

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*

C I T Y O F T A K O M A P A R K, M A R Y L A N D

Special Session of the Mayor and Council
September 8, 1986

CITY OFFICIALS PRESENT:

Mayor Del Giudice
Councilmember Bradley
Councilmember d'Eustachio
Councilmembber Haney
Councilmember Iddings
Councilmember Levy
Councilmember Sharp
Councilmember Williams

City Administrator Wilson
Assistant City Administrator Habada
Acting Corporation Counsel Silber

During the Council Worksession, held Monday, September 8, 1986, in the Municipal Building, 7500 Maple Avenue, Takoma Park, Md., the Mayor and Council convened in Special Session twice, to consider the following items.

ITEMS FOR COUNCIL ACTION

1. Emergency Ordinance for placement of a mobile home at 7421 Buffalo Avenue. Upon motion by Councilmember Iddings, duly seconded by Councilmember Sharp, the Mayor and Council convened in Special Session at 8:09 PM, to consider an emergency ordinance to waive the provisions of Chapter 4, Article 6, Section 4-65(b) and (c) of the City Code, 1972, as amended, to allow the temporary placement of a mobile home at 7421 Buffalo Avenue. The Williams family, owners of 7421 Buffalo Avenue, had requested this due to a fire that occurred at their home, which gutted the house, rendering it uninhabitable. The Williams' had requested the mobile home as a temporary shelter for a time period not to exceed 150 days, while the house was being rebuilt. It was also noted that the family was encountering problems with Montgomery County zoning officials and also PEPCO; Councilmembers noted that they felt these problems could be overcome. Upon motion by Councilmember Levy, duly seconded by Councilmember Iddings, the ordinance (copy attached) was adopted by roll call vote, as follows: AYE: Councilmembers Bradley, d'Eustachio, Haney, Levy, Sharp, and Williams. NAY: None. Councilmember Iddings was temporarily absent during the vote.

ORDINANCE NO. 1986-29

Upon motion by Councilmember Sharp, duly seconded by Councilmember d'Eustachio, Special Session closed at 8:25 PM, by unanimous vote.

2. Resolution extending retention of Susan Silber as Acting Corporation Counsel. Upon motion by Councilmember d'Eustachio, duly seconded by Councilmember Sharp, the Mayor and Council convened in Special Session at 8:55 PM, to consider the proposed resolution to retain Susan Silber as Acting Corporation Counsel. It was noted that the Council had previously adopted Resolution No. 1986-40 on May 12, 1986, establishing Ms. Silber as Acting Corporation Counsel; that the duties of Acting Corporation Counsel were due to expire on September 9, 1986; that because the selection process for a permanent Corporation Counsel is still on-going, it was necessary to extend Ms. Silber's duties until a final selection and appointment is made. Upon motion by Councilmember d'Eustachio, duly seconded, the resolution (copy attached) was approved by unanimous vote of the Councilmembers present.

RESOLUTION NO. 1986-63

Upon motion by Councilmember d'Eustachio, duly seconded, Special Session closed at 8:59 PM, by unanimous vote of the Council.

ORDINANCE NO. 1986-29

AN EMERGENCY ORDINANCE FOR THE PURPOSE OF WAIVING PROVISIONS OF CHAPTER 4, ARTICLE 6, SECTION 4-65 (b) & (c) OF THE CITY OF TAKOMA PARK, MARYLAND.

WHEREAS, on September 1, 1986 a tragedy occurred at 7421 Buffalo Avenue when a house fire gutted the interior of a family residence owned by Mr. & Mrs. Ernest J. Williams which created an emergency need for temporary shelter for the family;

WHEREAS, the Williams family is presently staying at the Sheraton in Silver Spring and need to have temporary shelter while their home is rebuilt;

WHEREAS, the Williams have requested permission to park a mobile home trailer on their lot at 7421 Buffalo Avenue as immediate temporary shelter;

WHEREAS, Chapter 4, Article 6, Section 4-65 of the City Code provides for parking of trailers for no more than three days on private property upon payment of a City permit fee of three dollars (\$3.00).

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of Takoma Park, Maryland as follows:

SECTION 1. WAIVER.

That provisions of Chapter 4, Article 6, Section 4-65 (b) & (c) are hereby waived in this instance and that a City permit be issued, waiving the permit fee, granting Mr. & Mrs. Ernest J. Williams permission to park a mobile home trailer on their property at 7421 Buffalo Avenue as temporary shelter for a period of time not to exceed 150 days.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall be effective upon enactment.

SECTION 3. EMERGENCY ORDINANCE.

The Mayor and City Council find that a situation of an emergency nature exists that requires the adoption of this ordinance after being read at one meeting of the Mayor and Council. If this ordinance were read at two meetings of the Council it would delay providing emergency, temporary shelter for Mr. & Mrs. Williams which would create a hardship for the family.

Introduced by: Councilmember d'Eustachio

Adopted: 9-8-86

RESOLUTION NO. 1986-63

WHEREAS, on May 12, 1986, the Mayor and Council adopted Resolution No. 1986-40, appointing Susan C. Silber as Acting Corporation Counsel; AND

WHEREAS, the above-referenced resolution of appointment was effective until September 9, 1986, at which time, it was assumed that the Corporation Counsel selection process would have been complete, and a permanent Corporation Counsel hired; AND

WHEREAS, the Corporation Counsel Selection Advisory Committee continues through with the process of reviewing applicants for the position, the City needs to retain Ms. Silber's services until such time as the position of Corporation Counsel is filled.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland, do hereby re-appoint Susan C. Silber as Acting Corporation Counsel with such duties to expire at the time of the appointment of a Corporation Counsel.

CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and City Council
and Public Hearings on Proposed Private Use of Heffner Park Recreation Building
and CDBG Citizens' Advisory Committee Recommendations for FY 1988

September 15, 1988
8:00 PM

AGENDA

CALL TO ORDER: Mayor Del Giudice
ROLL CALL: Councilmember Bradley
Councilmember d'Eustachio
Councilmember Haney
Councilmember Iddings
Councilmember Levy
Councilmember Sharp
Councilmember Williams

PLEDGE

ADOPTION OF MINUTES FROM JULY 28, 1986, AUGUST 11, 1986 REGULAR COUNCIL MEETING AND
SEPTEMBER 8, 1986 SPECIAL SESSIONS

MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS

ADDITIONAL AGENDA ITEMS

CITIZENS' COMMENTS (those not directed at items on Council Agenda)

PUBLIC HEARINGS:

- (1) Proposed Private Use of Heffner Park Recreation Building for a Day-care Program
- (2) CDBG Citizens' Advisory Committee Recommendations for FY 1988

ADMINISTRATIVE REPORTS

Introduction of new City Staff members

- (1) Special Exception #S-1342, Child Day Care Center (up to 20 children) for
8121 Lockney Avenue (Mont. Co. Hearing: 10-2-86, 2 PM, COB, Rockville)
Citizens comments
Council action
- (2) Variance #8275, front building line variance for construction of new house at 212
Lake Street (P.G. Co. Hearing: 10/15/86, 6:30 PM, CAB, Upper Marlboro)
Citizens comments
Council discussion
- (3) Second Reading amending the Transportation Planning and Policy Committee Ordinance re structure and operation of Committee
Citizens comments
Council action
- (4) Ordinance approving purchase of Sand/Salt Spreader for Public Works
Citizens comments
Council action
- (5) Variance #8271, side yard variance for construction of addition at 7308 Hilton
Avenue (P.G. Co. Hearing: 9/17/86, 6:30 PM, CAB, Upper Marlboro)
Citizens comments
Council action
- (6) Variance #8276, side yard variance for construction of addition at 7218 Minter
Place (P.G. Co. Hearing: 9/17/86, 6:30 PM, CAB, Upper Marlboro)
Citizens comments
Council action
- (7) First Reading of an ordinance appropriating funds (matching grant) for Commercial
Revitalization Project for Takoma/Langley Park Business & Professional Assoc.
Citizens comments
First Reading
- (8) First Reading of an ordinance amending the Fiscal Year 1986-87 City budget (2nd
reading and Public Hearing 9/29/86)
Citizens comments
First Reading
- (9) First Reading of an ordinance appropriating funds for contract with Michaels
Associates for Municipal Building Space Plan Reorganization
Citizens comments
First Reading
- (10) First Reading of an ordinance establishing weight limit (15 tons) for Maple
Avenue Bridge
Citizens comments
First Reading
- (11) First Reading of an ordinance establishing weight limit (11 tons) for Flower
Avenue Bridge
Citizens comments
First Reading

ADJOURN

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council

and

Public Hearing on Proposed Private Use of Heffner Park Recreation Building

and

CDBG Citizens' Advisory Committee Recommendations for FY 1986

September 15, 1986

CITY OFFICIALS PRESENT:

Mayor Del Giudice	City Administrator Wilson
Councilmember Bradley	Asst. City Administrator Habada
Councilmember d'Eustachio	Public Works Director Robbins
Councilmember Haney	Asst. Pub. Works Director Torres
Councilmember Iddings	Recreation Director Ziegler
Councilmember Levy	Acting Corporation Counsel Silber
Councilmember Sharp	
Councilmember Williams	

The Mayor and Council convened at 8:09 P.M. on September 15, 1986, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, approval of the Minutes of July 28, August 11, and September 8, 1986 Council sessions were moved for approval collectively, as written, by Councilmember Haney, duly seconded by Councilmember d'Eustachio, carried unanimously.

Mayor Del Giudice related that Leon Shore, the City Administrator for College Park, had passed away on the weekend; a moment of silence was observed commemorating Mr. Shore.

