000)
2. Colby Ave. walkway (\$5,000)
3. Chaney Dr. sidewalk, curb & gutter (\$16,992)
4. Elm Ave. sidewalk - Ethan Allen to Heather (\$8,400)
Erskine St. sidewalk - New Hampshire to top of hill (\$12,000)
Kennebec ^{Ave} St. sidewalk (\$11,040)
Wildwood Dr. sidewalk (\$4,480)
5. Erskine St. sidewalk - extend to City line (\$12,000)
6. University Blvd. street, curb & gutter (\$15,400)

7. Highland Ave. curb & gutter (\$7,440)
8. Elson Pl. & 13th Ave. Intersection curb & gutter (\$3,500)
9. Jackson Ave. curb & gutter - Ethan Allen to Boyd (\$14,000)
10. 14th Ave. street, curb & gutter - Erskine to Elson Pl. (\$14,000)
11. Wabash Ave. walkway (\$7,500)
12. New Hampshire Ave. curb (\$880)
13. Grant Ave. curb & gutter - Chestnut to Piney Branch (\$6,240)

The following projects are recommended at a low priority (not listed in any priority order):

- Ritchie Ave. curb & gutter (\$42,560)
- Carroll Ave. street, sidewalk, curb & gutter (\$109,780)
- (Note:the CDBG/CAC felt strongly that the City should develop an overall plan for Carroll Avenue rather than the current piecemeal approach. With an overall plan, the City should approach the State and attempt to work out the necessary repairs on a shared basis.)
- Mississippi Ave. street repair (\$31,616)
- Cedar Ave. sidewalk (\$54,800)
- Grant Ave. street - Chestnut to end (\$19,500)
- Holly Ave. street - Grant to Philadelphia (\$10,200)
- Darwin Ave. curb & gutter (\$1,152)
- Piney Branch Rd. sidewalk (\$16,000)
- Allegheny Ave. sidewalk, curb & gutter (\$9,360)
- Westmoreland Ave. sidewalk (\$7,200)
- Second Ave. sidewalk, curb & gutter (\$9,920)
- Elm Ave. street repair - Westmoreland to Pine (\$30,000)
- Elm Ave. curb & gutter - Prince George's to Ethan Allen (\$25,920)
- Erskine St. street, curb & gutter (\$36,300)
- 13th Ave. street, curb & gutter (\$80,800)
- 13th Pl. street, curb & gutter (\$18,200)
- 14th Ave. street, curb & gutter (\$24,200)
- Elson Pl. street, curb & gutter (\$38,800)
- Elson Ct. street, curb & gutter (\$5,640)
- Elson St. street, curb & gutter (\$6,924)
- Boyd Ave. curb & gutter (\$33,280)
- Auburn Ave. curb & gutter (\$21,440)
- Kingwood Dr. sidewalk (\$2,000)
- University Blvd. trees (\$9,200)

The following projects were deferred:

- * Between the Creeks Intersection Improvements - deferred to Traffic Committee
- * Between the Creeks Open Space Purchase - deferred to determine possibility of leasing site from state rather than purchase by City
- * Salvation Army Purchase - deferred, purchase of property is currently being considered by a commercial developer
- * Welcome Signs - recommended that such a program be considered through regular City funding

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council

September 23, 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:

1. Resolution commending police officer Lisa Kendall for saving a child's life
2. Proclamation designating week of September 23 as NATIONAL ADULT DAY CARE WEEK
3. Other presentations and comments by Mayor Abbott

READING AND APPROVAL OF THE MINUTES OF AUGUST 5 and AUGUST 12, 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 communications
2. CDBG/CAC proposals for year 12
Citizens' comments
Council action
3. Second reading of an ordinance fixing the rent stabilization guideline figure and setting the effective date
Citizens' comments
Council action
4. Second reading of an ordinance amending Sec. 6-80.16, "Appeals," Chapter 6 of the City Code, to provide that appeals from COLTA decisions may be made to the courts instead of the Mayor and Council
Citizens' comments
Council action
5. Second reading of an ordinance authorizing Housing Department to enforce portions of Chapter 12, "Trees and Vegetation," of the City Code
Citizens' comments
Council action
6. Second reading of an ordinance authorizing Housing Department to enforce Chapter 10, "Refuse," of the City Code
Citizens' comments
Council action
7. Second reading of an ordinance amending BOCA section of Housing Code to provide deadbolt locks on french or paired doors and lighting at all multi-family entrances during the hours of darkness
Citizens' comments
Council action

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8. Second reading of an ordinance authorizing installation of speed humps on Tulip, Pine, and Birch Avenues
Citizens' comments
Council action
9. Second reading of an ordinance staying condemnation proceedings on 7709 Carroll Avenue, and authorizing release of bond to Richard A. Wunderlich
Citizens' comments
Council action
10. First reading of an ordinance amending sections of Chapter 9, "Police," of the City Code
Citizens' comments
First reading
11. First reading of an ordinance appointing Judges for the November 5, City Election
Citizens' comments
First reading
12. First reading of an ordinance applying municipal infraction enforcement to certain requirements for candidates' election material
Citizens' comments
First reading
13. First reading of an ordinance amending Article 2, Chapter 13, City Code, "Abandoned, Wrecked, Dismantled or Inoperative Motor Vehicles"
Citizens' comments
First reading
14. First reading of FY-1986 Budget Amendment No. 1
Citizens' comments
First reading
15. Council approval of engineering contract with Gilford & Chase, Inc.
Citizens' comments
Council action
16. First reading of an ordinance authorizing a 4-way stop at the intersection of Grant and Hancock Avenues
Citizens' comments
First reading
17. Appointment of new member to the Historic Preservation Committee
Citizens' comments
Council action
18. Resolution pertaining to timely development of the Sheridan-Hancock Neighborhood Park
Citizens' comments
Council action

ADJOURNMENT

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
September 23, 1985

CITY OFFICIALS PRESENT:

Mayor Abbott	City Administrator Wilson
Councilmember Bradley	Asst. City Administrator Habada
Councilmember Dalmat	City Clerk Pusti
Councilmember D'Ovidio	Asst. Housing Director Austin
Councilmember Haney	Police Chief Fisher
Councilmember Iddings	Police Lt. Wortman
Councilmember Williams	Corporation Counsel Gagliardo

EXCUSED: Councilmember Aldrighetti

The Mayor and Council met at 8:15 P.M. on September 23, 1985, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, Mayor Abbott read a Resolution commending Police Officer Melissa Kendall for her recent actions which resulted in the saving of a child's life. He noted the presence of the youngster, as well as several family members, including the mother, who spoke briefly expressing the deep gratitude of the family to Officer Kendall.

RESOLUTION #1985-27
(attached)

Councilmember Bradley read a Proclamation commemorating Emergency Medical Services Week, September 29-October 5, 1985, which acknowledged such services provided in the city, the importance of said services, and urged citizens to participate appropriately. She moved passage, duly seconded by Councilmember Haney, carried unanimously.

PROCLAMATION
(attached)

Councilmember D'Ovidio read a Proclamation designating the week of September 23 as National Adult Day Care Week, which was passed unanimously.

PROCLAMATION
(attached)

Councilmember Iddings announced that Sligo Creek Parkway would be closed to traffic on Sunday, October 6, from 10 A.M. until 8 P.M., for the Traffic Committee's second Car Free Day. He noted there would be a series of events taking place, including a bike ride to Wheaton Regional Park, a bike rodeo for children, bicycle registration for city residents, and a bike decorating contest.

