

C I T Y O F T A K O M A P A R K, M A R Y L A N D  
Regular Meeting of the Mayor and City Council  
and Public Hearing on Tenants Right of First Refusal Ordinance  
August 11, 1986  
8:00 PM

AGENDA

- 8:00 CALL TO ORDER: Mayor Del Giudice  
ROLL CALL: Councilmember Bradley  
Councilmember d'Eustachio  
Councilmember Haney  
Councilmember Iddings  
Councilmember Levy  
Councilmember Sharp  
Councilmember Williams
- 8:05 PLEDGE
- 8:07 ADOPTION OF MINUTES FROM JUNE 30 SPECIAL SESSION, JULY 14 REGULAR MEETING, AND JULY 21 SPECIAL SESSION
- 8:10 MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS  
(1) Resolution of Appreciation for Mable Granke, retiring member of the Montgomery County Planning Board  
(2) Resolutions of Appreciation for Saul Schniederma, David Sawyer, Sara Green, Paul Plant, and Sammie Abbott for their contributions to the Takoma Park Folk Festival
- 8:20 ADDITIONAL AGENDA ITEMS  
8:25 CITIZENS' COMMENTS (those not directed at items on Council Agenda)  
ADMINISTRATIVE REPORTS
- 9:00 (1) Second Reading of an ordinance approving purchase and replacement of carpeting in Administrative offices  
Citizens comments  
Council action
- 9:05 (2) Ordinance approving Senior Staff Training Program  
Citizens comments  
Council action
- 9:10 (3) PUBLIC HEARING and Second Reading of Ordinance pertaining to Tenants Right of First Refusal  
Citizens comments  
Council action
- 9:40 (4) First Reading of a proposed ordinance for the private use of Heffner Park Recreation Building for a day-care program  
Citizens comments  
First Reading
- 10:00 (5) Resolution appointing Alida Deguara to Takoma Park Cable Board  
Citizens comments  
Council action
- 10:10 (6) Status Report on Cable TV Contract Proceedings  
Citizens comments  
Council discussion
- 10:20 (7) Discussion of priorities to be presented to Montgomery County pertaining to new cable television contract  
Citizens comments  
Council action
- 10:40 (8) Approval of Year 13 (FY 1988) Community Development Block Grant Process and Resolution Appointing Citizens' Advisory Committee  
Citizens comments  
Council action
- 10:55 (9) Resolution establishing summer recess for Mayor and Council  
Citizens comments  
Council action
- 11:05 (10) First Reading of ordinance establishing No Parking on the south side of First Avenue  
Citizens comments  
First Reading

ADJOURN

REMINDER: The Mayor and City Council will be in summer recess from August 12 through September 7, 1986. The next scheduled meeting will be Monday, September 8, 1986.

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council  
and  
Public Hearing on Tenants' Right of First Refusal Ordinance  
August 11, 1986

CITY OFFICIALS PRESENT:

Mayor Del Giudice	City Administrator Wilson
Councilmember Bradley	Asst. City Administrator Habada
Councilmember d'Eustachio	Interim Cable Coordinator R. Smith
Councilmember Haney	Economic & Comm. Dev. Coord. Neal
Councilmember Iddings	Hsng. Rehab. Admin. Coord. J. Rogers
Councilmember Sharp	Housing Services Director Austin
Councilmember Williams	Recreation Director Ziegler
ABSENT: Councilmember Levy	Acting Corp. Counsel Silber
	Mary Bottum, Corp. Counsel Staff

The Mayor and Council convened at 8:04 P.M. on August 11, 1986 in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, Councilmember Haney moved approval of the Minutes of the June 30 Special Session, July 14 Regular Meeting, and July 21 Special Session, collectively, duly seconded by Councilmember Sharp, carried unanimously.

Councilmember d'Eustachio related that Walter Anderson, a longtime City resident of Ward 3 and active member of the community, had passed away on July 29 at the age of 79; a moment of silence was observed by all in commemoration of Mr. Anderson.

Mayor Del Giudice reminded those present of "National Night Out," a crime prevention program which was widely publicized and would occur on August 12, and urged all to participate. Additionally, he reminded that the upcoming Sunday, August 17, from 10 A.M. to 8 P.M. would be "Car-Free Day" in Sligo Creek Park for bicyclists, with the parkway blocked off between Piney Branch Road and Maple Avenue; he noted this would be the third time the City Traffic Committee and neighborhood associations had sponsored and cooperated in planning the event. Councilmember Williams commented that residents of Ward 4 would be holding a block party on National Night Out at Maple and Lincoln Avenues on 8/12/86 from 7-9 P.M., substantial media interest and attendance was expected; he said the event had been planned by the Upper Maple Avenue Advisory Council, and enumerated the local businesses that had made contributions to the event.

The Mayor read a Proclamation of appreciation for Mable Granke, a retiring member of the Montgomery County Planning Board; he moved its approval, duly seconded by Councilmember Bradley, carried unanimously.

PROCLAMATION  
(attached)

Mayor Del Giudice read Resolutions of Appreciation prepared for Sammie Abbott, Saul Schniderman, Paul Plant, Sara Green, and David Sawyer, thanking them for their substantial contributions to the Takoma Park Folk Festival. The first three were moved for passage individually by the Mayor following his reading of them; duly seconded, carried unanimously. The last two were moved for passage individually by Councilmember Iddings following his reading of them; duly seconded, carried unanimously. For the record, Sam Abbott stated from the audience that he had made known to the City Administrator earlier in the day his reasons for not accepting the tribute. Due to short advance notice and inability of all the recipients to be present for the meeting, Councilmember Bradley suggested the Folk Festival Committee be asked to arrange for the resolutions to be presented at the festival. She commented on the many hours the named individuals had contributed to making the festival a success, and noted that volunteers to assist with the event were needed.

RESOLUTIONS #1986-54, 1986-55, 1986-56, 1986-57 & 1986-58  
(attached)

ADDITIONAL AGENDA ITEMS:

COLTA Appointment  
Traffic Committee Ordinance  
Park Ritchie Update

City Administrator Wilson referred to the recent reorganization of the Housing Services Department and the newly-created position of Coordinator for Housing Services. He said an extensive search and interview process was conducted for an individual to fill that position. Housing Services Director Austin introduced and welcomed Diane Oliver, the person chosen for the job, and briefly summarized her work experience and qualifications. Upon request, Mr. Austin related the process utilized to select Ms. Oliver.

Dennis Seekins, 8217 Roanoke Avenue: referred to a recent Newsletter article by Greg Hamilton in which landlords were referred to several times as "slumlords;" he said the implication seemed to be that if you owned rental property, you were a slumlord. He commented landlords are made to feel like third-rate citizens in the City and remarked some are considering leaving; said he understood there was intent to legislate against 60-day no cause evictions in the City, and spoke emphatically against so doing; he said activist tenants are adequately protected against retaliatory evictions by the code as presently written, however, consideration might be given to extending the time frame in which evictions could be considered retaliatory following filing of a complaint from 6 months to 1 year. Councilmember Williams noted that the legislation concerning 60-day no cause evictions was state law; he commented that all landlords are not bad, said during his tenure on COLTA there had been two instances in which tenants pled the landlord's case for a 15% rent increase because they felt the increase to be justified. Mr. Seekins reiterated comments concerning his perception of a negative attitude toward landlords in the City.

Peter Moralis, International Special Representative, American Federation of State, County, & Municipal Employees: referred to a telegram he had sent to the Mayor and Council on Friday past, indicating that a majority of City employees in various departments had designated his union to represent them in matters concerning wages, hours, and conditions of employment. He said that a few years ago, the union had been approached by a few employees indicating interest in representation, however, that effort dissipated due to substitute measures offered by the City to resolve issues. He said that approach had, apparently, amounted to putting a bandaid on a severe hemorrhage -- that there are currently serious personnel problems. He said what was presently being sought was justice at a bargaining table to address wages, hours, and conditions of employment. He referred to the committee recently formed to address pay problems raised by the Legal Defense Committee, a group of employees, and commented that in his experience it was quite unusual to see the Mayor and Councilmembers sitting on a committee that was formed to furnish advice and recommendations to that same body of elected officials. Mr. Moralis explained that while AFSCME was confident they could appropriately represent the employees, there had to be a mechanism to achieve recognition of that representation. He pointed out that recognition could be granted immediately if the Mayor and Council wished to have an impartial party review their cards bearing employees' signatures and verify those against payroll records; however, he said AFSCME did not favor that option, but preferred working toward introduction of a collective bargaining ordinance setting forth the rights of all parties, which would furnish guidelines and parameters. He commented that the City has a fine work force, dedicated and sincere, but that those people, without particularly placing blame, feel they are sometimes getting the short end of the stick. He presented copies of a draft collective bargaining ordinance, said it had been patterned after the City of Annapolis' collective bargaining ordinance, with a few changes to comply with Takoma Park's Code; he pointed out that the legislation was not set in concrete, AFSCME was open to discussion with the City's officials, and he was hopeful a dialogue with them could commence so that employees could gain representation. He noted that the ordinance would not force unionism upon anyone, that it provided for a secret ballot election to be conducted by the Department of Labor of the State of Maryland; said costs would be very minimal by having that department hold the election.

Councilmember Iddings suggested adding this item to the agenda, in order to briefly discuss direction to City staff concerning official response to the draft ordinance; he questioned whether a Charter amendment would be required to ensure that the Mayor and Council have proper authority to adopt an ordinance such as the one presented. Councilmember Bradley commented she hoped staff would be given direction to accomplish whatever work is required on the draft ordinance prior to Council's next meeting on September 8; consensus was to address the issue at a later point on the agenda.

Park Ritchie Update: Housing Rehab Administrative Coordinator John Rogers explained that he had been asked to give an update on his activities in relation to the Park Ritchie case; he related he had spoken with the National Association of Housing Cooperatives, Housing Counseling Services, and the National Low Income Housing Network -- all stated they would respond to a request for proposals for a feasibility study; he recommended that authority be given him to commence writing the said RFP at once, however, noted he would need to be on full-time status in order to complete it.

Beecher Thornton: commented he last appeared before the Mayor and Council in March 1985; explained that in October 1984, he moved his invalid mother into a house at 1104 Kingwood Drive, at which time both he and his wife began periodically both calling and personally appearing at the appropriate City offices to file complaints about the state of the property at 1102 Kingwood Drive. He noted that a car he complained about in March 1985 was moved in April, and said he was grateful for that. He said the conditions he had come to speak about at the current meeting were very longterm (almost 2 years), and hoped the Mayor and Council would ensure that corrective action was taken immediately -- said the condition of the house on that property was such that if something were not done soon, it would collapse; heaps of trash have been accumulated in the backyard and the situation is exacerbated by overgrown foliage. He stated that the City has all the information required to take action, i.e., the property owner's name and address and tax records. He related that his mother was now in a nursing home and he was in the process of putting the house at 1104 Kingwood up for sale, however, had been advised by a realtor that the state of the next-door property would affect the market value of his house. He reiterated the long duration of both the undesirable conditions and his efforts to have them corrected, and asked that the City take action at once. He furnished the Mayor and Council with the property owner's phone number. Councilmember Haney commented that when Mr. Thornton had come before the Council in March, he had asked that a Code Enforcement Officer respond and inspect the premises for violations; said he had personally gone to the address and walked around the property, observing the accumulation of trash as described by Mr. Thornton. In response to query, Mr. Austin stated the property owner had been cited for the violations; contact had been made with the mortgage holder to see if that institution would cooperate in getting the premises cleaned up, however, no response had been received to date. He said Code Enforcement Officer Peppel had advised him the current date that she was awaiting receipt of a court date on the approximately \$200 worth of municipal infractions. In response to request from the Mayor, Mr. Austin stated he would ensure that the bank was again contacted to see if they would assist in getting the property into compliance.

Brint Dillingham, 7018 Carroll Avenue: referred to the Council Meeting Minutes of July 14, 1986, pg. 2, his comments; he said his remarks were incorrectly interpreted -- that he did not voice appreciation that the letter had been sent, nor did he feel the commitment had been fulfilled, inasmuch as it took 3-1/2 months for what had been promised to be done and that would not seem reasonable. He said he was glad something was sent, however, had gotten a copy of the letter and its intent was very unclear to him.