Councilmember Williams expressed thanks to the citizens who attended the August 12 block party at Maple and Lincoln Avenues in celebration of National Night Out, the crime prevention program. He said he understood from the police department there were 500-600 attendees, and no reported incidents. Councilmember Iddings commented concerning the recent serious phone outage in the City; said some residents were still without service 3 days after the line damage occurred and he had received numerous complaints from constituents. He asked that the City, at a minimum, write a strong letter on the subject to C & P Telephone, requesting billing credit both for the City and for those residents who were without service for a substantial period. Councilmember Sharp remarked that the police department was to be commended for the action they took to cope with the phone outage, and said perhaps C & P should be asked to reimburse the City that cost as well. (All personnel were called in and maximum patrol put into effect.) The Mayor commented on the success of the Folk Festival, which he said he felt was enjoyable for all. He said he looked forward to a report from the committee; thought a substantial amount of money had been taken in, which would benefit youth programs in the City.

ADDITIONAL AGENDA ITEMS

Ordinance re grant to Neighborhoods Together (Wilson)
Appointments to Open Space Committee (d'Eustachio)

CITIZENS' COMMENTS (not directed at items for Council action)

Thomas Fusco, 636 Houston Avenue, #402, Birchwood Apartments: stated he was speaking on behalf of the tenants' association concerning their April COLTA hearing, particularly the way Housing handled some of the procedures. He related that the landlord was notified by certified mail on April 4th of the April 9th hearing; the decision, which found in favor of the tenants and ordered a reinspection of the building, was received the week of July 6th. He said COLTA's Order was not dated, and Mr. Austin was notified of that fact. In mid-July a duplicate copy of the decision was needed, Housing had trouble locating the original, and when found, it was noted it still had not been dated, nor was there any indication of it having been sent to the landlord. He related repeated delays in scheduling of the reinspection, careless adherence to proper procedures on the part of Housing, including inability to locate the certified mail receipt for the letter of notification to the landlord concerning the September inspection date. He said after tenants had gone to a great deal of trouble arranging to be on the premises on the scheduled inspection date as well as accomplishing pertinent paperwork, the inspection had to be postponed several weeks. He commented on the difficulty in getting people to follow procedures when the procedures were ineffective due to lack of proper adherence

on the part of the administrators of those procedures. He said he felt there were problems in Housing with accountability, paying attention to the small necessary details.

Valerie Nelson, Pres. of Birchwood Apts. Tenants' Assn.: said there were still serious problems in Housing Services, a pervasive abdication of responsibility particularly in the Director's Office. She commented that new staff were not properly trained or supervised, promises were not kept. She said the City Administrator was allowing this problem department to continue to function in a slipshod fashion with no accountability to the public it supposedly serves, and that the Mayor and Council, in their turn, were allowing the problems to perpetuate, as well as the voters, who should have done something about the situation long ago. She commented that, on a personal level, she liked the departmental personnel, however, noted that had nothing to do with their job performance, which she could not condone. She spoke at length concerning incompetence, irresponsibility, lack of cooperation on behalf of Housing personnel and related illustrative examples encountered. In conclusion, she asked that the Mayor and Council direct the City Administrator to ensure that Housing carry out the COLTA Order directing a reinspection and correction of any noted deficiencies, with notification letters to be sent tomorrow's date by certified mail to the landlord and herself, setting forth the date of the reinspection. She asked that an alternate be designated for the assigned inspector, so that should that person be sick or otherwise absent, the inspection would still occur as scheduled. Additionally, she asked that the building be posted, and if the landlord refused to cooperate concerning the inspection, an administrative warrant be procured so the situation could be resolved.

The Mayor related that the issue had been discussed in pre-Council session; said it was his understanding the landlord had received personal notification of the scheduled reinspection, which was hand-delivered with the staffmember who made the delivery to prepare and execute a legally acceptable affidavit concerning the notification. He concurred with the request that an alternate inspector be assigned; said City staff would be ordered to cooperate in, and possibly to accomplish, posting of the building. He expressed serious concern about what he had learned of the situation; said he felt need for a thorough development of internal policies and procedures for Housing Services, as well as other City departments, which he noted had not yet been done. He pointed out that when there were staff turnovers, as had occurred in Housing, retraining was required, and when there are no manuals, gaps occur. He said while that did not excuse what had happened, it might help explain some of the mishaps to an extent. He said he felt the tenants were owed an apology, that they, having worked so hard to cooperate, should not be penalized because of failure of the system. He stated efforts would be made to ensure against recurrence of this sort of situation. Councilmember Bradley commented that it had been clearly stated in pre-Council session that procedures, such as that concerning notice, as well as other procedures that staff must follow, would be clarified, evaluated, and in place within two weeks. She, too, said she felt an apology was owed the tenants, and asked that they bear with the City in its attempts to deal with some of the issues which are frustrating to all concerned.

Arthur Karpas, 6916 Westmoreland Avenue, representing WACO: he referred to housing problems at properties located at 6807 and 6906 Westmoreland Avenue, 6601 Eastern Avenue, but spoke specifically concerning 6801 Westmoreland Avenue, the house owned by the MacDonalds. He commented there appeared to be a work stoppage on construction at that house and thought the work schedule presented to Council might very well be in arrears. He inquired whether the agreed-upon regular inspections of the premises had been occurring and whether the construction was on schedule, and, if not, what Council's plans were to address the situation. Mr. Wilson responded that the answers to Mr. Karpas' questions, in order, were yes, no, and tear it down. He elaborated, stating that Mr. Austin had notified him 2-3 weeks prior that construction had halted, was behind schedule; a letter was sent to Mr. MacDonald informing him the work was behind schedule and what the consequences would be if that were not corrected; Mr. MacDonald's response was, essentially, that he had run out of money to continue the construction. During ensuing dialogue, it was noted that October 14 was the deadline for completion of reconstruction; at that time, if the building was inspected and found to be uncompleted and still in violation, the ordinance proceeding with condemnation would be brought before the Council at the earliest possible opportunity.

Tina Jackson, Vice-Pres. of Edinburgh Tenants' Assn.; stated she felt Housing Director Austin was not doing his job; said the notices of their COLTA Hearing was received late, calls are not returned and they are unable to reach him by phone; the numerous municipal infractions on the building are outstanding and the violations still unabated. She said that, due to the COLTA Hearing notices not being sent out on time, the landlord was granted an additional 2 weeks to prepare for hearing of the case -- had the notices been sent out on time, the case would have been heard, the file closed. She related that the very day after the hearing should have been concluded, the elevator fell from the fifth to the first floor with someone in it; one elevator was shut down by Housing, the other is still slightly operable but not trustworthy. She said the tenants feel Housing is not enforcing the City's laws; inspections were not thorough, re-inspections were not done on a routine and timely basis. She stated the tenants' association had been told by Mr. Austin that he had no more time to talk with them about preparing for their COLTA case; said there was a perception that Mr. Austin tries to intimidate the tenants' associations, was disrespectful of both individuals and the associations; said he did not fulfill verbal promises. She asked that Mr. Austin either be supervised or fired and replaced with someone who could perform the duties of the position.

Ginja Carter, Neighborhoods Together: commented what was being heard was not new, that a year ago, complaints were being voiced about the Director of Housing Services; said while the former Director was no longer there, the problem still existed in performance in that position. She related recently attending what was supposed to be a full commission hearing of COLTA; said at 10:15, the chairman, apologized and left, stating he was only a volunteer and had to go to work the next day; by the time the hearing ended, only 1 landlord representative remained. She questioned whether, under the law, that comprised a full commission hearing. She stated that sort of thing was happening more and more; said 50 tenants had come out for the hearing, and then COLTA members left before it was over, and that N.T.I. was receiving frequent complaints about that sort of thing happening; said tenants feel "why bother?" She asked that controls on COLTA be scrutinized and addressed; said even though that body was not comprised of paid employees, their performance reflects on the City.

Councilmember Williams related being disturbed by some of the comments made by the presiding body at the aforementioned COLTA Hearing, e.g., the fact they are not paid for their time. He pointed out that when people apply to serve on City committees and bodies, it is supposed to be for the purpose of improving the quality of life in the City, however, it seemed that once people are on such committees, sometimes their attitudes change. He pointed out that the elected officials are responsible for what happens in the City, had suffered legal consequences in the past for lack of supervision over personnel; said everything possible should be done to take corrective measures, and he would personally do his part. Councilmember Sharp commented he had served on COLTA for about 3 years; said he spoke with the City Administrator when he heard about the subject hearing. He said when he served on that body, it was a constant frustration that the routine things, such as hearing notices, opinions, etc., were not properly accomplished. He said those things should be considered as important in employee evaluations, responsibilities should be clearly defined.

Greg Hamilton, Pres., Park Ritchie Tenants' Assn.: commented he had serious concerns about Housing Services; pointed out Mr. Austin was not new, had been with the City and the department for awhile; noted lack of organization of files and information in that department; said he had concerns about whether Mr. Austin was unbiased in his dealings with landlords and tenants. He related that a \$19,000.00 municipal infraction fine was levied against Park Ritchie on July 19; as of August 21, that fine went up to \$27,000.00, yet the case had not been taken to court. He inquired when that would be done; said the City should set a precedent and do so. He, too, commented on the recent COLTA Hearing and the conduct/attitude of the commission members. He said Housing should have postponed the hearing due to lack of adequate notice to the landlord, rather than holding it and at the end giving him two additional weeks to build his case after hearing tenants' testimony. He commented it was getting harder and harder to advise tenants to go to COLTA or Housing. He suggested that the City reprimand those COLTA members who left the hearing and, if they did not want the job, let them quit, and commend those who stayed. He said that Mr. Hyde did not even turn the chair over to anyone else when he departed.

that Mr. Johnson took it upon himself to lead the remainder of the hearing. He said unless that body could be staffed with people willing to do the job, he would have to advise tenants to go to court, that they were wasting their time going to the City.