Councilmember Haney noted the opening of a photography exhibit at the Atrium at the Sligo Seventh-Day Adventist Church on September 26. The exhibit is on loan from the Embassy of Canada, is named "Between Friends," and the photos were taken along the length of the Canadian/-U.S. border. He urged those who could to attend, if not the opening, then other viewings, a schedule of which would be published in the Newsletter. He commented that Senator Dorman spoke at a recent meeting of the New Hampshire Gardens Citizens' Association and, at that time, gave to Mr. Haney for presentation to the City, the pen used by Governor Harry Hughes to sign Senate Bill 299 (permitting Prince George's residents of the city to attend Montgomery College paying resident tuition) during the last legislative session; he moved that the City Administrator be directed to have the pen framed for placement in the Municipal Building Administrative Offices. The motion was duly seconded, carried unanimously.

Councilmember D'Ovidio moved approval of the August 5, 1985 Minutes, as published; duly seconded, carried with Councilmember Dalmat Abstaining due to absence from the meeting, balance of Council voting Aye. Councilmember Bradley moved approval of the August 12, 1985 Minutes, as published; duly seconded by Councilmember D'Ovidio, carried with Councilmember Dalmat Abstaining due to absence from the meeting, balance of Council voting Aye.

ADDITIONAL AGENDA ITEMS:

Pre-Council agenda items not addressed due to time restraints (Mayor Abbott)

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

Rev. Ron Albaugh, 7202 Central Avenue: reminded there would be a hearing on September 26 on the Sligo Creek Sewerage Facility Plan which has been in the works for about 8 years and in which the Citizens' Advisory Committee participated. He urged Mayor, Council and staff to attend. In response to query, he stated that the hearing was for the purpose of presenting WSSC's recommendation, supported by the CAC, which addresses long-standing sewerage problems in the park, and allowing for public input to the plan. He elaborated briefly on the plan and its projected cost. He commented on attending a meeting earlier in the evening concerning preliminary plans for Takoma Junction which he said was well-attended, and said the plans are very exciting.

Mayor Abbott commended Phil Vogel, Jim DiLuigi, and Rev. Albaugh for their efforts and persistence in preserving the urban forest and defending the environment against WSSC's initially proposed plan, which had been substantially scaled down. Councilmember Bradley commented that she hoped that with implementation of the sewerage improvements, Park & Planning and other agencies would not use problems with the sewer line as an excuse for not accomplishing other park improvements in the portion within the City, such as a bike path, gym equipment such as exists in other areas of the park, etc. Councilmember Dalmat noted that a letter from the City expressing support for the work of the CAC would be discussed at a later point in the agenda.

ITEMS FOR COUNCIL CONSIDERATION:

1. CDBG/CAC proposals for Year 12.

Paul D'Eustachio, 6611 Allegheny Avenue, Chairman of CDBG CAC: asked that the City accept the Citizens' Advisory Committee's recommendations as to amounts and priorities, contained in their submitted report. He commented he understood that City Administration had proposed a plan which would take two highly prioritized unaccomplished items from last year's projects and inject them ahead of the current year's projects, which he essentially supported, but felt that it commences a process wherein projects not accomplished in the prior year are carried over, which would be a new procedure, and he suggested it should be formalized by Council. He stated he would be writing and submitting for consideration, at a later date, a resolution addressing that process. Councilmember Dalmat commented that procedure should encourage people to more actively participate in the Block Grant process, rather than seeing their project die if not completed within the year initially proposed. Councilmember D'Ovidio commented that proposed projects having so little merit as to be unlikely for county funding should be addressed so that they don't continue over from year to year. Mr. Wilson noted that implementation of the two priority projects carried over and mentioned earlier are a part of original agenda item #14 scheduled for first reading, e.g.,:

FY-1986 Budget Amendment No. 1.

The ordinance was accepted for first reading.

ORDINANCE #1985-
(attached)

Councilmember Bradley moved acceptance of the Citizens' Advisory Committee's report and recommendations, with amendments as proposed by Asst. City Administrator Habada; duly seconded by Councilmember Dalmat, carried unanimously. Mayor Abbott asked that Mr. D'Eustachio convey thanks to members of the committee for their work. For the record, Councilmember Bradley noted that there are some CDBG projects for Ward 5 that are considered a part of the Between The Creeks Neighborhood Project and go directly to the county; she said she assumed that both the citizens' committee and the City will support the ongoing effort to see those county projects proceed in Ward 5.

Economic & Community Development Coordinator Neal assured that every effort would be made to see that those projects go through.

(Recommendations attached)

2. Second reading of an ordinance authorizing installation of speed humps on Tulip, Pine, and Birch Avenues.

Councilmember Iddings moved adoption, duly seconded. He referred to his memorandum outlining the Traffic Committee's review and recommendations. He noted that committee recommended that if funding permitted, all of the streets should receive speed humps; otherwise, stated in order of priority: 1) Tulip Avenue, 2) Pine Avenue, 3) Birch Avenue; he related the committee's rationale for the order in which the streets were prioritized. In response to query, he stated that total cost, were speed humps to be installed on all three streets, would be approximately \$2,400. Mr. Wilson noted that FY-1986 Budget Amendment No. 1, accepted earlier for first reading, recommended that \$5,000 be placed in a special line item for expenditure on speed humps. Ms. Habada commented that last year \$10,000 was appropriated for speed humps, only \$1,200 of that amount was expended (in terms of materials; labor cost was not included). Mr. Iddings noted that the \$300/hump figure stated by Public Works Director Robbins at an earlier meeting included materials, labor, painting, signage, etc.

Pat Slater, 7410 Birch Avenue: pointed out that there are special considerations on Birch in addition to the traffic count, such as the Parent-Child Resource Center at Philadelphia & Birch (a lot of children cross Philadelphia from there and travel on foot up Birch), the day care center at the corner of Dogwood & Birch (many children going to and from there), another day care center adjacent to the aforementioned Parent-Child Resource Center; she said there is a very high volume of foot traffic by children on Birch, 11-13 small children live on her block of Birch. In response to query, Mr. Iddings stated the most recent traffic count on Birch was done after speed humps were installed on Holly; the one done several years ago was done in November, the recent one in July.

Jeanne Price, 7301 Birch Avenue: spoke in support of speed humps on Birch, commented on the significant number of small children on that street.

In response to query, Mr. Iddings stated a request was made that the City Administrator direct the Police Department to monitor speed on Birch and also Pine Avenues, however, did not think that had been done as no results had been provided. Councilmember Williams commented on the heavy pedestrian traffic on Birch, suggested that the Traffic Committee include that factor when considering speed hump petitions, rather than examining vehicular traffic counts only. The Mayor commented on cars discharging and picking up children on Birch near Philadelphia for attendance at the nearby school and day care facilities. Councilmember Bradley pointed out that Birch is, or soon will be, the only street in that area not having speed humps. She said it was felt by many that these installations should be on a neighborhood basis, rather than block by block; said perhaps in the beginning, a more systematic approach could have been taken; however, lacking that, she would support the proposed speed hump(s) on Birch, as well as the others.

Jim Douglas, 212 Tulip Avenue: on behalf of his neighbors as well as himself, endorsed Mr. Iddings' proposal to put speed humps on all 3 streets; noted a significant change in the amount of traffic since installation of speed humps on neighboring streets, said use of Birch as a cut-through has greatly increased. Councilmember D'Ovidio commented he could personally testify to traffic hazards on Tulip, having observed them. Mr. Douglas additionally noted an increase in drivers making illegal left turns around the traffic island at Cedar and Eastern; Councilmember Dalmat commented that the sign indicating "no left turn" was missing, and, that location is outside the city boundary in D. C.