Kevin Johnson-Kiconas, Ward 5: referred to earlier comments about legislation doing away with 60-day no cause evictions and spoke in support thereof; he said no cause evictions can leave the door open for gentrification, rapid turnover in buildings bringing in upwardly mobile people and forcing out lower income tenants. He said that type of eviction favored the building owner and left the tenant with no recourse, could drastically alter the diversity of the community.

Councilmember Sharp commented that recent Council actions reflected Council's concerns with the situation; said the Right of First Refusal legislation was directed thereto. He said he was of the opinion that the City does not have authority concerning 60-day no cause evictions, that the state law, being very specific, would pre-empt City law. Additionally, in response to Mr. Seekins' comments concerning extension of the 6-month period in which evictions could be considered retaliatory, he said he believed that also was state law and would supersede any City provision. He pointed out that this, being an election year, was a good time to talk to state delegates about such matters of concern. Councilmember Williams

commented that he and a number of community leaders from Ward 4 spoke with many state legislators at a meeting in Baltimore a few months ago, making known their feelings about the 60-day evictions; he said he felt the Mayor and Council should take a firm stance against those evictions and make their position known to state legislators. Mr. Williams remarked that at the aforementioned meeting when he and others spoke against 60-day no cause evictions, many of the legislators appeared shocked such a law existed.

Nancy Nickell, Ward 3, 10-year resident, renter: expressed support for the previous speaker's comments; said the lack of rights and protection for renters was frightening, that despite being a good tenant there was little security that one could not be put out of one's home.

Bill Strum, 10-year resident, landlord: referred to a recent article on rent stabilization in the Newsletter and said he did not feel it belonged in the context in which it was presented; it was, if anything, an editorial; he said it was derisive, further exacerbated relationships between tenants and renters in the City without raising any of the material issues present in the situation. He explained that his property when he bought it was a 4-unit building; said it now had one rental unit and he occupied the rest of the house. He remarked that things are getting very tough on landlords, economic factors that once made owning rental property practical were changing drastically; said the City should look at conditions that, in other cities, discouraged landlords to the point of simply abandoning property; said economic incentives are needed for the maintenance of property, all landlords are not totally benevolent -- they have obligations and bills to meet -- and those issues need to be examined. He said he did not think the real issues, which are economic, are being dealt with at all.

ITEMS FOR COUNCIL ACTION:

1. Second Reading of an ordinance approving purchase and replacement of carpeting in Administrative offices.

Councilmember Bradley moved adoption, duly seconded by Councilmember Haney. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, d'Eustachio, Haney, Sharp and Williams; NAY: Councilmember Iddings; ABSENT: Councilmember Levy.

ORDINANCE #1986-27  
(attached)

2. Ordinance approving Senior Staff Training Program.

The Mayor noted that inasmuch as this item had been included in the budget, only a single reading was required for adoption. Councilmember Sharp moved adoption, duly seconded by Councilmember d'Eustachio. Councilmember Sharp inquired whether any travel/lodging costs were included in the \$1,000.00 appropriated by the ordinance; Mr. Wilson responded in the negative, stated those costs would be separate. Councilmember Iddings commented he was pleased to see this step being taken, this sort of training being provided, felt it to be an important step toward professionalizing the management of the various departments. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, d'Eustachio, Haney, Iddings, Sharp and Williams; NAY: None; ABSENT: Councilmember Levy.

ORDINANCE #1986-28  
(attached)

3. Public Hearing and Second Reading of Ordinance pertaining to Tenants' Right of First Refusal.

The Mayor noted that amendments to the legislation had been prepared by Corporation Counsel Silber, at his direction, attempting to lay out various options previously discussed by Council. He related that a number of issues in the area of coverage had been addressed, including whether the right of first refusal should be provided to all tenants -- said options for amendments would include exclusion of single-family residences, exclusion of buildings having less than 5 units, exclusion of single-family units unless a single owner owned more than (x) number of such buildings, exclusion of transfers by will or by gift; another would address the transfer of a majority interest in a building entity which owns a rental dwelling. He pointed out there was a section on enforcement; major considerations Council would address would be a requirement that right of first refusal be noted in residential leases to create a contract right and a legal right to damages if violated, and also to bring a right to void any

sale where the right of first refusal had not been recognized.

Michael Mead, landlord: commented he had been a landlord in the City for 7 years; said he favored giving tenants an opportunity to buy rental property, however, opposed the legislation as written; remarked that perhaps the Council could benefit by some education concerning what is practical, possible, and desirable. He said he felt a distinction should be made between single-family/4-unit or less buildings and larger buildings; said the law as written came close to being acceptable for single-family and 4-unit or smaller buildings because it is in the realm of business dealings that tenants could afford and deal with, and would protect the multiplicity of tenants that are not upwardly mobile economically. Concerning large buildings, he said it was not feasible to get a group of tenants to agree on signing their life away in order to buy a building; said in order for the law to appropriately apply to larger buildings, he felt it would require significant grammatical and content changes. As written, he said the shortest time in which he would be permitted to sell his building, for instance, would be 280 days, and he stated that was unworkable and unreasonable; he referred to provision allowing the assignment of the right to purchase to a third party and spoke in opposition thereto. He commented the law as written contained ambiguities; said professionally, he works for the government writing contracts and volunteered to assist in cleaning up some of the language in the ordinance. He referred to the section stating that a building owner or a tenant may file complaints, and said provision was made for COLTA to assess penalties against the owner but the assessment of any penalties against tenants was not addressed, which he said was unfair; he said this impacts contractual law, and he did not think COLTA had expertise in that field. He urged Council to take more time before passing the legislation, consider various amendments. He said that in the past 6 months he had had 6 prospective buyers for his building who, once they realized it was located in Takoma Park, did not want to buy; said he did not think Council would want to exacerbate that situation. Brief dialogue ensued between Mr. Mead and Councilmember Sharp concerning third party provisions in the ordinance. In response to Councilmember Bradley, Mr. Mead stated he felt there should be two separate laws -- one addressing single-family/4-unit (and less) buildings, and one addressing larger buildings. In response to query from the Mayor, Mr. Mead stated he felt the right to purchase for a tenant of a single-family unit should vest after a certain period of occupancy, should vest only if and when the tenant is current on his rent payments; said as a target, he would require tenancy of two or more years for acquisition of that right. Councilmember Williams commented that over the years, he had come to know Mr. Mead and respect his opinions and fairness concerning housing situations. Discussion ensued concerning whether a landlord was actually precluded from negotiations with other parties during the period afforded tenants to make an offer to purchase; Attorney Mary Bottum opined that was not the case, however, if a contract were drawn with a third party, a contingency provision would have to be included setting forth the tenants' right of first refusal. Mr. Mead reiterated that there were ambiguities in the law as written, and again commented on the long drawn-out process of trying to sell a building in conformance with it. He commented on the importance of the law clearly stating its intent, inasmuch as courts do not rule so much on what was intended as on what was written and its interpretation or misinterpretation. Councilmember Bradley inquired whether the language of the ordinance would allow a developer to "use" a tenants' association in order to obtain property; said she would not want to preclude legitimate ventures, but would not want to set up a situation where tenants could be used. Mr. Mead suggested deleting all reference to "third party" from Section 6-87 concerning assignment of rights by tenants, as well as Sec. 6-94(3), which relates to assignees, in its entirety. He pointed out he thought the last sentence in the paragraph immediately following the aforementioned Sec. 6-94(3) rather than referring to "violations of this Article" should refer to "violations of Sec. 6-93" which deals with Retaliatory Action; said COLTA should be involved only in dealing with retaliatory actions, did not have the expertise to deal with such matters as real estate contracts. He related having appeared before COLTA one time; said their decision expressly violated the contract, to date he had never received a copy of the written decision; said he was mightily threatened with being closed down, etc., ended up giving some tenants their security deposit back when they had just moved out and left the premises all torn up because it was cheaper than fighting the decision and going to court. He reiterated opposition to being subject to legal

contractual decisions made by COLTA under the ordinance as written.

Valerie Nelson, Pres. of Birchwood Apts. Tenants' Assn., 636 Houston Ave.: said that even as the head of a tenants' association, she had to comment that Mr. Mead had some very good points that should be considered seriously; said she, too, felt any decisions concerning contract law were far beyond the capability of COLTA -- those should go before the courts. She said she would certainly want to see the law encompass single-family and small buildings as those would be the ones where it would be applied most often; also hoped the lengthy timeframe required for a building owner to sell his property (as outlined by Mr. Mead) could be shortened for workability.

Stephen Ebner, owner of 12 Grant Avenue: said he had resided in the City for 4 years, had been a landlord for 23 years. He stated he supported the law in spirit, however, said how it is being handled in D.C. is not working. He related that since 1984 he had been involved in trying to sell an apartment building in the District; said a contract was signed with the tenants' association after 6 months. After closing, the tenants' association took documents to the District Housing Authority as required, and that agency sat on the paperwork for over a year and a half. He said under the District's law he could not accept another contract on the property, related the additional stumbling blocks encountered, and said he was now in the same place as he was in 1984 as far as selling his property. He said there must be a way to ensure landlords being able to sell their property within a reasonable time frame and still afford tenants the right to purchase. He pointed out that during the time his building in D.C. had been tied up, he had lost any right to increase rents, as well as any right to an increase in the worth of the building. He stated he fully supported protecting the tenants and their rights to purchase, however, said the other side of the coin had to be examined as well, including hardship on the landlord.

In light of the number of landlords present in the audience, Councilmember Sharp noted an existing landlord representative vacancy on COLTA. He said that position was notoriously difficult to fill and hoped some of those present who were both landlords and City residents would apply. An unidentified male member of the audience commented he was a landlord, spent more time at his property in the City than at his residence outside the City, however, was prevented from serving on COLTA and suggested the residency requirement might be changed.

Grace Kornke, 8402 Flower Avenue: stated she owned a 3-unit building in which she resided, and also a 6-unit building. She said she really resented the proposed legislation, had scraped and worked hard to buy her first building and did not feel she should have to ask anyone when she was ready to sell it. She said she maintains her buildings very well, had lived in the City for 11 years, but was so angry about the legislation she was seriously considering selling and getting out; said the current climate in Takoma Park was anti-landlord and many small building owners have that perception.

Moses Karkenny, 10 Sherman Avenue: said he had received 3 notices about the proposed legislation but no informative documentation. He said he had scanned the proposed law, however, and suspected there was some ulterior motive, such as real estate speculation, because the existing law was quite clear that he could not discriminate against anyone, tenant or non-tenant, who wished to buy his property if he chose to sell. He stated emphatically that no action should be taken on the proposed legislation without first mailing copies of it to all City landlords by certified mail with a return receipt requested. He said he had lived and owned property in the City for 20-25 years, but was seriously considering selling and leaving to go somewhere that had less restrictive laws.

Jim Neri, landlord at 8202 Roanoke Avenue: said he thought the ordinance was completely assinine, would create more problems for landlords. He said the more laws that were put on landlords, the more they would reduce services; said they would sell their properties and get out of the City; soon the City would have a bunch of absentee landlords, slum landlords, and boarded-up and abandoned buildings. He commented he thought this legislation stemmed from the Park Ritchie apartments situation, and what should have been done was to enforce the law and help those people solve

their problem. He said he thought the majority of the people in the Park Ritchie either did not have the financial ability, or did not willingly want to own, such a complex; he said he wanted to know how many renters in the building had offered to buy the building and how many tenants there are in the building. He said if the City did not get off the backs of landlords, they would end up with a slum town.