Councilmember Sharp pointed out that there were landlord and general public representative vacancies on COLTA, and encouraged that if Mr. Hamilton knew of people wishing to serve, he let them know of those openings. Councilmember Bradley commented that what had become apparent was that procedures and rules of order would have to be written for every environment in the City government; said the level of detail required would take a lot of work, but was going to have to be addressed. She said she understood a subcommittee of COLTA was examining their rules; suggested that effort be supported and a public discussion of those rules occur at a later time for purposes of clarification.

Tom Gagliardo: volunteered to serve on COLTA, pointed out he had previously served for several years and never complained about not being paid to do so. He commented the Unification Bill would soon be going before the state legislature once again, and inquired what the City intends to do; noted he had recently written the Newsletter posing that same question. He extended an invitation to the Mayor and Council to attend a party on October 19, 3-5 P.M., tentatively scheduled to be held at Councilmember Bradley's home. He said all candidates for public office were invited, as well as all those who responded to the "One City, One County" questionnaire mailed out during the campaign. He noted that 87 of the 89 responses received to that questionnaire favored unification. He inquired whether Public Works would be repairing the large sewer openings existing in the street at Maple & Maplewood, and at Maple & the hospital entryway; said he recalled that being discussed a year ago as part of the CDBG budget and had thought the project was approved. He said there are large gaping holes between the sidewalk and roadway at those locations. Public Works Director Robbins stated there was an upcoming meeting on that subject scheduled between himself, the City Engineer, and Daniel Neal, and they would look at those two locations and see what would be required. He said he understood there were some funds available through the CDBG program. The Mayor noted that project was not included in CDBG funding for the current year, but there might be sufficient money to accomplish it. Councilmember Iddings inquired why this would not be a WSSC project inasmuch as they have jurisdiction over storm sewers within the City; Mr. Robbins pointed out that WSSC had jurisdiction over all storm sewers in the City, excluding those on state roads, so Maple Avenue would qualify. He pointed out that what was being discussed was catch basins and the City and WSSC had shared responsibility for those, with Public Works having constructed some with CDBG funds; said WSSC could be approached, but was uncertain what their response would be. Councilmember d'Eustachio commented it was a safety issue, with which Mr. Gagliardo agreed and emphasized that, regardless of whose ultimate responsibility it was, he would want to see the necessary work done and the financial details ironed out thereafter. Councilmember Williams commented on the hazard the holes present and inquired what would be the most expedient way to get the necessary work accomplished. Mr. Robbins stated that the most expedient approach would be for the City to fund the work and contract it out. Asst. City Administrator Habada, in response to query, stated there were sufficient funds available to do that. The Mayor suggested the City proceed with the work, lacking any serious objections, which would not preclude later discussion with WSSC about possible reimbursement for that work and other City areas where such work should be done. Councilmember Bradley commented this was the second time this work had been discussed; hoped the current direction would be followed through on and the work accomplished. Councilmember Iddings pointed out there were other existing safety hazards on public space, e.g., sidewalks, in the City (some proven hazards due to mishaps having occurred), and stressed the need to prioritize addressing them rather than taking care of those about which the loudest complaints were voiced. Mr. Gagliardo concurred; said while Housing had been severely criticized, those same criticisms could be applied to services citywide.

Dave Van Horn, 7336 Piney Branch Road: related he and neighbors, along with Councilmember Levy, had met about a month ago with the State Highway District Engineer to discuss traffic problems on their road. He said a number of problems were pointed out and suggestions for changes/improvements offered, but no formal response had been received to date. He remarked he

felt it was time that the Council make some requests of the State Highway Administration, as well as clarifying the situation concerning the state's and the City's responsibilities in relation to that road. He said he had been contacted and advised that this issue would be on tonight's meeting agenda, however, learned after getting to the meeting that it was not on the agenda. The Mayor commented that Councilmember Levy had discussed the matter with him the prior week; his projection had been that the issue could be placed on the October 6 worksession agenda; he suggested that the City Office be called prior to the meeting to confirm that schedule.

Mary Vorhees, 7400 Piney Branch Road: spoke concerning traffic and parking regulations on Piney Branch; she said she had called the police to complain about cars parked in bus zones and in front of fire hydrants, but unless they were parked blocking her driveway, the police would not issue tickets. She said the problems on the road include parking, traffic and speed; said from the sidewalk, she had observed cars being side-swiped, had called the police and been ignored.

PUBLIC HEARINGS:

(1) Proposed Private Use of Heffner Park Recreation Building for a Day Care Program.

Norman Greene, speaking as a representative of the Morgan Day Care, Inc., a non-profit organization, summarized the goals and objectives of the program and activities to be offered. He said the issue up for discussion was use of the Heffner Building for the proposed purpose and pointed out that building was the best location in the City at present for this type of program, particularly in that it is situated between the two schools from which the children would primarily be coming, i.e., Piney Branch Elementary and Takoma Park Junior High. If use of that building were not permitted, he said it would mean going outside the City to look for a location; said if that building could be used to get the program started, perhaps with the help of Montgomery County, it could be relocated elsewhere at a later point in time.

The Mayor inquired concerning the question raised at an earlier meeting about cost estimates for alterations to the building that would be needed prior to its use for such a program. Public Works Director Robbins commented he and Mr. Greene had met and discussed options; Mr. Greene was to work up cost estimates. He pointed out, however, that the building had been broken into over the weekend and substantial damage done to the doors, which will have to be replaced with steel doors. He noted recurring incidence of broken windows, which he said should be protected with wire mesh guards after replacement is accomplished. He said vandalism was an ongoing and longstanding problem at that building, despite preventive measures tried to date; said despite the fact there had to be a lot of noise when it occurs, people in the vicinity do not call the police. He said, at this point, it would cost the City a couple of thousand dollars to put the building back in shape. Mr. Greene commented that prior to the damage that occurred on the weekend, his estimate of work needed totalled about \$600. He said he thought his proposed program could aid in solving the problem of juveniles vandalizing property because of lack of anything to do.

Reverend James Ross, Pastor, Parker Memorial Baptist Church: commented he lives adjacent to Heffner Park; said the break-ins at the building are caused by carelessness on the part of the City. He disputed the cost of the damages inflicted, and said he was concerned that the City was now interested in securing and fixing up the building for use by a private concern, ignoring the concerns of citizens who have been using the building over the years and doing for Mr. Greene's group the things that have not been done for the citizens/taxpayers. He said he could not understand how the issue even reached the point of discussion -- said it's a waste of time because that property belongs to public use, not for private concerns. He said adjacent residents are deeply concerned about possible loss of use of Heffner Park. He said when the City moved Public Works from Maple Avenue to Oswego, that move was contested by residents but to no avail, and now they are subjected to rat infestation due to the trash trucks parked there. He said residents are strongly opposed to what is proposed -- do not want it, and pointed out there were free after school programs both at the schools and also sponsored by the Recreation Department. He urged that the Mayor and Council heed the wishes of the residents and deny the proposed use.

Callie Stewart, 111 Ritchie Avenue: spoke in strong opposition to the proposed use; she said residents had discussed the matter, however, many are elderly and could not attend the meeting but concurred with Reverend Ross' remarks.

Mary Ralston, 1210 Elson Place: said while she shared some of the concerns expressed, she was more uneasy about the lack of credentials of the adult staff for the program which was not addressed either in the written proposal or the verbal presentation. She raised questions about the ratio of staff to youth, as well as specific structure of the program.

Clarence Boatman, 133 Ritchie Avenue: remarked he had discussed the program with Mr. Greene and felt it to be lacking in substance in terms of what was intended to be provided in the limited space available; said he did not think it wise or prudent to grant anyone use of public property for a private moneymaking venture. He commented on the 9-15 age group which the program would address as being a very difficult age; said he did not think the space adequate for what was being proposed. He said the idea was great, but not in the setting proposed and under the given conditions. He noted the community opposition, the effects approval would have, and asked that Council disapprove the proposal for operation at Heffner Park.

Catherine Gamble: commented she had been a homeowner in the City for about 35 years, lives about 35' from Heffner Park, and dearly loves the area. She said residents in her neighborhood love their area, none of their children are on the street after dark; said she was convinced that the vandalism at the park was not being perpetrated by children from the neighborhood. She said she found it unbelievable that the City would consider fixing up the building for use by a private concern when the lot behind her property had never been cleaned up or cleared off, was completely overgrown with weeds and vegetation.

Arthur Karpas, 6916 Westmoreland Avenue: related that at the September meeting of WACO, the membership was unanimous in its decision to support Norman Greene in his request to use the Heffner Park Recreation building as an after school youth center. He said there is a pressing need for such a center in the City; Mr. Greene should be supported and encouraged in every way possible to provide this service to the community. He commented that, based on Mr. Greene's record of achievements, it could be fully expected that the program would be successful; he related some of those accomplishments.

Barbara Karpas, 6916 Westmoreland Avenue: said she had been a parent educator and family counselor for 13 years; had encouraged Mr. Greene to develop his program. She commented the age group that would be addressed was a difficult one for which to obtain supervision; thought Mr. Greene had the talents to make the program successful, and that the program would benefit not only the individual children, but also the community. She said she would be pleased to have such a program in her own neighborhood.

