

PLEASE NOTE THAT THE AGENDA ITEM TIMES INDICATED BELOW ARE SUGGESTED TIMEFRAMES.
ITEMS MAY BE TAKEN UP SOONER OR LATER THAN THE TIMES INDICATED,
BASED ON COUNCIL DELIBERATIONS.

CITY OF TAKOMA PARK, MARYLAND
Regular Meeting of the Mayor and Council
March 9, 1987
8:00 PM

AGENDA

- 8:00 CALL TO ORDER: Mayor Del Giudice
ROLL CALL: Councilmember Bradley
Councilmember d'Eustachio
Councilmember Haney
Councilmember Iddings
Councilmember Levy
Councilmember Sharp
Councilmember Williams
- 8:02 PLEDGE
8:05 ADOPTION OF MINUTES OF FEBRUARY 9, 1987 REGULAR COUNCIL MEETING
8:10 MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS
8:20 ADDITIONAL AGENDA ITEMS
8:30 CITIZENS' COMMENTS (those not directed at Items on Council Agenda)
- ADMINISTRATIVE REPORTS
- 9:00 (1) Second Reading of an ordinance awarding demolition contract for 6801
Westmoreland Avenue
Citizens comments
Council action
- 9:15 (2) Ordinance approving Telecommunications bid results
Citizens comments
Council discussion
- 9:30 (3) Presentation of Slegler Committee Report and Resolution
Citizens comments
Council action
- 10:00 (4) Ordinance approving purchase of easement for improvements to southeast
quadrant of Takoma-Langley Crossroads [Budget-approved item]
Citizens comments
Council action
- 10:20 (5) First Reading of an Ordinance: "Changing Residency Requirements for
Landlords on the Commission on Landlord-Tenant Affairs"
Citizens comments
First Reading
- 10:40 (6) First Reading of an Ordinance: "Limiting Parking In Front of 7409 Piney
Branch Road"
Citizens comments
First Reading
- 11:00 (7) Resolution of Support for Senate Bills 628 and 629: "Covering of Truck
Loads", sponsored by Senator Ida Ruben
Citizens comments
Council action
- 11:10 (8) Resolution of Support for the "Call To Conscience" movement against
racism and apartheid
Citizens comments
Council action
- 11:20 (9) Resolution adopting The Nuclear-Free Takoma Park Committee's Listing:
"The Leading Nuclear Weapons Contractors and Their Products"
Citizens comments
Council action

ADJOURN

- REMINDERS: Monday, March 16, 1987 -- Council Worksession
Monday, March 23, 1987 -- Regular Council Meeting

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
March 9, 1987

CITY OFFICIALS PRESENT:

| | |
|---------------------------|-------------------------------------|
| Mayor Del Giudice | City Administrator Wilson |
| Councilmember d'Eustachio | Asst. City Administrator Habada |
| Councilmember Haney | Deputy City Clerk Jewell |
| Councilmember Iddings | Housing Services Director Weiss |
| Councilmember Levy | Code Enforcement Supervisor Clayton |
| Councilmember Sharp | Corporation Counsel Silber |
| Councilmember Williams | |

ABSENT: Councilmember Bradley

The Mayor and Council convened at 8:05 P.M. on March 9, 1987, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. Following the pledge, the Minutes of the February 9, 1987 Regular Council Meeting were moved for approval by Councilmember Haney, duly seconded by Councilmember Sharp, carried unanimously.

For those in attendance, the Mayor noted that the meeting was being videotaped by Takoma Park Cable TV Channel 24 and would be broadcast on 3/10/87 at 1 P.M., 3/11/87 at 6 P.M., and 3/12/87 at 1 P.M. He remarked it was hoped the channel would soon have the capability of simulcasting the meetings.

Mayor Del Giudice commented that the Montgomery County Transportation and Environment Committee would be meeting on March 16 for the second time to discuss the Ride-On bus proposal which is a part of the county's capital improvement program budget; he said he understood members of the Citizens' Transportation Committee would be addressing that issue during the "Citizens' Comments" portion of the current meeting. He related that enactment of the Personnel Procedures Ordinance mandated formation of a personnel appeal board to hear grievances and matters raised by employees, and noted his appointments of citizens to serve thereon. He said vacancies on that board were advertised, there were four applicants, one of whom had subsequently made notification he would be moving out of the city. Retroactive to March 1, he said he would be appointing Karen L. Mitchell, 7600 Maple Avenue (1 year term), Ellen A. Williams Stewart, 7301 - 14th Avenue (2 year term), and Susan D. Gilbert, 5 Valleyview Avenue (3 year term). He commented that the applicants had varied experience in personnel matters -- two were attorneys with experience in representing employees. Concerning parking on Piney Branch Road, he related that the prior Thursday, the House Committee On Constitutional and Administrative Affairs was scheduled to address a bill the City had submitted to the legislature which would clarify the authority of municipalities to regulate parking in and around public transportation facilities. He explained that the City would be empowered to install and enforce parking meters at specific locations on Piney Branch with permit parking for residents, however, the City would have to work out administration and implementation details of the program with, perhaps, formation of a citizens' committee to assist.

City Administrator Wilson noted there had been requests submitted to table two of the original agenda items, i.e., item (4) concerning the purchase of an easement for improvements to the southeast quadrant of Takoma-Langley Crossroads (pending receipt of further information), and item (9) concerning adoption of "The Leading Nuclear Weapons Contractors and Their Products" listing (per Councilmember Levy). For the record, Mr. Wilson noted that Mr. and Mrs. Ernest Williams, 7421 Buffalo Avenue, had been able to remove the temporary house trailer in which they had been residing and move back into their home on February 27.

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

Barbara Beelar, 7112 Maple Avenue, speaking on behalf of the Citizens' Coalition on Transportation: said the county's Transportation and Environment Committee would be meeting on March 16 to consider the budget request for the purchase of 62 large diesel-powered buses. She said the coalition had been working in opposition to that proposal and had substantial arguments against it. She elaborated on what was occurring in the county's process and concluded by asking the Council to reaffirm prior Resolution #1985-3, which was a result of the City's previous meetings regarding Ride-On service; she read that document verbatim and said the

Issues addressed therein had continued status quo. She asked that a copy of the resolution be sent to Neal Potter, Chair of the county committee, along with a letter expressing support for and reaffirmation of the document and the hope that a final determination of the budget decision might be delayed until such time as citizen input were received from residents of Takoma Park and other jurisdictions wishing to be involved. Councilmember Iddings commented it seemed clear to him that County Councilmember Bruce Adams was committed to assisting the citizens in addressing problems with the Ride-On service; Mr. Iddings asked that reaffirmation of the aforementioned resolution be added to the agenda.

Roger Chapman, 1101 Kirklynn Avenue: referred to a bill before the legislature which would regulate parachuting in the State of Maryland; he related that a friend of his who resided in Takoma Park died in a parachuting accident in October 1985, and the circumstances surrounding her death were cause for concern. He said Channel 7 had done a 3-part documentary on the jump school located on the Eastern Shore, and it was noted that that facility leads the nation in parachute fatalities -- in the past 15 years, there have been 15 fatalities there. He said Senators Garrott and Ruben introduced the subject bill, S.B. 638. He disseminated copies of an article from The Journal which he had authored concerning regulation of parachuting, pointing out that the sport was not currently regulated by the state at all. He said if the Mayor and Council intended to act on his request, it would have to be done quickly inasmuch as the bill could go to a vote by the end of the week. In response to Councilmember d'Eustachio, Mr. Chapman stated he had testified before the committee chaired by Senator Dorman; Mr. d'Eustachio suggested he additionally telephone Senator Dorman and speak with him personally, as one of his constituents. Mr. Chapman remarked he had also persuaded both County Executives and Councilwoman Crenca to write letters on the matter, and hoped the City Council would do likewise. Councilmember Haney volunteered to collaborate with Mr. Chapman in writing a formal resolution of support for the bill which could be addressed at a later point in the meeting.

Brint Dillingham, 7018 Carroll Avenue: inquired concerning the status of the unification bill. Mayor Del Giudice related that the bill had passed through the Montgomery County House Delegation, but had not moved beyond that point. He said it was technically in the hands of the Prince George's County House Delegation; the BI-County Committee had not held hearings. He said he was hoping in the next 2 weeks to be meeting on the issue with individuals in Annapolis, including Delegate Donaldson. Mr. Dillingham referred to the March 5 Special Session/Public Hearing, during which the Mayor threatened to hold a Councilmember "in contempt." He inquired what that would mean within the scope of the Mayor's powers. Mayor Del Giudice responded that, as the Chair of the body under Robert's Rules and general rules of procedure, if an individual were held to be out of order and did not recognize the ruling of the Chair, and if there were not a call by the body challenging the ruling of the Chair, then the Chair was in authority to hold them in contempt of the proceedings. He said he had ruled the individual in question to be out of order 3 times and he continued to disregard the ruling of the Chair. In response to query concerning the punishment for being held in contempt, the Mayor said he believed the Chair had the right to remove, through a Sergeant at Arms, any individual who was openly contemptuous of the proceedings and who did not recognize the good of the order of the body. The Mayor said he was open to correction, did not have Robert's Rules with him at the time in question and had not examined it recently on that particular point. Mr. Dillingham requested that Mayor Del Giudice check Robert's Rules prior to making such a threat again because it was reminiscent of certain judges, and it should have some basis if it were going to be made.

