

CITY OF TAKOMA PARK, MARYLAND

Budget Public Hearing on FY 1991 Budget

Tuesday, May 1, 1990

CITY OFFICIALS PRESENT:

Mayor Del Giudice	City Administrator Wilson
Councilmember Douglas	Ass't. City Admin. Habada
Councilmember Elrich	Acting City Clerk Jewell
Councilmember Hamilton	Police Chief Fisher
Councilmember Leary	Deputy Chief Wortman
Councilmember Moore	Cable Coordinator Smith
Councilmember Prensky	
Councilmember Sharp	

The public hearing was called to order by Mayor Del Giudice at 7:39 PM, who stated that the purpose of the evening's meeting was to allow public testimony on the FY'91 proposed budget. Mayor Del Giudice noted that the Council had worksessions scheduled for May 3, May 10, and May 15, and said that he hoped that a final budget would be prepared for first reading by May 29 and at the first regular meeting, June 11, 1990. He noted that copies of the budget and the Executive Summary were available that night and encouraged people to sign the sign-in sheets if they wished to comment.

Michael Sosani, 7907 Takoma Avenue Mr. Sosani introduced himself as vice-chair of the Cable Committee. He said the Cable Committee had their first meeting on March 2, 1990. The structure of operation has since changed, he said, and he directed members of the Council to an explanatory yellow booklet. The municipal operation of the cable has been separated from the community side. The Cable Board operates the community side for programming, the bulletin board, training classes, fundraising, program production, and lately they have instituted a new bulletin board for both sides of the operation. The bulletin board can be used for conveying information and generating revenues. Mr. Sosani said that the four areas of revenue were advertising, training, membership, dubbing, and grants. He mentioned that there had been a tremendous increase in the amount of community involvement. Mayor Del Giudice invited Mr. Sosani to join the Council in some of their budget deliberations involving the Cable Board.

Edgar Adjahoe, 8201 Roanoke Avenue introduced himself as the secretary-treasurer of the Cable Board. He specifically addressed their desire to increase membership, and directed the Council to page 15 of the yellow booklet. He mentioned moneys raised from fundraising efforts, i.e., the sale of tee-shirts, jackets, and eventually, bags and membership fees. He said that sales of tapes from dubbing had been very successful, such as for the Takoma Park Symphony Orchestra, and they had also received money from video training classes. The Cable Board would also like to find sponsors. As for "in-kind" services, he estimated that close to 4,000 hours of in-kind service, which was not being paid for, were being logged by Cable Board representatives: dubbing, tape review, etc. He said they needed staff training. The budget of the Cable Board, from now until December, is \$12,855. In-kind services alone adds up to nearly \$80,000, a conservative estimate.

Mayor Del Giudice requested that these questions from the Cable Board be addressed at the Council's budget worksessions rather than at this time. Mr. Adjahoe asked that the Council note that certain franchised money came from Montgomery County which meant that their budget was reduced. He was concerned about the Cable Board's ability to operate on reduced funds, specifically \$6,000 which is

what was left when salary amounts were removed from the budget base of \$50,000. The Mayor said there had been no decision to cut the budget at this point.

Mary Ellen Koenig, 7420 Holly Avenue, Co-President of Takoma Park Elementary School PTA thanked the Council for erecting the fence quickly along Philadelphia Avenue, on behalf of parents and the school. She said she was here tonight to ask for program/open space funds to improve New Hodges Field behind the elementary school. So far, as of this Spring, new playground equipment and benches have been bought and installed. The next phase calls for upgrading the landscaping area, including nature study areas. The PTA has already received a small amount from the Takoma Foundation, matched by the PTA, for bird feeders and weather observation equipment. A master plan for the area has been drawn up, including shade trees, a butterfly garden, etc., which is within the \$20,000 maximum the PTA may apply for. She noted that all children, as well as the ones at the elementary school, would benefit. She asked the Council to allow the PTA to work with City staff for funding and implementation.

Mayor Del Giudice asked Ms. Koenig if the County had committed any funds, and she responded that the County had put in money when the playground was first built, but there was no additional money.

Valerie VinCola, AFSCME Local 3399 said that she felt incumbent to address the council as a union employee and to bring to their attention details of the City work place. She said that one laser printer services seven computer terminals, and a variety of letterheads, fonts, and paper sizes. She mentioned a number of stresses placed on the system, including the fact that more than seven people use the terminals, and said that deadlines and large mailings made the system more frustrating and confusing. Ms. VinCola said that she felt the proposal linking the Recreation Department's Macintosh to the IBM system in the Administrative Office was faulty. She encouraged the Council to review carefully those items pertaining to the Administration Office employees for their ease of implementation and practicality.

Karen Mitchell, 7600 Maple Avenue, President of AFSCME Local 3399 mentioned some special concerns of the Union. She said the Union wholeheartedly supported the upgrade of the dispatcher's salary, which addressed the discrepancy in salaries from other area dispatchers, and the creation of a senior dispatcher position, which somewhat brings the contract between the City and union into compliance. She mentioned that male officers could take showers at the end of their shifts, but that females could not, nor did they have a private restroom available to them as the men do. The situation also exists in Public Works, she noted. She then spoke of the need for computer radiation screens, despite conflicting data as to the radiation given off by the screens. Mrs. Mitchell said that employee salaries would be dealt with next year and noted that merit increases were not automatic; some employees received them once every two years (rather than one). She invited the Councilmembers to visit each department and see for themselves the needs of the City employees.

Jeff Zellmer, Takoma-Langley Crossroads Development explained that this commercial area was the largest in the City limits, and probably the largest commercial tax base. He said that the CDA wanted a police officer to patrol their area, and that the merchants had done a lot already to lessen crime in that area, but needed more help from the City.

Scott Lieber, Businessman, 1157 University Blvd. said that the increased foot patrol by police in that area has really helped, and he appreciated it and any continuing efforts along those lines.

Rebecca Metzger, Site Manager for 7611 Maple Avenue and Edinburgh House said that she had worked closely with the police department in helping prevent crime and drug problems and that this had made a difference.

Karen Fishman, 7103 Cedar Avenue stated that she supported the proposal to hire part-time parking enforcers, rather than have the police do parking enforcement.

(The Mayor then called for several members of the D.C. Dance Group who had signed up to speak, but was informed that the group had just left.)

Erwin Mack, President of Commercial District Authority commented in support of having additional funds put in the budget for additional police enforcement.

Michael S. Bunch, Cable T.V. stated that more members would be speaking at the worksession as appropriate and he submitted several written reports for the record. He said at this point nothing is preventing the Cable Board from raising funds; it can be done, and he hoped the City would assist this effort.

Kevin Huisa testified in support of the Cable program.