Elizabeth Ban, 6606 Westmoreland Avenue: she said the need for such a program had been discussed many times by WACO, however, said apparently there are not a lot of children in the area adjacent to Heffner Park to benefit from such an activity. She suggested that, if the opposition of the community could not be altered, then the Mayor and Council should very actively seek another location for the program. She said if 6801 Westmoreland were condemned, perhaps the City could take over the property and put it in condition for use by the program; she emphasized that there were a lot of children in the WACO area that could benefit -- they have nothing to do and no supervision after school. She said she had talked to a number of the children and they were very interested and excited by the prospect of having such a program; asked that whether or not another location had to be sought, the Mayor and Council support and promote Mr. Greene's proposal.

Mildred Morrison, 100 Ritchie Avenue: said she had no objection to the program in principle, however, the community did not want it located at Heffner Park -- hardly anyone in the neighborhood would make use of it. She said there was not space at the park building for 26 children in addition to all the equipment proposed, and asked that the program not be located there.

Geneva Cross, 39 Oswego Avenue: she said her neighborhood was very quiet,

few young children around, and while she loved Mr. Greene's idea, the location should be elsewhere, perhaps in the WACO area since apparently it would be used by a number of children living in that community.

Reverend Ross: said he hoped the community input voiced would play a part in Council's decision on the issue; commented Heffner Park was not a feasible location for the proposal and encouraged that another site be sought. He said the community did not want to lose the use of the facility because of it being used by a private concern and having a lot of expensive equipment stored there.

During brief ensuing dialogue, it was noted that the use schedule for Heffner Park did not reflect any daytime utilization for years. Reverend Ross commented that while statements had been made that there were not young children in the community, there were many and they make frequent use of the outside play areas at the park. It was noted that use of the play areas would not be restricted in any way by Mr. Greene's program. Reverend Ross expressed concerns that, while use of the park area might not be restricted, its joint use by community children and those in the program might create problems, particularly in light of age discrepancies of the groups. He reiterated that public property should not be restricted and used to benefit private concerns.

The Mayor commented that the issue would again be discussed at the next worksession. He said that the input received at the current meeting would be seriously considered prior to making a decision.

Arthur Karpas, 6916 Westmoreland Avenue: responded to Reverend Ross' remarks; commented on the community spirit and involvement in the WACO area, which includes the young people there; said, however, there was a need, not only there but citywide and all across the nation, for constructive activity for youngsters. He said parents in the WACO area are aware of Norman Greene's proposal and his credentials which is why they have come forward to voice their support. He pointed out the program would be open not only to children from all neighborhoods in the City, but also some from outside the City, thus it was in no way exclusive of anyone. He said he felt the concern that the program would in any way damage the area in which it is held to be a bit extreme, and that, to the contrary, it could well be a benefit to the community.

Norman Greene stated he was a bit amazed at some of the comments made; said his intention was not to take the use of the building away from anyone, but to increase its value to the entire community, i.e., the City, which owns the building. The Mayor commented he felt a meeting should be set up between Mr. Greene, residents of the community around Heffner Park, and members of WACO to further discuss the situation, recognizing that it might not be possible to reach agreement, which would leave Mr. Greene and the Mayor and Council with a decision to make about whether or not to proceed.

Tom Gagliardo commented he repeatedly got the message that the decision makers in the City government really don't listen very carefully to what is stated by the people who are supposed to be served by those decisions. He said there was nothing either totally good or bad about either side of the current argument, but he felt the community had made the stronger and more valid argument. He said the justification seemed to be that there was need for a service, and the City was willing to put up its property for the purpose. He commented on perceiving a dereliction on the part of the City in meeting other pressing public needs. He said while there was a willingness to throw money here and there, it was totally unclear how decisions were made concerning who should and should not be the beneficiary of City generosity. He stated he had been a Board Member of Neighborhoods Together, had defended that organization as their attorney and worked for an extremely small fee, was willing to give his time and monetary support to that group, however, questioned a City grant of \$5,000.00 to that group. He said that organization had recently received a grant from the Campaign for Human Development and now the City, which is talking about increased taxes and a tight budget, is giving out that kind of money to an organization that just received a major grant from a non-profit institution. He said leadership, prioritizing, analysis were totally lacking in the City government.

Introduction of New Staff Member:

Public Works Director Robbins introduced Juan Torres, the new Assistant Director of Public Works. He expressed thanks for the support he received during the last budget process to fund the Assistant's position. He commented Mr. Torres is a resident of the City, lives on Flower Avenue, and is in the process of purchasing a house on 13th Avenue. He stated that Mr. Torres is the former Grounds and Buildings Maintenance Superintendent at Columbia Union College. Mr. Torres was welcomed by the officials.

(2) CDBG Citizens' Advisory Committee Recommendations for FY 1988.

The Mayor noted that a substantial and thorough report was prepared by the committee, copies of which were available. Mr. Thomas Allegretti, Chairman of the CAC, explained that the committee had 4 major recommendations, i.e., that the City accept the pass-through amount (\$170,900.) offered by the county, and take the county up on the offer to bring forth selective other projects for funding over and above the initial pass-through amount; that use be made of a portion of the \$200,000 now in the City's revolving Housing Rehabilitation Fund to fund some commercial facade renovations in the Takoma/Langley area. He said what was being attempted by those first 3 things was to get the most bang for the bucks out of the money available. He said it was found there were in excess of \$800,000 worth of Public Works infrastructure projects with no hope of being funded, which probably did not represent all the work needing to be done but only about half of it. He said the committee's further recommendation was that the Council develop a capital budget funded from tax revenues to systematically meet the infrastructure needs of the City. He noted that in putting that capital budget together, there would be need for a priority process wherein persons of responsibility make decisions on what the City's infrastructure priorities are, and a way to ensure that the priorities not change from year to year which has been a continuing problem in the past. He briefly summarized the breakdown of projects recommended by the committee for funding.

Councilmember d'Eustachio expressed thanks to Mr. Allegretti; said the committee's report was an impressive piece of work, that the processes the committee used to formulate their recommendations were sound, and that the recommendations were well thought out. He said he concurred with the recommendation to accept the pass-through amount offered by the county; was pleased to see projects brought up in prior years but not accomplished being carried over and put forth, indicating an organizational memory process. He commented he was not sure he could be personally comfortable with taking money out of Housing Rehab funds for facade renovations as had been mentioned -- felt that would require further consideration and discussion. He moved that Council accept the committee's report, duly seconded by Councilmember Bradley. Councilmember Iddings inquired whether, in coming up with its recommendations, the committee's assumption had been that the City would do the public improvements work; Mr. Allegretti responded that the committee presumed that the City would contract the work out to private firms, the City Engineer had developed the cost estimates. Mr. Iddings voiced concern that that aspect be followed up on to ensure the case was as presumed because of ongoing policy discussions concerning whether Public Works should be a road building organization or not; said that question had surfaced during the budget process and he felt further discussion was needed to resolve the question. In terms of the Housing Rehab funds, he said some discussion had occurred concerning reprogramming those funds toward multi-family housing rehab; said he felt a strong case would have to be made as to why money should be removed from that fund for any other use when such a strong documented need exists for their use for multi-family housing rehab, which would benefit and assist moderate and low income people. Mr. Allegretti commented the committee's recommendation was that after a citywide policy had been established for the utilization of those monies, taking into consideration multi-family housing, commercial renovation, and co-op conversions, that consistent with that policy, but not independent of it, some of the money be utilized for facade renovations. Councilmember Haney commended the committee for the work they had done; said the process had been refined to an art and it was a shame that CDBG funding was dwindling; said the distribution of funding appeared to channel available funding in a very fair way to various concerns in the City. Councilmember Bradley complimented the quality of the report, said it not only presents the material but discusses the concept of a more systematic approach. She inquired whether the engineering study done several years ago in conjunction with the street survey had been of any use at all to the committee; Mr. Allegretti stated he had made no use of it,

however, there was some vague limited reference to it as the basis for a citywide capital budget. Ms. Bradley referred to the Revenue Committee in her remarks, which the Mayor commented had never been constituted; she noted approval of that committee was voted; it was hoped they would address funding and sources of funding for capital improvements and other longterm expenses. Concerning the pass-through funds, in terms of the staff time involved in fighting the county last year, she said at this time accepting the pass-through would probably be the best alternative and she would accept that reluctantly but hoped the situation would be monitored. Concerning the Tenants' Awareness Program, she said broader discussion was needed, but expressed personal support for the concept, as well as on behalf of her neighborhood association and other neighbors. Councilmember Sharp inquired whether the youth programs addressed on page 5 of the report would benefit only Takoma Park residents, or others as well; Mr. Allegretti stated that despite efforts to include others, it was thought the projects would be viewed as solely City projects when they go before the county.