Tom Gagliardo: asked that arrangements be made for focusing the video camera on the faces of individuals speaking at the microphone -- he said that, having watched a portion of the hearing concerning the police cruisers on Channel 24, it was obvious it would have been more interesting to see the faces of the speakers rather than the backs of their heads. Concerning the Ride-On bus service, he said there was a recent article in a local newspaper which he declined to identify, authored by Mr. Quick, which was particularly well reasoned and provided ample facts in support of the proposition mentioned by Ms. Beelar. As points of clarification and pursuant to the 3/5/87 public hearing concerning the proposed purchase of police cars, he asked the Mayor whether he personally supported or opposed

the waiver. Mayor Del Giudice responded that, as indicated in his comments, he felt it was a close decision; however, felt that there was not sufficient evidence to support the granting of a waiver. He said he did feel there was evidence to support that recent Chrysler vehicles purchased by the City had manufacturing defects; the Chrysler representative's testimony indicated Chrysler had attempted to address some of those deficiencies, but it remained to be seen whether they had addressed them adequately. He said he was pleased to learn that while new vehicles would be built at a different plant, it was not a new facility and Chrysler had merely moved the location of the production line. Mr. Gagliardo inquired whether the possibility of contracting with one of the counties for preventive maintenance on vehicles, as suggested in a recent Newsletter article by Councilmember Bradley, would be investigated by the Council. The Mayor remarked that Ms. Bradley had disseminated a memo which mentioned that issue, among others, and it would be addressed in worksession, particularly in conjunction with the budget process. Mr. Gagliardo inquired how the City would proceed on the purchase of police vehicles. Mr. Wilson said that Prince George's County had 90-100 Chrysler vehicles awaiting assignment and he had spoken to the Director of the Office of Central Services; said he would be speaking to that individual again the next day to ascertain what paper work would have to be accomplished to get the first 4 or 5 vehicles; in response to query, he indicated the price was very favorable. Mr. Gagliardo commented there appeared to be some discrepancy between accounts in the aforementioned unidentified local newspaper and City officials' statements regarding the price the City would be paying for Chryslers. Again referring to the aforementioned newspaper, Mr. Gagliardo inquired about a reported incident in which the bumper of a 1984 Chrysler police vehicle dropped. Councilmember Iddings related that during the course of the 3/5/87 public hearing, an officer was driving the vehicle which had recently been repaired (not by the City) and the front end fell (not the bumper). Mr. Iddings said that what happens when that occurs is that the suspension no longer is suspended and the body is riding on the frame with minimal clearance. Mr. Gagliardo spoke briefly concerning the preventive maintenance proposal he had presented to the Council at the 3/5/87 hearing; said he felt maintenance was the answer to the problem and he hoped something would be done about it without delay.

Lou D'Ovidio, 7324 Piney Branch Road: inquired concerning plans related to parking on Piney Branch Road. Mayor Del Giudice explained that subsequent to meetings on the issue, Delegate Hixson submitted a bill, at the request of the City, that would provide for clear authority of a municipality to control parking on state highways around major transportation systems, e.g., a metro station. The Mayor said the bill did not have much chance of passage, but State Highway Administration did take note and contacted the City. He said he had a meeting with Mike Snyder, the District Engineer, at which a number of issues were discussed, and subsequently the state office called and advised they would allow the City to use a number of combinations of local authorities to try to better control parking on that road, including parking meters and a permit system that would exempt residents from the meters. Mr. D'Ovidio volunteered he would be glad to assist with the plans in any way possible; said in some areas the lack of curbs might present a problem with meter installation. Mr. D'Ovidio spoke concerning some abuse of City staff he had perceived in the course of the 3/5/87 public hearing; he said it appeared some people thought they had to employ abuse in order to get their point across, however, that was negative and unnecessary. He pointed out he was one of the original proponents of the Nuclear Free Zone Ordinance and spoke concerning its history since adoption. He said while the City's adoption of the legislation had done a great deal for the nuclear free movement, it was open to debate whether or how much the City had benefitted financially, and its image had suffered considerably at the hands of the media. He said there was some question also concerning whether the majority of residents were in support of the ordinance. Mr. D'Ovidio suggested that, as a gesture of gratitude for services rendered, it might be a positive step for those involved in the nuclear free movement to conduct a nationwide fundraiser for the City -- he pointed out that \$19,000-\$20,000 raised could allow the tax rate to be reduced by \$.01-\$.02/\$100 and would be meaningful to the citizens. Councilmember Levy rebutted Mr. D'Ovidio's comments, said she felt the City had not been abused, that those involved in the nuclear free movement had garnered a lot of respect from other communities and the entire country because of the stand they had taken on a local level. She said she thought if Mr. D'Ovidio had read coverage from other parts of the country, he might

feel differently on the subject. In the course of brief exchange between Ms. Levy and Mr. D'Ovidio, Councilmember d'Eustachio noted receipt of 3 anonymous phone calls at 4 A.M. following Thursday night's hearing on the police cars. Mr. D'Ovidio referred to a speaker at the 3/5/87 meeting who had commented about reasonable people being able to disagree in a civil way; he said he was presenting a different perspective on the issue, had been completely open on the fact he had been a proponent of the legislation and was comfortable with that; said he was not opposed to the ordinance. Ms. Levy commented she had intended no disrespect, was simply expressing her point of view.

ITEMS FOR COUNCIL ACTION:

Tabling of agenda item 4 for an indefinite period was moved by Councilmember Sharp, duly seconded by Councilmember Iddings, and carried unanimously.

Concerning agenda item 6 related to parking in front of 7409 Piney Branch Road, Asst. City Administrator Habada referred to communications with Mike Snyder of State Highway Administration and said it now appeared feasible to handle the matter administratively through Mr. Snyder to resolve the existing problem. She suggested tabling of the ordinance pending receipt of written information from Mr. Snyder. Councilmember Iddings suggested that installation of a sign limiting parking in front of that address to 20 minutes be accomplished and Mr. Snyder so advised. Following brief discussion, Councilmember Levy moved that the item be tabled, duly seconded by Councilmember Williams, carried by unanimous vote.

Councilmember Levy moved that agenda item 9 be tabled indefinitely, duly seconded by Councilmember Haney, carried unanimously.

Councilmember Haney moved addition to the agenda of a resolution in support of Senate Bill 638 concerning licensing and regulation of parachute jumping in the State of Maryland. The motion was duly seconded by Councilmember Sharp and carried unanimously.

Councilmember Iddings moved addition to the agenda of reaffirmation of resolution #1985-3 concerning the Ride-On bus service, duly seconded by Councilmember Sharp, carried unanimously.

1. Second Reading of an ordinance awarding demolition contract for 6801 Westmoreland Avenue.

Mr. Wilson noted receipt of a current status report on the property by Code Enforcement Supervisor Clayton and an alternative proposal from the Office of Economic and Community Development. For the record, the Mayor noted the ordinance had been before the Council previously and was continued to the present meeting for Second Reading. Mr. Clayton summarized his report, noting that electrical power still required hookup at the meter, floors throughout the house needed covering with tile, carpet or linoleum, interior and exterior walls needed reinforcement with fire stops, insulation, drywall or paneling. He said that walls on the main floor had fire stops in place, but others did not; heating and hot water units were not in place; kitchen and bathrooms were devoid of cabinets, stove, refrigerator and other appliances. He said renovation of the premises was about 50% completed. Neighbors were still calling Housing and expressing concerns about the property and the 4+ years that the problem had continued. He said the police department, too, had expressed concerns and had responded there several times for various reasons; the owners themselves had filed complaints about vandalism on the premises. Based on the rate at which work was progressing, Mr. Clayton said he felt it would be another 8-9 months before it was completed. He said there was some concern about whether various changes made during the renovation would meet Code standards. Mr. Clayton commented that the tolerance of the neighbors appeared to be on the downswing, tension in the community appeared to be on the upswing. In response to query from Councilmember Levy, Mr. Clayton said that the last time he was at the property (which was about 5 P.M.), one of the repairmen was there and awaiting the arrival of the work crew -- no work was actively occurring. He said the contractors had estimated in conversation with him a month or so prior that they could have the work completed by mid-March; he reaffirmed his estimate of another 8-9 months for completion. Councilmember Iddings complimented Mr. Clayton on the quality of his report, said it contained needed information.

Sam Abbott, 7416 Holly Avenue: inquired of Mr. Clayton whether work on the

property was ongoing, was being done on a daily basis. Mr. Clayton said he had last visited the premises on February 28; during his visits, work seemed to be sporadic and spotty, on only one occasion was work being done inside -- he said he had visited 6 or 7 times and only once was work actually being done -- duct work was being installed.

Arthur MacDonald, property owner: said the delay in hooking up the electricity was the fault of the electric company; the contractor had advised him the house would be ready to move into by mid to late April, and the principal delay had been the electrical hookup.

Housing Services Director Weiss, co-author with Daniel Neal of a report concerning an alternative to demolition of the house, commented that that proposal would be constructive as opposed to the negative option of demolition, however, she noted the cost would be significant and some risk would be involved. Councilmember d'Eustachio remarked he had a vast number of questions about the proposal which he said was extremely complicated, far-reaching and perhaps precedent-setting. He said he would not be prepared to make a decision on it at the present meeting, however, felt it had enough merit to recommend its consideration at the next worksession, if possible. Ms. Weiss pointed out that, should the Council decide to proceed with the proposal, it would require allocation of funds; additionally, she suggested its review by Corporation Counsel prior to action being taken.

Arthur Karpas, 6916 Westmoreland Avenue, speaking for WACO: said the frustration of the community was immense; he had personally attended more than two dozen meetings on the present topic, had heard more projected completion dates than he cared to recall. He said every remedy that was conceivable had been considered, recommended, put into place, and found inadequate to the task. He said the depth of ill feeling between the owners and the neighbors did appear to be growing at a regular pace. He said he did not know how it had been possible to so completely subvert orderly process and leave the neighborhood faced with the existing blight for such an inconceivable length of time. Mr. Karpas commented that everyone had taken great care to protect the property owners' rights, which was appropriate; however, said there was no appropriate mechanism for dealing with the rights of the neighbors, who had suffered substantial abuse of many kinds, which he elaborated upon. He said the Housing Department's suggested remedies appeared somewhat desirable insofar as they might resolve the problem. He said if charges were levied against the property at the beginning of any efforts by the City and those charges were levied regardless of whose efforts came to fruition, then the approach might be workable. He said the proposed process did appear to be long and tricky, and could also take 8 months; however, he asked that the Council seriously consider the proposal as a way of dealing with the problem.

Juan Guzman, contractor working on 6801 Westmoreland: said the renovation work was to have been completed in March, however, had been delayed due to bad weather and the failure of Pepco to connect the electricity until March 5. He said the electrical work was scheduled for inspection March 10 and the framing later in the week, and all work should be completed by the end of April. In response to the Mayor, he said he would have no objection to Mr. Clayton being present during the electrical inspection.