Tom Howell, Instructor gave a short synopsis of several Cable classes he teaches and mentioned a textbook that he had written for the Cable training program.

Gary Lovett spoke in support of the Cable program.

Laurie and Tom Braswell both spoke in support the the program.

John Mitten Jr., 501 Philadelphia Avenue spoke about the budget article in the Newsletter regarding the lowering of taxes by 7 cents. No where, he said, did the article discuss the increase in assessments on taxes to be paid by property owners. He argued that because of the increased assessment, property owners would actually be paying higher taxes; the reduction amounted to 3.8% of the current rate, but assessments have risen higher than that. He wanted to know how the tax rate compared to other Maryland jurisdictions and why that information wasn't included in the Newsletter. He questioned the value of services provided by the municipal government, and wanted the County Council to determine whether city services overlapped county services. He felt the actual debate centered not on whether the city should be in one county, but whether city control should be dissolved and control returned to the County.

Mary Jacobs, Resident, Ward 4 submitted written testimony in support of the Cable program.

Paul Kemp, Resident and Attorney spoke in support of the Police Department's budget. He said that compared to other municipalities, the Takoma Park police department was highly professional, both in their investigative abilities and in courtroom presentation. He testified that new demands on investigators, including use of new and sophisticated equipment, made their work that much more difficult. He stressed the need for support of the program financially.

Deborah Sosson, 636 Houston Avenue She said she worked with the Network of Light, a non-profit organization, which engages in social action projects: hunger, homelessness, etc. She spoke in support of the Cable program and submitted written testimony. She suggested that the station acquire some tapes she had on courses that had been taught, such as one on massage therapy. Ms. Sosson also stated to the City Council that she was disabled as a result of a head injury. She related an incident where she and her

housemate were robbed, and suggested some kind of community program to help police officers and other city staff to understand the problems faced by those in low-income, drug and crime ridden areas.

Eric Solzberg spoke in support of the Cable program, and said that programs such as this one helps non-profit groups like non-profits get their messages into the community.

James Richards, Local 400, Police Department said that he was also testifying on behalf of Cpl. Al Hernandez, who had laryngitis. He began by saying that, in regard to the police budget, the issue of space had become a near chronic one. For instance, during recent painting in the Police Department, roll-calls were held in the parking lot because paint fumes were too great. He said that the department cannot house more than 2 people due to space limitations. Mr. Richards also said that he supported the need for a shower room and bathroom for female employees and he thanked Mr. Kemp for his remarks. In regard to the Crossroads Development, he agreed that having another officer in that area would help and he supported the idea, as long as it was an additional police position.

Denise Jacobs spoke in support of the Cable program.

Azziza Mohammed, 676 Houston Avenue stated that she represented the Cambridge Tenants Association and she thanked the Director of Housing Services, Susan Weiss and Officer Kathy Corsey for their help in lessening crime in their area. She explained that her organization was new, and strived to create a strong relationship between tenants and landlords, to create harmonious living space, and to encourage other buildings to do the same. She said they had formed committees and were committed to reaching out to children. The Mayor suggested that Ms. Mohammed look into the Community Development Block Grant Program. He said that the Newsletter would have information about the City's upcoming appointments of members to the Block Grant committee and would be accepting applications for community programs.

Paul Ingo He spoke in support of the Cable program and how important it was for multi-cultural communication.

Ranni David, Indian Dance Teacher said that she supported the Cable program and expressed how valuable it was to her in her quest to further Indo-American relations through all kinds of dance programs.

Dolly Davis, Ward 4, Ritchie Citizens Assn. said that she supported the Cable program and eventually planned to volunteer on the Cable Board.

Tom Gagliardo, 704 Maplewood Avenue He addressed Mr. Mitten's commented regarding the "misleading" Newsletter headline and asked the Council for a position on this. Mayor Del Giudice responded that neither he nor the Council played any role in the content of the Newsletter; that it was solely the responsibility of the Newsletter Editor. He suggested a clarification by the Editor was needed. Mr. Gagliardo argued that since the recent assessment constituted a tax rise, the headline should mention a tax increase, not reduction. Everybody in the city has had their property assessed for at least 15% higher, he said. The Mayor responded that this was inaccurate and suggested that Mr. Gagliardo look at the tax rates: in Prince George's, the average was 5%; in Montgomery County it was higher and that the cumulative average is less than 10%. Mr. Gagliardo asked what the constant yield tax rate was. The Mayor stated that the public hearing was to receive public comments and that city staff could be directed to give Mr. Gagliardo the required information. Mr. Gagliardo argued that this was the forum for public debate. Councilmember Douglas said that on the Prince George's County side, the assessment was in fact below the constant yield rate, if indeed the tax rate is reduced

7 percent, in Montgomery County, it will be above he said. Assistant City Administrator Habada responded that for Montgomery County, the constant yield tax rate was \$1.67; and in Prince George's, it was \$1.74.8. Mr. Gagliardo requested that the Mayor correct the Newsletter Editor's perceptions and inform the public of the true cost.

Jim Neri, Volunteer Police Dept. informed the City Council that there were \$234,000 of unpaid parking tickets from the years 1988, 1989, and four months of 1990, and this was only from the Maryland licenses. Mr. Neri also said that out-of-state licenses equalled at least 70% of figure. He requested that a clerk or volunteer to be assigned to collect the revenue. He also asked that the Public Works Department earmark \$200 to paint curbs at intersections to warn cars not to park too close to the intersection. The Mayor responded regarding the parking violations--he said that there were several proposals on the table to address the issue.

The Mayor then adjourned the public hearing portion of the evening. He informed those present that the City Council was about to undertake a tour of the Police Department with a view to the major renovations and reorganizations of the Police Department that were being proposed in the coming year's budget. The Council would also be meeting in worksession immediately following the tour. The public hearing was then adjourned at 8:58 PM to reconvene in Regular Session on May 14, 1990.

CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the City Council

May 14, 1990

City OFFICIALS PRESENT:

Mayor Del Giudice	City Administrator Wilson
Councilmember Elrich	Ass't City Admin. Habada
Councilmember Moore	Acting City Clerk Jewell
Councilmember Prensky	Community Planner Scwhartz
Councilmember Sharp	Public Works Director Giancola
Councilmember Hamilton	Police Chief Fisher
Councilmember Leary	Police Captain Wortman
ABSENT: Councilmember Douglas	

The Mayor and Council convened at 8:00 p.m. on Monday, May 14, 1990, in the Council Chamber at 7500 Maple Avenue in Takoma Park, Maryland. Following the pledge, the Mayor made presentations of awards to the City's police officers. Honored that evening with \$50 savings bonds were Officers Kathy Coursey, Police Affairs Specialist Barbara Young, Officer Steve Knight, and Sergeant George Hubbard. Resolutions for meritorious service were unanimously adopted for Lt. John Gowin, Cpl. Daniel Parker, and Officer Michael D'Ovidio. In addition, Resolutions for Officers of the Year awards and \$100 savings bonds were given to Cpl. Clarence Jacobs and Sgt. Charles Jagoe. All Resolutions were adopted unanimously.