The Mayor noted the recommendation that the Economic & Community Development staff position be funded with CDBG funds, however, inquired whether, if the recommended capital fund were developed, it would make sense for the City to seriously consider assuming the cost of the staff supporting and administering that fund. Mr. Allegretti responded in the affirmative, said that was discussed at some length and the committee felt that, philosophically, Daniel Neal's and the other staff position under the CDBG program, should be funded with City monies. He said the reason that was not recommended was that it was unlikely a funding source would currently be found for the two positions and that would create a crisis at the end of the year. During ensuing dialogue, the Mayor noted the imminent ending of the federal block grant program but commented that the MML Legislative Committee would be sponsoring a bill this year before the legislature to create a Maryland State Block Grant Program. He said a number of states have such programs and have used them to replace the cutbacks in federal programs; ideally, they are less restrictive about the use of the monies. Councilmember Iddings questioned why the recommendation was made to take monies out of the Housing Rehab fund for facade renovations rather than funding the Tenant Awareness Program out of those funds which might have seemed more appropriate. Mr. Allegretti responded that a motion was made before the committee to fund \$25,000 out of the Housing Rehab fund for the Tenant Awareness Program, but was defeated 5-2; a subsequent motion to provide funds for that program directly from the pass-through amount was approved. He explained that those wanting to use the monies from the rehab fund argued that there would be quicker access to the funds because the account already existed; project sponsors of the Tenant Awareness Program apparently felt there was greater likelihood of funding if it were wrapped into the pass-through package with the Mayor and Council's concurrence. Councilmember Iddings inquired how Neighborhoods Together's Citywide Tenant Organizing Project related to the Tenant Awareness Program, and noted the intent to provide some further funding to that organization. Mr. Allegretti said he did not think there was any direct linkage between the two, however, the goals seemed to be ultimately the same, i.e., to facilitate the process of allowing tenants to take greater control of their habitat. Mr. Iddings commented it appeared to him to be the sort of thing that would be more in tune with the housing rehab as a source of funds.

Marc Elrich, member of Citizens' Advisory Committee: spoke concerning the rationale for using the funds out of housing rehab, however, said he would support using a minimal amount for commercial facade renovations -- thought other things had higher priority.

Greg Hamilton, Co-Chair of CAC: said the committee discussed the rehab program for a couple of hours; they had been advised by Mr. Neal that there were no more single-family homes to be rehabbed, anyone qualifying had already been taken care of. Since there were no written policies and procedures concerning rehab, monies left over in that fund could be used by landlords, but not tenants. He said the committee felt a limitation would have to be imposed on rehabs on multi-family buildings because one major rehab on a large building could wipe out the entire fund. He said the Tenant Awareness Program would provide funds for legal services for tenants, both associations and individual tenants, and would tie in with the Right of First Refusal legislation. Concerning facade renovations, he said consensus of the committee was that business owners have gotten a lot out of block grant funds for the last few years; an effort was made this year

to ensure that every ward in the City got something out of the funds, including the Prince George's portion of the City. It was noted that monies borrowed out of the Tenant Awareness Program fund, which would be a revolving account, for purposes of co-op conversions, would be repayable loans which would become a part of mortgages upon completion of conversions.

Councilmember Levy commented she was impressed that streets from all parts of the City were included in the public improvements recommendations, however, wondered how those were decided upon and prioritized. Mr. Allegritti responded that primarily an effort was made to address some projects in each ward; beyond that, severity of problems and then duration of their existence was examined; he noted some projects had been pending for years and said an attempt was made to assign greater priority to those with seniority. In response to query from Ms. Levy, he stated a general inspection of all the proposed projects was not done by Public Works, but by the Advisory Committee. Concerning the \$25,000 recommended funding for the Tenant Awareness Program, Councilmember Bradley noted the need for discussions concerning policies and strategies for getting more funding for the purposes addressed by that program from the county where there is a lot of available money. Councilmember d'Eustachio recommended that Daniel Neal be directed to proceed with the committee's recommendations and priorities, with the understanding that the Council can, and has ample precedent to, make minor modifications if necessary or desirable. He noted, in response to questions raised by Councilmember Iddings, that the pass-through was not an ironclad guarantee of funds, was a bureaucratic mechanism and did not exempt the City from compliance conditions and requirements; could be altered by the county. The question was called; the CAC's report was accepted by unanimous vote.

ITEMS FOR COUNCIL ACTION:

1. Special Exception #S-1342, Child Day Care Center (up to 20 children) for 8121 Lockney Avenue (Mont. Co. Hearing 10-2-86, COB, Rockville). Mr. Wilson noted receipt of telephone calls from Mrs. Davis and Mr. Baithersfield, stating opposition to the requested Special Exception. Asst. City Administrator Habada stated that staff's recommendation was that the City oppose granting of the Special Exception, both at the Montgomery County Planning Board Hearing on 9/18/86 and the Board of Appeals Meeting on 10/2/86. She reminded that the City has super majority before the Planning Board which would be applicable at their hearing, but pointed out that body does not have the final word; however, they would advise the Board of Appeals, which does have final say, of concerns expressed. She said the two major points of opposition were that there is no offstreet parking for the proposed facility and the fact that the traffic pattern in that residential neighborhood would be exacerbated by the increased traffic on Lockney Avenue which is a one way street. Councilmember Haney commented on the heavy rush hour traffic on Merrimac, which would also be exacerbated by any increased volume in the neighborhood; he moved that Council oppose granting of the Special Exception by passage of a resolution that had been prepared so stating, duly seconded by Councilmember d'Eustachio.

Anthony Cuozzo, 8102 Hammond Avenue: stated he was speaking on behalf of the property owners in the 8100 block of Hammond Avenue who oppose granting of the subject Special Exception; he said the residence in question is single-family, very small; said to have a day care facility there, children would have to be in the basement which is damp -- the majority of basements in the area have been fitted with sump pumps to attempt to keep them dry. He said to allow a facility of this kind to come into the single-family residential neighborhood would set a precedent for other types of home occupations which would unfavorably alter the residential character of the community. He commented on how the increased traffic volume would negatively affect the area.

Councilmember Bradley commented that while she would heed the expressed wishes of the community, a day care proposal on Flower Avenue which neighbors opposed for similar reasons had, over a period of time, proven those concerns not to be valid. She said she would have liked to have heard from the owner of the proposed facility, who was not present, about their policies and proposal. Mr. Cuozzo pointed out that the day care center proponents had not yet bought the property, the purchase being contingent upon whether or not they can operate the day care facility there.

Helen Grune, Hammond Avenue: concurred with Mr. Cuozzo's comments,

emphasizing the small size of the homes; said she would not want a young child or baby placed in that limited environment with the number of children contemplated for a substantial number of hours of the day. Councilmember Bradley pointed out there would be county regulatory agencies whose fairly stringent requirements and inspections the owners would have to meet prior to gaining any final approval for the facility.

In response to query from the Mayor, Mr. Wilson stated that notice was sent to the applicant, as well as all neighbors, that the matter was on the agenda for consideration at the present meeting. The question was called, the resolution expressing opposition was passed with Councilmember Sharp Abstaining due to not being present for all the discussion, balance of Council voting Aye.

RESOLUTION #1986-64
(attached)

2. Variance #8275, front building line variance for construction of new house at 212 Lake Street (P.G. Cty. Hearing 10/15/86, 6:30 P.M., CAB, Upper Marlboro).

Asst. City Administrator Habada explained that the variance was for the width of the property facing on Lake Street, which is a paper (undeveloped) street. She said the City asked the applicant, Mr. Hoobler, to obtain a continuance from the original September 17 hearing date, which was done, and it will now be heard on October 15. She said he was asked to do that primarily because of the road question, i.e., if the variance were granted and he proceeded with building a house there, could he possibly put the City in a position where they would have to develop the street whether or not they wished to do so. She said questions about the road should be resolved prior to the hearing, in terms of who would pay for it, its construction and appearance, etc. Councilmember d'Eustachio commented the neighborhood would like to see the trees and green space remain status quo forever, however, understand that the property is likely to be developed. He said what the community wants is a clear idea of what is proposed to be built; said he, personally, had concerns about development of the street, i.e., who would pay for it -- he did not think the City should, however, did think some control should be exercised over the street construction so that financial responsibility does not fall on the City at some later point. Ms. Habada remarked that Mr. Hoobler was asked to bring in his engineering plans and drawings, etc., prior to getting the variance, to avoid generating any friction in his relationship with the City, and he did agree to try to get a continuance, and did so. She said the matter was put on the current agenda in the event a continuance could not be gotten from the county.

Paul Gentile, 209 Spring Avenue: expressed concurrence with Councilmember d'Eustachio's comments; he remarked that due to the late hour, half the people wishing to speak on this item had to leave, which did not really provide citizens public access to the process. He said the community really wants specific answers and information on what is proposed concerning both development of the street and what is going to be built on the property, and that has not been provided to date; said the community feels very strongly about preserving the large old trees on the property. He said what was needed was an opportunity for discussion between the residents and the developer, so that some sort of agreement can be reached that will allow the community to feel comfortable about the proposal. He pointed out a draft agreement was composed by the Cockerille Citizens' Association in May, a copy of which was provided to the City Administrator, and said that should be distributed whenever the issue comes up for consideration; he summarized the content of that document. He said he felt the community could work with the developer to the satisfaction of both, however, needed assistance from the Mayor and Council. He asked that the City attempt to have the hearing on the variance rescheduled; said the 6:30 P.M. time in Upper Marlboro, which is an hour's travel, would be very difficult to meet for citizens wishing to attend. Councilmember Bradley complimented the citizens' association on the quality of the draft agreement they had drawn up.

Mary Gabardi, 6607 Cockerille Avenue: suggested that citizens' remarks, those not addressed to items that are on the agenda, be put at the end of the formal agenda so that people waiting to speak on scheduled items not be kept so late or be forced to leave due to the lateness of the hour. She

referred to a walk-through of the subject property, along with a couple of Councilmembers, a few years prior, at which time some preservation issues were briefly discussed; said thereafter, the issue of development seemed to be forgotten for awhile. She said the property has the potential of being very beautiful, and commented that 5 years ago, the citizens' association asked that the City buy it, however, were advised that was not possible. She said 2 years ago, Mr. Hoobler bought it for a little over \$1,000 at a tax sale and commented that it is zoned for 4 houses. She said her first preference would be for the City to buy the property, or for the citizens' association to buy it from Mr. Hoobler and develop it the way they would wish, however, as those options were probably not practical, said she would support Mr. d'Eustachio's ideas. She said she was curious to know why it appeared that construction had already begun on the property. Mr. d'Eustachio remarked that what Ms. Gabardi had observed was on the Austin property, not the property in question. Ms. Gabardi inquired whether the City's input had any impact on the county's decision following the scheduled hearing, to which Mr. d'Eustachio responded that if the City opposed the variance, a staff person would attend the hearing to so testify, and what effect the City's position would have on the final decision was, essentially, an unknown. Following additional discussion, she said she was not opposed to development of the property, but would want to be advised of what was planned and have some input.