Corporation Counsel Silber, responding to Councilmember Williams, stated her advice concerning the demolition had not changed; she said she would want to respond to staff's suggested alternative, however, felt that should be done in writing prior to the next meeting or in executive session. The Mayor inquired whether staff's suggestion, which was, in essence, an alternative provided by the Code, could be implemented as an amendment to the current proposed ordinance; he asked that Ms. Silber look into that prior to the worksession.

Councilmember d'Eustachio moved that the Second Reading of the ordinance be tabled until the May 4, 1987 regular council meeting, and that staff's proposal be put on the March 16 worksession agenda for purposes of discussion. The motion was duly seconded by Councilmember Sharp and carried by unanimous vote.

2. Ordinance approving Telecommunications bid results.

Asst. City Administrator Habada related that the City currently has AT&T equipment with limited capability which does not provide features needed in

a modern city environment, e.g., only one person citywide can use the intercom system at any one time; additionally, she noted AT&T was among the top ten nuclear weapon-related industries. She related the process that had been undergone in investigating the various systems on which bids were submitted, concluding by recommending that the City purchase Squires equipment which would be somewhat lower in cost than TELCOA, the other alternative under consideration. She noted Councilmember Iddings' assistance in relation to assessment of data transmission capabilities of the systems, which had become increasingly important with City government computerization. For the record, she noted that both companies meet the non-nuclear requirement by virtue of any component parts manufactured by a nuclear-related firm being supplied by third parties. In response to Councilmember Sharp, she explained that Harris Lanier's bid was rejected due to their nuclear affiliations; she confirmed that in-depth comparisons were not done on their bid versus the others that were considered, however, the price quoted was higher. Councilmember Iddings commented that Harris Lanier puts their nameplate on a product manufactured by Toshiba, so, in essence, they would be bidding on the same product offered by Squires. Mr. Wilson remarked that Harris Lanier did participate in the initial portion of the process, i.e., making a presentation to staff, etc., however, had not been included in the final stages. Brief discussion ensued concerning the 911 emergency call system. Councilmember d'Eustachio inquired whether the option of lease/purchasing of equipment had been examined; Ms. Habada said the lease financing rate through Sovran Bank would be 7% tax exempt; she said leasing either through the vendor or an outside leasing firm, the monthly rates were higher. In response to Tom Gagliardo, Mr. Wilson stated the City was currently averaging about \$1,055/month to maintain its AT&T equipment, the new equipment would cost approximately \$762/month. Ms. Habada introduced and thanked Terry Rothschild and Ann Keogh from TELCOA, Chip Manning and Kim Roberts from Squires, all of whom she said had been most helpful. Councilmember Iddings expressed concern about response times to emergency repair situations, noting that TELCOA appeared more responsive to those needs than Squires; he asked that Squires clarify their emergency response policy.

Chip Manning of Squires explained that they generally quote a two-hour response time when bidding because they are prepared to put in writing for their users that if they do not respond within that time frame, they will pay the user the amount of money they charge per hour for every hour, or portion thereof, that they do not respond. He said their actual response time in an emergency situation was less than an hour -- in the City's case, response time would be in a matter of minutes because the system would be connected by modem to Squires' office and, upon receipt of a call, the system could be scanned to determine the source of the problem -- and, in some cases, the problem could be temporarily corrected pending arrival of the technician.

Councilmember Levy related receipt of several phone calls from constituents concerning whether Squires' technicians were unionized or not, and asking that she ascertain their current position on hiring. Mr. Manning stated that their installers and service personnel had no union involvement, nor was there any elsewhere in the company at the present time. He said the union had approached service personnel a few years prior, however, they had opted not to become involved with the union. He said should the union again approach Squires workers, they would be allowed to make their case and the decision whether they wished to be unionized would be up to the work force. He said management felt they ran a very good company with very happy employees, and when that is the case and employees feel they are being taken care of, properly paid and given proper benefits, there was not a dramatic need for unionization.

Councilmember d'Eustachio inquired whether the option of retaining the C&P installation in addition to new, upgraded equipment had been examined, thus providing backup in the event of a total system failure -- particularly, with the police department in mind. Mr. Manning explained that a battery backup had been included in the system which would allow it to operate during a complete commercial power failure, in addition to other extensive emergency backup provisions which he detailed. For the record, the Mayor noted the TELCOA representatives had affirmed they could make the same provisions. Responding to Councilmember Sharp who had remarked on echo problems in a new phone system at his place of employment, Mr. Wilson stated that no audible difference was noted during on-site demonstrations

in the Municipal Building of their equipment by both Squires and TELCOA. Councilmember Haney thanked Mr. Iddings for his assistance to staff, and staff for their many hours of work and information provided on the proposed purchase.

Ann Keogh of TELCOA commented it was her understanding that at one point in time staff had recommended purchase of her firm's system; she inquired whether it was the data transmission factor which had altered their initial preference; Ms. Habada responded in the affirmative. Ms. Keogh pointed out that in the Request for Proposals there had been no explicit request that data transmission capability be addressed -- it was not listed among the 7 major issues; said it was merely mentioned in a list of features for commentary. She noted their equipment did specifically address the problem of echo, which could occur in teleconferencing. She inquired as to the reason for the change of recommendation. Ms. Habada responded that, following response to the City's query to both companies concerning transmission of data, it became clear that for equipment with comparable capability, Squires was least expensive of the two. Councilmember Iddings affirmed Ms. Habada's statement, explaining in more technical detail, and said the Squires system in the final analysis was about 10% lower in cost than TELCOA's for a comparable system. Following additional discussion, Ms. Keogh asked that the Council table the ordinance for an additional week to allow TELCOA to address some of the issues further and, perhaps, adjust their bid price. Following comment by Councilmember Iddings indicating that such a move would, essentially, be reopening the bid process, he moved adoption of the ordinance awarding the bid to Squires under a lease/purchase arrangement at a cost of \$33,642.00; the motion was duly seconded by Councilmember d'Eustachio. Tom Gagliardo, speaking from the audience, remarked in favor of allowing both companies to rebid, which he said might save the City some money. Ms. Habada responding to query from Councilmember d'Eustachio pointed out that TELCOA had adjusted their original bid downward 5%; said she would not personally wish to commence a bidding war that could drag on for months, both companies had already submitted a second offering. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers d'Eustachio, Haney, Iddings, Levy and Sharp; NAY: None; ABSENT: Councilmembers Bradley and Williams.

ORDINANCE #1987-8
(attached)

3. Presentation of Siegler Committee Report and Resolution.

Councilmember Iddings distributed copies of an executive summary containing recommendations of the committee, noting that the full report would be distributed in the subsequent Wednesday packet. Additionally, he said copies of the full report would be placed in the Library for those wishing to review it. He acknowledged committee members who were in attendance. Mr. Iddings summarized the committee's process and the concept plan which resulted from a public hearing held on the issue. He said what the committee was recommending was basically a passive park, which would stress the historical significance of the site in the City's and the county's development. He said a number of specific design features were recommended in the concept plan, as well as a recommendation that the initial design and development of the park be funded through Program Open Space, with maintenance through a neighborhood/City partnership arrangement, with formation of a Board of Trustees to assist with coordination of volunteer maintenance efforts. He said the recommendation of the committee was that the Council examine other alternatives for location of a children's playground or tot lot in the Old Takoma neighborhood. Mr. Iddings moved passage of the resolution accepting the committee's report and establishing a public hearing on the contents of the report at the April 13, 1987 regular worksession of the Council. The motion was duly seconded by Councilmember Haney. In response to query from Councilmember Sharp, Mr. Iddings stated that acceptance of the committee's report by the Council did not denote endorsement of its recommendations; any motion to accept the recommendations would not be in order until after the public hearing. The question was called on the motion to accept the report; the motion carried by unanimous vote.

RESOLUTION #1987-13
(attached)

4. First Reading of ordinance "Changing Residency Requirements for Landlords on the Commission on Landlord-Tenant Affairs."

The Mayor noted the ordinance had been changed substantially in the interim since its initial introduction. Councilmember Sharp asked that his name be removed as an author, commenting he did not feel the complexity that had been introduced into the legislation was necessary. The Mayor noted that the ordinance as drafted was the result of worksession discussions. Councilmember d'Eustachio moved acceptance of the ordinance for First Reading, duly seconded. Mr. d'Eustachio commented the ordinance was an attempt to correct a long-standing problem, i.e., lack of representation of landlords on COLTA. He pointed out that non-resident landlords of large buildings could only be appointed to serve if those types of buildings could not otherwise be adequately represented on COLTA.

Councilmember Williams commented that to his recollection the subject provisions of the legislation had been changed at least three times over the course of time. In response to him, the Mayor affirmed that under the legislation as currently written, resident managers who actually reside on the premises could serve as landlord representatives on COLTA. It was noted the commission was currently short one landlord representative. Mr. Williams expressed concern that some unscrupulous landlords might wish to entangle the process, which was originally intended to give tenants a fair shake, more than is necessary; he reiterated that management personnel residing in the buildings could represent the landlords on COLTA, thus, he did not see the necessity to alter the legislation as it stood. He said even when it was originally written as was now being proposed, he did not recall any landlords applying to serve on COLTA. Mr. d'Eustachio remarked there had been instances of non-resident managers of large buildings serving on COLTA in the past. The Mayor noted that the City had actively sought a landlord representative for two months with only one response received. Mr. Williams remarked that landlord representatives never seemed to remain long on COLTA, however, that they appear in force if an issue affecting their money arises. Councilmember Haney commented on having sought landlords in his ward, of whom there are a number, who would be willing to serve on COLTA, and having gotten a zero response. He said others had gotten a similar lack of response; said it was important that interests of owners of large rental buildings be represented and that their expertise would be a valuable asset. Councilmember Sharp remarked, paraphrasing former COLTA Chair James Arisman, that one of the benefits of having a landlord representative on COLTA who was affiliated with one of the large buildings was that it brought some of the institutional landlords in who may often have a more businesslike approach and more formalized procedures in dealing with relationships with tenants, which may remove the personality conflict factor from a lot of disputes. He pointed out that there was no mandate that the Council appoint any non-resident landlords if there was reason to feel they should be disqualified; said he would be voting in favor of the ordinance.