A. J. Mitchell, Park Ritchie Tenants' Assn.: remarked on the number of landlords that had turned out for the meeting; said he did not believe that a sincere landlord who was a good businessman would have any problems with the ordinance. He commented that, based on the history of highrise buildings on Maple Avenue, over a 5-year period, a building would be sold twice, and that was the sort of turnover it was hoped could be stopped, along with the accompanying alteration in the level of services provided when a change in ownership occurs. He said whether or not the right of first refusal was exercised, at least the ordinance would let tenants know when the building changes ownership; said the only way he had known when the Park Ritchie changed hands was when a notice was put under his door to send the rent to a different address. He said the slumlords, those who needed to be present at the current meeting, obviously were not -- did not think those landlords present who take pride in maintenance of their buildings would have any problems with the ordinance.

Eleanor Lockett, 7409 Aspen Avenue: said she had resided in the City for 20 years; initially moved to the area as a tenant of a building on Maple Avenue at Ritchie Avenue, formerly called The Winchester. She said she lived there for a year, subsequently bought two homes, living in one and renting the other out. She commented she had worked hard for what she has, did not think restrictions should be imposed on her if/when she wants to sell one of her houses; did not like the sound of the language of the ordinance.

Florence Checchia, 8300 Roanoke Avenue: stated she had lived at her present address for 34 years and owns her house which contains 3 rental units. She related some of her tenants had been there many years; said she maintains her property as best she can, is getting old, and if she wanted to sell, should be able to do so if and when she chooses and to whom she chooses; she said the tenants could not afford to buy the property, she had already talked to them about it.

Sam Abbott, 7416 Holly Avenue: said what had been heard was a recitation of philosophical positions that had been heard before from rental property owners. He said he did not see that the ordinance presented problems to any owner wanting to sell their property, and spoke in support of the legislation; said it was time to stop listening to empty threats of the area becoming a slum -- the same argument was used in 1980 against the rent stabilization ordinance and what was projected had not materialized. He said all the ordinance would do was, through right of first refusal, allow tenants the first opportunity to purchase property where they reside at the same price any other buyer would pay.

Bill Strum: said he was evicted from Eldorado Towers in Silver Spring in 1969 and was, at the time, president of the tenants' association there. He said he had since learned a lot, was now a businessperson and landlord, however, could see things from both perspectives. He said that the issue at hand was being treated as though Takoma Park were an island and would not be affected by adjacent communities; said if the City became an economically infeasible area in which to own rental property, people simply would not buy it, would go to neighboring areas where ownership was more favorable. He commented that legislation in effect in an area could unfavorably impact the perceived value of properties equal in market value to ones in other locations not affected by such legislation. He said he did not think this legislation would be passed in the counties or the state and that had been ignored when considering its adoption in Takoma Park. He said that if the proposed ordinance set forth a time frame requirement for tenant occupancy prior to acquisition of the right of first refusal, it would ensure that landlords would only issue leases that fell short of that time requirement, thus discouraging longterm tenancies and encouraging transiency. He said he had invested blood, sweat and tears in his building and did not want a third party telling him with whom he had to do business should he sell it. During ensuing discussion, in response to the Mayor, Mr. Strum stated that he would make a distinction in ordinance provisions



based on ownership rather than on building size, e.g., between closely-held and corporately-held property.

Kevin Johnson-Kiconas: referred to Mr. Ebner's story related earlier about trying to sell a building in D.C. for the past 3 years; he said that in D.C. he could understand something like that happening, however, Montgomery County was different -- both in attitude and competency/efficiency with paperwork. He said if protections were not set up for tenants, buildings could turn over quickly, large numbers of tenants could be put out on the streets with no place to go and no future. He said he did not see the specified time frame allowing tenants to either arrange to purchase or refuse to purchase as any problem, that when buying property it takes time to go to closure anyway; said forming a tenants' association, making such a serious decision, and then coming up with the necessary resources was bound to take some time. He said no one had pointed out that tenants have an investment in the property where they reside -- they live there, pay rent, raise their families there, help contend with problems on the premises -- and tenants, as a rule, were the last to know if a building were going to be sold. He spoke concerning the history of rental properties on the West Side of Chicago, including fast turnover of buildings and large sums of money made, and the effect on tenants there. He said the lack of concern for tenants and lack of protection for them was a prime factor in that situation.

Daniel Litt, Attorney for Eureka Federal Savings & Loan Assn.: referred to a meeting earlier in the day with City Administrator Wilson, which he assumed would be described later. He said he was not present to represent either landlords or tenants, however, had had an opportunity to examine the ordinance and had some questions. He pointed out the ordinance defined "owner" as anyone having a legal interest; said he would presume that to include mortgagees, e.g., Eureka Federal. He said if, in fact, a mortgagee were a legal owner, Sec. 6-82 provided that before an owner could go to closing on a sale, the tenants would have to be offered the right of first refusal; he said there was no definition of what constituted a sale, and inquired whether foreclosure sale by a mortgagee would be included. He remarked that issue should be addressed, and said that if, indeed, under the law, a mortgagee had to offer a property to the tenants prior to a recognized judicial foreclosure sale, then property buyers in the City would have a great deal of trouble obtaining financing from any lender. He said he did not know how a right of first refusal would be set up in a mortgage context, other than potentially offering the mortgage balance as the fair price -- which might conflict with the lender's obligation to maximize the sale price of the property. He commented the way the ordinance was presently drafted presented a serious problem in that regard. Dialogue ensued concerning the foreclosure process in the State of Maryland, and the additional time constraints that could be placed on a lender prior to any sale, by the proposed legislation as written. The Mayor noted that there may be reasons, other than the interests of the mortgagee, for exempting foreclosure sales from the legislation. He said a truth that could not be avoided was the fact that when the transferability of property was restricted, its value was reduced. He said that had become most evident under the District of Columbia's law, which is very similar to that being proposed in Takoma Park. He commented that D.C. spent a great deal of time considering, studying and passing their law; said he had not had much time to review the City's proposed ordinance, only learned of it the past Friday; said despite his understanding the City had been considering the legislation for the past month, for such a wide-ranging piece of legislation that was not a remarkable length of time to spend. He noted that Sec. 6-83 provides an obligation that the owner (which the mortgagee could be considered to be) provide the tenant(s) within 7 days notice with 2 years of monthly operating expenses in utilities and capital expenditures. He asked how many mortgagees the City thought would have that information and be able to provide it as required by the proposed law. He pointed out that the ordinance, as written, would allow tenants who could never obtain financing to tie up properties for a 225-day period, and still have their deposit refunded as provided in Sec. 6-85. He commented that Takoma Park was not an island, and inquired whether anyone had investigated the proposed ordinance in relation to pre-existing state and local (Montgomery County) statutes, and whether or not there were issues of preemption with respect to the State Condominium Act, for instance, which provides that any effort by a seller to convert a building to a condominium or sell it for purposes of a condominium shall give notice to the municipality as to

whether it desires to purchase. The Mayor stated he believed that Acting Corporation Counsel Silber had examined the proposed ordinance in that context. Ms. Silber stated that had been done and it was felt there was no conflict between state and/or county law and the City's proposed ordinance. Mr. Litt reiterated that the proposed law would, in a situation like the Park Ritchie, restrict an entity like Eureka Federal from dealing effectively, and prior to the City undertaking such far-reaching legislation, parties such as Eureka Federal, as well as landlords, should have more advance notice of what was going to occur.

Councilmember Bradley commented that the problem she envisioned was financing for tenants as prospective purchasers; unless there were a way to come up with money and technical assistance to help tenants, the law would not be effective. She asked why mortgage companies would not lend more money to tenants' associations; pointed out that as much as the City may support the proposed legislation, Montgomery County presents a somewhat hostile environment to cooperatives, noted there were only 2 housing cooperative projects in that county. She said she saw the key to the issue as being enabling tenants to get into the marketplace by helping them obtain financing. Mr. Litt commented that the ordinance contained a provision that a tenants' organization may, in conjunction with a third party, seek to convert and/or buy a building; he remarked in favor of retaining that provision because by and large lending institutions want to believe, especially in the context of a larger building, that the tenants do not necessarily have the resources to make a conversion and do all the things needing to be done. He said what was needed in that situation was developers experienced in condo conversion -- no lender would lend huge sums of money on the hope or dream of a group of tenants -- they would want to believe that what was proposed could reach fruition and that qualified people were involved in seeing that it did. He stated he could not speak for the lending industry as a whole, but did believe that lenders would lend money when they believed the climate supported and promoted a loan and the ability to effectuate their contractual rights under those loans -- when those rights were removed, restricted, or impeded, lenders would seek to loan their limited funds elsewhere where they did not encounter such impediments. Councilmember Bradley remarked that the situation seemed to be a "Catch 22;" said she understood that what was proposed could and had worked, but that tenants needed to have help available with the financial requirements; she reiterated that the money was the key.

Greg Hamilton, Pres., Park Ritchie Tenants' Assn.: noted that the legislation would give tenants both the first right of refusal as well as first opportunity to purchase -- said it would give people who had never had an opportunity a chance. He stated he thought single-family rentals should be exempt, that large buildings were the ones needing the legislation, such as 7611 Maple, where a developer came in, rehabbed the building, and the rents were increased by \$125/month. He said the developers there had publicly admitted they would sell the building in 3 years, and the situation would be right back where it began. Mr. Hamilton stated that, as an incorporated tenants' association, his group had just as much clout to go to a bank and find funding as someone who forms a limited partnership with a single individual, such as Mr. Lilienfield, the owner of Park Ritchie, who he said pulled off the deal of buying Park Ritchie for \$800 out of his own pocket. Mr. Hamilton said that in buying big buildings, what is talked about amounts to "paper money;" said it is not money that comes out of anyone's pocket; said the right of first refusal actually gives tenants some collateral. He pointed out that Mr. Lilienfield still had the right to sell the building; tenants do not want to put up with being in another situation such as they are and have been. He said even if the legislation were passed immediately, the tenants at Park Ritchie would not have right of first refusal under the bankruptcy, however, if it went to foreclosure or went up for sale, then they would have that right. He said tenants had become educated about the situation because they had to, that there were developers willing to put money into rehabbing buildings. Mr. Hamilton commended the Mayor and Council for taking the time and making the effort to examine the legislation so that tenants would have added options open to them; he urged that a decision be made. In response to Councilmember Haney, Mr. Hamilton stated he did think the time frame for single-family/4-unit or less buildings should be shorter (perhaps 30 days) for tenants to make a decision whether to buy the property or not; said those properties should be separated out from large buildings in the ordinance.

Brint Dillingham, 7018 Carroll Avenue: said he was concerned about sentiments expressed that somehow people who had put blood, sweat and tears into buildings were exclusively the landlords; said tenants who go to work every day for years and pour their money into the landlords' hands do not get their money easily either and have invested blood, sweat and tears as well just by paying the rent, which is sometimes 50% of their income. He said the City certainly is not an island, but has an obligation to the 60% of its population who are tenants, and also has an obligation to point out to county and state legislators that there exists a similar obligation for something to be done in the counties and state as well. He said while comments had been made that the legislation would drive landlords out of the City, it had not been noted that scores of tenants were being driven out by the lack of protections for them, which is a major concern in an area where 60% of the population are tenants.

Anne Cotton, Park Ritchie: said she had resided at the Park Ritchie for the past 8 years; she stated she wanted to point out once again that there are two groups in residence in that building -- the tenants' association and the tenants. She said that, speaking for herself as well as other tenants, many of whom were elderly, they did not want a condominium or cooperative; she said all they wanted was for the building to be remodeled, fixed up, similar to what was done at Sylvan Terrace across the street.

Kevin Johnson-Kiconas: said he found Mr. Litt's comments concerning the fact that the real estate industry would out and out discriminate against tenants interesting -- said that was a very serious issue that needs to be examined. He asked what the difference was in lending 4-5 million dollars to finance the hope and dream of a group of tenants versus lending the same amount to a developer whose plans did not materialize and who defaulted on the loan. He said it seemed clear that discrimination against tenants was very blatant; Eureka should be pleased if tenants were interested in making payments to Eureka, because that demonstrated the tenants were more interested in the building than the owner. He commented in favor of the legislation and the protection it affords tenants.