RESOLUTIONS #1990-42 thru 46
(attached)

The Mayor informed the Council and audience that although the Centennial events scheduled for the previous day were cancelled due to bad weather; the City is hoping to reschedule those events.

Ron Marks, Washington Adventist Hospital He presented a certificate to the City of Takoma Park in honor of its centennial and with sincere appreciation of 83 years of shared history.

MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS: Mayor Del Giudice reported that on 5/1/90, he had awarded a Mayoral Proclamation to the Potomac River Power Squadron earlier in the week. He said that this group was involved in safe boating practices on the Potomac and were being recognized for their voluntary efforts towards the goal of Potomac River education and safety. Mayor Del Giudice noted that he recently attended a joint meeting between Montgomery and Prince George's County Councils held in Upper Marlboro to talk about Park & Planning's and WSSC's budgets. The budget document adopted addressed the Sligo Creek sewer project and the hiker/biker trail, and it made clear that WSSC was to pay the cost of the trail as part of the mitigation for the sewer project, in the amount of \$1.6 million. Also, they were committed to meet with the CAC and the City of Takoma Park, and holding public hearings on the final plans for this project. When that had been done, they were to produce a final report to be reviewed before both County Councils, no money was to be expended until that review took place. Councilmember Douglas requested that copies of this document be sent to the CAC and interested citizens in Takoma Park, and the Mayor agreed with this action.

The Mayor then issued a Proclamation Resolution commemorating the Prince George's County 11th Annual Hispanic Festival. The first whereas clause, he noted, should read that the Festival was to be held at the Lane Manor Park on University Boulevard, not at the

Takoma Langley Community Center. Last year, 20,000 to 30,000 people attended the Festival and it had to be moved to a larger facility. He moved adoption of the Resolution; it was duly seconded, and carried unanimously.

RESOLUTION #1990-47
(attached)

Mayor Del Giudice then introduced another Resolution noting Historic Preservation Week. He moved adoption, it was duly seconded, and passed unanimously.

RESOLUTION #1990-48
(attached)

For the record, the Mayor reminded the Council of the May 15th reconciliation budget worksession at 7 p.m.

Councilmember Prenskey mentioned a bike-a-thon fundraising event for the Takoma Park - Santa Marta, El Salvador Companion City Project, on Saturday, June 9. Mr. Prenskey said that he would be traveling to Santa Marta during the week of June 13 - 20.

Additional Agenda Items

City Administrator Wilson reported that there were no additional agenda items.

Citizen Comments On Items Not on the Agenda

Andrew Busby, Tenant League said that he wanted to know why there were no copies of items at the agenda box, specifically Items #3 and #7. Mayor Del Giudice responded that at the request of Staff, Item #3 was pulled off the agenda. Mr. Busby encouraged the Council to make it clear why agenda items change from those printed in the City Newsletter. (Item #7 was found under Item #6.)

ITEMS FOR COUNCIL ACTION:

1. (Item #1 - See Mayor's Comments Above)

2. Second Reading Ordinance on the Installation of Parking Meters on Carroll Avenue. Councilmember Prenskey moved adoption of the ordinance; it was duly seconded by Councilmember Hamilton. The Mayor explained that the ordinance would place two additional parking meters in front of 7001B and 7001 Carroll Avenue. Mr. Wilson said that one of the two spaces would be designated for handicapped drivers.

An Unidentified Citizen asked what was the amount of time that a parking meter would pay for itself; Mr. Wilson responded that he would ask the appropriate staff person, not present at the time of the meeting but said that the cost of the parking meters was roughly \$130 apiece. The speaker said he'd like to see them all removed because then more spaces could be fitted in along the curb. He questioned the value of the amount of revenue and said that he felt that people were unhappy because the meters only took quarters, and thought the police could be better employed elsewhere.

Councilmember Prenskey pointed out that the installation of the parking meters were to correct the fact that it was legal to park at that location although there were no meters. He said that merchants have parked there for long periods of time and have not had to pay for that parking. Mr. Prenskey also said that there was a parking lot located behind the stores.

The Mayor informed the speaker that a recommendation was pending for employing non-Police force members to enforce these parking violations. Hearing no further comments, the ordinance was put to a roll call vote and was adopted unanimously.

ORDINANCE #1990-17
(attached)

3. Second Reading of Ordinance Re: Seasonal Posting of No Parking Signs on Laurel Avenue for Farmers Market. Mr. Wilson said that for this item there were several alternatives being offered by Councilmember Prensky and that Staff would looking into.

ORDINANCE #1990-18
(attached)

4. Resolution Concerning Grant to Suburban Maryland Fair Housing to Perform Testing in the City Councilmember Hamilton noted that since he was a Board member of this group, he would abstain from voting. Councilmember Sharp moved passage of the Resolution; duly seconded by Councilmember Elrich. Councilmember Sharp said that the grant would provide, at moderate cost, for the City to expand its housing outreach program. The SMFH group tests compliance with federal laws regarding non-discrimination. Councilmember Sharp explained that the group would do testing in response to individual and group requests and that the City would not suggest target testing areas.

The Mayor said that he understood that if a person contacted the City with such a request it would automatically be referred to the SMFH. He said that the County has jurisdiction over these matters, but the City wanted additional testing.

An unidentified citizen asked Councilmember Hamilton to describe how the testing was done. Councilmember Hamilton responded that the testing was done using in a minority and a majority tester; and said that once a complaint is filed and the test done, results can either be referred to HUD or the Human Rights Commission of Rockville who reviews the test. Mr. Hamilton said that the Department of Justice now has the ability to enforce the law.

Hearing no further comments or questions, the Council then moved to adopt the resolution and it carried with Councilmember Hamilton abstaining. Councilmember Hamilton thanked the Council and said that the Newsletter would carry information about Suburban Maryland Fair Housing conducting tests in the City.

5. Resolution of Council Position on Variance Case #A-2930, 704 Houston Avenue Mayor Del Giudice noted that a staff report had been prepared on the item. Ms. Schwartz noted that regardless of the Council's actions, parking for two cars per unit ought to be provided on site. She said that the size of the parking spaces did not have to meet Code because it was not a commercial parking facility. The Mayor noted that this would have to be added as an amendment at the time it was moved, and then invited the applicant to speak, explaining that staff had recommended that the Council take no position on the variance.

Neville Ottley, Applicant questioned that if he had parallel parking, could it be thirty feet wide. Ms. Schwartz replied that there were no specific standards in this situation. Mr. Ottley said that he could provide the parking spaces required. Councilmember Prensky asked the applicant for a rough rent estimate and the applicant replied that the range would be between \$600 and \$800.