Sam Abbott, 7416 Holly Avenue: said remarks made by James Arisman and quoted by Councilmember Sharp in his commentary omitted one important fact -- that in D.C., Prince George's County and Montgomery County, landlords do not sit on the Commission for Landlord-Tenant Affairs if they do not reside in the jurisdiction. He said it had historically been a problem to get landlords of large buildings to sit on COLTA because they do not agree, in essence, with the legislation in effect. He related an instance wherein the resident manager of 7777 Maple Avenue sat on the commission, rendered his opinion -- which was objective -- in a couple of cases, and was then removed from serving when the landlord fired him from his job. Mr. Abbott inquired whether, if a non-resident landlord were allowed to fill the vacant landlord representative seat on the commission, a non-resident tenant would be allowed to fill the one vacant tenant representative seat. He said equity had to be considered; if an exception were allowed for landlords, it would have to be allowed for tenants as well. He said he thought residency should be retained as a requirement for appointment.

As a point of clarification, Mr. Sharp remarked that he did mean to imply that Mr. Arisman supported the proposed ordinance -- did not think he did and could not speak for him. Councilmember Levy commented she had understood COLTA would be making a recommendation on the issue and she had not seen anything forthcoming from them. Housing Director Weiss stated that Diane Oliver, the COLTA Coordinator, had advised her that COLTA had neither supported nor opposed the legislation through their monthly minutes. The

Mayor asked that Ms. Weiss see that a request was conveyed to COLTA for their written position prior to second reading of the ordinance.

A. J. Mitchell, 7600 Maple Avenue: spoke in opposition to the ordinance, said he did not think it would be beneficial to anyone. He said he felt there was a point between an initial complaint being filed and a COLTA hearing being held that if more effort were expended, COLTA hearings could be eliminated altogether. He said from his experience in dealing with complaints, he did not think enough effort to work things out was put into the first meeting of all the parties involved; said tenants are at a disadvantage in dealing with landlords of large properties because they come equipped with their battery of high-powered lawyers to deal with any complaints or problems. He, too, commented on the numerous landlords who were in attendance when rent stabilization, which would impact their income, was discussed; said, however, that showing up for COLTA hearings would not be a priority item for non-resident landlords.

Brint Dillingham, 7018 Carroll Avenue: stated he was opposed to the proposed ordinance; contrary to Councilmember Sharp's remarks concerning landlords of big buildings having more knowledge of formalized procedures, etc., he said instances of big landlords coming in and trying to deregulate and oppose the existing systems had been witnessed in the City. He said he was not convinced that some of them would be beyond trying to deregulate the system through service on COLTA; said a non-resident landlord who agreed to serve on the commission would probably be in a position to show up more frequently for hearings because he would have a professional interest. He said there were many vehicles provided for the landlords to present their perspectives, and enumerated those; he pointed out they have an additional advantage in that they can have hardship hearings and have more resources at hand to argue their case. He said the proposed ordinance left the way far more open to possible abuse by future elected officials, and there was no reason to put it on the books.

Mike Davidson, Edinburgh House Tenants' Assn., representing UMAAC: said UMAAC had met within the preceding week concerning the proposed legislation. He said in order for the proposed legislation to be feasible, he thought the existing law would have to be changed to differentiate between large and small landlords and their interests. He asked that the legislation be withdrawn or, alternatively, tabled; said, otherwise, it would be challenged because it is discriminatory against tenants by not affording them the same representation rights as landlords. He briefly addressed various sections of the proposed ordinance, and said UMAAC was of the opinion that if the legislation expressed the direction the City was going to take, then COLTA might as well be abolished. Tenants' problems could then be dealt with by the county and the City saved staff time, money and energy. He said concern with the interests of big landlords was not in the interest of tenants, who comprise 68% of the City's population and should be considered. He said at a November 14 meeting with Neighborhoods Together, there was discussion of problems encountered in getting a written COLTA opinion on Case #TP-371 and elaborated on those, pointing out as well that it had been ascertained that COLTA commissioners were not being required to furnish financial disclosure statements and sign the oath in connection with the Ethics Ordinance; he said perhaps there were legitimate reasons, but to his knowledge, that situation had not yet been corrected. He asked that any additional commissioners appointed be required to adhere to those requirements. Mayor Del Giudice said he felt those issues should be taken up with the City Administrator, however, said they did not appear to be particularly relevant to the current topic. Mr. Wilson thanked Mr. Davidson for putting the matter into the record so that the discrepancies could be addressed. He said it was not clear to him at present who, outside of the Mayor and Council and appointed officials, would be required to sign the particular declarations mentioned. He said he had asked Housing staff to provide him with a copy of the declaration used for COLTA commissioners at an earlier point in time, however, said all they had produced was a half sheet of paper that really did not get into the requirements of the law. He asked that Mr. Davidson, or anyone else who sat on COLTA at an earlier time and might have copies of any declaration they signed, provide him with copies if possible. He said from his perusal of files, it appeared the signing of such documents had been a function of the City Clerk which had not been carried forward following the demise of the former City Clerk. Councilmember Williams commented that in the early days of COLTA, when he served thereon, they did sign a disclosure statement. He said to his

knowledge, there had never been a time when COLTA could not adequately function because of the shortage of a landlord representative. Councilmember Sharp remarked that COLTA had always been able to function, however, there might be some question of whether there was pressure related to absence of landlords on the body; said he had frequently felt there was a problem with not having landlords sitting on the commission.

Greg Hamilton, 7600 Maple Avenue, #807: said that, as one of the original proponents of the legislation and a person who had dealt with 8 separate COLTA cases, he felt the point was being missed -- that COLTA could not be stacked. He explained that tenants have responsibilities just as much as landlords; said a landlord has a responsibility to run a business, a tenant has the same responsibilities as a homeowner and could not put those responsibilities on someone else. He said it was the merit of the case, the way the case was put together, that carried weight with COLTA -- not the composition of the commission.

Councilmember Williams commented it was important to remember why COLTA was needed, why it was established; he said COLTA was put in place to ensure protection of tenants' rights, that it was a necessity because tenants did not and still do not have the leverage that a landlord has. He said without the backing of a government entity to ensure protection of tenants' rights, they would have nothing; he said he had experienced that situation in the City and would strongly oppose anything that would weaken COLTA's function. Councilmember Levy said she agreed with Mr. Williams that COLTA was a very important part of Housing Services; she said she was eager to hear COLTA's position on the proposed ordinance. Ms. Levy said one of the positive aspects of having a large building landlord on the commission would be that he could hear personally the problems tenants face. Additionally, she expressed agreement with Mr. Sharp's opinion expressed earlier that Sec. 5.(4)C. of the legislation was cumbersome and involved, would present problems in trying to make an objective judgment. She said she disagreed, too, with sections of the ordinance that said landlords were not adequately represented, in light of the resources those persons have at their command, including their legal and administrative resources. She proposed that if, indeed, there were problems with recruiting landlords to serve on COLTA, options in addition to advertising in the Newsletter might be considered. She said she did not see the necessity at present for the proposed legislation and was swayed by the tenants present who had spoken, particularly because they comprise a large portion of the City's population. Responding to earlier remarks by Mr. Davidson, Councilmember Sharp pointed out that tenants would get nowhere near the protection from Prince George's County's Landlord-Tenant Commission that they get from either Takoma Park or Montgomery County. He concurred with remarks made by Mr. Mitchell concerning the need to more actively pursue settling cases before they go to a COLTA hearing and said he understood efforts were being made in that direction.

Concerning recruitment of landlords through the Newsletter, Sam Abbott commented that since inception of the delivery system, there had been problems with large apartment buildings. He said building managers would not permit door-to-door delivery, but bulk placement near the mailboxes -- and the next morning they would be gone. Thus, it could not be assumed that the information contained in the Newsletter would get to everyone. Councilmember Levy noted a number of complaints that had been received from tenants concerning Newsletter delivery. Mr. Abbott remarked that when important issues were coming up, it would be necessary to have first class mailings in order to adequately notify those concerned rather than depending entirely on the Newsletter; however, efforts should be repeated to get building management to cooperate and permit door-to-door distribution of the Newsletter, and they should be asked to see that a copy gets forwarded to the landlord.

The ordinance was accepted for first reading, with Councilmembers Levy and Williams voting Nay, balance of Council voting Aye.

ORDINANCE #1987-
(attached)

5. Resolution In support of S.B. 638 concerning regulation of parachuting.
Councilmember Haney read the resolution and moved its passage, duly

seconded. As an editorial amendment, Councilmember d'Eustachio suggested insertion of a directive that copies be sent to all District 20 and 21 Senate and House members representing the City. Inasmuch as action could be taken on the bill within the week, the Mayor said every effort would be made to disseminate it without delay. The resolution was passed by unanimous vote.

RESOLUTION #1987-14
(attached)

6. Resolution of support for Senate Bills 628 and 629 concerning "Covering of Truck Loads."

It was noted that the subject bills were sponsored by Senator Ida Ruben. Councilmember Iddings moved passage of the resolution, duly seconded, carried unanimously.

RESOLUTION #1987-15
(attached)

7. Resolution of support for the "Call to Conscience" movement against racism and apartheid.

It was noted the resolution had initially been proposed by Wayne Upton. Councilmember Williams moved passage of the resolution, duly seconded by Councilmember Sharp, carried unanimously.

RESOLUTION #1987-16
(attached)

8. Reaffirmation of Resolution #1985-3.

Councilmember Iddings moved that the Council reaffirm the subject resolution which requested that smaller, quieter Ride-On buses be used in Montgomery County and, specifically, in Takoma Park, and that the resolution be directed to the attention of the appropriate county authorities. The motion was duly seconded and carried by unanimous vote.

RESOLUTION #1985-3
(attached)

Asst. City Administrator Habada noted receipt of a phone call by Councilmember Bradley, in her capacity with MML, from the County Executive's Office soliciting input from the City on an appointment to the Silver Spring Advisory Board. It was noted there was one applicant, however, additional applications were desirable, with the stipulation that the individual had to be a resident of Montgomery County.