Clarence Boatman, 133 Ritchie Avenue: inquired what the cost of labor was for each speed hump installed; Mr. Iddings stated the total cost per hump is approximately \$300. The Mayor stated that Public Works

Director Robbins would send Mr. Boatman a letter with a complete cost breakdown.

Richard Wall, 7302 Birch Avenue: spoke in opposition to the speed hump proposed for installation near the corner of Birch and Barclay Avenue, said it would be right at the base of the hill, causing drivers to brake or accelerate, depending on which direction they are coming from, and creating noise in the neighborhood. He suggested alternatives and asked that they be considered. In response to query as to whether neighbors had met and discussed location of the humps on Birch (as proposed in an earlier meeting), it was stated that one meeting occurred, however, no final resolution was reached; Mr. Wall stated he would not oppose the hump in question if it were moved to an alternate location. Mayor Abbott stated he supports speed humps, would welcome having the hump located by his property. Mr. Iddings concurred the current proposed location was very close to the intersection of Birch and Barclay, as well as a driveway; he noted that alternate location had been discussed and appeared reasonable. Councilmember Dalmat noted that speeding data had not been received for any of the 3 streets; suggested second reading be deferred pending receipt of that information.

Patricia Veusich, 717 Sligo Creek Parkway: commented on a number of large potholes on Aspen Court, which she remarked act as inverted speed humps and hoped they would not be repaired as they tend to slow down traffic.

The question was called on the earlier motion to adopt; the roll call vote was recorded as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

ORDINANCE #1985-54
(attached)

3. First reading of an ordinance amending sections of Chapter 9, "Police," of the City Code.

Mayor Abbott noted the item had been thoroughly discussed during work-session; Chief Fisher briefly summarized the proposed amendments. Councilmember Bradley moved acceptance for first reading, duly seconded by Councilmember D'Ovidio. Corporation Counsel noted that the reference to public accessibility to the rules and regulations as included in his draft supplied at the worksession had been deleted from the current version of the ordinance; he felt that language should be restored because the rules and regulations are public information and the right to access should be noted in the Code. Following comment by Chief Fisher, consensus was that a statement regarding departmental rules and regulations and their accessibility by the public, would be added as an additional section prior to second reading. It was additionally suggested that a general statement regarding rules and regulations of all City departments and rights of access by the public be included in the Code. The ordinance was accepted for first reading.

ORDINANCE #1985-
(attached)

4. Second reading of an ordinance fixing the rent stabilization guideline figure and setting the effective date.

Mr. Wilson noted that the ordinance imposes a 5% lid on rent increases permissible without prior COLTA approval, effective September 10, 1985; in effect, extending the prior ordinance and its provisions for the next year. Adoption was moved by Councilmember Bradley, duly seconded by Councilmember Haney. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

ORDINANCE #1985-49
(attached)

5. First reading of an ordinance authorizing a 4-way stop at the intersection of Grant and Hancock Avenues.

Acceptance for first reading was moved by Councilmember Dalmat, duly seconded by Councilmember Bradley.

Tina Hudak, 101 Grant Avenue: spoke of increased traffic on the street, particularly during rush hour, referred to numerous children and pedestrians on the street; she commented on lack of police enforcement or any posted speed limit on the street, noted that a petition by residents was submitted asking for the addition of two stop signs, which would make the intersection a 4-way stop. Councilmember Iddings commented that the police department's report strongly supported the addition of the two stop signs, as requested, in light of both visibility problems and speeding problems.

Kurt Stern, 103 Grant Avenue: commented there had been problems at that intersection for years, spoke in support of the additional stop signs.

The ordinance was accepted for first reading, with second reading to be scheduled for October 15.

ORDINANCE #1985-
(attached)

6. First reading of an ordinance amending Article 2, Chapter 13, City Code, "Abandoned, Wrecked, Dismantled or Inoperative Motor Vehicles."

Clarence Boatman, 133 Ritchie Avenue: questioned the intent of the amendment, what it accomplishes; response was that the amendment will appropriately address the problem of junk vehicles on private property. Mr. Boatman related a number of instances in his neighborhood of unregistered vehicles being parked on properties for long periods of time; questioned why laws are made and then not properly enforced, why the existing abandoned vehicle ordinance had not been stringently enforced. Mayor Abbott commented that the reason the amendment is being proposed is because the police department questioned their authority to enter private property relative to junk vehicles. Corporation Counsel Gagliardo explained that the current law is superseded by state law which addresses such vehicles on public property and provides for the police to ticket or tow such vehicles; he opined that, concerning vehicles on private property, municipalities have the authority to enact whatever kind of law they want or no law at all, under property maintenance regulations. The amendment will address junk vehicles on private property, based on the BOCA Code, including trailers, campers, etc. In regard to Municipal Infractions issued in response to a complaint filed, Mr. Boatman inquired how the complainant is advised of the outcome of his complaint. Asst. Housing Director Austin commented that many times, the complaint is anonymous, or the complainant does not wish their name to be revealed, thus making notification to the complainant difficult, and in some cases, impossible. He stated that Housing Inspectors are instructed to notify the complainant, when possible, of what has transpired.

The question was raised of whether, in the proposed ordinance, the employment of the Municipal Infraction process, generally a Code Enforcement responsibility, would remove the police from the enforcement process. Corporation Counsel Gagliardo stated that, from a legal point of view, it adds Code Enforcement to the process; however, the decision would have to be made administratively whether to continue that responsibility as a police function or not. Mr. D'Ovidio commented he would wish to see the responsibility retained by the police department and shared by Code Enforcement. In response to query, Mr. Gagliardo affirmed that in cases where there are legal proceedings, police generally receive some deference in the courtroom; he suggested that Section 1.17 of the City Code, which addresses Municipal Infractions, might be amended to state that those infractions may be cited by a police officer or designated code enforcement officer, or some general mandate. Mr. Wilson suggested that be done prior to second reading; he additionally referred to a memorandum from Housing Director Tyree expressing concern about potential additional workload impact on code enforcement staff inspectors. Councilmember Bradley commented it was her understanding that the police department receives

a very significant number of complaints about such vehicles. Dialogue ensued concerning the right of the police to enter private property for the purpose of citing such vehicles; Mr. Gagliardo pointed out that the responding officer should be able to note all pertinent details and information from the vantage point of the complainant, without entering the property on which the vehicle is parked; he said if necessary, the ordinance provides that an injunction can be gotten by the City allowing the car to be towed in order to clean up the premises. Mr. Wilson noted a need for clarifying language, as well as a meeting between pertinent department heads and Corporation Counsel in order to formulate procedures so that both groups have a clear understanding of their roles. He noted a need for cross-training of personnel so that they observe not only those things which are their immediate responsibility, but other City Code violations as well. Councilmember Williams commented that the owners of 7611 Maple Avenue had all the abandoned vehicles towed from the lot of that building and placed on the street in the 7600 block of Maple; said police were there last week putting red stickers on the vehicles and the City will probably be responsible for having them towed. Mr. Wilson stated he would ascertain who would be legally liable for removal of those vehicles from the public street. Councilmember Dalmat commented she was pleased to note that the ordinance also addresses vehicle parts and tires. Councilmember Bradley noted the need for the ordinance to address covered junk vehicles; she also asked that the feasibility be examined by staff of an annual (or twice a year) roundup of junk vehicles, with Newsletter publicity in advance asking people to comply prior to the citation and towing process commencing. In response to query, Mr. Wilson stated the City currently has a temporary towing contract pending a second Request for Proposals and bid opening for the service. The ordinance was accepted for first reading, with noted changes to be effected prior to second reading.