Ms. Schwartz noted that apparently the applicant would not be asking for subsidies. Councilmember Moore said he thought the amount of square footage was unusual for a variance of this type: 8,000 to 5,700. Ms. Schwartz agreed that this would be considered a substantial variance. She could not justify it on hardship grounds, which is why she recommended the Council take no position. Mr. Wilson questioned if the use or density was extraordinary in terms of nearby units. Ms. Schwartz replied that a nearby duplex on the same size lot seemed to be similar to the applicant's in size and bulk. Uses across the street were mainly 1 1/2-story, single-family houses, she said.

Councilmember Moore asked if the oak tree in the picture would be taken down. Ms. Schwartz said that Mr. Ottley had thought that unnecessary.

Mayor suggested as an amendment, adding language to request the Board of Appeals to require two parking spaces per unit on site. The resolution was moved by Councilmember Elrich and seconded by Councilmember Hamilton, and the resolution as amended, carried unanimously.

RESOLUTION #1990-50
(Attached)

The Mayor announced that he would not be involved in discussion of the next agenda item and he asked Councilmember Sharp to preside.

6. Resolution Amending the Editorial Policy for the Takoma Park Newsletter Councilmember Leary explained that the proposed resolution called for a revision in the Newsletter guidelines for political endorsements. This was prompted, he said, by experience with coverage of an outside election in the Newsletter, i.e., the Mayor's candidacy for a County Council position. Mr. Leary said it was decided at a City Council worksession discussion that this coverage was inappropriate, and a revision was suggested to ensure that this kind of coverage did not occur again. Councilmember Leary suggested the language, that "allowable coverage of elections outside Takoma Park would be limited to brief announcements of candidacy, of debates or forums, and election results with equal coverage provided to all candidates." He gave an example of a brief announcement and he pointed out that the revision was not to encourage any coverage of outside elections, but he felt it would be appropriate to provide a minimum amount of coverage when a City Council member or resident announced their candidacy, but with definite guidelines. Councilmember Leary then moved passage of the resolution, and it was duly seconded by Councilmember Hamilton.

Andrew Busby, Tenant League questioned who was responsible for the "hagiography" of the Mayor in the newsletter. Councilmember Sharp said he understood that the editor thought the news of the Mayor's running for another office worthy of an article in the Newsletter. Mr. Busby then argued against the practice by the City of printing names of those arrested in the public press. Mr. Wilson said that he would ask the Police Dept. for a reason for this, and then make a decision about it via the City attorney.

David Proston, 6625 Eastern Avenue said that he was on the committee that wrote the original guidelines for the Newsletter, and he was concerned about Councilmember Leary's specific amended guidelines in regard to coverage of outside elections. He wondered, for example, how the City would notify potential candidates that there existed a vehicle for publicity. Councilmember Leary responded that the editor would be responsible for carrying out the guidelines as best he or she could; guidelines were always difficult to follow when they were necessarily vague. Mr. Proston was concerned that the Council was creating yet another vehicle for publicity that was difficult to interpret. After all, he said, this situation had never occurred before, and what

Councilmember Leary proposed, he felt, was an unnecessary post-facto "fix" that created more problems than it solved.

Councilmember Leary agreed that this guideline did create a vehicle for publicity, but he did see the necessity for guidelines where there were none before. Mr. Proston suggested reprinting the guidelines, perhaps annually. There was unresolved discussion requesting the City Administrator to request this of the editor. Councilmember Leary outlined, from this discussion, the two viable alternatives: his amended language, and Mr. Proston's implied alternative, of simply stating that there shall be no coverage at all of outside elections.

Councilmember Prensky said that he agreed with Councilmember Leary's original guidelines. Councilmember Sharp called the question on the amended Resolution to change Section 3 of the editorial policy of the Newsletter, and the resolution was carried. (Councilmember Elrich abstained)

RESOLUTION #1990-51
(Attached)

7. First Reading of Ordinance Establishing the Council as Water and Sewer Board for the City of Takoma Park Councilmember Hamilton moved adoption; duly seconded by Councilmember Prensky. Councilmember Hamilton directed the Council to look at Section #1, which states that the Council is designated as the Water and Sewer Board for Takoma Park. He suggested as an amendment to the first section, that the Mayor serve as the presiding officer and the motion was duly seconded. Councilmember Sharp questioned if the voting membership would be the same as on the Council, i.e., that the Mayor would not vote until 1991. The Mayor suggested that, as a second amendment, Section 2 begin with the statement that ... "the voting members of the Water and Sewer Board be the same as the City Council as constituted in the Charter..." The Mayor first asked for discussion on the first proposed amendment, that the Mayor serve as the presiding officer, and this amendment carried with no opposition from those present. The second amendment was moved by Councilmember Sharp and seconded by Councilmember Hamilton. There being no further discussion from the Council, the amendment carried with no opposition. The Mayor then asked for citizen comments for which there were none. Councilmember Prensky noted that the ad valorem tax for stormwater--at this time four cents per \$100 of assessed value, will be included within the tax rate that the City Council adopts later in the month and that it would not be a separate statement of tax in addition to the City's tax rate. said.

Councilmember Sharp asked Mr. Wilson if this addition affected the constant yield tax rate for Prince George's County. Mr. Wilson responded that it would indeed exceed it now. The Mayor then asked for those in favor of the motion to accept the ordinance as amended, and the ordinance was accepted for first reading. opposition.

ORDINANCE #1990-19
(attached)

8. Single Reading Ordinance Awarding a Library Carpeting Contract (PW #90-2) The ordinance was moved by Councilmember Hamilton and seconded by Councilmember Sharp. The question was called and the ordinance was adopted on single reading as follows: AYE: Hamilton, Leary, Moore, Prensky, Sharp; NAY: None; ABSTAINED: Elrich; ABSENT: Douglas.

ORDINANCE #1990-20
(Attached)

9. Single Reading Ordinance for Boiler Replacement (Public Works #90-6) Councilmember Hamilton moved, and Councilmember Prensky

seconded it. Councilmember Sharp requested an explanation of the bidding process and wondered why one would not negotiate with everyone at first. Mr. Giancola responded that it was his decision to negotiate only with the lowest bidder, and he said that, once decided upon, it involved some contract changes, such as not requesting heating for a previously unheated shop for trash trucks, as he originally had. If the amount between the bids had been smaller, he said, he probably would have negotiated with both. Councilmember Sharp said that his point was, if you change the rules originally promulgated, parts of contracts bidders suggest will change, and you can't know who the lowest bidder actually is. The Mayor asked for more discussion from either Council or Citizens, and hearing none, asked for a vote. The Ordinance was passed with a unanimous vote of those present.