Upon motion, duly seconded, the meeting adjourned at 11:31 P.M., to reconvene in regular session at 8:00 P.M. on March 23, 1987.

Introduced by: Councilmember Iddings

ORDINANCE NO. 1987- 8

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

- SECTION 1. THAT the City Administrator has determined that the City's current telecommunication capabilities are limited and it is in the City's interest to find a way to reduce monthly equipment leasing costs; AND
- SECTION 2. THAT in accordance with Section 8A-6(d) of the Nuclear Free Zone Act, it is the City's desire to phase out use of AT&T as the City's telephone vendor; AND
- SECTION 3. THAT a request for proposals was sent to nine telecommunications firms as well as BIDNET, a national procurement notification clearinghouse soliciting proposals by a due date of November 21st, 1986 which was subsequently extended by written notice to December 1, 1986; AND
- SECTION 4. THAT four proposals were received by 2:00 PM December 1, 1986 from:
- Harris Lanier
TELCOA
Squires
Northern Virginia Telephone Company; AND
- SECTION 5. THAT the proposal from Harris Lanier was determined to be ineligible in accordance with the Nuclear Free Zone Act and presentations were made by the remaining companies, TELCOA, Squires, Northern Virginia Telephone Company to City staff on telecommunications products offered by the respective companies.
- SECTION 6. THAT after consideration of all proposals, the product and price offered by Squires under a lease purchase arrangement is deemed to be most responsive to the City's telecommunication needs by virtue of product capability, price, company service operations and future expansion of technology.
- SECTION 7. THAT the proposal offered by Squires at a cost of \$ 33,642.00 is hereby accepted; AND
- SECTION 8. THEREFORE THAT the City Administrator is directed to obtain lease financing to cover the costs of the Squires system purchase agreement not to exceed a term of 5 years for said lease purchase.

Ayes: Councilmembers d'Eustachio, Haney, Iddings, Levy and Sharp

Nays: None

Abstentions: None Absent: Councilmembers Bradley and Williams

Adopted this 9th day of March, 1987

Drafted by Carl Iddings
Introduced by: Councilmember Iddings

Resolution 1987- 13

A RESOLUTION ACCEPTING THE REPORT OF THE THOMAS/SIEGLER DEVELOPMENT ADVISORY COMMITTEE AND SETTING A PUBLIC HEARING DATE TO DETERMINE THE USE OF THE SIEGLER PARK

WHEREAS, in June of 1985, the City of Takoma Park acquired title to the Thomas/Siegler property using Program Open Space as the source of acquisition funds; AND

WHEREAS, on January 13, 1986, the Mayor and Council of the City of Takoma Park by Resolution 1986-2 created the Thomas/Siegler Development Advisory Committee, charged the Committee with developing options and making recommendations for the development, financing, management, and maintenance of the park, and appointed members to the Committee; AND

WHEREAS, the Thomas/Siegler Development Advisory Committee has worked diligently during the past 15 months, addressing these and other issues related to the development of the Thomas/Siegler property; AND

WHEREAS, the Thomas/Siegler Committee Advisory Committee has prepared a report summarizing its activities and its recommendations for the development, financing, management, and maintenance of the Thomas/Siegler Park;

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

Section 1. The report of the Thomas/Siegler Development Advisory Committee is hereby accepted.

Section 2. The Mayor and Council order a public hearing to be held at its regular meeting of April 13, 1987, for the purpose of collecting public comment on the recommendations contained in the report of the Thomas/Siegler Development Advisory Committee.

Section 3. The Mayor and Council do hereby extend its appreciation to the members of the Committee for their work in preparing the report.

March 9, 1987.

Introduced by:
Paul d'Eustachio
Edward Sharp

1st Reading: 3-9-87
2nd Reading:

ORDINANCE NO. 1987-

A BILL CHANGING RESIDENCY REQUIREMENTS FOR LANDLORDS
ON THE COMMISSION ON LANDLORD-TENANT AFFAIRS

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

SECTION 1. THAT there is a need to insure that all groups are well-represented on the Commission on Landlord-Tenant Affairs; AND

SECTION 2. THAT there has historically been difficulty in finding landlords willing to serve on the Commission on Landlord-Tenant Affairs; AND

SECTION 3. THAT the Commission could benefit from having the perspective of landlords who own large rental properties in Takoma Park, but who live outside the City, brought to bear on Commission deliberations.

SECTION 4. THEREFORE the Mayor and Council hereby eliminate the requirement that landlord members serving on the Commission on Landlord-Tenant Affairs reside within the Takoma Park City limits, so long as they own rental property within the City; AND

SECTION 5. THAT Section 6-80.2(a) of the Article 7 of the Takoma Park Code be rescinded and re-enacted as follows:

(a) There is hereby established the Takoma Park Commission of Landlord-Tenant Affairs, hereinafter referred to as the Commission. The Commission shall consist of twelve (12) members to be appointed by the Mayor, subject to the approval of the City Council.

(1) Four (4) members shall be tenants and shall be residents of Takoma Park;

(2) four (4) shall be members of the public at large who are neither tenants nor landlords and shall be residents of Takoma Park;

(3) at least two (2) of said members shall be residents of Takoma Park and shall be landlords or shall represent landlords who own rental property within the City of Takoma Park;

(4) and no more than two (2) of said members may be non-residents of the City of Takoma Park, provided:

A. that such members shall own a controlling interest (51% or more) in a rental property with the City of Takoma Park; or

B. shall be engaged as their primary occupation in the management of rental property in the City of Takoma Park,

C. provided further however that no non-resident landlord representative may be appointed unless the Mayor and Council determine that large rental properties or buildings can not otherwise be adequately represented on the Commission.

RESOLUTION #1987-14

WHEREAS, in October 1985, a resident of Takoma Park, Sher Contractor, was killed in a parachuting accident in Ridgley, Maryland, because of several alleged equipment deficiencies; AND

WHEREAS, it has been reported that Maryland leads the nation in parachute-related fatalities; AND

WHEREAS, six other states license and regulate skydiving instruction and practices; AND

WHEREAS, Maryland Senate Bill No. 638 has been proposed to establish a State Board of Examiners of Parachute Instructors to license and regulate such activities.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of Takoma Park urge the Senate Economic and Environmental Affairs Committee to recommend this legislation to the full Senate and House of Delegates for passage.

Dated: March 9, 1987

Introduced by: Councilmember Iddings

Enacted: 3-9-87

RESOLUTION NO. 1987-15

A Resolution of Support for Senate Bills 628 and 629
Covering of Loose Truck Loads

WHEREAS, According to AAA Potomac, Maryland motorists and their insurance companies pay \$5.5 million annually for broken windshields caused by uncovered trucks--double what it would cost to cover every dump truck in Maryland; AND

WHEREAS, In 1985, nearly 28,000 Marylanders filed broken glass claims totaling \$5,555,808, which includes deductibles paid by motorists and losses paid by their insurers for glass breakage due only to road debris, most of which is dropped by uncovered trucks; AND

WHEREAS, Maryland State Police have estimated that at least 40 accidents a year are caused by debris falling from trucks; another 220-plus accidents are caused by windshields being shattered by debris kicked up from the road by other vehicles; AND

WHEREAS, Maryland State Police issued only 1,116 citations for loose loads last year while motorists sustained 28,000 broken windshields--illustrating the difficulty of enforcing the current law; AND

WHEREAS, Because of overriding costs, health and safety concerns, citizens wish to protect themselves from the dangers and costs incurred by debris falling from trucks.

NOW THEREFORE BE IT RESOLVED, That the Mayor and Council of the City of Takoma Park believe that Senate Bills Nos. 628 and 629 introduced by Senator Ida G. Ruben, effectively address the problems of uncovered trucks; AND

BE IT FURTHER RESOLVED, That the Mayor and Council recognize that this legislation is in the best interests of the Citizens of Maryland and urge its rapid passage into law.

Dated March 9, 1987

Introduced by: Councilmember Williams

Adopted: 3-9-87

RESOLUTION NO. 1987- 16

WHEREAS, in December 1984 and 1985, residents of Takoma Park supported the Free South Africa Movement by picketing and demonstrating at the South African Embassy and at other rallies and demonstrations; AND

WHEREAS, On September 9, 1985, the Mayor and Council adopted Resolution No. 1985-26, which resolved that: "the citizens of Takoma Park call for the government of the United States to prevent further private and public investments in South Africa, to prevent the export of weaponry, and of computer and other high technology hardware and software, to prevent the import and sale of Krugerands, and to end all forms of constructive engagement with South Africa until South Africa frees all political prisoners unconditionally including Nelson Mandela, and ends the opprobrious system of apartheid and elevates all human beings within their borders and the artificially created "Bantuland" reservations to free and equal status under law."; AND

WHEREAS, in 1986 Congress enacted economic sanctions against South Africa over the President's veto. Economic sanctions is the only way to pressure the P. W. Botha Regime; AND

WHEREAS, this year, 1987, apartheid still exists in South Africa and in Namibia. The white minority of about 16% controls and dominates the other 84% of the population; AND

WHEREAS, in 1987 many organizations are supporting A Call To Conscience - A Challenge To U.S. Foreign Policy In Southern Africa. The CTC Network is a coordinated effort for concerned people and organizations to unite against racism and apartheid in Southern African.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Takoma Park hereby endorses the C T C independent network and urges citizens to support the C T C.

March 9, 1987.

INTRODUCED BY: Councilmember Iddings

RESOLUTION NO. 1985-3

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

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

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

February 13, 1985

PLEASE NOTE THAT THE AGENDA ITEM TIMES INDICATED BELOW ARE SUGGESTED TIMEFRAMES.
ITEMS MAY BE TAKEN UP SOONER OR LATER THAN THE TIMES INDICATED,
BASED ON COUNCIL DELIBERATIONS.