Janie Carr, Park Ritchie tenant: commented that anyone making the assumption that tenants could not afford to buy something were making an erroneous and unfair assumption; she remarked that some people live in apartments by choice, and judging someone's financial state by their appearance or what they own was not always accurate. She said the loan made to Mr. Lilienfield was for the purpose of fulfilling a hope, a dream, and he had filed for bankruptcy and not made a payment for some time.

Councilmember Williams commented it was apparent that tenants were not looked upon in the same light as property owners. He said the only people he had seen leave the City were the tenants, that they get frustrated, tired of fighting. He commented on rent increases over the past few years; said everyone is entitled to a fair return on their investment except a tenant. He said while the ordinance may not be perfect, it's obviously better than what exists now. Concerning 7611 Maple, formerly the Sylvan Terrace, which was mentioned earlier, Mr. Williams pointed out that the management of that building did not raise the rents there, the City of Takoma Park did. Councilmember Sharp pointed out the City had no control over raising rents, that building management did. Mr. Williams commented the City had responsibility when they appointed the committees to deal with such matters.

Councilmember Bradley commented that, in general, she supported the legislation; said she perceived from all who had spoken that what everyone wanted was for people to remain in the City; said the major issue was how to help tenants get the money required to buy property. She said if a way were found to facilitate tenants getting the financing they need, then, theoretically, all that would have to be required from a landlord was notice of his intent to sell -- there wouldn't be the necessity for the long time frame. She pointed out that it was the large buildings that had motivated the legislation, said typically there were more bad situations in relation to large buildings than small buildings, they also house more tenants; thus, she said she felt the major focus should be on large buildings to begin with. She commented she sensed it might not be possible to vote on the proposed ordinance immediately, and recommended that perhaps two pieces of legislation should be considered, or else adoption of the ordinance for large buildings, with later amendments to make it applicable

to single-family/small multi-family units if and when a consensus were reached. She reiterated that large buildings, specifically the Park Ritchie, were the impetus for the legislation, and statements had been made that it was possible to make such laws workable; however, said she thought there were questions still needing to be addressed and would support tabling the ordinance for further refinements.

Councilmember Iddings remarked on the hearing being productive, said a lot of issues were brought up that hadn't been fully addressed and that would need to be done. Concerning the ordinance's effect on property transfer rights, he said when the ordinance was in place, he felt it would be found there was money for tenants to buy; said there would be a need to educate all involved in the process, and to encourage tenants' associations to become legal entities so that they can begin working the system in the way that developers do. He said while the City was not in a position to offer people money, they could offer opportunities, and with the opportunities would come a variety of options. He said he did not feel the ordinance need be held up for provision of ways of obtaining financing for tenants. He suggested that if it were decided to table the legislation for further discussion, a significant portion of the upcoming Newsletter be devoted to the issue; he encouraged anyone who spoke on the subject to write their comments for the Newsletter. He remarked he felt Mr. Strum's comments in terms of the changing economic climate to be very important, said the tax reform bill would have major, and not really predictable, impacts on rental property in particular; said it would have implications for rental housing in Takoma Park, and there would be a need to identify what those implications would be and begin examining City policies in that light. He remarked, in response to comments that the City was not an island, that perhaps the City could better be viewed as a beacon.

Councilmember d'Eustachio commented that basically the ordinance deals with property rights, i.e., the property rights of property owners versus the rights of tenants. He said he felt it was a balancing act, and did not believe it was wrong, within certain limitations, to place restrictions on the use of property. Expressing all due respect to Mr. Litt, he commented that Eureka did not make a good choice in their loan to the Park Ritchie owner, and pointed out that reasonable lenders have been known to make loans to tenant associations, and referred to the recently publicized situation at the Roosevelt Hotel in D.C. He said he would like to think the City was a beacon, however, what they are attempting to do was not unusual, unique or unprecedented -- said the largest rental market in the Washington metropolitan area already had the law being discussed at the current meeting. He said he hoped the City could do a better job with the law and avoid some of the mistakes the District of Columbia had made; while admittedly patterned after D.C.'s law, Takoma Park's was substantially milder; said under the City's ordinance, a 3-year lag time would not occur between the time an owner decided to sell his property and the time the sale could actually take place. He said while he felt the ordinance needed further work, clarification of some points, he hesitated to delay its adoption due to the Park Ritchie situation where he felt there was good possibility of a viable tenant buyout and did not want to foreclose that option. He commented he felt those tenants had put a lot of effort into organizing and did not want to preclude their exercise of options under the ordinance. He reiterated the need to address a number of issues related primarily to single-family/small multi-family buildings under the ordinance. He stated he was prepared to move ahead with adoption of the ordinance, excluding single-family/small buildings, but encompassing the large high-rise buildings.

Councilmember Haney stated he wholeheartedly concurred with Mr. d'Eustachio's comments. He commented that Fairfax County had experienced a close-out of affordable housing; said that area had problems finding people to fill jobs because there was no affordable housing available -- did not want to see anything similar happen in the City. He commented on the City's economic diversity and hoped that could be maintained. He asked that Mr. Litt convey a sincere request to Eureka to hold off on any action on the Park Ritchie until a feasibility study was completed under the agreement discussed by the City, the tenants' association and Eureka. Dialogue ensued, in the course of which it was noted that while Mr. Lilienfield could enter into a contract to sell the Park Ritchie, it would have to be incorporated into a reorganization plan and be presented to the bankruptcy court, at which time the City would have an opportunity to oppose that

action. Councilmember Iddings inquired whether, if the Council adopted the ordinance, it would be effective under the rules of the bankruptcy court. Attorney Mary Bottum said there was a good chance, that it was not clear the ordinance would be ineffective in that court. She said an individual with expertise in that field had stated that similar kinds of contractual rights of first refusal had been followed by courts, but had to be followed by trustees in bankruptcy. She said it was entirely possible and probable that an ordinance that gave tenants that right would have to be followed by trustees in bankruptcy. Attorney Litt concurred that the situation was unclear whether the ordinance would be deemed effective or not by the bankruptcy court. He stated in response to query that the Park Ritchie Limited Partnership did have the capacity to enter into a sale contract, however, Eureka Federal being merely a creditor did not have the same capacity. He said nothing in the ordinance, from his reading, prevented the entry into such a contract, but what was altered was what would occur thereafter. Councilmember d'Eustachio expressed doubt that, if the ordinance were in effect, any purchaser would wish to enter into a contract under the conditions that would exist; thus, he said, adoption of the legislation would possibly deter a developer from wanting to enter into the situation.

Attorney Anne DeNovo commented that since two lawyers had already opined that the ordinance's effect under the bankruptcy rules was unclear, she would not add to that. She related that a meeting occurred earlier in the day between 2 representatives of C.I.H., herself, City Administrator Wilson, City staff member John Rogers, and Attorney Daniel Litt. She said it appeared that C.I.H. was willing, in principle, to bifurcate the feasibility study so that it could be performed without any guarantees as to future work or development activities. She said what C.I.H. would like to do, since they consider the tenants to be a key part of the process, was to talk with the tenants' association as well as other tenants, concerning whether and to what extent they would cooperate in the feasibility study and generally whether they are on the same wavelength. She pointed out that information on tenant income and tenant commitment to a co-op conversion would be a necessary and critical part of any feasibility study. She said the meeting was for discussion purposes only, there was not possibility of reaching any sort of agreement at the current point in time. In response to query from the Mayor, Ms. DeNovo said C.I.H. had not indicated whether the cost of doing a feasibility study without commitment to any further involvement would be greater -- she said she had asked, but had not yet received a response. Councilmember Bradley inquired whether, if the Park Ritchie Limited Partnership entered into a sales contract, the ordinance would be effective if passed thereafter; response was in the negative, as the ordinance is currently written it would not apply in the case where there is a ratified contract prior to its enactment. It was noted that the ordinance could not be made retroactive.

Mayor Del Giudice recommended adopting amendments that would exclude from the ordinance single-family rental units and those having 2-4 rental units, with the Council, upon its return in September, to address questions that had arisen in connection with those properties and owners of those properties, who more often than not tended to be City residents (versus absentee landlords of most large buildings). He said he thought that could be accomplished by deleting Sections 89 and 90, with provisos inserted as appropriate to specifically exclude single-family and 2-4 unit buildings. Attorney Silber noted that a new section should be added stating that all properties were covered except those specifically excluded; she pointed out that points 1), 2), 3) and 4), and A. and B. in her memorandum dated August 8 addressed the proposed amendment. Councilmember Iddings expressed concern about losing sight of smaller units, where he felt a lot of displacement was occurring, and which he thought would be most affordable for tenants. Ms. Silber, in response to query, said she saw no problem with making the ordinance effective for large buildings one date and subsequently amending and making it effective for smaller properties at a later date. Councilmember d'Eustachio moved that the ordinance be adopted with two separate effective dates -- for 5-unit and larger buildings to become effective upon enactment, and for those having 4 units or less to become effective on October 1, duly seconded by Councilmember Haney. The Mayor stated he would interpret that as a motion to amend the ordinance by inserting two separate effective dates. Councilmember Bradley stated that while she supported the legislation, she did not support amending it piecemeal and inserting two separate effective dates in light of serious ques-

tions raised and which need to be addressed. She said the ordinance should not only be the Park Ritchie Bill, but should be passed to help all the buildings. She questioned whether, despite the possibility of some risk in the Park Ritchie situation, it was appropriate to pass legislation which would require substantial and confusing later amendment. She said she would not wish to vote against the ordinance, however, might have to abstain if a vote were taken with the amendment inserting two separate effective dates. Councilmember d'Eustachio commented that, based on talk he had heard and conversations he had engaged in, if there were any City landlords who thought right of first refusal legislation would not be passed in one form or another, they were fooling themselves. He said the reason he favored the split effective date was that it forced the Council to look at the legislation seriously and quickly and come to a definitive conclusion on it by a set date. Councilmember Williams commented that he had initially thought the ordinance should be tabled in light of the number of unanswered questions; wondered why there could not be one effective date, e.g., October 1. Councilmember d'Eustachio responded that would leave the door open for a developer to come in and make an offer to the Park Ritchie Limited Partnership that they might find acceptable and which, in fact, the bankruptcy court might find acceptable and that would preclude, without the feasibility study ever having been completed, the tenants having the opportunity to buy the building. The vote on the amendment was split 3-3, with Councilmembers d'Eustachio, Haney and Iddings voting Aye, Councilmembers Bradley, Sharp and Williams voting Nay, Councilmember Levy Absent. The amendment passed with the Mayor voting Aye to break the tie vote. The Mayor moved an additional amendment as suggested by Attorney Silber's aforementioned memorandum (pg. 3, G.) that an express provision be included in a definitional section defining "sale." The motion was duly seconded by Councilmember d'Eustachio, and carried by unanimous vote. Councilmember Bradley moved amending the ordinance by inserting F. (page 2) from Ms. Silber's aforementioned memorandum, duly seconded by Councilmember Haney. Ms. Silber commented that section was drafted with the assumption that single-family units had already been excluded, thus Ms. Bradley might wish to include those units in her amendment, which she did. The amendment passed by unanimous vote. Councilmember d'Eustachio moved adoption of the ordinance, as amended, duly seconded by Councilmember Haney.

Mike Mead, landlord: commented he knew that Council would eventually adopt right of first refusal legislation and, in principle, had no objection to it; however, said he did not think the ordinance was yet workable and hoped he could participate in making it so. He said while he owned a building having more than 5 units, it was not a highrise on Maple Avenue. He asked that the ordinance be further amended to segregate very large buildings from medium-sized, i.e., make a cutoff point at those having 75 or more units, or 50 or more. He related having very serious health problems, and said he had been advised by IRS that when he dies, his family would have to pay federal estate tax in cash within 90 days of probate based on the highest and best use of the building without taking any pertinent factors into consideration. He said his grandmother had owned a 25-unit building, and when she died IRS wanted more in cash than what could be raised liquidating the building. He said he was in the process of trying to transfer his building to some sort of trust for his heirs that would avoid the huge estate taxes, and feared he would not be able to do so if the legislation at hand were passed -- no one would be willing to loan him the necessary money to do so. He said while he did not doubt the good intentions of Council, all members had admitted they had unresolved questions; said if they passed legislation having unknown implications and whose workability had been seriously questioned, how could they live with their own consciences. He spoke in favor of compromise, working things out in the way most equitable to all concerned, and urged that Council do likewise. He stated he had children 6 and 8 years old that he would not live to see finish high school, and the money he had invested in his building amounted to their college education; he emphatically urged that Council delay action.