ORDINANCE #1990-21
(Attached)

10. Single Reading Ordinance re a Contract Award for Miscellaneous Equipment (PW #90-10) Councilmember Hamilton moved adoption of the ordinance; duly seconded by Councilmember Moore. Mr. Giancola explained that in the last year's budget, two basic projects were approved: one for a hot patcher machine and another for a roller - compressor with a trailer to haul it. He said that over time, they realized that a separate compressor was needed so he split the bid up. The ordinance was adopted by unanimous vote of all present.

ORDINANCE #1990-#22
(Attached)

The meeting was adjourned at 9:35 p.m., to reconvene in Regular Session on May 29, 1990.

RESOLUTION #1990-42

WHEREAS, Police Chief A. Tony Fisher has bestowed a **Meritorious Service Award** on **LIEUTENANT JOHN GOWIN**; AND

WHEREAS, **LIEUTENANT GOWIN** is being honored for expertly conducting annual firearms training over the past 15 years; AND

WHEREAS, Owing to his expertise, there has been no firearms training accident or injury in 15 years, nor any firearms training litigation against the City; AND

WHEREAS, Owing in part to **LIEUTENANT GOWIN's** expert training, two officers within the past five years successfully defended themselves using firearms against armed persons, without endangering or hurting innocent persons,

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council hereby commend and offer congratulations and a \$50 Bond, to

LIEUTENANT JOHN GOWIN

Dated this 14th day of May, 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

RESOLUTION #1990-43

WHEREAS, Police Chief A. Tony Fisher has bestowed a **Meritorious Service Award** on **CORPORAL DANIEL PARKER**; AND

WHEREAS, **CORPORAL PARKER** is being honored for initiative and single-minded dedication in his personal effort to better the quality of life in the "Crossroads" shopping area for residents, shoppers and business owners, some of whom have been vocal in their appreciation; AND

WHEREAS, Despite time-consuming outreach and enforcement efforts over a period of many months, he continued to maintain high performance in other categories of police activity,

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council hereby commend and offer congratulations and a \$50 Bond, to

CORPORAL DANIEL PARKER

Dated this 14th day of May, 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

RESOLUTION #1990-44

WHEREAS, Police Chief A. Tony Fisher has bestowed a **Meritorious Service Award** on **OFFICER MICHAEL D'OVIDIO**; AND

WHEREAS, **OFFICER D'OVIDIO** is being honored for a consistent positive attitude in a profession which must deal with the negative; AND

WHEREAS, In his compassion for victims, **OFFICER D'OVIDIO** did last December initiate and carry on CPR for an infant who was not breathing, until paramedics arrived and asked him to stop; AND

WHEREAS, Sadly, the infant did not survive, nevertheless **OFFICER D'OVIDIO** did by extreme perseverance, demonstrate to parents and caretakers that everything possible had been done to help their child.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council hereby commend and offer congratulations and a \$50 Bond, to

OFFICER MICHAEL D'OVIDIO

Dated this 14th day of May, 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

RESOLUTION #1990-45
and
RESOLUTION #1990-46

WHEREAS, Police Chief A. Tony Fisher has selected DRUG TEAM members **SERGEANT CHARLES JAGOE** and **CORPORAL CLARENCE JACOBS** to be the 1989 **POLICE OFFICERS OF THE YEAR**; AND

WHEREAS, These officers were involved in numerous search warrants, arduous drug investigations and arrests, at considerable danger to themselves; AND

WHEREAS, Among other operations, they carried out a six-month investigation of suspects at the Hampshire Towers apartments who were operating a valet shop as cover for drug deals; AND

WHEREAS, The investigation led to the arrest of 8 persons as well as the seizure of an auto, substantial crack cocaine and about \$10,000 worth of gold jewelry,

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council hereby commend and offer congratulations and a \$100 Bond, to **1989 POLICE OFFICERS OF THE YEAR**,

SERGEANT CHARLES JAGOE
AND
CORPORAL CLARENCE JACOBS

Dated this 14th day of May, 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

Introduced by: Mayor Del Giudice

**PROCLAMATION
(RESOLUTION NO. 1990-47)**

Commemorating Prince George's County on its
11th Annual Hispanic Festival

WHEREAS, on Sunday, May 20, 1990, Prince George's County will hold the 11th Annual Hispanic Festival at the Lane Manor Park on University Boulevard, AND

WHEREAS, every year, thousands of people of many diverse backgrounds and from all over the area attend the Annual Festival; AND

WHEREAS, the Festival is a chance for County families from Central and South America to gather together in celebration of their heritage.

THEREFORE, I, STEPHEN J. DEL GIUDICE, MAYOR of Takoma Park, Maryland, on behalf of the Takoma Park City Council. hereby congratulate Prince George's County on its 11th Annual Hispanic Festival.

Dated this 14th day of May, 1990

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

Introduced by: Mayor Del Giudice

**PROCLAMATION
(RESOLUTION NO. 1990-48)**

WHEREAS, "Keeping America's Heritage Alive" is the theme for Historic Preservation Week 1990, cosponsored by the National Trust for Historic Preservation and the Takoma Park Historic Preservation Task Force in Takoma Park, Maryland; AND

WHEREAS, Historic preservation gives Americans a deeper understanding of their richly diverse architectural and cultural heritage; AND

WHEREAS, Historic Preservation promotes local community pride in America's towns, cities and rural areas, AND

WHEREAS, Historic Preservation Week provides an opportunity for all Americans to celebrate the protection of our nation's treasures.

NOW, THEREFORE, I Stephen J. Del Giudice, Mayor, do hereby proclaim May 13-19, 1990, as Historic Preservation Week and call upon the people of Takoma Park to recognize and participate in this special observation.

Dated this 14th day of May, 1990.

ATTEST:

Stephen J. Del Giudice
Mayor

Paula S. Jewell
Acting City Clerk

Introduced by: Councilmember Prensky 1st Reading: 4/23/90
(Drafted by: A. R. Giancola) 2nd Reading: 5/14/90
Effective : 5/14/90

ORDINANCE 1990-17

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

SECTION 1: THAT the City of Takoma Park has installed metered parking spaces in certain areas throughout the city; AND

SECTION 2: THAT additional curb space exists on Carroll Avenue in front of 7001B and 7001 Carroll Avenue; AND

SECTION 3: THAT two additional metered spaces be placed on Carroll Avenue in front of 7001B and 7001 Carroll Avenue , one of which will be designated for handicapped users.

SECTION 4: THAT this ordinance shall become effective immediately, upon adoption.