CITY OF TAKOMA PARK, MARYLAND
Regular Meeting of the Mayor and Council
March 23, 1987
8:00 PM

AGENDA

- 8:00 CALL TO ORDER: Mayor Del Giudice
ROLL CALL: Councilmember Bradley
Councilmember d'Eustachio
Councilmember Haney
Councilmember Iddings
Councilmember Levy
Councilmember Sharp
Councilmember Williams
- 8:02 PLEDGE
8:05 ADOPTION OF MINUTES OF FEBRUARY 24, 1987 REGULAR COUNCIL MEETING
- 8:10 MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS
- 8:20 ADDITIONAL AGENDA ITEMS
- 8:30 CITIZENS' COMMENTS (those not directed at Items on Council Agenda)
- ADMINISTRATIVE REPORTS
- 9:00 (1) Resolution Appointing a City Engineer: Henry Gilford, of Gilford and Chase
Citizens comments
Council action
- 9:10 (2) Ordinance awarding contract to Jonathan Weiss for Management Audit of Public Works Repair Shop
Citizens comments
Council action
- 9:25 (3) First Reading of Proposed Ordinance: "Fiscal Year 1987 Budget Amendment No. 4" (Second Reading & Public Hearing scheduled for 4/13/87)
Citizens comments
First Reading
- 9:35 (4) Ordinance Approving Purchase of Three Facade Easements Under the Takoma Junction Facade Improvement Program: 7300-7308, 7316, 7334 Carroll Avenue [one reading required; budget-approved item]
Citizens comments
Council action
- 9:45 (5) Discussion of WSSC Legislation re Stormwater Management, House Bill 754 (MC/PG 26/87)
Citizens comments
Council discussion/action
- ADJOURN to Worksession

WORKSESSION AGENDA

- 10:00 (1) Discussion of proposed ordinance: "Changing Residency Requirements for Landlords on the Commission on Landlord-Tenant Affairs"
-

- REMINDERS: Monday, March 30, 1987 -- Council Worksession
Monday, April 6, 1987 -- Council Worksession
Monday, April 13, 1987 -- Regular Council Meeting & PUBLIC HEARINGS on FY 87 Budget Amendment #4 and The Final Report of the Thomas/Siegler Development Advisory Committee

THE CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
March 23, 1987

CITY OFFICIALS PRESENT:

| | |
|---------------------------|---------------------------------|
| Mayor Del Giudice | City Administrator Wilson |
| Councilmember Bradley | Asst. City Administrator Habada |
| Councilmember d'Eustachio | Deputy City Clerk Jewell |
| Councilmember Haney | |
| Councilmember Iddings | |
| Councilmember Sharp | |
| Councilmember Williams | |

ABSENT: Councilmember Levy

The Mayor and Council convened at 8:08 P.M. on March 23, 1987, in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland. For the record, the Mayor noted that Ms. Levy had contacted him to advise she would be unable to attend the meeting due to a family commitment. Following the pledge, he commented that the meeting was being videotaped and would be broadcast on Channel 24 on March 24 at 1:00 P.M.

Councilmember Haney moved approval of the Minutes of the February 24, 1987 Regular Council Meeting, duly seconded by Councilmember Bradley, carried unanimously.

Mayor Del Giudice presented and read a resolution congratulating CASA de Maryland on their second anniversary and expressing support for the efforts of the organization. Councilmember Bradley moved its passage, duly seconded by Councilmember Sharp, carried unanimously.

RESOLUTION #1987-18
(attached)

Councilmember Bradley remarked that CASA had been of assistance to a number of residents of her ward; said she was pleased to see the Council's expression of support. The Mayor reminded of the celebration that would be upcoming on March 28 at the Takoma Park Presbyterian Church and encouraged those who could to attend.

Mayor Del Giudice related that during the past week in Annapolis, the Prince George's Delegation addressed the unification bill and decided to establish a summer study of the unification question, particularly the proposed land deal discussed by the Mayor and various delegates and given attention in some newspapers. He said there was some question whether the WSSC legislation would have an impact on the summer study and the unification bill, and that would be addressed at a later point in the meeting under the agenda item relating to the WSSC legislation. He said that legislation was presently before the Montgomery County Bi-County Committee, and they had heard testimony from the County Executives of both Montgomery and Prince George's Counties, were now looking for some further direction from Takoma Park on the bill. Councilmember Bradley remarked that there was a summer study done on the unification bill 3-4 years prior and she hoped if another was done that it would be more fruitful; in terms of makeup of the study committee, she inquired whether the City would be allowed to designate representatives. The Mayor commented that the subject was yet to be discussed and an agenda and committee composition decided upon. Ms. Bradley remarked she would hope the Council would have input prior to decisions being made because that could be all important. Councilmember Iddings commented that news media coverage of the covered truck bill mentioned adoption of a new procedure by the House of Delegates in regard to perennial bills which would require that legislation previously introduced and killed go to the Rules and Administration Committee with evidence of new information or changes which could affect its success; he inquired whether the unification bill would be subject to that new rule. Mayor Del Giudice said he was uncertain, would have to find out.

Councilmember Williams addressed a letter which had been received from a citizen concerning an incident and arrest that occurred on March 18 in front of the delicatessen on Maple Avenue. He said he had received conflicting information from various persons about the incident, however, said a peer of the offender had stated that the police had more than adequate reason to arrest the individual and had taken substantial abuse

prior to effecting the arrest. He said he had heard from only one person who was highly upset about the conduct of the police and who could possibly be the author of the aforesaid letter, however, others totally contradicted that person's perceptions of the incident and felt that the officer who made the arrest should be commended. Mr. Williams said he would tend to agree with the majority concerning the incident, and would want to commend the police department for their performance. The Mayor said the author had requested that the letter be published in the Newsletter, however, the editor had advised that would not be possible because the communication was unsigned and Newsletter policy prohibited publication of anonymous letters; if the author wished the letter published, he would encourage the individual to contact Reid Baron and sign it. Following brief discussion, Councilmember Bradley commented that perhaps a reminder should be published in the Newsletter of the fact that a formal procedure existed for the filing of complaints regarding police conduct and those channels should be utilized.

Councilmember Sharp remarked on having noticed construction occurring on Carroll Avenue in Old Town that appeared to possibly be initial work on the traffic signal installation. The Mayor reminded that State Highway had agreed in November to postpone the signalization work until March 1; he said he had anticipated it might be delayed past that time due to inclement weather, however, it might be State Highway was beginning that work. He said Daniel Neal was to be notified prior to the work commencing, and it should be ascertained whether that had occurred. Additionally, he said the area merchants should be notified when work was going to begin.

Mayor Del Giudice related that on March 25, Superintendent Murphy of Prince George's County Schools would be speaking with the community at Carole Highlands School concerning the possibility of a county-operated after school day care program; he encouraged those interested to attend the meeting. Councilmember Iddings commented that perhaps the Council should aggressively pursue and support establishment of such a program at that facility inasmuch as it was the primary elementary school serving the Prince George's portion of the City. Councilmember Sharp commented that a committee had been formed by the citizens' association in that ward, along with other residents of wards 6 and 7 and the P.T.A., to pursue a number of issues, including the subject day care program. He said one of the members of the citizens' association was a member of the County Taskforce on after school day care. He said he thought it would be helpful for the Council to adopt and convey a position on the matter. The Mayor remarked that there were at least 5 citizens' associations involved in the issue and that he felt sure they would welcome any support the Mayor and Council would give in the form of a resolution; he commented he had personally been working with the group.

ITEMS FOR COUNCIL ACTION:

1. Resolution appointing a City Engineer; Henry Gilford, of Gilford and Chase.

Councilmember Iddings moved passage of the resolution, duly seconded by Councilmember Bradley. Ms. Habada, responding to Mr. Iddings, explained that Mr. Gilford had been on an annual contract basis with the City up to the present, had not been formally appointed. Councilmember Iddings commented he would support the appointment, that Mr. Gilford's firm had provided the City with good service at an equitable price. Councilmember Bradley commented favorably on the service provided her ward by Mr. Gilford, and the competent manner in which it was provided. The resolution was passed by unanimous vote.

RESOLUTION #1987-17
(attached)

2. First Reading of ordinance awarding contract to Jonathan Weiss for Management Audit of Public Works Repair Shop.

Councilmember Bradley moved acceptance of the ordinance for first reading, duly seconded by Councilmember Iddings. Councilmember d'Eustachio expressed concern that perhaps the Council was proceeding with this matter more quickly than was necessary, and that perhaps similar services could be obtained through Columbia Union College without incurring cost to the City. Councilmember Sharp commented that he shared Mr. d'Eustachio's views; said he did not question the quality of Mr. Weiss' work, but felt the cost was prohibitive. Councilmember Bradley expressed support for the ordinance; said serious questions had been raised about the repair shop and its

operation and capabilities; Mr. Weiss' services had been recommended by an agency dealing with similar activity whom he had served. Councilmember Haney commented that his initial opinion had been not to have any city resident involved in such an audit, however, Mr. Weiss came highly recommended for his work with the Montgomery County Department of Transportation; thus, he said in order to expedite the work, he would support the City Administrator's request that the contract be authorized. In terms of Mr. d'Eustachio's remarks, he said perhaps there would be merit in contacting Columbia Union College to see if they would be interested in completing an audit of the remaining entire public works facilities as a public service. He said he would be voting in support of the ordinance. Councilmember Sharp remarked on the cost of the proposed audit and said it should be scrutinized carefully in light of what Mr. Weiss would be providing. Councilmember Bradley concurred with comments by Mr. Sharp that contract provisions should be very specific; she said if what Mr. Weiss would be doing was questioning staff and providing a report, then it was unfortunate staff could not accomplish that without outside assistance if all the staff were pulling their weight. Councilmember Iddings said he thought it had to be remembered that less than a month prior, the Public Works Director had spoken before the Council concerning the "cloud" over that department's maintenance facility and the fact that he would welcome an independent management audit. Mr. Iddings said there appeared to be significant problems in the way that division had been managed and it would be worthwhile to get an independent audit to determine if the maintenance facility was being run in a competent manner and if competent management techniques were in place to guarantee that work performed was good and that repairs had been made safely. He commented favorably on Mr. Weiss' credentials in his field, and said he felt it would be imprudent to wait until something could be gotten for nothing due to the nature of the issue. He agreed that the Council's expectations should be set forth very clearly. Mr. d'Eustachio remarked that he did not intend to question either Mr. Weiss' qualifications or the need for the assessment of the department, however, did feel the cost and whether the same services could be provided at much less cost should be examined, as well as how much haste was necessary. The ordinance was accepted for first reading by majority vote. Responding to Councilmember Haney, the Mayor said if the Council decided to proceed by utilizing Mr. Weiss' services, perhaps his results should be obtained and assessed prior to making a decision whether to proceed with a management audit of other divisions within the public works department. Councilmember Bradley remarked that if that should occur, other options should also be examined, such as putting out an RFP for the services required.