ORDINANCE #1985-
(attached)

7. Second reading of an ordinance amending Sec. 6-80.16, "Appeals," Chapter 6 of the City Code, to provide that appeals from COLTA decisions may be made to the courts instead of the Mayor and Council.

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

ORDINANCE #1985-50
(attached)

8. Second reading of an ordinance authorizing Housing Department to enforce portions of Chapter 12, "Trees and Vegetation," of the City Code.

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

ORDINANCE #1985-51
(attached)

9. Second reading of an ordinance authorizing Housing Department to enforce Chapter 10, "Refuse," of the City Code.

Councilmember Williams moved adoption, duly seconded by Councilmember Bradley; carried with the roll call vote recorded as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

ORDINANCE #1985-52
(attached)

10. Second reading of an ordinance amending BOCA section of Housing Code to provide deadbolt locks on french or paired doors and lighting at all multi-family entrances during the hours of darkness.

Adoption was moved by Councilmember Bradley, duly seconded by Council-

member Haney. Ms. Bradley commented that these amendments attempt to make rental properties safer for occupants. Ensuing discussion pointed out that key-operated double-deadbolts are prohibited on multi-family units; however, the ordinance is in no way affected or altered by that law. Councilmember Haney commented that the problem of inadequate lighting had been brought to his attention some time ago, stated he was glad to see the requirements made more stringent. The question was called, the ordinance adopted by roll call vote as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

ORDINANCE #1985-53
(attached)

11. Second reading of an ordinance staying condemnation proceedings on 7709 Carroll Avenue, and authorizing release of bond to Richard A. Wunderlich.

Councilmember D'Ovidio moved adoption, duly seconded by Councilmember Bradley. Speaking on behalf of Councilmember Aldrighetti who was unavoidably absent, Councilmember Bradley stated he wished reaffirmation that all issues about the property had been settled, in which case he would vote in the affirmative. Asst. Housing Director Austin referred to a memorandum disseminated the prior week addressing questions about the property and occupants raised at a previous meeting. Following discussion of those matters, including the number of vehicles often parked there and number of inhabitants of the premises, Mr. Wilson, in response to query, stated he was satisfied that in relation to the condemnation, the current procedure was appropriate. The ordinance was adopted, with the roll call vote recorded as follows: AYE: Councilmembers Bradley, Dalmat, D'Ovidio, Haney, Iddings and Williams; NAY: None; EXCUSED: Councilmember Aldrighetti.

ORDINANCE #1985-55
(attached)

12. First reading of an ordinance appointing Judges for the November 5, City Election.

Councilmember Bradley moved acceptance for first reading, duly seconded, carried.

ORDINANCE #1985-
(attached)

12. First reading of an ordinance applying municipal infraction enforcement to certain requirements for candidates' election material.

Councilmember Williams moved acceptance for first reading, duly seconded by Councilmember Bradley. Mr. Wilson noted that the City Clerk had suggested that in the new Section 2-18.4(a), the address requirement be deleted; consensus was that that be done. The ordinance was accepted for first reading.

ORDINANCE #1985-
(attached)

13. Council approval of engineering contract with Gilford & Chase, Inc.

Corporation Counsel Gagliardo pointed out suggested changes in the contract, the nature of which would not bar Council taking action at the present time. Ms. Habada commented that, during her tenure with Seat Pleasant, Mr. Gilford did over \$700,000 worth of street work for that town with no contract; she said it was a matter of form that something was required in writing, however, she did not think the \$3,000 contract in question should be belabored. Mayor Abbott asked that it be ascertained whether the firm is bonded, said in the event of a larger contract, he would want to be sure that was the case. Councilmember D'Ovidio moved approval of the contract with changes as noted by Mr. Gagliardo, duly seconded, carried unanimously.

14. Appointment of new member to the Historic Preservation Committee.

Councilmember Bradley moved appointment of Mary Jean Hutchins Ridgely Eig of 7111 Garland Avenue, to the committee, to replace Phil Metzger who has moved from the city. Mrs. Eig will serve for a 3-year term,

retroactively commencing July 1, 1985. The motion was duly seconded, carried unanimously. Councilmember Bradley asked that the record reflect that Councilmember Aldrighetti would have supported the appointment had he been present; he had so indicated to her.

15. Resolution pertaining to timely development of the Sheridan-Hancock Neighborhood Park.

Mr. Iddings related that Park & Planning had, over a two-year period, acquired about ten lots at the stated location for the purpose of developing a neighborhood park. He said an approximate one-year postponement of the project is now proposed, despite funds having been earmarked this year for design and next year for development. He explained that the resolution would ask the Planning Board to reconsider deferring the project; he moved passage, duly seconded by Councilmember D'Ovidio. In response to query, Mr. Iddings stated the deferral was a staff recommendation from the Parks Department; he commented it appeared Park & Planning had been more ambitious in planning than what they had been able to carry through on, thus delaying projects; the rationale was that in order to meet deadlines, some projects would be delayed and resources concentrated. In response to query, Mr. Iddings stated the Sheridan-Hancock project was presumably being deferred due to some projects in the Route 29 corridor; he noted it was initially scheduled for completion in 1983. Mayor Abbott moved an amendment which would add to the 4th "Whereas," clause, immediately following "...the one year deferral...", the wording "...especially because of Park & Planning's emphasis on areas other than Takoma Park." The motion was duly seconded and accepted by the maker of the original motion. Councilmember Bradley commented she would want to know in favor of which projects the subject one was being deferred. The question was called; the resolution, as amended, passed unanimously.

RESOLUTION #1985-28
(attached)

16. Approval of Phil Vogel's letter re Sligo Creek Facility Plan.

Approval was moved by Councilmember Bradley, duly seconded, carried unanimously.

17. Approval of letter to Rick Ferrara conveying the City's position to the county re CDBG funding method.

Councilmember D'Ovidio moved approval of the letter, duly seconded, carried unanimously.

18. Nomination to fill vacancy on Montgomery County Board of Appeals.

Mayor Abbott nominated Andrew Houston, an architect who lives at Baltimore and Albany Avenues in the city, works for HUD, and is an expert in the field of zoning law and related matters; he asked that details about the position be ascertained so they could be conveyed to Mr. Houston. It was noted that, should Mr. Houston not be able to accept the nomination for any reason, there were other individuals Councilmembers would wish to consider for nomination.

19. Appointments to Montgomery County Cable Communications Advisory Committee.

Councilmember Bradley moved appointment of Margaret I. Anderson to serve as the City's representative, Bruce Moyer as alternate representative, duly seconded, carried unanimously.

20. Appointments to Montgomery County Cable Oversight Advisory Committee.

Councilmember Bradley moved appointment of Thomas Turner (replacing temporary appointment of Bruce Moyer made at an earlier meeting) to serve as the City's representative, Adele A. Bunoski as alternate representative, duly seconded, carried unanimously.

Upon motion, duly seconded, the meeting adjourned at 10:50 P.M., to reconvene in regular session at 8:00 P.M. on October 15, 1985.

Introduced by Councilmember Haney

RESOLUTION 1985-27

WHEREAS, Takoma Park Police Private First Class Melissa L. Kendall did on September 11, 1985, respond to the scene of an "unknown trouble" call from 7513 Maple Avenue, Takoma Park, and did find a 3-year-old child who had fallen from a balcony five floors above and was not breathing; AND

WHEREAS, in the midst of confusion and hysterical bystanders, Pfc. Kendall did immediately drop to the ground and begin mouth-to-mouth resuscitation, causing the child to begin breathing until medics arrived; AND

WHEREAS, happily the child is out of danger and on the road to recovery without brain damage.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Takoma Park do hereby commend Officer Kendall for her presence of mind under extreme pressure, and do congratulate her for saving a child's life.