During ensuing dialogue, Ms. Habada stated that staff's concern was that the developer would go before the Board of Appeals requesting the 5' variance needed to build on the property without the Board being aware that Lake Street is an unimproved paper street; she said the point was made to Mr. Hoobler that he needed to deal first with the City, otherwise it would be pointed out to the Board that the street is unimproved and opposition would be stated on that basis, at which time it would be likely the Board would advise Mr. Hoobler he needed to work with the City to resolve the problem. Councilmember Iddings pointed out a precedent, i.e., the case on Colby Street last year involving proposed development of a triangular piece of property which did not have adequate access onto the street, which he said was denied by the P. G. County Board of Appeals. Ms. Habada stated the bottom line concern of staff was what the City's position would be after the fact vis-a-vis the road if Mr. Hoobler went forward with the variance. During ensuing dialogue, the Mayor noted it was anticipated that Mr. Hoobler would be coming forward with more information, the issue would be further discussed thereafter, probably in worksession, prior to an official position being adopted and expressed to the Board of Appeals.

3. Variance #8271, side yard variance for construction of addition at 7308 Hilton Avenue (P.G. Cty. Hearing 9/17/86, 6:30 P.M., Upper Marlboro). Harry K. Mallory, Jr., 7308 Hilton Avenue; explained there was at one time, prior to his purchase of the house, a small garage area which was turned into a kiln room and space for artworks; said since buying the house, he decided he would like to put on an addition. The contractor hired informed him the room already there was 6" over the limit and the variance would allow him to add on to that. He said the next-door neighbor who had referred him to the contractor, and to whom the proximity would be less than permissible without a variance, was not concerned nor were other neighbors. Following brief comment by Councilmember Iddings, Councilmember Sharp moved that Council support granting of the variance, duly seconded by Mr. Iddings, carried unanimously.

4. Variance #8276, side yard variance for construction of addition at 7218 Minter Place (P.G. Cty. Hearing 9/17/86, 6:30 P.M., Upper Marlboro). Paul Dwiggs, 7218 Minter Place; explained that his home has a garage and screened porch that encroaches about 6" over the permissible side yard footage; said he wants to encroach about 2 more feet in order to add some bedroom and bathroom space. He commented that a discrepancy in side yard footage requirements noted earlier by Councilmember Iddings was based on the time the houses were initially built and width of the lots. He said he had talked with all the neighbors and no opposition had been expressed; Mr. Wilson noted receipt of a letter of support from one of the neighbors. Councilmember Sharp moved that Council support granting of the variance, duly seconded by Councilmember Bradley, carried unanimously. Mr. Dwiggs suggested that items such as his and the previous one be put first on the agenda, and that those that are controversial and require lengthy discussion time be placed thereafter.

5. Ordinance approving purchase of Sand/Salt Spreader for Public Works.

The Mayor noted funds for this item were appropriated in the budget; Mr. Wilson commented the price was slightly under the budgeted amount. Councilmember Iddings noted that only the one bid was received as a result of the 4 RFP's sent out. Councilmember Iddings moved adoption, duly seconded by Councilmember Bradley. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, Iddings, Levy, Sharp; NAY: None; ABSENT: Councilmember Williams; TEMPORARILY ABSENT: Councilmembers d'Eustachio and Haney.

ORDINANCE #1986-30
(attached)

6. First Reading of an ordinance appropriating funds (matching grant) for Commercial Revitalization Project for Takoma/Langley Park Business & Professional Association.

Councilmember Iddings moved acceptance for first reading, duly seconded by Councilmember Sharp, carried (Councilmembers d'Eustachio and Haney temporarily absent, Councilmember Williams absent).

ORDINANCE #1986-
(attached)

Due to lack of a quorum, the Mayor and Council temporarily adjourned for a three minute recess.

7. First Reading of an ordinance amending the FY 1986-87 City Budget.

Councilmember Iddings moved acceptance for first reading, duly seconded by Councilmember Levy. For the record, Councilmember Iddings commented, the items addressed by the budget amendment were discussed in worksession and account for expenditures related to the Neighborhoods Together grant, the grant related to the Takoma/Langley Business and Professional Association, funds for replacing carpeting in the admin. offices, and receipt of Program Open Space funds.

Ginja Carter, Neighborhoods Together, Inc.: stated that her organization would be submitting a full proposal to Montgomery County for the upcoming block grant hearing, and asked Council's support at the appropriate time and in a quiet way. The Mayor noted receipt of a packet of materials from N.T.I. which he said would be copied and made available to Councilmembers. The ordinance was accepted for first reading (Councilmembers d'Eustachio and Iddings temporarily absent, Councilmember Williams absent).

ORDINANCE #1986-
(attached)

8. First Reading of an ordinance appropriating funds for contract with Michaels Associates for Municipal Building Space Plan Reorganization.

Councilmember Haney moved acceptance for first reading, duly seconded by Councilmember Sharp. Councilmember Haney commended both the City Administrator and Assistant City Administrator for their fine work on this proposal; said results should be observable in the near future. The ordinance was accepted for first reading (Councilmember d'Eustachio temporarily absent, Councilmember Williams absent).

ORDINANCE #1986-
(attached)

9. First Reading of an ordinance establishing weight limit (15 tons) for Maple Avenue Bridge.

Councilmember Haney moved acceptance for first reading, duly seconded by Councilmember Sharp. Mr. Wilson noted a possibility of need for technical amendments to the two bridge ordinances. Councilmember Iddings commented he thought the Ride-On buses weighed 15 tons - had been so told, and moved tabling the ordinance for first reading until the September 29 meeting, duly seconded by Councilmember Levy, carried unanimously. (Councilmember d'Eustachio temporarily absent, Councilmembers Bradley and Williams absent). It was noted that the impact of the ordinance not only on Ride-On buses, but also trash trucks, emergency vehicles and other heavy vehicles would need to be assessed.

10. First Reading of an ordinance establishing weight limit (11 tons) for Flower Avenue Bridge.

Councilmember Haney questioned the need for such an ordinance inasmuch as trucks were prohibited from using Sligo Creek Parkway and that road would have to be crossed to either enter or exit Flower Avenue to use the bridge. It was noted that posting of the limitation would be a liability protection for the City, as well as providing enforcement grounds if a truck were observed thereon. The ordinance was accepted for first reading with Councilmembers Bradley and Williams absent, Councilmember d'Eustachio abstaining due to being absent during the discussion, balance of Council voting Aye.

ORDINANCE #1986-
(attached)

11. Second Reading of an ordinance amending the structure and operation of the Transportation Planning and Policy Committee (Ord. #2639).

Councilmember d'Eustachio noted that an editorial amendment to clarify that 4 councilmembers are not required for a quorum had been effected subsequent to first reading; said the ordinance was discussed at the last committee meeting and consensus was to proceed with the legislation as written with that minor amendment. He moved adoption, duly seconded by Councilmember Levy. Councilmember Sharp inquired whether it was actually necessary to have a councilmember present to constitute a quorum of the committee; both the Mayor and Councilmember d'Eustachio opined it was preferable to retain that requirement. Following additional brief discussion, the ordinance was adopted by roll call vote recorded as follows: AYE: Councilmembers d'Eustachio, Haney, Iddings, Levy and Sharp; NAY: None; ABSTAINED: None; ABSENT: Councilmembers Bradley and Williams.

ORDINANCE #1986-31
(attached)

12. First Reading of an ordinance awarding grant to Neighborhoods Together, Inc.

Mr. Wilson noted this ordinance related to the budget amendment ordinance accepted earlier for first reading. Councilmember Iddings moved acceptance for first reading, duly seconded by Councilmember d'Eustachio. Councilmember d'Eustachio pointed out, for the record, that it was the City's initial agreement to provide \$5,000 in funds to Neighborhoods Together that was a substantial and significant impetus to receipt of the major grant received by that organization -- it provided leverage for them to obtain a significant amount of funding from other sources. The ordinance was accepted for first reading (Councilmembers Bradley and Williams absent).

ORDINANCE #1986-
(attached)

13. Appointment of Citizens to Open Space Committee.

Councilmember d'Eustachio moved appointment of Martha A. Solt, 7001 Poplar Avenue, as a Primary representative to the committee from Ward 3, and Daniel P. Dozier of the same address as her Alternate. He noted their home phone number is 891-3715. Councilmember Iddings duly seconded the motion which carried (Councilmembers Bradley and Williams absent).

14. Appointment of Unofficial Non-voting Representative from the City to the International Conference on Nuclear Free Zone Local Authorities.

Councilmember Levy moved appointment of Albert Donnay to represent Takoma Park unofficially at the conference in October 1986. Councilmember Iddings duly seconded the motion. The Mayor commented Mr. Donnay had been very helpful and instrumental during the study a couple of years ago. Mr. Iddings commented on Mr. Donnay's active participation relative to the Nuclear Free Zone Ordinance. The motion carried (Councilmembers Bradley and Williams absent, however, Ms. Levy noted she had spoken with both about the appointment and they expressed support).