Adopted this 14th day of May 1990 by Roll Call Vote as follows:

AYE: Elrich, Hamilton, Moore, Prensky, Sharp

NAY: None

ABSTAINED: None

ABSENT: Douglas, Leary

c:meters:dm:wp50

Introduced by:
(Drafted by: A. R. Giancola)

1st Reading: 4/23/90
2nd Reading:
Effective :

ORDINANCE 1990-18

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

SECTION 1: THAT the City of Takoma Park has installed metered parking spaces in certain areas throughout the city; AND

SECTION 2: THAT additional curb space exists on Carroll Avenue in front of 7001B and 7001 Carroll Avenue; AND

SECTION 3: THAT two additional metered spaces be placed on Carroll Avenue in front of 7001B and 7001 Carroll Avenue , one of which will be designated for handicapped users.

SECTION 4: THAT this ordinance shall become effective immediately, upon adoption.

Adopted this _____ day of April 1990 by Roll Call Vote as follows:

AYE:

NAY:

ABSTAINED:

ABSENT:

c:meters:dm:wp50

Introduced By: Councilmember Elrich
Drafted By: L. Schwartz

ADOPTED: MAY 14, 1990

Resolution No. 1990-50

WHEREAS, Mr. Neville E. Ottley has applied to the Board of Appeals for Montgomery County for variances for Lot 57, Block 55, B.F. Gilberts Subdivision, located at 704 Houston Avenue, Takoma Park, Maryland (Case No. A-2930); AND

WHEREAS, this property is located in the City of Takoma Park and the application has therefore been referred to the City for review and comment; AND

WHEREAS, the application has been reviewed by City staff, which has recommended NO POSITION on the application on the basis of analysis contained in the pertinent staff report dated May 11, 1990; AND

WHEREAS, the City Council has taken into consideration public comments received on the subject application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT, the Council hereby takes NO POSITION on the subject variance application.

BE IT FURTHER RESOLVED THAT the Council urges the Board of Appeals that any development on this lot require two on-site parking spaces per unit, should the Board of Appeals approve this variance request.

BE IT FURTHER RESOLVED THAT the City Administrator is hereby directed to send a copy of this Resolution to the appropriate Montgomery County authorities.

ADOPTED THIS 14TH DAY OF MAY, 1990.

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Introduced by: Councilmember Sharp
(Drafted by: P. Jewell)

RESOLUTION NO. 1990-49

**RESOLUTION AUTHORIZING GRANT AWARD TO
SUBURBAN MARYLAND FAIR HOUSING**

- WHEREAS**, Suburban Maryland Fair Housing, Inc. (SMFH) is a private, non-profit 27-year old organization, dedicated to the elimination of housing discrimination within Montgomery County, Maryland, AND
- WHEREAS**, SMFH, Inc. uses testing/enforcement techniques in order to monitor fair housing compliance by housing providers; AND
- WHEREAS**, fair housing testing activities have been ruled to be in the public interest, for eradicating housing discrimination and providing for more general housing information to the public; AND
- WHEREAS**, during 1988 and 1989 SMFH, Inc. performed a total of 16 tests in the Montgomery County side of Takoma Park; five tests were evaluated as disparate, based on age and familial status violations of local and federal housing laws; AND
- WHEREAS**, SMFH, Inc. receives Block Grants from Montgomery County and matching grant funds from local municipalities in order to administer its Testing for Discrimination In Housing Program; AND
- WHEREAS**, SMFH, Inc. has come before the Takoma Park Council with a proposal to perform fair housing rental tests on the Prince George's side of the City with funding from the City of Takoma Park.

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

- SECTION 1.** the City Administrator is hereby authorized to appropriate a two thousand dollar (\$2,000.00) grant to Suburban Maryland Fair Housing, Inc. to perform testing services in the Prince George's County portion of Takoma Park.
- SECTION 2.** Such testing services shall be performed in accordance with the terms of a Grant Agreement and incorporated herein by reference.
- SECTION 3.** Funds for this grant are to be allocated from the FY '90 Budget, Account #9000-7010 (General Contingency).

Dated this 14th day of May, 1990.

Introduced by: Councilmember Leary
(Drafted by: P. Jewell)

RESOLUTION NO. 1990-51
AMENDING THE EDITORIAL POLICY FOR THE TAKOMA PARK NEWSLETTER

- WHEREAS,** in July 1983, the Mayor and Council adopted an Editorial Policy for Takoma Park Newsletter; AND
- WHEREAS,** this Editorial Policy set forth eight policies regarding Letters to the Editor, Advertising, political endorsements, Editor's Column, Elected Official's Access, Civic Association/Organization Access, Controversial Issue and General issues on enforcement and severability; AND
- WHEREAS,** Section 3 of the Policy on "Political Endorsements", does not currently provide for allowable coverage of elections outside of Takoma Park with limitations; AND
- WHEREAS,** this City Council desires to amend Section 3 so that coverage of elections outside the City are allowed with limitations and that such coverage is equally provided to all candidates.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Takoma Park, Maryland that:

SECTION 1. The document titled "Editorial Policy for the Takoma Park Newsletter", dated June 3, 1983 is hereby amended as follows

SECTION 3. Political Endorsements.

No political endorsements shall be published in the Newsletter. Allowable city election coverage shall be limited to the results of the City Nominating Caucus and the Municipal Election tally. Allowable coverage of elections outside Takoma Park shall be limited to brief announcements of candidacy, announcements of debates or forums, and election results, with equal coverage provided to all candidates.

SECTION 2. The Amended Editorial Policy for the Newsletter is hereby incorporated by reference and made a part of this Resolution; AND

SECTION 3. This amended Editorial Policy effective immediately upon passage of this Resolution; AND

SECTION 4. The City Clerk is instructed to publish this official Editorial Policy in the next immediate issue of the Takoma Park Newsletter.

Dated this 14th, day of May, 1990.

Introduced by:

First Reading: May 14, 1990

Second Reading:

ORDINANCE NO. 1990-19

(Establishment of a Water and Sewer Board for
the City of Takoma Park)

WHEREAS, House of Delegates Bill No. 971 (Chapter 369, Acts of Maryland 1990) transfers to the City of Takoma Park, as of July 1, 1990, the authority of the Washington Suburban Sanitary Commission ("WSSC") for stormwater management in the City of Takoma Park; provides for the transfer of certain property of the WSSC used for stormwater management to the City of Takoma Park; authorizes the levying of an ad valorem tax for stormwater management by the City of Takoma Park; and generally relates to stormwater management in the City of Takoma Park; and

WHEREAS, Article XII of the Charter of the City of Takoma Park provides that "[t]he Council shall by Ordinance, be designated the Water and Sewer Board for Takoma Park" and sets forth the powers of the Water and Sewer Board.

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

Section 1. The Council is designated the Water and Sewer Board for the City of Takoma Park. The Mayor shall serve as the Presiding Officer of the Water and Sewer Board.