SEPTEMBER 23, 1985

Sammie A. Abbott

Mayor

M. Sibyl Pusti

PROCLAMATION

WHEREAS, The week of September 23, 1985 has been designated NATIONAL ADULT DAY CARE WEEK; AND

WHEREAS, These Adult Day Care Centers are able to provide a wide range of supportive health and social services to health impaired citizens to enable them to remain in their own homes and prevent institutionalization; AND

WHEREAS, Takoma Park joins the nation and the State of Maryland in recognizing the importance of these programs in serving the disabled and impaired aged citizens of our community.

NOW, THEREFORE, I, Sammie A. Abbott, Mayor of the City of Takoma Park, Maryland do hereby proclaim September 23 through September 29 as Takoma Park Adult Day Care Center Week and urge all citizens of Takoma Park to recognize this event and participate fittingly in its observance.

SEPTEMBER 23, 1985

PROCLAMATION

WHEREAS, The week of September 29 - October 5, 1985, has been designated EMERGENCY MEDICAL SERVICES WEEK; AND

WHEREAS, The Emergency Medical Services of Washington Adventist Hospital is able to provide a wide range of supportive health services to assist all citizens regardless of race, sex or creed to receive immediate health care when required; AND

WHEREAS, Takoma Park joins the nation and the State of Maryland in verifying the importance of Emergency Medical Services and their need within our community.

NOW, THEREFORE, the Mayor and Council of the City of Takoma Park, Maryland, do hereby proclaim September 29 - October 5, 1985, as Takoma Park Emergency Medical Services Week and urge all citizens of Takoma Park to recognize this event and participate fittingly in its observance.

SEPTEMBER 23, 1985

Introduced by:

1st Reading: 9-23-85

2nd Reading:

ORDINANCE NO. 1985-_____
Budget Amendment No. 1

SECTION 1. BE IT ORDAINED AND ENACTED by the Mayor and City Council of Takoma Park, Maryland, that the Fiscal Year 1986 City Budget be amended as follows:

- (a) Increase Revenue Sharing Fund, Budget Account Number 431, by \$22,000.
- (b) Increase Urban Development and Assistance revenues, Budget Account Number 430 by \$17,000 from CDBG Operation Turnaround Program income.
- (c) Increase Urban Development and Assistance revenues, Budget Account Number 430, by \$19,000 to incorporate funds approved for reprogramming by Montgomery County.
- (d) Appropriate \$30,000 (Community Development Block Grant funds) to Budget Account Number 597.2, Capital Outlay-Street Construction.
- (e) Appropriate \$11,000 (Federal Revenue Sharing Funds) to Budget Account Number 597.2, Capital Outlay-Street Construction.
- (f) Appropriate \$5,000 (Federal Revenue Sharing Funds) to Budget Account 995, Capital Outlay, for installation of speed humps.
- (g) A revenue line item designated "Cable Fees (Montg. Co.)," is created under MISCELLANEOUS REVENUES with a budget account number of 448 and an appropriation of \$6,264.

City of Takoma Park
Community Development Block Grant
Citizens' Advisory Committee
September 16, 1985

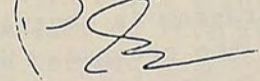
Mayor Sammy A. Abbott
Takoma Park City Council
City of Takoma Park
Takoma Park, Maryland

Dear Mr. Mayor and City Council Members,

The Community Development Block Grant Citizens' Advisory Committee (CDBG/CAC) strongly urges the Takoma Park City Public Works Department to install needed storm sewer grates on Maple Avenue (at the intersection of Sligo Creek Parkway) immediately. While funds have been recommended in the fiscal year 1987 Block Grant budget, the CDBG/CAC believes that the hazard represented by the missing grates warrants immediate action rather than waiting two or more years for Block Grant funding. It is the Committee's opinion that to leave these sewers uncovered exposes the City to a potentially costly lawsuit.

The CDBG/CAC will be pleased to respond to any questions that you may have relating to the above matter.

Sincerely,



Paul d'Eustachio
Chairman

- September 16, 1985

REPORT AND RECOMMENDATIONS TO THE MAYOR AND COUNCIL FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS' ADVISORY COMMITTEE FOR FISCAL YEAR 1987

The Community Development Block Grant Citizens' Advisory Committee (CDBG/CAC) has proposed the funding of projects in the following three general categories:

1. City Administration Proposed Projects	- High Priority:	\$104,820
2. Commercial Revitalization Projects	- High Priority:	\$305,000
	- Low Priority :	\$ 14,235
3. Public Works Projects	- High Priority:	\$140,872
	- Low Priority :	\$644,792
Total	- High Priority:	\$550,692
	- Low Priority :	\$659,027
Grand Total		<u>\$1,209,719</u>

CITY ADMINISTRATION PROPOSED PROJECTS

As in past years, the City Administration has proposed a series of eligible, well conceived and important projects. The CDBG/CAC has placed a high priority on all of the following. The order of listing does not indicate any priority.

PROGRAM ADMINISTRATION (\$35,800) - The purpose of these funds is to cover a portion of the City's cost of administering the Block Grant program. While the entire cost is not reflected in the recommendation, this amount is based on what the City has historically received from the County, and is the amount specifically requested by the City Administration.

→ REHAB HOUSING (\$50,000) - The CDBG/CAC believes that the Housing component of the City's CDBG program is central to its basic purpose, and an essential element of the program. We believe that the Division of Economic and Community Development has overcome its administrative problems of past years and will make effective use of the recommended funds.

RECREATION DEPARTMENT/SPRING PARK (\$14,000) - Spring Park continues to battle on-going problems with erosion which has had a devastating effect on existing play equipment, basketball courts, and the ballfield. In addition to erosion, the present shelter is old, water damaged, and needs to be replaced. The CDBG/CAC strongly supports the request for more versatile, tot-safe equipment and benches. The CDGB/CAC is recommending \$14,000 with the remainder of the \$56,250 cost being matched with Project Open Space funds.

TAKOMA PARK LIBRARY (\$5,020) - This project is for the purchase of 12 audio-cassette player/recorders and educational tapes for circulation to the general public. This is a relatively low cost project that has the potential to significantly expand the scope of services offered by the library.

COMMERCIAL REVITALIZATION PROJECTS

Block Grant funds provide an import source of economic development funds to the City of Takoma Park. In general, the County is willing to fund projects of this type as they increase the County's tax base at no additional cost to the County.

TAKOMA JUNCTION (\$305,000) - Takoma Junction is the only Commercial Revitalization project given a high priority this fiscal year by the CDBG/CAC. This is the third and final year of this project. The City, with the successful revitalization of Old Town has demonstrated its ability to carry out projects of this nature. Montgomery County has recognized both the City's ability and the necessity of projects of this type by granting funding for the first two years of the Takoma Junction revitalization. The Committee believes that a high priority for the last year is justified.

UNIVERSITY/CARROLL COMMERCIAL AREA (\$14,235) - The CDBG/CAC has recommended a low priority for the University/Carroll commercial area improvements requested by New Hampshire Gardens Citizens' Association. The Committee suggests that the Citizens' Association work with the City to explore other possible actions such as code violation inspections, contacting the property owners, and developing a facade ordinance (similar to the one already in place for Takoma Junction) before Block Grant funds are spent in this area.

*pulled--
Co. to fund* FLOWER/ERIE INTERSECTION - It is the Committee's understanding that the project proposed for the Flower/Erie intersection by the Between the Creeks Neighborhood Association will be carried out by the Montgomery County Department of Housing and Community Development. Thus no funds are recommended for this project.