Dennis Seekins, 8217 Roanoke Avenue: said the City was driving out good, responsible landlords. He urged that the ordinance address the large, highrise buildings and that a way be found of excluding medium-sized individually-owned buildings. He said tenants should be given the same opportunity and the same time frame to buy a building as anyone else, but the deck should not be stacked in their favor. Councilmember Sharp pointed out that tenants often did not know when their building was on the market until it had already been sold. Mr. Seekins concurred it would be fine to notify

tenants when a building was for sale, but quite another thing to draft a law that required a minimum of 225 days to get the sale going; said the time frame was his major objection, that it penalized the property owners. Following brief dialogue with Councilmember Bradley, she posed parliamentary procedural questions to the Mayor concerning adoption of the ordinance, during the course of which he reminded that there was a motion on the floor to adopt the ordinance, as amended, which would have to fail before additional motions to amend could be entertained. He pointed out that once the ordinance was adopted, it could be further amended. Councilmember Bradley moved that the ordinance be tabled, duly seconded by Councilmember Iddings. The motion carried 4-2. Councilmember Bradley commented she felt there were ways the legislation could have been worked on short of tabling it in its entirety, would be willing to alter her schedule to work further on it at the earliest date convenient to the rest of the Council.

4. First Reading of a proposed ordinance for the private use of Heffner Park Recreation Building for a day-care program.  
Councilmember d'Eustachio moved acceptance for first reading, duly seconded by Councilmember Williams. It was noted a public hearing would be scheduled coincidentally with second reading in September, and publicized in the upcoming Newsletter.

Clarence Boatman, 133 Ritchie Avenue: stated he was speaking on behalf of his wife, who was unable to attend; said it was felt there was much lacking in the ordinance, many questions unanswered, such as revenue source, salaries, staff persons, curriculum of the program. He said the building was not appropriate to house such an operation; noted that to his knowledge, it contained only one bathroom; there were not adequate food facilities. Councilmember Iddings pointed out that the building had been evaluated by Public Works Director Robbins, as well as appropriate county agencies; said a work list was in process setting out what had to be done to the building to bring it into code conformance for the proposed use. He suggested that the Ritchie Avenue Citizens' Association ask Mr. Greene to give a briefing on his proposal at their October meeting; Mr. Boatman commented that could likely be arranged through Mr. Greene contacting Mrs. Boatman, president of the association. The ordinance was accepted for first reading by unanimous vote.

ORDINANCE #1986-  
(attached)

5. Resolution appointing Alida Deguara to Takoma Park Cable Board.  
Councilmember Iddings moved passage, duly seconded by Councilmember d'Eustachio. Councilmember Iddings commented there were a number of qualified candidates for the vacancy; Ms. Deguara was chosen because of her credentials, the fact she had been very active in City cable affairs, had produced a show, and, it was hoped, would provide representation on the board for the Hispanic community. The resolution passed by unanimous vote (Councilmember Bradley temporarily absent).

RESOLUTION #1986-59  
(attached)

6. Resolution effecting appointment to fill COLTA vacancy.  
Councilmember Iddings moved passage, duly seconded by Councilmember Sharp. The Mayor noted passage of the resolution would appoint Norman Gleichman to fill a general public citizen representative vacancy on the commission, which was advertised in the July Newsletter and for which Mr. Gleichman had applied. The resolution passed by unanimous vote (Councilmembers Bradley and Williams temporarily absent).

RESOLUTION #1986-60  
(attached)

7. Approval of Year 13 (FY 1988) Community Development Block Grant Process and Resolution appointing Citizens' Advisory Committee.  
Councilmember Iddings moved passage of the resolution, duly seconded by Councilmember d'Eustachio. Councilmember Haney moved addition of the name of Mary Ralston, Hillwood Manor Community Association, as a Primary representative; Janice Martin and Bill Bodwitch as Alternate representatives. Following brief discussion, the Mayor moved addition of a resolve clause empowering the City Administrator to appoint additional representatives

from recognized citizens' associations who identify themselves to the City for participation in the committee, and are recommended by the Councilmember representing their ward, with appointments to be accomplished by August 14, 1986. That amendment was duly seconded, carried unanimously. The resolution, as amended, passed by unanimous vote (Councilmembers Bradley and Williams temporarily absent).

RESOLUTION #1986-61

(attached)

8. First Reading of an ordinance establishing No Parking on the south side of First Avenue.

Councilmember d'Eustachio moved acceptance for first reading, duly seconded by Councilmember Haney. Councilmember d'Eustachio commented he anticipated amendments to the ordinance expanding the area, following appropriate notification to the community. The ordinance was accepted for first reading by unanimous vote (Councilmembers Bradley and Williams temporarily absent).

ORDINANCE #1986-

(attached)

9. First Reading of an ordinance amending the Transportation Planning and Policy Committee structure.

Councilmember Iddings moved acceptance for first reading, duly seconded by Councilmember d'Eustachio. Mr. Iddings commented that the committee had currently had trouble getting underway for a variety of reasons, some felt to be structural-related. He said it was anticipated the amendments, to which additions may be made in September, would enable the committee to begin functioning in a more effective way. The ordinance was accepted for first reading by unanimous vote (Councilmember Williams temporarily absent).

ORDINANCE #1986-

(attached)

Mayor Del Giudice commented he had intended to point out during discussion of the earlier block grant-related item that an estimate had been received from Montgomery County of the estimated FY 1988 pass-through amount the City would receive, i.e., \$146,000.00; he noted that additionally there were pass-through funds for FY 1987, the current year, in the amount of \$24,900.00. He said he thought the additional amount was the result of congressional action blocking the threatened administrative deferral of CDBG funds. Following brief discussion, Asst. City Administrator Habada responded to various questions raised concerning the funds and City options related thereto.

10. Discussion re cable television.

The Mayor commented a meeting was scheduled for the next day's date with Mr. Alex Green of Montgomery County government for the purpose of discussing cable television; he noted the need to discuss priorities of issues on which the City would want to bargain in advance of that meeting. He said he felt there was need for a serious discussion concerning the Takoma Junior High access center, however, other large countywide issues could wait for an upcoming meeting in the near future with representatives of all the various municipalities. He remarked that as a result of last week's MML meeting, it was decided to set up two meetings -- one with Hauser, and one with the county. Councilmember Bradley commented she thought the meeting on the following date would probably be the first in a series of discussions, said the issues discussed earlier could be presented and reactions to same noted, with examination and discussion of strategies at a later time by the City. She briefly touched on interim negotiating points, as well as some longterm issues, with brief discussion ensuing concerning the Down County Access Center at the Takoma Junior High, its use, and related issues. The Mayor emphasized the importance of ensuring installation of such an access center, without which there was not much hope for the future of municipal and public access cable TV. He pointed out the county would be getting \$17,000,000.00 from Hauser; sentiment at the aforementioned MML meeting was that it was crazy that a \$100,000.00 maintenance and replacement budget for municipalities was generating arguments. He also noted that the contract specifically precluded the City from ever going back to the county to ask for more money. During ensuing dialogue, Robert Smith, Interim Cable Coordinator, stated that the idea of having the



Down County Access Center located in Takoma Park was to enhance public access for City residents, as well as other down county residents. He opined that lack of that center did not preclude, but did hamper, making quality community programming, not only because of lack of studio space, but lack of the anticipated additional equipment and support staff. The Mayor concluded the discussion, saying that the initial meeting the next day with Alex Green and county officials to address the City's cable situation would be primarily for the purpose of raising problems prior to public meetings and assessing reactions.

11. AFSCME Collective Bargaining Draft Ordinance.

The Mayor suggested that the City Attorney be directed to prepare an advice letter concerning the need and/or advisability for a Charter Amendment, as was suggested might be necessary at an earlier point in the meeting. Mr. Wilson opined that would be necessary; he said a great deal of time was spent previously dealing with Powers amendments in the Charter, which were read numerous times but never adopted. He stated the official record had been carefully examined to ascertain that was the case.

Peter Moralis of AFSCME stated that their staff attorneys had carefully examined the draft ordinance presented; said substantial changes were effected in the draft to specifically avoid any conflict with the City Code or state law. He said the union recognized that if a Charter Amendment were required, the process could drag out endlessly; said AFSCME was prepared to work with City officials to resolve longstanding personnel problems, and noted that union's representation of employees in Annapolis, Rockville, College Park, and many other jurisdictions. He opined that the personnel advisory committee formed to address existing problems would not be effective, could not substitute for a true form of collective bargaining. The Mayor suggested a meeting between the City Attorney and AFSCME attorneys for the purpose of reviewing the draft ordinance, ascertaining whether a Charter Amendment would or would not be necessary, and coming up with a proposed ordinance if the lawyers could reach agreement, for presentation at the September 8th worksession for consideration. He noted that if any Councilmembers had concerns on this subject that needed addressing in the interim, they should make those known through the City Administrator, who would pass them along to the City Attorney, as appropriate.

12. Resolution establishing summer recess for the Mayor and Council.

Councilmember d'Eustachio moved passage of the resolution as written, duly seconded by Councilmember Haney, carried unanimously.

RESOLUTION #1986-62  
(attached)

Upon motion, duly seconded, the meeting adjourned at 1:10 A.M., to reconvene in regular session at 8:00 P.M. on September 15, 1986.

PROCLAMATION

- WHEREAS, Mable Granke has been involved in public service for many years; AND
- WHEREAS, Mrs. Granke's most recent public service has been as a member of the Montgomery County Planning Board for eleven years and vice chair since July 1979; AND
- WHEREAS, during her tenure with the Planning Board, Mrs. Granke was known for her responsiveness to community and neighborhood concerns, and for the thoughtfulness with which she cast her votes; AND
- WHEREAS, Mrs. Granke has strongly supported the community schools concept in our county by her membership on the Montgomery County Interagency Coordinating Board for Use of Educational Facilities and Services since its inception in 1978, and which she currently chairs; AND
- WHEREAS, Mrs. Granke will be remembered in Takoma Park for her roles in the reconstruction of the Takoma Old Town Park, in the City's acquisition of the Siegler Property for development of the neighborhood park, and in the acquisition and ongoing development of the Sheridan-Hancock Neighborhood Park, all of which have enhanced the quality of living for our residents; AND
- WHEREAS, Mrs. Granke worked with the Planning Board and the community to help save Takoma Park Junior High School and Community School; AND
- WHEREAS, Mrs. Granke's work provided invaluable assistance to the City while serving on the Montgomery County Accessory Housing Task Force, which established the current zoning law on accessory apartments, many of which are located within the City; AND
- WHEREAS, Mrs. Granke has been a good friend to Takoma Park and its citizens during her many years of public service.
- NOW, THEREFORE, I, Stephen J. Del Giudice, Mayor of the City of Takoma Park, Maryland, do hereby proclaim **Sunday, August 17, 1986** as

**MABLE GRANKE DAY**

in the City of Takoma Park, to be celebrated in conjunction with the City's Car-Free Sunday to be held on Sligo Creek Parkway; AND

BE IT FURTHER PROCLAIMED THAT the citizens and government of the City of Takoma Park wish to express their appreciation and gratitude for Mrs. Granke's efforts in assisting the City during her years of public service and hope that she will have many happy and fruitful years to enjoy her next endeavor.