15. Resignation of Staff Member.

Mr. Wilson noted receipt earlier in the day of Anthony Austin's resignation from the position of Director of Housing Services, effective 2 weeks hence. He said he had found no appropriate time earlier in the agenda to introduce the matter. He said Mr. Austin indicated to him that he had received an attractive offer from a company to which he had applied last March when he

felt very negative about his future with the City; said the offer was extended only a week ago and appeared too good to decline.

Upon motion, duly seconded, the meeting adjourned at 12:14 A.M. to reconvene in regular session at 8:00 P.M. on September 29, 1986.

WHEREAS, the Mayor and Council have heard testimony and taken into consideration evidence presented during the Council meeting held Monday, September 15, 1986, on Montgomery County Special Exception No. S-1342, to permit a day care center for up to twenty children at 6121 Lockney Avenue, Applicants Brenda and Edsel Billings AND

WHEREAS, the testimony received from neighboring residents was overwhelmingly in opposition to the requested special exception; AND

WHEREAS, the staff evaluation of the special exception also provided evidence in opposition.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the Montgomery County Board of Appeals and Planning Board be notified as to the City's opposition to Special Exception Case No. 1342, based on the testimony received, and the evidence presented in the staff report which concentrates the traffic problems that would occur in the residential neighborhood, specifically on Lockney Avenue, which is a one-way street, should the special exception be granted.

Introduced by: Councilmember Higgins

9-15-86

ORDINANCE 1986-39

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

- SECTION 1. THAT the Fiscal Year 1986-87 City Budget set aside \$17,400 for the purchase of three (3) Salt & Sand Spreaders for use in the Public Works Department; AND
- SECTION 2. THAT bids were solicited from qualified dealers and advertised twice in two weekly newspapers of local circulation; AND
- SECTION 3. THAT the bids were publicly opened at 3:00 P.M., August 13, 1986, with the low bid of \$16,998.00 having been received from S.M. Christhill & Son, Inc. for three (3) Spoke Salt & Sand Spreaders Model TK125B; AND
- SECTION 4. THAT the bid of S.M. Christhill & Son, Inc. for three (3) Spoke Salt & Sand Spreaders Model TK125B is hereby accepted; AND
- SECTION 5. further that S.M. Christhill & Son, Inc. has submitted the required notarized statement certifying that company is not involved in the nuclear weapons industry or the sale of merchandise produced by companies so involved; AND
- SECTION 6. THAT funds to cover this purchase in the amount of SIXTEEN THOUSAND, NINE HUNDRED NINETY EIGHT DOLLARS (\$16,998.00) be charged to the Capital Expenditures Account, 8995.

Adopted on 15th day of September 1986.

RESOLUTION NO. 1986-64

WHEREAS, the Mayor and Council have heard testimony and taken into consideration evidence presented during the Council meeting held Monday, September 15, 1986, on Montgomery County Special Exception No. S-1342, to permit a day care center for up to twenty children at 8121 Lockney Avenue, Applicants Brenda and Edsel Billiny; AND

WHEREAS, the testimony received from neighboring residents was overwhelmingly in opposition to the requested special exception; AND

WHEREAS, the staff evaluation of the special exception also provided evidence in opposition.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the Montgomery County Board of Appeals and Planning Board be notified as to the City's opposition to Special Exception Case No. 1342, based on the testimony received, and the evidence presented in the staff report which demonstrates the traffic problems that would/could occur in the residential neighborhood, specifically on Lockney Avenue, which is a one-way street, should the special exception be granted.

Introduced by: Councilmember Iddings

9-15-86

ORDINANCE #1986-30

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

- SECTION 1. THAT the Fiscal Year 1986-87 City Budget set aside \$17,400 for the purchase of three (3) Salt & Sand Spreaders for use in the Public Works Department; AND
- SECTION 2. THAT bids were solicited from qualified dealers and advertised twice in two weekly newspapers of local circulation; AND
- SECTION 3. THAT the bids were publicly opened at 3:00 P.M., August 13, 1986, with the low bid of \$16,998.00 having been received from S.M. Christhilf & Son, Inc. for three (3) Epoke Salt & Sand Spreaders Model TK12EB; AND
- SECTION 4. THAT the bid of S.M. Christhilf & Son, Inc. for three (3) Epoke Salt & Sand Spreaders Model TK12EB is hereby accepted; AND
- SECTION 5. further that S.M. Christhilf & Son, Inc. has submitted the required notarized statement certifying that company is not involved in the nuclear weapons industry or the sale of merchandise produced by companies so involved; AND
- SECTION 6. THAT funds to cover this purchase in the amount of SIXTEEN THOUSAND, NINE HUNDRED NINETY EIGHT DOLLARS (\$16,998.00) be charged to the Capital Expenditures Account, #995.

Adopted this 15th day of September 1986.

1st Reading: 9-15-86
2nd Reading:

Upon motion by _____, duly seconded by _____,
the following ordinance was introduced.

ORDINANCE NO. 1986-

AN ORDINANCE TO APPROVE A GRANT OF \$2,000 TO THE TAKOMA/LANGLEY PARK
BUSINESS AND PROFESSIONAL ASSOCIATION AS MATCHING FUNDS.

WHEREAS, in FY 1986, the Takoma/Langley Park Business and Professional Association (hereinafter referred to as the Association) received \$6,000 in matching funds from the City of Takoma Park and \$12,000 from Prince George's County to match Association monies to fund a Commercial Revitalization Manager for the Association; AND

WHEREAS, the Association has received a commitment of \$10,000 from Prince George's County as matching funds for project continuation for Fiscal Year 1987; AND

WHEREAS, the Association has requested that the City of Takoma Park provide \$5,000 to match Prince George's County's shared contribution of \$10,000 and the Association's share of \$10,000 to refund the Commercial Revitalization Manager's position in FY 1987; AND

WHEREAS, in FY 1987 it is the Association's goal to study the feasibility of establishing a Commercial District Management Authority in the four-quadrant area of Takoma/Langley Park and implement such an authority, if feasible, during FY 1987; AND

WHEREAS, continuation of project funding for the Commercial Revitalization Manager's position is crucial to development of a CDMA.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAKOMA PARK, MD.

SECTION 1. THAT an appropriation of \$2,000 be made to the Takoma/Langley Park Business and Professional Association as matching grant for funding the Commercial Revitalization Manager's position.

SECTION 2. THAT the appropriation be charged to Budget Account Number 503, Mayor and Council Contingency.

SECTION 3. THAT the City Council will consider additional funding for this project upon receipt of a project report detailing the accomplishments of the Association and work plan for implementation of a Commercial District Management Authority.

Adopted this _____ day of _____, 1986.

YEA:

NAY:

ABSENT:

1st Reading: 9-15-86
2nd Reading:

Upon motion by _____, duly seconded by _____,
the following ordinance was introduced.

ORDINANCE NO. 1986-

FY 87 BUDGET AMENDMENT NO. 1

AN ORDINANCE TO AMEND THE FISCAL YEAR 1987 BUDGET.

SECTION 1. BE IT ORDAINED AND ENACTED by the City Council of Takoma Park, Md. that the Fiscal Year 1987 Budget be amended as follows:

REVENUE AMENDMENTS

- a. Special Revenue Budget: Appropriate \$56,000 to Special Revenue Fund Account Number 3001.240, Acquisition, to account for receipt of Program Open Space Grant funds for FY 87.

EXPENDITURE AMENDMENTS

- a. Special Revenue Budget: Appropriate \$56,000 to Special Revenue Fund Account Number 3500.600, Parks Acquisition, for the purchase of the Sister City lot.
- b. Transfer \$5,000 from Budget Account Number 991, General Contingency, to Budget Account Number 503, Mayor and Council Contingency, to cover a grant of \$5,000 to Neighborhoods Together, Inc., for a Tenant Organizing Project.
- c. Transfer \$2,000 from Budget Account Number 991, General Contingency, to Budget Account Number 503, Mayor and Council Contingency, to cover a grant to the Takoma/Langley Park Business and Professional Association as matching funds for a Commercial District Management Authority (CDMA) project.
- d. Transfer \$3,200 from Budget Account Number 991, General Contingency, to Budget Account Number 995, Capital Outlay, to cover the purchase of carpeting for the City Administrative offices.

This Ordinance was declared adopted on this _____ day
of _____, 19____.

YEA:

NAY:

ABSENT:

Introduced by:

1st Reading: 9-15-86

2nd Reading:

ORDINANCE NO. 1986-

WHEREAS, with the approved staff expansion in the offices of City Administration and Department of Housing Services, it has been determined that there is a need for space planning and interior re-design to accommodate the new personnel and necessary equipment; AND

WHEREAS, the City Library has contracted with the reputable firm of Michaels Associates Design Consultants, Inc. for the re-design of the Library; AND

WHEREAS, it has been determined that a cost-savings can be assumed by combining the City Offices re-design with that of the Library; AND

WHEREAS, Michaels Associates Design Consultants, Inc. has conducted a preliminary on-site review of the City Offices and has submitted a proposal for the interior re-design that includes seven phases; AND

WHEREAS, the City Administrator has reviewed the proposal and has recommended it approval to the Mayor and Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT in accordance with Section 2-42(a) of the City Code, 1972, as amended

SECTION 1. THAT the proposal from Michaels Associates Design Consultants, Inc., a copy of which is attached hereto as EXHIBIT "A", for professional services for space planning and interior design services for the City Offices, is hereby accepted; AND

SECTION 2. THAT the fee for the seven phases of the proposal will not exceed THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$3,500.00), to be appropriated from Account 535, Administration Subcontracts; AND

SECTION 3. THAT the City Administrator is hereby authorized to enter into a contract with Michaels Associates Design Consultants, Inc. to provide the professional services outlined in EXHIBIT "A", provided that the firm file with the City the affidavit required by the City's Nuclear-Free Zone Act.