PUBLIC WORKS PROJECTS

Virtually all street, sidewalk, and curb and gutter repairs in the City of Takoma Park are carried out with Block Grant funds. While this is clearly not an ideal situation, it a fact of life given the constraints of the City's budget. Thus competition between neighborhoods for particular projects is strong, and the Committee's job of recommending priorities is difficult. The projects below are listed in the Committee's order of priority with the exception of the items listed in #4 below where no specific priority between these sidewalk projects has been made.

The following projects are recommended at a high priority:

1. Maple Ave. sewer grates (\$2,000)
2. Colby Ave. walkway (\$5,000)
3. Chaney Dr. sidewalk, curb & gutter (\$16,992)
4. Elm Ave. sidewalk - Ethan Allen to Heather (\$8,400)
Erskine St. sidewalk - New Hampshire to top of hill (\$12,000)
Kennebec Ave. sidewalk (\$11,040)
Wildwood Dr. sidewalk (\$4,480)
5. Erskine St. sidewalk - extend to City line (\$12,000)
6. University Blvd. street, curb & gutter (\$15,400)

7. Highland Ave. curb & gutter (\$7,440)
8. Elson Pl. & 13th Ave. Intersection curb & gutter (\$3,500)
9. Jackson Ave. curb & gutter - Ethan Allen to Boyd (\$14,000)
10. 14th Ave. street, curb & gutter - Erskine to Elson Pl. (\$14,000)
11. Wabash Ave. walkway (\$7,500)
12. New Hampshire Ave. curb (\$880)
13. Grant Ave. curb & gutter - Chestnut to Piney Branch (\$6,240)

The following projects are recommended at a low priority (not listed in any priority order):

- Ritchie Ave. curb & gutter (\$42,560)
- Carroll Ave. street, sidewalk, curb & gutter (\$109,780)
- (Note: the CDBG/CAC felt strongly that the City should develop an overall plan for Carroll Avenue rather than the current piecemeal approach. With an overall plan, the City should approach the State and attempt to work out the necessary repairs on a shared basis.)
- Mississippi Ave. street repair (\$31,616)
- Cedar Ave. sidewalk (\$54,800)
- Grant Ave. street - Chestnut to end (\$19,500)
- Holly Ave. street - Grant to Philadelphia (\$10,200)
- Darwin Ave. curb & gutter (\$1,152)
- Piney Branch Rd. sidewalk (\$16,000)
- Allegheny Ave. sidewalk, curb & gutter (\$9,360)
- Westmoreland Ave. sidewalk (\$7,200)
- Second Ave. sidewalk, curb & gutter (\$9,920)
- Elm Ave. street repair - Westmoreland to Pine (\$30,000)
- Elm Ave. curb & gutter - Prince George's to Ethan Allen (\$25,920)
- Erskine St. street, curb & gutter (\$36,300)
- 13th Ave. street, curb & gutter (\$80,800)
- 13th Pl. street, curb & gutter (\$18,200)
- 14th Ave. street, curb & gutter (\$24,200)
- Elson Pl. street, curb & gutter (\$38,800)
- Elson Ct. street, curb & gutter (\$5,640)
- Elson St. street, curb & gutter (\$6,924)
- Boyd Ave. curb & gutter (\$33,280)
- Auburn Ave. curb & gutter (\$21,440)
- Kingwood Dr. sidewalk (\$2,000)
- University Blvd. trees (\$9,200)

The following projects were deferred:

- * Between the Creeks Intersection Improvements - deferred to Traffic Committee
- * Between the Creeks Open Space Purchase - deferred to determine possibility of leasing site from state rather than purchase by City
- * Salvation Army Purchase - deferred, purchase of property is currently being considered by a commercial developer
- * Welcome Signs - recommended that such a program be considered through regular City funding

Ordinance No.

Whereas: It is the purpose of this ordinance to foster the City's efforts to maintain clean neighborhoods and to preserve the residential character of the City; and

Whereas: The current provisions of the Takoma Park Code concerning wrecked, dismantled and inoperative motor vehicles have been found to inhibit the City's efforts in meeting these goals:

It is hereby ordained by the Mayor and Council of the City of Takoma Park that the following shall be added to the Takoma Park Code as Section 6-39:

Section 1. Section 6-39 Storage of Vehicles.

"(a) It shall be unlawful in any residential area or on any property zoned residential for any person to store, park, leave, or cause or permit the storage, parking or leaving of:

(1) any vehicle which is wrecked, dismantled or partly dismantled, disabled or inoperative, abandoned or in disrepair; and is visible from the street, sidewalk, or other public right of way or from any other person's private property for more than 48 hours, whether or not the property on which the vehicle(s) is located is owned, leased or used with or without the consent of the owner or tenant; or

(2) more than one unregistered and/or uninspected motor vehicle; or

(3) more vehicles, regardless of their condition, registration or inspection status, than there are parking spaces allowed for under applicable zoning laws; or

(4) any vehicle anywhere on the property except the garage, carport, driveway, drive way apron or other paved surface; PROVIDED HOWEVER, that nothing contained herein shall be interpreted as allowing or authorizing blocking or impeding the sidewalk or the elimination of green space in excess of that permitted by applicable zoning laws and regulations;

(5) except in sheds, garages or other structures, any automotive or truck parts, components, or tires.

(b) As used in this section vehicle shall mean any motor vehicle as defined in Section 11-135 of the Transportation Article of the Annotated Code of Maryland, including, but not limited to any automobile, truck, van, recreational vehicle

(RV), motorcycle, tractor or other motorized farm implement, and any other devise in, on, or by which any individual or property is or might be transported or towed on a highway, including, but not limited to flat bed trailers, semi trailers, boat trailers and campers.

(c) Any violation of this section shall be a municipal infraction the penalty for which shall be not less than Fifty Dollars (\$50), nor more than One Hundred Dollars (\$100.00) for any first violation, nor more than \$200 for any subsequent violation. Each vehicle left, stored or parked in violation of this section shall constitute a separate violation. Each day a vehicle is left, stored or parked shall constitute a separate violation. A subsequent violation shall not be deemed to have occurred until and unless the time provided in subsection (d) above shall have expired.

(d) No person shall be issued a municipal infraction citation for a violation of this section without being first given a warning notice and not less than 72 hours to cure the violation and come into compliance with this section. If within 72 hours of receiving a warning notice a person cures the violation and comes into compliance no municipal infraction citation shall be issued. If person does not do so within said 72 hours, even if he or she shall later cure the violation and come into compliance, a violation shall be deemed to have occurred a municipal infraction citation shall be issued.

(e) Without limitation upon or election against any other available remedy, the City or any other aggrieved party, including but not limited to any adjoining property owner, may apply to a court of competent jurisdiction for an injunction enjoining any violation of this section. An injunction shall be issued prohibiting any continued violation of this section upon a showing that after notice from the City to remove vehicles from the subject property such vehicles were not removed. The court shall award attorney's fees and costs to any party who succeeds in obtaining an injunction hereunder.

Section 2. This ordinance shall become effective upon enactment.

* * * * *

Drafted by: Corporation Counsel (Gagliardo)
9/19/85

Submitted to: Mayor and Council
City Administrator
Chief of Police
DHS/Code Enforcement

First Reading:

Introduced by:
Councilmember Iddings

1st reading: 9-9-85
2nd reading: 9-23-85

ORDINANCE NO. 1985- 54

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 (j), (k), and (l) 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:

- (j) Tulip Avenue, between Holly Avenue and Carroll Avenue;
- (k) Pine Avenue, between Elm Avenue and Columbia Avenue;
- (l) Birch Avenue, between Philadelphia Avenue and Cedar Avenue.