AUGUST 11, 1986

\_\_\_\_\_  
Stephen J. Del Giudice  
Mayor

ATTEST:

\_\_\_\_\_  
James S. Wilson, Jr.  
City Administrator

**RESOLUTION OF APPRECIATION**  
#1986-54

WHEREAS, the City Council of Takoma Park, Maryland, wishes to recognize the contributions which have been made by the Takoma Park Folk Festival through most of the past decade, in bringing music, dance, crafts, food, community awareness, and good fellowship to the City of Takoma Park and its neighbors, as well as making financial contributions to numerous, deserving, youth-oriented organizations in the community; AND

WHEREAS, Sammie Abbott was the founder, originator, and motivating force behind the Takoma Park Folk Festival; AND

WHEREAS, Mr. Abbott designed the logo which has become the symbol of the Festival, and has created the Festival poster each year; AND

WHEREAS, Mr. Abbott has used his extensive personal contacts to bring resources and prominence to the Festival and assure its success.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council expresses its gratitude to Sammie Abbott in recognition of his contribution to the Takoma Park Folk Festival.

AUGUST 11, 1986.

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Stephen J. Del Giudice  
Mayor

ATTEST:

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James S. Wilson, Jr.  
City Administrator

RESOLUTION OF APPRECIATION

#1986-55

WHEREAS, the City Council of Takoma Park, Maryland, wishes to recognize the contributions which have been made by the Takoma Park Folk Festival through most of the past decade, in bringing music, dance, crafts, food, community awareness, and good fellowship to the City of Takoma Park and its neighbors, as well as making financial contributions to numerous, deserving, youth-oriented organizations in the community; AND

WHEREAS, Saul Schniderman was one of the original organizers of the Takoma Park Folk Festival; AND

WHEREAS, Mr. Schniderman has been the Chair and guiding force of the Festival through most of its existence; AND

WHEREAS, Mr. Schniderman has been a major contributor to the fine music of the Festival as performer, member of the program committee, emcee, and stage manager; AND

WHEREAS, Mr. Schniderman has devoted countless hours of his life each year to the myriad of jobs which make the Festival possible.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council expresses its gratitude to Saul Schniderman in recognition of his contribution to the Takoma Park Folk Festival.

AUGUST 11, 1986.

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Stephen J. Del Giudice  
Mayor

ATTEST:

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James S. Wilson, Jr.  
City Administrator

RESOLUTION OF APPRECIATION

#1986-56

WHEREAS, the City Council of Takoma Park, Maryland, wishes to recognize the contributions which have been made by the Takoma Park Folk Festival through most of the past decade, in bringing music, dance, crafts, food, community awareness, and good fellowship to the City of Takoma Park and its neighbors, as well as making financial contributions to numerous, deserving, youth-oriented organizations in the community; AND

WHEREAS, Paul Plant was one of the original organizers of the Takoma Park Folk Festival; AND

WHEREAS, Mr. Plant has been responsible for the acquisition, storage, and delivery of food to the Festival; AND

WHEREAS, Mr. Plant and his assistants have built and/or supplied most of the physical apparatus used in cooking and selling the food, AND

WHEREAS, Mr. Plant has contributed generously of his time, knowledge, and resources to the Festival.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council expresses its gratitude to Paul Plant in recognition of his contribution to the Takoma Park Folk Festival.

AUGUST 11, 1986.

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Stephen J. Del Giudice  
Mayor

ATTEST:

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James S. Wilson, Jr.  
City Administrator

RESOLUTION OF APPRECIATION

#1986-57

WHEREAS, the City Council of Takoma Park, Maryland, wishes to recognize the contributions which have been made by the Takoma Park Folk Festival through most of the past decade, in bringing music, dance, crafts, food, community awareness, and good fellowship to the City of Takoma Park and its neighbors, as well as making financial contributions to numerous, deserving, youth-oriented organizations in the community; AND

WHEREAS, Sara Green was one of the original organizers of the Takoma Park Folk Festival; AND

WHEREAS, Ms. Green has been responsible through most of the history of the Festival for publicity, achieving coverage by area newspapers, radio, and television; AND

WHEREAS, Ms. Green has been the principle planner of food preparation, has done much of that preparation herself, and has coordinated the volunteers who did the rest.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council expresses its gratitude to Sara Green in recognition of her contribution to the Takoma Park Folk Festival.

AUGUST 11, 1986.

\_\_\_\_\_  
Stephen J. Del Giudice  
Mayor

ATTEST:

\_\_\_\_\_  
James S. Wilson, Jr.  
City Administrator

RESOLUTION OF APPRECIATION

#1986-58

WHEREAS, the City Council of Takoma Park, Maryland, wishes to recognize the contributions which have been made by the Takoma Park Folk Festival through most of the past decade, in bringing music, dance, crafts, food, community awareness, and good fellowship to the City of Takoma Park and its neighbors, as well as making financial contributions to numerous, deserving, youth-oriented organizations in the community; AND

WHEREAS, David Sawyer was one of the original organizers of the Takoma Park Folk Festival; AND

WHEREAS, Mr. Sawyer has been a source of vision, optimism, and ideas throughout the existence of the Festival; AND

WHEREAS, Mr. Sawyer has been a major contributor to the fine music of the Festival as performer, member of the program committee, emcee, and stage manager; AND

WHEREAS, Mr. Sawyer has devoted countless hours of his life each year to the myriad of jobs which make the Festival possible.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council expresses its gratitude to David Sawyer in recognition of his contribution to the Takoma Park Folk Festival.

AUGUST 11, 1986.

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Stephen J. Del Giudice  
Mayor

ATTEST:

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James S. Wilson, Jr.  
City Administrator

Introduced by: Councilmember Bradley

1st Reading: 7-28-86  
2nd Reading: 8-11-86

ORDINANCE No. 1986- 27

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

- Section 1. THAT the City Council did previously approve a purchase from Custom Shop, Inc. to provide carpeting and installation at the City library; AND
- Section 2. THAT Custom Shop, Inc. is currently under contract with Montgomery County for carpeting and has successfully installed carpeting in in the City library; having previously submitted an affidavit required under the Nuclear Free Zone Act; AND
- Section 3. THAT the carpeting in Municipal Building Administrative offices is worn and is currently a hazard to traffic through the administrative office; AND
- Section 4. THAT the contract price for the material and labor required for replacing carpeting in the Municipal Building administrative offices of \$3,136.50 is hereby accepted.
- Section 5. THEREFORE that the costs amounting to THREE THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS AND FIFTY CENTS (\$3,136.50) be charged to the Capital Budget, Acct. #995, to cover the materials and labor.

ADOPTED AUGUST 11, 1986.



ORDINANCE NO. 1986-28

WHEREAS, it has been determined by the administration of the City that there is a need for the training of the City's senior staff;  
AND

WHEREAS, a proposal has been submitted by The Selig Associates, Inc., to provide management training for the senior staff; AND

WHEREAS, the City Administrator has recommended the the following senior staff members be included in such training:

Assistant City Administrator  
Economic & Community Development Coordinator  
Accounting Supervisor  
Chief of Police  
Deputy Police Chief/Captain  
Director of Public Works  
Director of Recreation  
Director of the Library  
Director of Housing Services; AND

WHEREAS, the City Administrator, in conjunction with The Selig Associates, Inc., will develop a syllabus for the training seminar, as well as the timeframe for the training.

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

SECTION 1. THAT the proposal for senior staff training is hereby accepted by the Mayor and Council, with such training to be conducted by The Selig Associates, Inc.; AND

SECTION 2. THAT funding in the amount of ONE THOUSAND DOLLARS AND NO CENTS (\$1,000.00) be appropriated from Budget Account 535, Contracts, to cover the cost of the training for senior staff.

ADOPTED AUGUST 11, 1986.

Introduced by:

1st Reading: 8-11-86  
2nd Reading:

ORDINANCE NO. 1986-

WHEREAS, there is an established need in the metropolitan area for day care for children and young adults, ages 9 to 16 years; AND

WHEREAS, the City has received a proposal to establish such a day care program within the City from Mr. Norman Greene; AND

WHEREAS, Mr. Greene has provided the City with information on his proposed program and has requested the use of the Heffner Park Recreation Building, located on Oswego Avenue, and owned by the City, to operate the program from; AND

WHEREAS, the Mayor and Council have requested input from citizens and community organizations in the immediate area, to be received during a public hearing scheduled in September 1986; AND

WHEREAS, the input from that hearing is supportive of the ideas and proposals put forth by Mr. Greene.

WHEREAS, information has been provided from the Director of Recreation on the current and future uses planned for Heffner Park Recreation Building, and that the proposed program will not interfere with same; AND

WHEREAS, additional information and cost estimates have been provided by the Director of Public Works for the renovations to the Heffner Park Recreation Building that are necessary for the operation of the proposed program.

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

SECTION 1. THAT the Mayor and Council are agreeable in their support

of Mr. Greene's proposals and request to use the City's Heffner Park Recreation Building; AND

SECTION 2. THAT the Mayor and Council have directed the City Administrator to work with the Corporation Counsel to prepare a contract of agreement for the use of the building and all other items that must be taken into consideration for the protection of the City, its citizens, and the participants of the program proposed by Mr. Greene; AND

SECTION 3. THAT the contract referenced in Section 2, above, be attached hereto, and become a part of this ordinance, entitled Exhibit A.

A PROPOSAL TO CREATE A YOUTH CARE PROGRAM

BY: NORMAN M. GREENE

SPONSORED BY: THE MORGAN DAY CARE INC.

Contact: Norman M. Greene  
6712 Westmoreland Ave  
Takoma Park, Md. 20912

Phone: 301-891-2036

August 1986

ITEMS TO BE CONSIDERED -- HEFFNER PARK RECREATION BUILDING USE

NOTES FROM WORKSESSION - 8/4/86

- Insurance through Morgan Day Care Center
- Trailer (portable classroom) -- where would it be attached (is on waiting list)?
- Mont. Co. Rec. Dept. & Park & Planning to provide revenue support next year?
- Carpet for this project?
- Legal question: Could others contend our giving this to Greene?
- Who will provide Janitorial services?
- Need for contract -- to be developed by City Admin., Corp. Counsel, and Coun. Sharp.
- Need for inspection by City's insurance carrier?
- Belle Ziegler to provide listing of current users of the facility.
- Richard Robbins to provide cost estimates for changes to the building that Mr. Greene wants.

**PURPOSE:** To request the use of the Heffener Park building for a Youth Care Center

**NEEDS:** Montgomery County Child Day Care Facilities and Transportation Plan for April 85 through March 86 has identifies a large number of children in the schoolage and older schoolage population in need of care programs in the Takoma Park area.

Parents who need to know that their schoolagers and older schoolagers are in a care program similar to that which they left after turning 9 years old but responds to the age of the child.

The need for our children to be participants in our future and to accept responsibilities.

**AT PRESENT:** There are programs that are available and are administered by the Takoma Park Recreation Department and Montgomery County Department of Recreation. However, often there are not enough programs available to our children that are within a reasonable distant and acceptable to our youth. This leaves many of us in desperate need of a program that can put an end to our worries about safety and enrichment.

**THE TAKOMA CLUB:** I propose The Takoma Club, a program where schoolage and older schoolage children will participate in a on-going program that will consist of the art of theater, visual arts, the art of dance, public speaking, and time management after-school. An additional interest which could prove to be very successful is a "call in" service for registered members whose parents prefer them to stay home.

The program hours will be 3:00pm to 7:00pm during school days and 7:00am to 7:00pm during the summer. The club would also be available during the day for members should the school system close early or declare a day off for students.

A before school program could be included should the need be recommend.

**HEFFENER PARK:** Because of the location of the Heffener Center and the need of a program for older children, I project that the number of families serviced in this community would double within a 6 month period after the Club opens during a school year. I also project a waiting list of children of more than half of the number allowed to use the Heffener Center within the same time frame provided all systems are working as expected.

Onsite membership in the Takoma Club, Heffener Branch, will be limited to 3/4 Takoma Park resident with the remaining space allow for other citizens (changes made in space allotment approved by the City Administration).

The Takoma Club can be a success in the Heffener Park location if care is used to make it safe and secure. A proposed amount for building repair is included.