Attachment: EXHIBIT "A", Michaels Associates Design Consultants, Inc. Proposal.



**MICHAELS
ASSOCIATES**

DESIGN CONSULTANTS

5308 Remington Drive Alexandria, VA 22309 703 360-1297

MAY 23 1986

Mr. James S. Wilson, City Administrator
CITY OF TAKOMA PARK
7500 Maple Avenue
Takoma Park, MD 20912

17 May 1986


Dear Mr. Wilson:

Michaels Associates is pleased to submit this proposal for space planning and interior design services for your City Building main level, including the Administrative offices and support areas and Housing offices, an area of approximately 5200 square feet.

It is our understanding that you will be adding approximately four additional staff persons to those areas and that you wish to make as few changes as possible to existing walls and systems, making use of office landscaping and coordinating our work with those of your filing consultant and potential expansion of computers for word processing.

We propose the following phases of work:

- PHASE ONE Visit the site; meet with staff and discuss parameters and programmed goals for the areas involved; distribute questionnaires and equipment inventories for staff involved in reorganization; draft base floorplan based on as-built architectural plans.
- PHASE TWO Receive questionnaires and equipment inventories; prepare preliminary furniture and equipment plan based on those inventories. Owner review.
- PHASE THREE Upon owner review prepare a final floorplan/equipment plan with accompanying visual presentation board of color, materials, and furnishings selections. Prepare preliminary budget.
- PHASE FOUR Upon owner approval, prepare specifications for competitive bidding for construction/demolition, including electrical and lighting plans, and for purchase of new furnishings. Owner review.
- PHASE FIVE Assist owner, if necessary, with analysis of bids and recommend award of contracts.



Proposal for Interior Design Services
City of Takoma Park
17 May 1986

PHASE SIX Check shop drawings and review finish samples, and answer questions of contractors, factories, as required. Send installation plans to all installers, vendors, factories, etc.

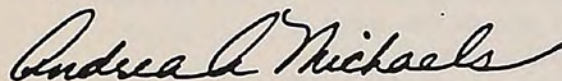
PHASE SEVEN Inspect the completed installation for quality, correct placement, compliance with specifications, and damage.

Our fee for the seven phases, presuming coordinating trips to Takoma Park with the library project, would not exceed \$3,500, billed monthly on the basis of \$55.00 per person-hour, net 30 days. Expenses, such as long distance phone calls and printing, would be reimbursable on a direct net basis. All work would be performed and presented by myself and/or my partner, David Michaels. We could begin work the first week in July.

It was a pleasure meeting you and Beverly; we look forward to the possibility of working with you. Please call us if you have any questions whatsoever. We would be pleased to provide you with references of our clients for whom we've done similar work.

Sincerely,

MICHAELS ASSOCIATES Design Consultants, Inc.



Andrea A. Michaels
President

Introduced by:

1st Reading: 9-15-86
2nd Reading:

ORDINANCE #1986-

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

- SECTION 1. THAT an inspection was conducted on the Flower Avenue bridge by Greiner Engineering; AND
- SECTION 2. THAT this bridge is under the jurisdiction of the City of Takoma Park; AND
- SECTION 3. THAT as a result of this inspection it was determined that several deficiencies exist with regard to the condition of said bridge; AND
- SECTION 4. THAT it is the suggestion of Greiner Engineering that a sign, WEIGHT LIMIT "11 TONS", be posted on said bridge at both entrances; AND
- SECTION 5. THEREFORE, that the Director of Public Works is directed to have the appropriate signs installed upon adoption of this ordinance.

Introduced by: Councilmember d'Eustachio

1st Reading: 8-11-86
2nd Reading: 9-15-86

ORDINANCE NO. 1986- 31

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND
Ordinance No. 2639 establishing a Transportation Planning and Policy Committee
shall be amended as follows:

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

- (1) Two Councilmembers, who shall be appointed by the
Mayor.

SECTION 2. THAT 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.

SECTION 3. THAT the last sentence in Paragraph A. shall be amended to read:

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

SECTION 4. THAT Paragraph B. 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.

SECTION 5. THAT Paragraph D. shall be amended to read:

- D. Quorum. A quorum shall consist of one Council repre-
sentative of the Traffic Committee, and one citizen
representative from each of four wards, totaling
five as a quorum.

Adopted this 15th day of September 1986.

ORDINANCE NO. 1986-

WHEREAS, earlier this year, Neighborhoods Together, Inc. (NTI) approached the City concerning a City-wide Tenants Organizing Project; AND

WHEREAS, Neighborhoods Together, Inc. had received conditional approval for a grant from the Marianist Foundation Sharing Fund to help fund the proposed project if NTI could obtain a matching grant from another agency; AND

WHEREAS, on February 26, 1986, the Mayor and Council adopted Resolution No. 1986-17, committing \$5,000 in matching funds to Neighborhoods Together, Inc., to assist in the City-wide Tenants Organizing Project; AND

WHEREAS, the above-referenced Resolution did commit the funds contingent upon NTI obtaining additional funding from Montgomery and Prince George's Counties for support of their project; AND

WHEREAS, efforts were made to obtain the funding from the Counties, with the efforts being unsuccessful, although NTI has received a grant from the national Campaign for Human Development.

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

SECTION 1. THAT Neighborhoods Together, Inc. has made every attempt, although unsuccessful, to obtain additional funding from Montgomery and Prince George's Counties for the City-wide Tenant Organizing Project; AND

SECTION 2. THAT because a thoughtful effort has been made as required by Resolution No. 1986-17, the Mayor and Council do hereby authorize the City Administrator to execute a Letter of Agreement with Neighborhoods Together, Inc., a copy of which is attached hereto as EXHIBIT A, outlining the requirements of the matching grant as it relates to the tenant organizing project; AND

SECTION 3. THAT funds in the amount of FIVE THOUSAND DOLLARS (\$5,000) be released to Neighborhoods Together, Inc., upon the adoption of FY 1987 Budget Amendment No. 1, which would allocate the funding to Budget Account 503, Mayor and Council Contingency.



Neighborhoods Together, Inc.

630 Silver Spring Ave Silver Spring Md 20910
(301) 565 5900

September 15, 1986

Mayor Stephen DelGuidice
City of Takoma Park
7500 Maple Avenue
Takoma Park, MD 20912

Dear Mayor DelGuidice,

As N.T.I. reported at the September 8, 1986 council worksession, The Takoma Park City Wide Tenant Organizing Project consists of 4 components:

1. Organizing:

Tenants will be organized within each of the seven city wards. N.T.I. will have at least 2 buildings organized within each city ward within the next year. Also, N.T.I. plans to revitalize the existing tenant associations and to make certain that each association has duly elected representation. One of the requirements for a tenant association to join the city wide tenant coalition will be to have a representative elected at a meeting where 50% of the building's population is present.

2. Education:

(a) Planning is in progress for the first Tenants Right to Know Workshop. N.T.I. plans to have at least 2 workshops within the next year. Also, N.T.I. plans to make workshops and seminars available to tenants which are offered by such groups as the Washington Area Training Center.

(b) N.T.I. plans to send out newsletters to tenants as needed to keep them informed. A minimum of 4 newsletters will be produced.

3. Institutional Changes:

Working with the City of Takoma Park, Prince Georges County and Montgomery County, Neighborhoods Together and tenants will work to bring about legislative and policy changes which will strengthen tenants' rights and opportunities. In Takoma Park it is hoped that many suggested changes will come out

of the Tenants Task Force. ~~for~~ Changes which will foster a climate for new housing initiatives such as low equity cooperatives.) The Tenants Right of First Refusal, presently under consideration by the council is an important first step.

4. New Initiatives:

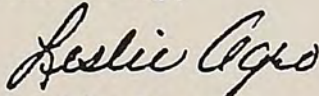
N.T.I. would like to explore using money available as a result of the Governor's Initiatives on Housing. N.T.I. will be attending meetings in fall 1986 to learn the specifics regarding various Maryland programs. N.T.I. foresees working with Takoma Park's Department of Economic Development to bring these resources into our area. Also, N.T.I. intends to facilitate the establishment of non-profit cooperatives.

Key to the success of the C.W.T.O.P. is grassroots involvement. A clear example of this is the planning meeting held with tenants on Wednesday, September 10, 1986. The N.T.I. board had envisioned a 1 day workshop but at the meeting tenants decided a series of evening workshops at which only 1 topic would be covered would bring out more tenants. The first workshop will cover "Organizing" and will be held Friday, November 14, 1986 at the Takoma Park Presbyterian Church. N.T.I. feels that tenants should be involved in every stage of the C.W.T.O.P. and be encouraged to modify the project process at every stage. In this way people involved in the C.W.T.O.P. become truly empowered.

This letter, along with the C.W.T.O.P. implementation plan distributed at the worksession on September 8, 1986 should give the Mayor and Council a clear idea of the objectives of the City Wide Tenant Organizing Project. It is N.T.I.'s understanding that the City of Takoma Park will award a grant of \$5,000.00 to N.T.I. to match the conditions of the Marianist grant and to fund the C.W.T.O.P. as explained in this letter. N.T.I. looks forward to working with you.

Thank you.

Sincerely,



Leslie Agro
President

cc: Sharon Levy
Carl Iddings
Paul d'Eustachio
Herman Williams

Lynn Bradley
Michael Haney
Edward Sharp