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

ADOPTED BY THE CITY COUNCIL SEPTEMBER 23, 1985.

9-23-85

Introduced by:

1st reading: 9-23-85
2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT Article 2, consisting of Secs. 9-1 through 9-70, of Chapter 9, City of Takoma Park Code, 1972, as amended, be repealed in its entirety and the following Sections 9-1 and 9-2 be enacted:

Sec. 9-1. Chief Police Officer; appointment and removal.

The City Council shall, by majority vote, appoint a chief of police who shall serve at their pleasure and who may be removed by a majority vote of the City Council. The Chief shall report to the City Administrator.

Sec. 9-2. Duties of Chief Police Officer generally.

(a) The Chief Police Officer shall be responsible for the preservation of the peace, the maintenance of order, the prevention and detection of crime, and the enforcement, within the City, of all laws, regulations, and ordinances over which the Police Department has jurisdiction.

(b) The Chief Police Officer shall ensure that members of the force properly perform their police duties, that the rules and regulations of the Department are strictly enforced, and that discipline in the Department is rigidly maintained.

(c) The Chief of Police shall promulgate those rules, regulations and general orders necessary to implement subsections (a) and (b), provided, however, that the Chief shall make no rule, regulation or general order which conflicts with or is contrary to applicable constitutional or statutory requirements or any rule or regulation promulgated by the City Administrator or the Mayor and Council.

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

ORDINANCE NO. 1985- 49

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

SECTION 1. THAT Secs. (c), (e)(3)(A), and (g)(1), of Sec. 6-80.17, "Rent Guidelines," of the Code of Takoma Park, Md., 1982, as amended, be further amended to read as follows:

Sec. 6-80.17. Rent guidelines

(c) It shall be unlawful for any landlord or anyone acting on behalf of a landlord to charge or collect any rent for any dwelling unit which exceeds the lawful rent chargeable for such unit on ~~September 10, 1984~~ September 10, 1985, by more than ~~five-percent-(5%)~~ five percent (5 %) unless the landlord has first obtained a determination from the Commission on Landlord-Tenant Affairs that a rent in excess of ~~five-percent-(5%)~~ five percent (5 %) than the lawful rent chargeable on ~~September 10, 1984~~ September 10, 1985, is justified in accordance with this section of this article.

(e) It shall be unlawful for any landlord or anyone acting on behalf of a landlord to increase the rent for any dwelling unit without having first given the tenant(s) living therein at least sixty (60) but not more than ninety (90) days' written notice of the increase. Such notice shall contain the following:

(3) the Following statement with the correct figures filled in:

(A) If the rent increase is within the limit prescribed in Section 6-80.17(c):

"1. YOUR RENT WILL BE INCREASED . . . % TO \$ ON, 198
"The Takoma Park Code provides that the rent for your apartment may not be raised more than percent (. % than the lawful rent chargeable on 198 The lawful rent chargeable for this apartment on, 1983 19 was \$ Accordingly, the rent for this apartment may be raised \$, for a total rent of \$ per month, without the approval of the Commission on Landlord-Tenant Affairs.

(g) Proposed increases of more than ~~five-percent-(5%)~~ five percent (5 %).

(1) Whenever a landlord proposes a rent increase of more than ~~five-percent-(5%)~~ five percent (5 %), the landlord shall provide an affidavit on a form provided by the Commission setting forth the justification for the increase. Upon receipt of the affidavit, the Commission shall review the justification presented by the landlord and determine whether the rent increase is reasonable based on the landlord's presentation. The Commission shall have the authority to determine how often a landlord may make application each year.

NOTE: ----- denotes deletions
_____ Underscoring denotes additions

This ordinance addresses amount of rental increase only.

ADOPTED BY THE MAYOR AND COUNCIL SEPTEMBER 23, 1985.

Introduced by:
Councilmember Iddings

1st reading: 9-23-85
2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT all vehicular traffic travelling in either direction on Grant Avenue shall come to a complete stop at that street's intersection with Hancock Avenue; AND

SECTION 2. THAT all vehicular traffic travelling in either direction on Hancock Avenue shall come to a complete stop at that street's intersection with Grant Avenue, thereby creating a 4-way stop; AND

SECTION 3. THAT the Director of Public Works is hereby requested to install the appropriate signing; AND

SECTION 4. THAT this ordinance shall become effective upon completion of the signing; AND

SECTION 5. FURTHER THAT the penalty for violation of this ordinance shall be as prescribed in Sec. 1-17(a) of the Code of Takoma Park, Md., 1972. as amended.

Introduced by:

1st reading: 9-9-85
2nd reading: 9-23-85

ORDINANCE NO. 1985-50

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

SECTION 1. THAT Sec. 6-80.16, "Appeals," of Chapter 6, Code of Takoma Park, Md., 1972, as amended, be amended to read as follows:

Sec. 6-80.16. Appeals.

Any person aggrieved by a final action of the Commission rendered under this article may appeal to ~~the Mayor and Council~~ a court of competent jurisdiction within ~~ten-(10)~~ thirty (30) calendar days of receipt of notification of ~~the Commission's decision~~ service or posting of the Commission's final order. Receipt shall be presumed to have occurred following the passage of four (4) working days from the date of posting for delivery by first class mail. The date of such posting shall be made a matter of record at the time it is effected. When the total of the ~~ten-day~~ thirty-day appeal period and additional days allotted for postal delivery has passed, any subsequent appeal shall be deemed to be untimely. The appeal will be heard on the record as compiled by the Commission. The standards shall be:

ADOPTED BY THE CITY COUNCIL SEPTEMBER 23, 1985.

NOTE: ----- denotes deletions
 underscoring denotes additions

Introduced by:

1st reading: 9-9-85
2nd reading: 9-23-85

ORDINANCE NO. 1985- 51

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

SECTION 1. THAT Chapter 12, "Trees and Vegetation," Code of Takoma Park, Md., 1972, as amended, be further amended by the addition of new Section 12-4 and Subsection 12-22(1), to read as follows:

Article 1. General Provisions.

Sec. 12-4. Enforcement

The Assistant Director of Housing or his designee may serve as the Director's representative for the purpose of enforcement of Article 1, "General Provisions"; Article 2, "Vegetation"; and Article 3, "Municipal Infractions," said articles encompassing Sections 12-1 to 12-5, Sections 12-6 to 12-21, and Section 12-22, respectively.

Article 3. Municipal Infractions

Sec. 12-22. Municipal infractions; fines; other remedies.

(k) The Assistant Director of Housing or his designee may serve as the Director's representative, with full authority to enforce all the provisions of this article.

ADOPTED BY THE MAYOR AND COUNCIL SEPTEMBER 23, 1985.

Introduced by:

1st reading: 9-9-85
2nd reading: 9-23-85

ORDINANCE NO. 1985- 52

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

SECTION 1. THAT Chapter 10, "Refuse," of the Code of Takoma Park, Md., 1972, as amended, be further amended by the addition of new subsections 10-3(c) and 10-58(1), as set forth below:

Article 1. General Provisions.

Sec. 10-3. Rules, regulations and determination of violations.

(c) The Assistant Director of Housing or his designee may serve as the Director's representative for the purpose of enforcement of the provisions of this Chapter.

Article 7. Municipal Infractions.

Sec. 10-58. Municipal infractions; fines; other remedies.

(1) The Assistant Director of Housing or his designee may serve as the Director's representative, with full authority to enforce all the provisions of this article.