TAKOMA CLUB

PROJECTED INCOME AND EXPENSES  
 SEPTEMBER 1, 1986 through AUGUST 31, 1987

INCOME:  
 Club fees<sup>1</sup> 59,400.00  
 Total Income: \$59,400.00

EXPENSES:  
 Staff Cost 6,000.00  
 Director 24,000.00  
 Staff Benefits 4,500.00  
 Training 600.00  
 Loan Payment<sup>2</sup> 6,000.00  
 Rent 2,400.00  
 Utilities 2,400.00  
 Telephone 600.00  
 Insurance 1,500.00  
 Meals 600.00  
 Supplies 1,200.00  
 Transportation 600.00  
 Contingency 3,200.00

Total Expenses: \$59,600.00

1. Cost per child onsite: School day \$140.00/month  
 Whole day \$280.00/month  
 Call-in cost per child: \$20.00/month

Total income is based on 26 children onsite and 20 children call-in.

2. Payment to cover start-up cost to include the following:

2 Atari Computers/Printers	\$1,000.00	
Software	250.00	
3 Color TVs	500.00	
Cable Set-up	50.00	
Record/tape player	100.00	
VCR	300.00	
Staff cost/1 month	3,000.00	
Insurance	250.00	
Supplies	500.00	
P.R. Funds	300.00	
Work computer/printer	2,000.00	
Rugs	250.00	
Building repair	670.00	funds may be approved in Public Works' budget

Total Start-up cost: 9,170.00

NEEDS

Montgomery County Child Day Care Facilities and Transportation Plan for April 85 through March 86 has identified 3,384 schoolages and older schoolages in need of care programs.

The Montgomery County plan identifies the need for a child care program in the Takoma Park Area for schoolages and older schoolages during hours when many parents are working.

The enclosed table identifies the 3,384 of potential leaders we have growing in our city and surrounding areas. The table does not show how effective they will be as leaders in our future.

Another existing need not identified in the enclosure is the number of parents who need to know that their schoolages and older schoolages are in a care program. Similar to the program which they left after turning 9 years old, but with a more mature structure that will continue to add to their child's growing experience.

A need expressed by parents, community leaders, and law enforcers is the need for our children to be participants in our future and to accept responsibilities.

There is a need for a long lasting youth care center incorporated as a part of our community. I believe the ideas that surrounds the club should be forever lasting even if the club is not. We as a people put billions of dollars into developing America to become the best country on earth. But only thousands are provided to ensure the continuation of it's development by preparing our children to continue our efforts. If our children are not well prepared for the future we can end up losing millions of minds to drugs, crime, non-participation, and death. A better effort must be made toward the development of our children during times they need it most. During their pre-teens and teenage years, our children can go in any direction. We all hope it is the right one.

#### AT PRESENT

At present there are programs that are available for some of our children which assist in their educational growth. These programs are often administered by the Takoma Park Recreation Department and Montgomery County Department of Recreation. Many times these recreational programs are useful to parents and fun for children however, often there are not enough programs available to our children that are within a reasonable distant and acceptable to our youth. This leaves many of us in desperate need of a program that can put an end to our worries about safety and enrichment.

#### THE TAKOMA CLUE

I propose The Takoma Club, a child care program of classes that provides adult attention and stimulating subjects of interest that enhance growth and community spirit.

I propose a peer-group environment that allows schoolagers and older schoolagers the opportunity to participate in an on-going program for the arts, and interests effecting their community. This program will assist in developing self-assurance and self-expression as well as community pride.

As Club members, schoolage and older schoolage children will participate in a on-going program that will consist of the art of theater, visual arts, the art of dance, public speaking, and time management in an after-school program.

The Club's continuous program will include problem-solving opportunities in community related issues of concern to the group and are approved by parents.

The Club will explore the many avenues of the media in order to select ways to communicate with the community.

Club members will collect data and make it available to concerned community organizations who wish to pursue the concern in a positive effort.

The Club will be introduced through the use of citizen organizations, flyers, the school system, area daycare centers and the Parent, Teacher Association. Each prospective member will be required to take an oath to accept the buddy system used by the Club and put forth effort to maintain an atmosphere of self help, positive problem solving and creative thinking.

The Club will provide the parent with a controlled program where she/he can leave her/his child prior to going to work and pick-up service after work hours. The program hours will be 3:00pm to 7:00pm during school days and 7:00am to 7:00pm during the summer. The club would also be available during the day for onsite members should the school system close early or declare a day off for students.

The Club will assist the parent in providing a continuously safe atmosphere for her child while away from home and school.

An additional interest which could prove to be very successful is a "call in" service for registered members whom parents prefer them to stay home.

The "call in" will be operated by interested club members and club staff who will receive phone calls from registered "call in" members in cases of emergencies, or to ask questions about homework, and similar subjects.

Registered call-in members will call in to the center once they reach home from school. The check in time will be logged in with the center and a weekly report provided to the parents.

A peer study group will be an opportunity for members to do homework and parent approved projects using available resources located in the metropolitan area. This interest will emphasize responsibility and "can do" attitudes.

(Optional) Each on-station member will be required to wear a "outfit" which will consist of either a shirt and pants or just a shirt with name tag and Club name for identification. The outfit will be selected by the Club. The use of the uniform will be for identification and to unify the group into an organization.

If a need is identified by parents that an earlier time frame is required, this system would be able to accommodate an earlier time, during school days with permission of the Takoma Park Recreation Department.

The Club will be ran by the members in a group censes. And directed by the Club staff. Monthly meetings and yearly programs for parent observations and participation will be made available.



Parents will also be able to provide feed back through parent/program interest meetings and Club members.

The success of the Club will be determined by the Club director and his ability to incorporate such a program into the community. The programs, and activities selected by the adult staff with parents and members approval will ensure continuation.

The number of families that can be serviced will vary because of the availability of the telephone "call-in" services and the location of the center. The location should be in the middle of a school cluster and within a reasonable location for working parents to reach. The Heffner Center will provide a location that can assist many families.

Onsite membership in the Takoma Club, Heffener Branch, will be limited to 75% Takoma Park resident with the remaining space allow for residents of other communities.

I include in this proposal a recommendation that the rents collected for the use of the Heffener Center be used to pay for 50% monthly fees for two children selected by the city. I suggest that need be use as a criterion for selection. Additional monies may be maintained by the city to repay Takoma Club staff for permanent repairs to the building.

#### THE HEFFENER PARK LOCATION

The location of the Heffener Center being near the school cluster and accessible to parents makes it an important element in the success of the Takoma club. The number of families serviced in this community would double within a 6 month period after the club opens. I also predict a waiting list of children of more than half of the number allowed to use the Heffener Center within 6 months.

The Heffener Center can be a success if care is used to make it safe and secure. I understand that money is a subject not to be discussed at this time of cuts and eliminations, however, there are some problems in the Heffener building that need to be corrected.

There are many regulations used as guidelines for developing a child care program. Building codes are one of them. When I went through the building I noted several problems that needed attention in order to maintain a secure program. I reviewed these problems with Takoma Park city officials from Public Works, Police Department and Houseing. Recommendations were that I first contact the County Fire Marshal concerning some of the solutions we developed while reviewing the problems.

Listed below are some of the problems noted and recommended solutions:

1. Replace padlocks on both outside doors providing a key that will open both locks.
2. Replace present hinges with hinges with pins that do not come out.
3. Install 12 metal brackets on windows to keep windows from being easily opened once the glass is broken.
4. Replace one exterior double door set.
5. Replace one exterior single door.
6. Share storage space in a public building to store materials not necessarily needed in the Heffener building.

I recognize the shortage of money and people as resources from the city and suggest that I be responsible for providing the physical power to repair some of the problems noted.

MONTGOMERY BLAIR HIGH SCHOOL

NEEDS

General - Despite the fact that there are a large number of centers in the area, the Blair community is one of the highest in demand and is in the top third of areas targeted for action. A high minority population and a high percentage of working parents in the area indicate that needs, as averaged, are probably underestimated.

Infants/Toddlers - Even with an above-average number of registered family day care providers, there is a high need and very high demand for infant/toddler care.

Preschool - Even with a high number of centers and an above-average number of family day care providers, there is a very high demand for preschool care.

Schoolagers - A high number of schoolage centers and slots do not meet demand. Some of these centers are run by the County Recreation Department and do not seem to meet needs. Several other centers serve only private school students.

Older Schoolage - Needs in this area are close to average.

Geography - Blair's needs cannot be met in adjacent areas. The area is bordered by D.C. and three areas (B-CC, Einstein and Northwood) which also have high needs for care for very young children.

Facilities Notes - The following schools appear to have room for joint occupancy:

- Eastern and Takoma Park Intermediates
- Forest Knolls and Piney Branch Elementaries

MCPS houses one center at the old Takoma Park Elementary School.

Recommended Actions

1. Aim some family day care (especially for infants and toddlers) recruitment to the area.
2. Reconsider the structure of Recreation Department programs for the area so as to better meet needs of families of schoolagers and pilot new services for older schoolagers.
3. Hold a focus group meeting of parents of preschoolers and schoolagers to determine why existing services do not meet demand.

DEVELOPED BY: Department of Family Resources  
Division on Children and Youth  
and Interagency Task Force on Day Care  
Facilities and Transportation  
Montgomery County, Maryland  
April 85 - March 86

(Enclosure)

Morgan Day Care  
Child Development Center

August 4, 1986

To whom it may concern,

Mr. Norman Greene is a reliable person who has the funds to operate a small child care facility. As Co-Directors of MDC, we will offer every possible support to him.

Sincerely,  
Suzanne Miller  
Suzanne Miller

Janette Morgan  
Janette Morgan  
Co-Directors

MONTGOMERY BLAIR HIGH SCHOOL

I.E.E.D.S.	INFANTS/TODDLERS		PRESCHOOLERS		SCHOOLAGERS		OLDER SCHOOLAGERS		ALL AGES	
	NUMBER	LEVEL	NUMBER	LEVEL	NUMBER	LEVEL	NUMBER	LEVEL	NUMBER	LEVEL
POPULATION	1026	2	1540	2	1833	2	1551	2	5950	2
IN CARE	216	-	456	-	443	-	187	-	1223	-
SELF/SIBLING	*	-	*	-	306	-	725	-	1031	-
DEMAND	320	1	320	1	132	(1)	8	(1)	780	1
RESOURCES	0	1	12	3	----->11		3<-----		15	3
85% CENTERS CAPACITY CTRS.	0	1	414	3	345	3	24	2	783	3
APRIL FDC PROV. CAP. PROV.	52	-	60	-	38	-	9	-	42	2
TOTAL RESOURCES	52	2	474	3	383	(2)	33	(2)	159	-
RESOURCES/NEEDS	.30	2	.65	3	.52	(3)	.06	(2)	.43	3
UNMET NEEDS	122	1	250	3	350	(2)	510	(2)	1232	2

KEY:

- INFANTS/TODDLERS - BIRTH TO AGE 1
- PRESCHOOLERS - AGES 2-4
- SCHOOLAGERS - AGES 5-9
- OLDER SCHOOLAGERS - AGES 10-13
- \* - NOT SIGNIFICANT
- LEVEL 1 - INDICATES HIGH NEED
- LEVEL 2 - INDICATES MEDIUM NEED
- LEVEL 3 - INDICATES LOW NEED

Introduced by: Councilmember Iddings

Adopted: 8-11-86

RESOLUTION NO. 1986-59

WHEREAS, there currently exists one citizen representative vacancy on the City's Cable Television Board that needs to be filled;  
AND

WHEREAS, the Cable Board received three applications of interest from William L. Squire, Norman M. Greene, and Alida Deguara, residents of the City; AND

WHEREAS, after due consideration by the Mayor and Council, the following person was selected to fill the existing vacancy.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland, does hereby appoint Alida Deguara to fill the vacant seat on the Takoma Park Cable Television Board.

Introduced by: Councilmember Iddings

Adopted: 8-11-86

RESOLUTION #1986-60

WHEREAS, there exists a vacancy for General Public Representative on the City's Commission on Landlord-Tenant Affairs that needs to be filled; AND

WHEREAS, Norman M. Gleichman has applied to serve on the Commission and fill the aforementioned vacancy.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland does hereby appoint to the vacant seat on the Commission on Landlord-Tenant Affairs:

**Norman M. Gleichman, General Public Representative**

Adopted this \_\_\_\_ day of August, 1986.