ORDINANCE #1987-
(attached)

3. First Reading of an ordinance amending the FY-1987 Budget, Budget Amendment No. 4.

Ms. Habada noted an editorial amendment to Sec. C under "Revenue Amendments;" the word "by" should read to. Councilmember Bradley moved acceptance for first reading, duly seconded by Councilmember Haney. Councilmember Sharp noted a need to examine in Executive Session the amendment in Sec. (2) under "Expenditure Amendments" concerning a transfer of funds being made to cover unemployment compensation costs. Additionally, he remarked he had thought the City's share of the joint WSSC-City Maple Avenue Storm Drain Project, Sec. C(5), was going to amount to considerably less than the \$6,000 stated. Ms. Habada explained that under WSSC's rules, they only undertake storm drain repairs when a street project is going on, so the City had to, in effect, appeal to them on the basis of the need for curb and gutter work -- which the City would be doing. She remarked that WAH did not respond to the City's suggestion that they share in the cost of the project. Councilmember Bradley commented that after work was underway, it was found a water line had to be moved, and it was to Mr. Neal's and Ms. Habada's credit that they were able to persuade WSSC to proceed with the work despite the cost being considerably more than originally anticipated. In response to query from Councilmember Haney, Ms. Habada explained that the \$12,000 in item C.(4) covered up to \$3,000 for the public works repair shop management audit, as well as additional monies owed Selig Associates for rewriting of position descriptions and review of all clerical positions in light of concerns expressed relating to proposed title changes; she affirmed that charges for teaching a course in Cecil County and work on the pay plan were also included. It was suggested those charges be specifically broken down prior to second reading of the ordinance. Ms. Habada noted

a portion of the funds were for an upcoming course to be conducted on Collective Bargaining by an instructor from American University. The ordinance was accepted for first reading by unanimous vote.

ORDINANCE #1987-
(attached)

4. Ordinance approving purchase of three facade easements under the Takoma Junction Facade Improvement Program.

Councilmember Iddings moved adoption of the ordinance, duly seconded by Councilmember Bradley. For the record, Mr. Iddings noted these were the first payments to be made under the program. Following brief dialogue, the ordinance was adopted by roll call vote as follows: AYE: Councilmembers Bradley, d'Eustachio, Haney, Iddings, Sharp and Williams; NAY: None; ABSTAINED: None; ABSENT: Councilmember Levy.

ORDINANCE #1987-9
(attached)

5. Discussion of WSSC legislation re Stormwater Management, House Bill 754 (MC/PG 26/87).

The Mayor, as he had stated earlier, said the bill was currently before the Montgomery County Bi-County Committee and would soon be going to the full Montgomery County Delegation -- probably within the week. He said the committee had received input from Takoma Park and both counties. The City had expressed concern with the legislation and the fact that it would create a potential hardship because of the need to deal with two different county agencies, whereas in the past it had dealt only with WSSC. He said while the City had not been totally happy with WSSC's treatment of stormwater management and the situation might present an opportunity for better service, it could also present a hardship in dealing with two separate entities. He noted Sligo Creek runs through the City and lies within the two different counties. The Mayor commented that County Executive Glendening was very desirous of moving the bill forward; an amendment had been proposed that would leave Takoma Park out of the bill and allow the City to contract with both counties or either county for provision of service, and clarification could be made over the summer. He remarked that the Bi-County Committee was seeking direction on how the City would wish to proceed.

Councilmember d'Eustachio, who had represented the City at the last Bi-County Committee hearing on the issue, stated he had also had several discussions with people in Annapolis subsequent to his testimony at the hearing. He said the Council should understand that Prince George's County desperately wanted passage of the legislation; Senator Hart had indicated a willingness to make concessions to the City within the scope of the bill that would allow the bill to go forward. Mr. d'Eustachio said he foresaw trouble with all the possible options, however. He said he thought the Bi-County Committee would see the problems the City would face with an alternative that split the City and would not support any such option, and in fact, would kill it. He said he thought they would also reject an option that would put the City entirely under Montgomery County, because there would be major fiscal implications. He said he did not think it would be feasible for the City to go entirely with Prince George's County either -- one major problem would be the fact the tax rate in that county was \$.135/\$100 assessed value vs. \$.06/\$100 in Montgomery County. The only marginally acceptable option appeared to be for the City to remain under WSSC; however, Takoma Park would then be the only remaining municipality in the entire suburban Maryland area served by WSSC, which could likely affect the quality of service and level of concern. Prince George's County will be contracting with WSSC to provide stormwater management services and that would be allright over the short term future if Prince George's County could promise the City another solution would be forthcoming within a year or two; however, he said he did not think the county could make such a promise. He commented unfavorably on service provided by WSSC, including their lack of responsiveness, and said there was need for in-depth examination of the problem and options, noting the City could, of course, assume responsibility for their own stormwater management, but thought that carried a number of pitfalls and would not be particularly feasible.

The Mayor commented he felt it to be particularly noteworthy that County Executive Kramer had taken a position against the bill. Mr. d'Eustachio

interjected that he had gotten word earlier in the day that if Takoma Park opted to go with WSSC, Montgomery County would then essentially wash its hands of the problem and take no position on the bill as it would not then be involved. The Mayor said the reason County Executive Kramer had opposed the bill was because it would put Montgomery County in a position of being responsible for stormwater management in the Montgomery County portion of Takoma Park, and that would involve a tremendous unknown cost, particularly in light of the City's ancient storm drain system and cost for possible retrofitting. He said he had suggested to members of the delegation that the subject was in need of serious summer study before any reasonable decision could be made. Mayor Del Giudice said he did not think County Executive Glendening had taken into consideration the serious problems that would be created for Takoma Park when the bill was being put together, nor had much assistance been offered to date in addressing those problems. He said he could not make any recommendation on the issue without more concrete information and discussion, which neither WSSC nor Prince George's County had provided to date. From the City's point of view, he said it might be most favorable if the bill did not move forward for another year. Councilmember Iddings remarked that strikingly absent from Senator Hart's testimony before the Bi-County Committee was any mention of allowing a vote on unification as an option for handling the Takoma Park issue. He suggested that perhaps stormwater management could be used as leverage for unification. The Mayor commented the Montgomery County Delegation might not be willing, as he had mentioned earlier, to accept possible responsibility for stormwater management in Takoma Park and the unknown amount of money that could be involved at some point, as a bargaining factor for unification. Councilmember Bradley commented on the lack of empathy for the City's predicament on the part of Prince George's County officials, which she said was typical; she spoke in support of the bill being delayed for summer study. During ensuing discussion, Councilmember d'Eustachio commented that, philosophically, the whole stormwater management issue should not be broken down by political boundaries but examined on an area-wide regional basis taking into consideration the nature of the watershed. Councilmember Sharp remarked that implications in Senator Hart's memorandum that glossed over assumption of any major financial risk by Montgomery County if they assumed responsibility for Takoma Park's stormwater management were little short of ridiculous. Mr. d'Eustachio commented that delegates were well aware of the potential financial impact. Councilmember Iddings inquired whether representatives from Prince George's County had been informed of the stormwater management issue being an agenda item at the present meeting; response was in the negative. He said he felt the City's position should be that they would want to see the bill killed, however, if the recommendation were that it go to summer study, that would be supportable.

Councilmember Haney suggested that a position not be taken in support of killing the bill; he said he felt the larger discussion that prompted the bill was being lost sight of, i.e., the inadequacies in all the stormwater management systems in the state that feed into the Chesapeake Bay. He said he would prefer that the City take a position supporting summer study of the bill, with a proviso that Prince George's County provide options for the City with details of the costs that would be involved for citizens. He said there was no reason unification could not be a part of those discussions as well. Councilmember Iddings commented that the bill could be viewed as a developmental, rather than environmental, issue; he elaborated on that concept and his rationale. The Mayor recapped the various points raised by members of the Council and concluded by reiterating that there were presently too many unanswered questions for him to personally recommend anything other than a summer study of the issue. Councilmember Bradley noted the need for the Mayor and Council to address some of the issues in relation to the City and what benefits could be gained by having more local control. Councilmember Bradley moved that the City convey a position that it does not support House Bill 754, but would support a summer study of the issue; the motion was duly seconded by Councilmember d'Eustachio, and carried by unanimous vote.

Upon motion, duly seconded, the meeting adjourned at 9:40 P.M., to reconvene in Executive Session, followed by a worksession. The Mayor and Council will reconvene in regular session at 8:00 P.M. on April 13, 1987.

RESOLUTION NO. 1987-18

WHEREAS, the Central American Solidarity and Assistance of Maryland, more commonly referred to as "CASA de Maryland", will be celebrating the Second Anniversary of its establishment on March 28, 1987; AND

WHEREAS, CASA de Maryland is a non-profit, humanitarian organization which serves suburban Maryland, where an estimated 20,000 Central American refugees have located, by providing direct assistance in the areas of food, furniture and clothing, housing, employment, legal, health/mental health, English language development and advocacy; AND

WHEREAS, in an effort to promote peace and social justice for Central American refugees living in our community, CASA de Maryland has provided basic services to close to 1,000 refugee families, promoted self-sufficiency in the refugee community, educated the North American and Central American communities as to the reality of the situation in Central America, and encouraged interaction between the two communities; AND

WHEREAS, an on-going priority of CASA de Maryland is the education of the Central American refugee community, and in trying to promote this education, CASA welcomes and encourages the participation of volunteers to assist in several areas of the education process; AND

WHEREAS, in October 1985, the Mayor and Council, as a gesture of solidarity with the people of Central America, adopted a resolution and ordinance declaring the City of Takoma Park a sanctuary city for Salvadoran and Guatemalan refugees; AND

WHEREAS, the Mayor and Council, as well as the citizens of Takoma Park, heartily support and encourage the endeavors of CASA de Maryland.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Takoma Park, Maryland, do hereby declare Saturday, March 28, 1987 as

CASA de Maryland Day

in the City of Takoma Park; AND

BE IT FURTHER RESOLVED THAT the Mayor and Council offer their congratulations on CASA's Second Anniversary and encourage the citizens to participate in the Second Anniversary Celebration to be held on March 28th at CASA's headquarters in the Takoma Park Presbyterian Church.