Section 2. The voting members of the Water and Sewer Board shall be the same as the Council as designated in the 1989 Charter of Takoma Park. The Water and Sewer Board is authorized to adopt such regulations as may be necessary or desirable for

its operations and to carry out stormwater management in the City of Takoma Park. Water and Sewer Board regulations shall be promulgated in accordance with the procedures set forth in Chapter 2A, Article 5 (Administrative Regulations) of the Takoma Park Code, as amended from time to time.

Section 3. This Ordinance shall be effective July 1, 1990.

ADOPTED THE _____ DAY OF _____, 1990 BY ROLL CALL VOTE AS FOLLOWS:

Aye:
Nay:
Abstain:
Absent:

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Introduced by: Councilmember Hamilton Single Reading: 5/14/90
(Drafted by P. Jewell)

ORDINANCE NO. 1990-20
Amending Single Reading Ordinance #1990-16 To Provide
for Carpeting in the Library Furnishings Contract

WHEREAS, On April 23, 1990, the City Council adopted on single reading, Ordinance 1990-16; AND

WHEREAS, Ordinance 1990-16 ordained the acceptance of nine bids for rehabilitation and refurnishing of the Takoma Park Library, AND

WHEREAS, the tenth bid award of \$8,580 to Commercial Carpets, Inc. was tabled by the Council pending receipt of further information from the Director of Public Works; AND

WHEREAS, that information has now been received and reviewed by the Council.

NOW, THEREFORE, BE IT ORDAINED THAT:

SECTION 1: the City Council hereby amends Ordinance 1990-16 to accept the bid award of Commercial Carpets, Inc. for \$8,580.00.

SECTION 2: This Ordinance becomes effective immediately upon adoption.

Adopted this 14th day of May, 1990 on single reading by Roll Call Vote as follows:

AYE: Hamilton, Leary, Moore, Prensky, Sharp

NAY: None

ABSTAINED: Elrich

ABSENT: Douglas

Introduced by: Councilmember Hamilton Adopted: 5/14/90
(Single Reading)

ORDINANCE NO. 1990-21

An Ordinance to Replace the
Public Works Boiler

WHEREAS, \$35,000 was budgeted in FY-90 for the replacement of boiler; AND

WHEREAS, in accordance with City procurement procedures, bids were solicited from 11 qualified contractors on the bidders list, advertised in two newspapers, and the Dodge report; AND

WHEREAS, that bids were publicly opened at 2:00 p.m., April 10, 1990 with two firms responding.

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

SECTION 1: THAT the below bid be accepted;

<u>FIRM</u>	<u>BID</u>
JCM Associates, Inc. Forestville, Maryland	\$35,620

SECTION 2: THAT funds to cover this procurement in the amount of THIRTY FIVE THOUSAND SIX HUNDRED AND TWENTY DOLLARS (\$35,620) be authorized from the Capital Bond fund.

Adopted this 14th day of May 1990.

AYE: Elrich, Hamilton, Leary, Moore, Prensky, Sharp

NAY: None

ABSTAIN: None

ABSENT: Douglas

Introduced by: Councilmember Hamilton

Adopted May 14, 1990
(Single Reading)

ORDINANCE NO. 1990 - 22
An Ordinance to Procure Miscellaneous Equipment

WHEREAS, \$41,000 was budgeted in FY-90 for the procurement of miscellaneous equipment for the street maintenance program; and

WHEREAS, in accordance with city procurement procedures bids were solicited from eleven qualified vendors on the bidders list, advertised in two newspapers and the Dodge report; and

WHEREAS, that bids were publically opened at 2:00 p.m. April 27, 1990 with six firms responding

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

SECTION 1: that the below bids be accepted; and

<u>FIRM</u>	<u>ITEM</u>	<u>BID</u>
S.M. Christhilf & Sons	Hot Patcher Trailer	9,998 2,910
Washington Air Compressor	Air Compressor	8,875
Ingersoll Rand Equip Sales	Vibratory Roller	19,632
		<hr/>
		\$41,415

SECTION 2: that funds to cover these procurements in the amount of Forty-One Thousand Four Hundred Fifteen dollars (\$41,415) be authorized from the Capital Equipment fund.

Adopted this 14th day of May 1990.

AYB: Elrich, Hamilton, Leary, Moore Prenskey, Sharp

NAY: None

ABSTAIN: None

ABSENT: Douglas

TMG:A:MISCEQP:5.0

CITY OF TAKOMA PARK, MARYLAND

Regular Meeting and Public Hearing of the City Council
May 29, 1990

CITY OFFICIALS PRESENT:

Mayor Del Giudice
Councilmember Douglas
Councilmember Elrich
Councilmember Hamilton
Councilmember Leary
Councilmember Moore
Councilmember Prensky
Councilmember Sharp

City Administrator Wilson
Ass't City Admin. Habada
Acting City Clerk Jewell
Housing Director Sue Weiss
Public Works Dir. Giancola
Code Enf. Supv. Morning
Library Director Robbins
Comm. Dev. Planner VinCola
Account Supv. McKenzie
Ass't. Corp. Counsel Perlman

The Mayor and City Council convened at 8:05 p.m. on Tuesday, May 29, 1990, in the Council Chamber at 7500 Maple Avenue in Takoma Park, Maryland. Following the Pledge of Allegiance, the Mayor made his remarks.

MAYOR DEL GIUDICE'S COMMENTS AND PRESENTATIONS: The Mayor said that the City had not heard from President Gorbachov of the Soviet Union and thought that at this point the City was unlikely to receive a response to this invitation that was extended to Gorbachov to visit Takoma Park during the summit meeting. Mayor Del Giudice announced that the bill concerning municipalities being exempt from paying recordation fees was signed today by the Governor, as far as he knew. He mentioned an additional agenda item to be presented at this time: a Resolution of Appreciation for Mr. Reid Baron for his four years of service as Editor of the Takoma Park Newsletter. The resolution was moved for adoption by Councilmember Sharp and seconded by Councilmember Leary. Both Councilmembers added their personal commendation to Mr. Baron, as did Councilmembers Moore, Prensky, and Mayor Del Giudice. A Councilmember added that Mr. Baron shouldered criticism as editor and often that criticism was the result of vague policies and procedures and not of his doing. Councilmember Prensky also commended Mr. Baron and mentioned that Mr. Baron was accompanying the U.S. delegation that was planning to visit our Companion City Santa Marta in El Salvador in June. Mr. Wilson thanked Mr. Baron on behalf of the Administration and the City staff. The Resolution passed unanimously. A discussion of who would be the acting Newsletter editor followed and it was decided to discuss the matter further at a worksession.

RESOLUTION #1990-52
(Attached)

The Mayor reminded the Council of the many budget ordinances on the agenda for the evening. He suggested preceeding some of them with the public hearing.