RESOLUTION NO. 1986-61

Resolution to establish a committee for the purpose of reviewing and evaluating proposals for the use of Community Development Block Grant (CDBG) funds received during Fiscal Year 1987-88 and for recommending CDBG funding proposals and priorities to the Mayor and Council.

WHEREAS, the City anticipates receiving federal Community Development Block Grant (CDBG) funds through Montgomery County for Fiscal Year 1987-88 to use for eligible projects; AND

WHEREAS, it is the policy of the City to maximize citizen input into how CDBG funds received by the City are spent; AND

WHEREAS, to achieve maximum citizen input, it is the practice of the City government to form each year a Community Development Block Grant Citizens' Advisory Committee (CAC) composed of representatives of all citizen, tenant, civic, neighborhood and business organizations and groups who submit the names of nominees to serve on the CAC for the purpose of reviewing and evaluating proposals for the use of available CDBG funds and to recommend proposals to the Mayor and Council; AND

WHEREAS, the names of primary and alternate nominees have been submitted and received.

NOW, THEREFORE, BE IT RESOLVED THAT the FY 1987-88 Community Development Block Grant Citizens' Advisory Committee is hereby formed for the term of one (1) year of the following individuals:

<u>NAME</u>	<u>REPRESENTING</u>
Paul Powell (P)	Ward 4
Constance R. Mason (P)	Takoma/Langley Park Business & Professional Association, Inc.
Katherine Hemmerdinger (A)	"
Greg Hamilton (P)	Park Ritchie Tenants' Assoc.
Walter Luck (A)	"
Marc Elrich	Roanoke Avenue
Beatrice Irons (P)	Ritchie Avenue Citizens' Assoc.
Catherine Gamble (A)	"
Michael Aleman (P)	Hodges Heights Citizens' Assoc.
Edmund H. Longen (A)	"
Thomas Allegretti (P)	New Hampshire Gardens Citi. Assoc.
Theodore Roorda (P)	Colby Avenue Citizens' Assoc.
Larlane Brown (A)	"
Mary Ralston (P)	Hillwood Manor Citizens' Assoc.
Janice Martin (A)	"
William Bodwitch (A)	"

[NOTE: (P) indicates primary representative; (A) indicates alternate representative.]

BE IT FURTHER RESOLVED THAT the Citizens' Advisory Committee formed herewith is charged with reviewing, evaluating and prioritizing all FY 1987-88 CDBG proposals received by the City for the purpose of submitting funding recommendations to the Mayor and Council for final action.

BE IT FURTHER RESOLVED THAT the Citizens' Advisory Committee shall submit its FY 1987-88 CDBG funding recommendations to the Mayor and Council no later than September 10, 1986.

BE IT FURTHER RESOLVED THAT the City Administrator shall be, and hereby is, empowered to appoint additional representatives from recognized citizens' associations which make known to the City their wish to participate on the committee and are recommended for participation by the Council representative for the ward; such additional appointments to be effected on or before August 14, 1986.

BE IT FURTHER RESOLVED THAT the activities of the Citizens' Advisory Committee shall be conducted in accordance with the "Standards of Participation for the Citizens' Advisory Committee" attached hereto and made a part hereof by reference.

Attachment: Standards of Participation for the Citizens' Advisory Committee

STANDARDS OF PARTICIPATION  
FOR THE  
CITIZENS' ADVISORY COMMITTEE

1. The process of citizen participation at all levels of the committee's operation shall
  - . be conducted in a free and open manner and will be accessible to the public;
  - . involve minorities, including the elderly, the handicapped and persons of low and moderate income;
  - . provide continuity of participation at all program stages;
  - . provide adequate and timely information to all members of the committee; and
  - . encourage citizens to submit their views and proposals.
2. It is understood that the City of Takoma Park, as a municipal corporation, and not the CAC, is ultimately responsible for the development of community development goals, the structuring of priorities, the documentation of proposals, the submission of funding requests to the appropriate authorities and the implementation and administration of projects which receive CDBG funding.
3. Members of the CAC are guaranteed access to all data and technical information relevant to planning decisions.
4. Representatives of organizations, groups, geographic areas, etc. are expected to make every effort to clearly express the views and opinions of those they represent.
5. All discussions and meetings will be open and informal and all information will be freely exchanged and available for public inspection.
6. The members of the CAC and the City are equally responsible for actively soliciting the participation of City residents and for informing City residents of the committee's business.
7. In their development of a comprehensive CDBG funding proposal, members of the CAC are to allow for the implementation and continuation of previously conceived community development plans and previously funded community development projects.

Revised  
(1-25-84)

Revised 9-3-86

FY 1987-88 CDBG Citizens' Advisory Committee  
Appointed by Mayor & Council on August 11, 1986

[(P) indicates primary representative; (A) indicates alternate representative.]

Mr. Paul Powell (P)  
Ward 4 Representative  
204 Geneva Avenue  
Silver Spring, MD. 20910  
(h-585-2830/w- )

Mrs. Katherine Hemmerdinger(A)  
Tak/Lang. Park Bus. & Prof. Assoc.  
P. O. Box 3705  
Langley Park, MD. 20787  
(h-585-2482/w-434-9731)

Mr. Walter Luck (A)  
Park Ritchie Tenants' Assoc.  
7600 Maple Avenue, #503  
Takoma Park, MD. 20912  
(h - /w - )

Mr. Theodore Roorda (P)  
Colby Avenue Citizens' Assoc.  
706 Colby Avenue  
Takoma Park, MD. 20912  
(h - /w - )

Mr. Michael Alemar (P)  
Hodges Heights Citizens' Assoc.  
204 Hodges Lane  
Takoma Park, MD. 20912  
(h-587-3127/w- )

Mrs. Beatrice Irons (P)  
Ritchie Citizens Association  
47 Oswego Avenue  
Silver Spring, MD. 20910  
(h-587-1891/w- )

Mr. Marc Elrich (P)  
Roanoke Avenue  
8110 Roanoke Avenue  
Takoma Park, MD. 20912  
(h-565-8272/w-588-6093)

Janice Martin (A)  
Hillwood Manor Citizens' Assoc.  
1319 Elson Place  
Takoma Park, MD. 20912  
(h-445-1289/w- )

Diane Jenkins (P)  
Upper Maple Ave. Advisory Comm.  
7600 Maple Avenue, #707  
Takoma Park, MD. 20912  
(h- /w- )

Dennis Seekins (A)  
Between the Creeks Nghd. Assoc.  
8217 Roanoke Avenue  
Takoma Park, MD. 20912  
(h- /w- )

Ms. Constance R. Mason (P)  
Tak/Lang. Park Bus. & Prof. Assoc.  
P. O. Box 3705  
Langley Park, MD. 20787  
(h-277-4340/w-270-1701)

Mr. Greg Hamilton (P)  
Park Ritchie Tenants' Assoc.  
7600 Maple Avenue, #807  
Takoma Park, MD. 20912  
(h-270-4297/w-334-7268)

Mr. Tom Allegretti (P)  
New Hampshire Gardens Citi. Assoc.  
7308 New Hampshire Avenue  
Takoma Park, MD. 20912  
(h - /w - )

Ms. Larlane Brown (A)  
Colby Avenue Citizens' Assoc.  
805 Colby Avenue  
Takoma Park, MD. 20912  
(h - /w - )

Mr. Edmund H. Longen (A)  
Hodges Heights Citizens' Assoc.  
7516 Holly Avenue  
Takoma Park, MD. 20912  
(h-585-8133/w- )

Mrs. Catherine Gamble (A)  
Ritchie Citizens Association  
49 Oswego Avenue  
Silver Spring, MD. 20910  
(h-585-5199/w- )

Ms. Mary Ralston (P)  
Hillwood Manor Citizens' Assoc.  
1210 Elson Place  
Takoma Park, MD. 20912  
(h-434-5019/w- )

William Bodwitch (A)  
Hillwood Manor Citizens' Assoc.  
7101 - 13th Avenue  
Takoma Park, MD. 20912  
(h-439-4679/w- )

Drake Cutini (P)  
Between the Creeks Nghd. Assoc.  
8022 Maple Avenue  
Takoma Park, MD. 20912  
(h- /w- )

Introduced by:

1st Reading: 8-11-86

2nd Reading:

ORDINANCE #1986-

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

SECTION 1. THAT parking shall be prohibited on the south side of First Avenue from its intersection with Westmoreland Avenue for a distance of one hundred thirty eight feet (138'); AND

SECTION 2. THAT the Director of Public Works is hereby directed to erect the appropriate signing; AND

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

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

Adopted this \_\_\_ day of \_\_\_\_\_, 1986.



ORDINANCE #1986-

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

Ordinance No. 2639 establishing a Transportation Planning and Policy  
Committee shall be amended as follows:

1. Paragraph A. 1) of Section 2 shall be amended to read:

1) Two Councilmembers, who shall be appointed by the Mayor;

2. Paragraph A. 3) of Section 2 shall be amended to read:

3) At least two citizen representatives from each ward.

All citizen representatives at a meeting from the  
same ward, collectively, shall have two votes, which  
will be divided evenly among them.

3. The last sentence in Paragraph A shall be amended to read:

All terms shall expire on the December 31 following a  
municipal election day.

4. Paragraph E. shall be amended to read:

B. Officers. The officers of the Committee shall consist of  
a Chair and a Vice-chair, who shall be elected by the Committee.

5. Paragraph D. shall be amended to read:

D. Quorum. A quorum shall be one Councilmember and one citizen  
representative from each of four wards.

RESOLUTION NO. 1986-62

WHEREAS, it has been decided that in order to accommodate vacation schedules of the Mayor and City Councilmembers, a summer recess shall be called; AND

WHEREAS, the above recess shall commence after the Regular Council Meeting scheduled for August 11, 1986; AND

WHEREAS, because there are five Mondays in the month of September, the Mayor and Council will reconvene their meetings on Monday, September 8, 1986, in Council Worksession.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council will change the pattern of their meetings, for the month of September 1986, only, as follows:

Monday, September 1, 1986 -- Council Recess  
Monday, September 8, 1986 -- Council Worksession  
Monday, September 15, 1986 -- Regular Council Meeting  
Monday, September 22, 1986 -- Council Worksession  
Monday, September 29, 1986 -- Regular Council Meeting; AND

BE IT FURTHER RESOLVED THAT the meetings of the Mayor and Council will resume their regular pattern of Regular Council Meetings on the second and fourth Mondays of the month, with Council Worksessions held on the remaining Mondays, beginning with the month of October 1986, and continuing thus forth.

September 5, 1986

MEMORANDUM

TO: Mayor and Council  
FROM: James S. Wilson, Jr., City Administrator  
SUBJECT: Worksession Agenda, Monday, September 8, 1986, 7:30 PM

AGENDA

- (1) Discussion of Takoma/Langley Park Developments (Erwin Mack)
  - \* (2) Neighborhoods Together, Inc. - \$5,000 matching funds
  - \* (3) Discussion of Consultant Space Plan Proposal (Michaels Associates)  
[carried over from 8/4 Worksession]
  - \* (4) Discussion of Proposed Amendment to "Traffic Committee" Ordinance (1st Reading - 8/11/86; 2nd Reading scheduled for 9/15/86)
  - \* (5) Discussion of Proposed Ordinance re No Parking-First Avenue (1st Reading - 8/11/86; 2nd Reading scheduled 9/15/86)
  - \* (6) Discussion/Action re Resolution extending employment of Susan Silber as Acting Corporation Counsel (original Resolution No. 1986-40 of appointment expires 9/9/86)
  - \* (7) Discussion of Proposed (1985) Charter Amendment: POWERS [i.e., Collective Bargaining]
  - \* (8) Discussion of Tenants First Right of Refusal Ordinance/Amendments (1st Reading - 7/28; Public Hearing & 2nd Reading - 8/11: **ORDINANCE TABLED**)
  - (9) Discussion of Proposed State Legislation (proposals due 9/16/86)
  - \* (10) Discussion of Proposed Ordinance re mobile home at 7421 Buffalo Avenue (Levy)
- \* Pertinent information attached.  
- *Special Session*