Adopted this 23rd day of March, 1987.

Introduced by: Councilmember Iddings

Adopted: 3-23-87

RESOLUTION NO. 1987- 17

WHEREAS, Mr. L. Henry Gilford of Gilford and Chase, Incorporated was selected through a bid process in 1984 and awarded a contract to provide professional engineering services for CDBG Project Number CD 8501; AND

WHEREAS, Mr. L. Henry Gilford of Gilford & Chase, Incorporated has continued to provide engineering services to the City since 1985 on annual contracts or by administrative referrals on projects under \$1,000; AND

WHEREAS, Mr. Gilford is currently providing engineering services on the jointly funded City - WSSC Maple Avenue Storm drainage project; AND

WHEREAS, the City has need for engineering technical assistance from time-to-time;

NOW THEREFORE BE IT RESOLVED THAT the City Council accept the recommendation of City staff to appoint Mr. L. Henry Gilford of Gilford & Chase, Incorporated as City Engineer for a period not to exceed two years; AND

BE IT FURTHER RESOLVED THAT the City Council hereby direct the City Administrator to negotiate and execute a two-year contract with Mr. L. Henry Gilford of Gilford & Chase to provide engineering services at costs not exceeding annual budget appropriations or as amended.

Adopted this 23rd day of March, 1987

Introduced by:

Adopted:

ORDINANCE NO. 1987-

AN ORDINANCE TO HIRE JONATHAN WEISS AS MANAGEMENT AUDIT CONSULTANT FOR PUBLIC WORKS REPAIR SHOP

SECTION 1. THAT a proposal from Jonathan Weiss, a copy of which is attached hereto as EXHIBIT A, for professional services in conducting a management audit of the Public Works Repair Shop is hereby accepted; AND

SECTION 2. THAT the fee for the management audit is set at \$_____ (amount spelled out), to be appropriated from Account 535, Administration Subcontracts; AND

SECTION 3. THAT the City Administrator is hereby authorized to enter into a contract with Jonathan Weiss to provide the professional services as outlined in EXHIBIT A, provided that he file, with the City, the affidavit required by the City's Nuclear-Free Zone Act.

Attachment: EXHIBIT A, Proposal and Contract as prepared by Jonathan Weiss.

ITEM # 3
(3/23 Council Mtg.)

Ordinance: Amending FY 1987 City Budget - Budget Amendment No. 4

Introduced by:

1st Reading: 3-23-87
2nd Reading:

ORDINANCE NO. 1986-
FY 1987 BUDGET AMENDMENT NO. 4

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

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

REVENUE AMENDMENTS

- A. A Revenue budget line item 476, Loan Receipts, is created for receipt of bank loans, lease financing proceeds, with an appropriation of \$34,000.
- B. Special Revenue Budget: A revenue line item 3005.000, Montgomery County Cable Grant, is created with an appropriation of \$14,000.
- C. Increase appropriation of Account 474, Miscellaneous - Other, to \$10,218.

EXPENDITURE AMENDMENTS

- A. Increase appropriation of Account # 995, Capital Expenditures, as follows:
 - (1) by \$34,000 to cover purchase of telecommunications system;
 - (2) by \$8,366 to account for police cruiser replacement.
- B. Transfer \$3,105 from Account #980, Fire Service, to Account #965, Principal Payment - Canon Copier.
- C. Transfer \$29,831 from Account # 991, General Contingency, to the following accounts:
 - (1) \$2,831 to Account # 997, Pay Dispute Settlement;
 - (2) \$3,000 to Account # 702, Housing Services - Fringe Benefits, to cover unemployment compensation costs;
 - (3) \$6,000 to Account # 992, Training;
 - (4) \$12,000 to Account # 535, Contracts, to cover professional service project overruns and the costs of a management audit contract of the Public Works Repair Shop;
 - (5) \$6,000 to Account # 995, Capital Expenditures, to cover City share of the Joint WSSC-City Maple Avenue Storm Drain Project.
- D. Special Revenue Budget: An expenditure line item, 3600.000, Cable Equipment, is created with an appropriation of \$14,000.
- E. Transfer \$4,000 from Account # 830, Public Works, Government Buildings - Salaries, to Account # 840, Capital Outlay - Equipment, for the purchase of tools for the Government Building Division.
- F. Transfer \$3,000 from Account # 858, Public Works, Repair Shop - Gas, Oil, Grease, to Account # 876, Public Works, Parks - Overtime.

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

Upon motion by _____, duly seconded by _____, the ordinance was adopted by roll call vote as follows:

AYE:
NAY:
ABSTAIN:
ABSENT:

INTRODUCED BY: Councilmember Iddings

1st Reading: 23 March 1987
2nd Reading: Budgeted Item;
only one reading
required.

Ordinance No. 1987-9

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF FACADE EASEMENTS UNDER THE TAKOMA JUNCTION FACADE IMPROVEMENT PROGRAM.

WHEREAS, the City has established the Takoma Junction Facade Improvement Program ("the Program") whereby property owners can obtain financial assistance for certain facade improvements through the purchase of facade easements by the City for 20% of the cost of the improvements made, up to a maximum of \$2,000.00 per facade; AND

WHEREAS, the property owners referred to herein have agreed to participate in the Program and have complied with the program's requirements, thereby entitling them to the financial assistance available to them under the Program through the sale of facade easements to the City; AND

WHEREAS, funds for the purchase of these facades under the Program have been obtained from the federal Community Development Block Grant (CDBG) Program for this specific purpose and are allocated fro this purpose in the City's FY1986-87 Budget;

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

SECTION 1. THAT the City Administrator is hereby authorized to purchase on behalf of the City facade easements from the following property owners for the properties and amounts specified below:

| <u>Property Owner</u> | <u>Property Address</u> | <u>Amount of Facade Easement Purchase</u> |
|--------------------------------|--------------------------|---|
| Mr. Thomas L. Oliff | 7300-7308 Carroll Avenue | \$10,000.00 |
| Mr. John & Ms. Suzanne Fleming | 7334 Carroll Avenue | \$ 2,000.00 |
| Mr. Carlos & Ms. Angela Diaz | 7316-7318 Carroll Avenue | \$ 740.00 |

SECTION 2. THAT funds for the purchase of these facade easements be expended from Special Revenue Fund Account No. 3500.402.

Adopted this 23rd day of March, 1987.

PLEASE NOTE THAT THE AGENDA ITEM TIMES INDICATED BELOW ARE SUGGESTED TIMEFRAMES.
ITEMS MAY BE TAKEN UP SOONER OR LATER THAN THE TIMES INDICATED,
BASED ON COUNCIL DELIBERATIONS.

CITY OF TAKOMA PARK, MARYLAND
Public Hearings on FY 1987 Budget Amendment No. 4 and Final Report of the Thomas/
Siegler Development Advisory Committee and Regular Meeting of the Mayor and Council
April 13, 1987

AGENDA

- 8:00 CALL TO ORDER: Mayor Del Giudice
ROLL CALL: Councilmember Bradley
Councilmember d'Eustachio
Councilmember Haney
Councilmember Iddings
Councilmember Levy
Councilmember Sharp
Councilmember Williams
- 8:02 PLEDGE
- 8:05 ADOPTION OF MINUTES OF MARCH 5 PUBLIC HEARING, AND MARCH 9 AND 23, 1987 REGULAR COUNCIL MEETINGS
- 8:10 MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS
- 8:20 ADDITIONAL AGENDA ITEMS
- 8:30 CITIZENS' COMMENTS (those not directed at items on Council Agenda)
- PUBLIC HEARINGS
- 9:00 (1) Presentation of The Thomas/Siegler Development Committee Report
Proposed Resolution Accepting Committee Report/Recommendations
- 9:55 (2) Second Reading of Proposed Ordinance: "Fiscal Year 1987 Budget Amendment
No. 4"
- ADMINISTRATIVE REPORTS
- 10:00 (1) Resolution confirming appointment of Virginia Field as Chair of Cable
Board
Citizens comments
Council action
- 10:05 (2) Second Reading of an ordinance awarding contract to Jonathon Weiss for
Management Audit of Public Works Repair Shop
Citizens comments
Council action
- 10:20 (3) Second Reading of a Proposed Ordinance: "Changing Residency Requirements
for Landlords on the Commission on Landlord-Tenant Affairs"
Citizens comments
Council action
- 10:45 (4) First Reading of an ordinance "Placing Parking Meters on Takoma Avenue"
and "Administrative Procedures and Ordinance Modification re Parking
Meters"
Citizens comments
First Reading
- 11:00 (5) First Reading of a proposed ordinance: "Abandonment of City Streets"
Citizens comments
First Reading
- 11:10 (6) First Reading of an Ordinance: "Authority of School Crossing Guards"
Citizens comments
First Reading
- 11:20 (7) First Reading of an Ordinance: "SOVRAN Lease-Purchase Agreement"
Citizens comments
First Reading
- 11:30 ADJOURN
-

- REMINDERS: WEDNESDAY, April 15, 7:30 PM -- BUDGET PUBLIC HEARINGS for Police and
Housing Departments
Monday, April 20, 7:30 PM -- Council Worksession
THURSDAY, April 23, 7:30 PM -- BUDGET PUBLIC HEARINGS for Public Works,
Library and Recreation Departments
PUBLIC HEARING-SHERMAN AVE. SPEED HUMPS
and Regular Council Meeting
WEDNESDAY, April 29, 7:30 PM -- BUDGET PUBLIC HEARINGS for Administra-
tion, Special Revenue, Capital
Improvements, Revenue Sharing Fund, and
Constant Yield Tax Rate
WEDNESDAY, April 29, 7:30 PM -- Presentation on Fetal Alcohol Syndrome,
Second Floor