ADOPTED BY THE MAYOR AND COUNCIL SEPTEMBER 23, 1985.

Introduced by:

1st reading: 9-9-85
2nd reading: 9-23-85

ORDINANCE NO. 1985- 53

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

SECTION 1. THAT Division 2, "Exceptions and Modifications to the Basic Property Maintenance Code," of Article 2, Chapter 6, Code of Takoma Park, Md., 1972, as amended, be hereby amended as set forth below:

Sec. 6-21.3. Section PM-302.4

The following language is added to PM-302.4:

All double, french, or paired exterior doors shall be equipped with a vertical deadbolt lock, affixed to both doors, with either cane bolts or concealed header and threshold bolts located at the top and bottom of each such door. A horizontal deadbolt lock attached to both doors may be used when concealed header and threshold bolts are used on one such door.

Sec. 6-24A. Section PM-401.5

A new section PM-401.5 is added and reads as follows:

PM-401.5. All multi-family structures shall provide exterior lighting for each entrance to the dwelling during the hours of darkness. An entrance is defined as one which provides access to the structure from streets, plazas, parking areas, walkways, and any other points of ingress or egress. Hours of darkness shall include the hour before sunrise and the hour before sunset.

ADOPTED BY THE CITY COUNCIL SEPTEMBER 23, 1985.

Introduced by:

1st Reading: 9-9-85
2nd Reading: 9-23-85

ORDINANCE NO. 1985- 55

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

- SECTION 1. THAT on February 8, 1982, the Mayor and Council adopted Ordinance No. 2597, declaring the structure located at 7709 Carroll Avenue to be unfit for human habitation and setting the date of March 8, 1982, for a show cause hearing as to why the property should not be declared a nuisance; AND
- SECTION 2. THAT the hearing was held at the scheduled time; AND
- SECTION 3. THAT on April 12, 1982, the Mayor and Council adopted Ordinance No. 2606, declaring the above structure a nuisance and ordering abatement of all housing code violations within 90 days of passage of the ordinance; AND
- SECTION 4. THAT on July 26, 1982, the Mayor and Council accepted for first reading an ordinance authorizing the Director of Public Works to solicit bids for demolition of the above structure; AND
- SECTION 5. THAT on December 13, 1982, by motion duly passed, the Mayor and Council deferred final action on the ordinance cited in Section 4, above, pending finalization of a pending sale of the property; AND
- SECTION 6. THAT on January 9, 1984, the Mayor and Council temporarily stayed further action following an agreement reached with the property owner, Dr. Richard A. Wunderlich, and the prospective purchaser, Solyman Ashrafi, that entailed a schedule for renovation of the property and the tendering of a cashier's check, to the City, of \$5,000 as a bond in the event the purchasers failed to conform to the agreement; AND
- SECTION 7. THAT subsequently the owner, Solyman Ashrafi, has corrected all code violations enumerated in Ordinance No. 2597.
- SECTION 8. THEREFORE THAT the Mayor and Council hereby rescind the designation of 7709 Carroll Avenue as unfit for human habitation and authorize the release of the \$5,000 bond, plus interest, to be returned to Dr. Richard A. Wunderlich, thereby confirming that all items set out in the agreement referred to in Section 6 have been met.

ADOPTED BY THE CITY COUNCIL SEPTEMBER 23, 1985.

Introduced by:

1st reading: 9-23-85
2nd reading:

ORDINANCE NO. 1985-

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

SECTION 1. THAT the persons named below, all registered voters of the City of Takoma Park, are hereby designated as Election Judges to serve as a Board of Election for the November 5, 1985 City Election:

Floyd W. Kester, 7116 Poplar Avenue, Chief Judge
Harold E. Alston, 7710 Maple Avenue, #105
Jessie H. Bakeman, 214 Domer Avenue
Pearl G. Blacksin, 652 Kennebec Avenue
Montez H. Boatman, 133 Ritchie Avenue
Ida K. Bowden, 141 Ritchie Avenue
George E. Friedrich, 8005 Carroll Avenue
Thomas S. Guins, 1200 Kingwood Drive
Eleanor S. Jaeger, 7213 Trescott Avenue
Beverly R. Henry, 7908 Flower Avenue, #2
Helen T. Johnston, 127 Lee Avenue, #2
Claire B. Kozel, 7804 Wildwood Drive
Dorothy J. Malusky, 7302 Holly Avenue
Barbara M. McCashin, 925 Sligo Creek Parkway
R. Stanley Parris, 7620 Maple Avenue, #730
Belinda J. Phillips, 400 Mississippi Avenue
Everett McKethan, 7710 Maple Avenue, #408
Nancy J. Ricks, 5 Lee Avenue
Clem J. Roski, 7203 Holly Avenue
Cicero Satterfield, 6801 Allegheny Avenue
Naomi E. Turner, 7667 Maple Avenue, #1001
G. Edward Zerne, 7302 Garland Avenue
Patricia A. Zerne, 7302 Garland Avenue
James J. Neri, 8202 Roanoke Avenue
Paul Weisbord, 6753 Eastern Avenue
Marvel A. Werner, 17 Darwin Avenue
Juanita C. Nunn, 7777 Maple Avenue, #1007
Karen A. O'Neill, 500 Ethan Allen Avenue

Ordinance No.

Whereas: All candidates for Takoma Park public office are currently required to place an authority line on their campaign literature and signs; and

Whereas: The failure to do so is currently a misdemeanor the only penalty for which is a fine of not less than \$100 nor more than \$1,000 or imprisonment for not more than one year, or both; and

Whereas: It is the policy of the Mayor and Council to treat less serious violations of the Takoma Park Code as municipal infractions and not crimes:

It is hereby ordained by the Mayor and Council of the City of Takoma Park, Maryland that the Takoma Park Code is hereby amended by adding a new Section 2-18.4 Campaign Material as follows:

Section 1. Section 2-18.4 Campaign Material.

(a) It shall be unlawful for any mayoral or city council candidate, campaign committee or person promoting or endorsing any such candidate, or acting on behalf of any such candidate or campaign committee to issue or cause to be issued any written material, including, but not limited to any flyer, leaflet, pamphlet, sign, poster, bumper sticker, button or badge, concerning such candidate or his or her opponent without the same containing the name of either the candidate or some other person responsible for the issuance of such written material.

(b) Any violation of subsection (a) shall be a municipal infraction the penalty for which shall be not less than Twenty-five Dollars ((\$100.00) nor more than Fifty Dollars (\$50.00).

Section 2. This ordinance shall be effective upon enactment.

Introduced by:
Councilmember Iddings

RESOLUTION 1985- 28

WHEREAS, the Maryland-National Capital Park and Planning Commission has acquired a tract of land at Sheridan and Hancock Avenues to be developed as a City park with trails, sitting and picnic areas, play equipment, and a multi-purpose court, to be known as the Sheridan-Hancock Neighborhood Park; AND

WHEREAS, plans were made to fund development of the park during Fiscal Year 1986-87; AND

WHEREAS, the Commission has deferred development funding until Fiscal Year 1987-88; AND

WHEREAS, the Mayor and Council of Takoma Park are opposed to the one-year deferral, especially because of the Maryland-National Capital Park and Planning Commission's long-time emphasis on areas other than Takoma Park.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland hereby call upon the Montgomery County Planning Board to restore Fiscal Year 1986-87 funding for development of the Sheridan-Hancock Neighborhood Park and to proceed with the project as originally scheduled.

SEPTEMBER 23, 1985.

ADOPTED BY THE MAYOR AND COUNCIL SEPTEMBER 23, 1985.