ADDITIONAL AGENDA ITEMS

Mr. Wilson noted that there was a proposed amendment to the Cable Board Ordinance and it was listed on the agenda as an additional ordinance for first reading. Next he pointed out that there were some revised tax numbers on the proposed tax credit and that these were available to the public. Mr. Wilson also noted that there was an amendment to the personnel classification ordinance, #6 under the first reading of the budget ordinances, which was a correction to an omission in the earlier one. Finally, he reminded the Council of a memo from the Public Works Director about the Siegler Gardens, in response to a recommendation by staff on its maintenance.

CITIZENS COMMENTS ON ITEMS NOT ON THE EVENING'S AGENDA

Karen Anderson, Ward 3, Woodland Avenue said that she was increasingly concerned by the speeding in Takoma Park. She wanted to know just what she and like-minded citizens could do about this. The Mayor responded, saying that the speed limit of 25 MPH was in the City Code, and was posted on some streets and not on others. He also said that the Council and the Traffic and Transportation Committee had been investigating additional signage at entry points in the City. At this point, nothing further had been done. He recommended Ms. Anderson talk to her Councilmember, but reminded her that some of the roads in Takoma Park were state highways, whose speed limits the City could not control; i.e., New Hampshire Avenue and parts of East-West Highway. He suggested talking to some of the State and County officials.

Andrew Busby, Tenant League requested a response from the Council and the City Administrator to his remarks at the last Council meeting as to the appropriateness of printing in the City Newsletter the names of citizens who have been arrested. In the same vein, he said he wondered why disciplinary action against police officers did not result in their names being printed in the Newsletter. Mr. Wilson responded that he had asked the Police Chief for the reason why arrested citizens' names were in the Newsletter, and though he had spoken verbally with him, had not received a response in writing.

The Mayor said he was not sure police officer's names could be listed. He said he would need to speak with the City's Corporation Counsel. Mr. Busby replied that the Tenants League's suggestion was to stop printing the citizens' names, and put in that disciplinary action against an officer was initiated - but not to print officer's names either. The Mayor said that there was a formal complaint process that the City was required to follow, and he was uncertain as to what constituted its violation; and again, the Corporation Counsel would be looking into it.

Jack Mitten, 501 Philadelphia Avenue said that last week he received a Takoma-Langley Park Crossroads advertisement for Memorial Day sales, and the last page was purchased by the City and was an advertisement for the Mayor, Council, and top City Administration staff. Mr. Mitten said that he thought it was improper, and the money improperly spent.

Tom Gagliardo said he had just received a flyer about the City's recycling program, which said the new recycling laws went into effect June 4; he wanted to know why he hadn't received it sooner. Councilmember Prensky responded that information had been in the Takoma Park Newsletter and in the Takoma Voice for the last two months. Mr. Gagliardo wanted to know why the official notification from the City hadn't come sooner. He was especially concerned by what he considered to be a new piece of information, that the bags required for grass clippings would have to be 30-pound bags purchased at Giant Supermarket or Hechinger's. The Mayor stated that ordinary brown shopping bags were fine; the City was trying to discourage the use of plastic. Mr. Gagliardo argued that this was not clear, that it appeared that citizens had to buy those particular 30-pound bags. The Mayor responded that if the wording was confusing, it could be made clearer in subsequent Newsletters and by other methods; right now, the recycling program was in its initial phase. The program in general was to be phased in gently, with minimum violation enforcement and with time to correct misinformation or omission. Mr. Gagliardo acknowledged these points.

Mr. Gagliardo continued his comments by discussing Mr. Busby's points, mentioned earlier. He mentioned specifically a letter published in the Newsletter several months ago from a woman with complaints of police actions improperly taken against her. He asked what the outcome of this case was. The Mayor responded that

the woman had obtained legal counsel and that the case was proceeding, and therefore the Council could not comment.

Mr. Gagliardo said there was some confusion about the application of the law officer's bill of rights. It applied to the conduct of the City as an employer when the City tries to discipline officers, but not to regulate how matters might be investigated during the course of the investigation.

Mr. Gagliardo then asked about the status of the misinformation he felt the Newsletter disseminated when it confused the lowering of the tax rate with the lowering of the taxes. Mr. Wilson said the June issue of the newsletter contained an article that spoke to this point, but he did not know its contents precisely. He said there would be some changes in the actual tax rate based on the worksessions and the budget hearings.

COUNCIL ITEMS FOR ACTION:

1. Second Reading Ordinance Establishing the Council as the City's Stormwater Management Board. Mayor Del Giudice commented that at the worksession there was an additional recommended amendment to Section 2 of the ordinance, the Mayor said, and the Council needed to formally adopt it as an amendment. He also suggested amending Section 3 so that the ordinance would be effective immediately, since the Council needed to take action that very evening as the Stormwater Board. Councilmember Sharp moved both of the amendments, duly seconded by Councilmember Douglas, and the amendments carried. The question was called and was adopted as amended by unanimous vote.

ORDINANCE #1990-19
(Attached)

2. First Reading Ordinance re Condemnation of 801 Colby Avenue. Councilmember Hamilton moved adoption of the ordinance; duly seconded by Councilmember Sharp. The Mayor said that at the last worksession there was a presentation on the property and several community representatives had been in attendance. Councilmember Sharp reminded the Mayor that the presentation included a videotape of the building's interior. He commended City staff for working together to find funds to alleviate the situation.

Housing and Community Director Sue Weiss explained that the Code Enforcement Division had been working nearly a year monitoring conditions at the property. She said that in working with the owner and the Dept. of Housing and Community Development, staff decided that the Council should: 1) declare the building unfit for human habitation; 2) condemn the property; 3) demolish the property. She stated that the exterior is dangerous and there were numerous violations of the Code. She said pending Council approval, she said, the Code Enforcement Division will placard the property. Councilmember Hamilton asked how long the property had been abandoned, and Ms. Weiss responded that it had been at least six years. The Mayor said that the videotape was to become part of the record. Councilmember Douglas asked if code enforcement officials had been unsuccessful in improving the property, and Ms. Weiss responded that the property was better than it had been, but nothing further could be done. The Mayor explained that the points of structure in the building were deteriorated such that it was ready to collapse. Code Enforcement could not help in that case. The question was called and the ordinance was accepted at first reading.

ORDINANCE #1990-23
(Attached)

Mayor Del Giudice then suggested that for the purposes of the next item, the Council would convene jointly as both the Council and the Water and Sewer Board. This was moved and seconded, and the motion carried. The reason for this motion, the Mayor explained, was

because this was the first year that the City had introduced a stormwater tax rate, effective July 1st to be managed by the City. Previously, a portion of the tax rate was used for stormwater and paid to WSSC. The stormwater tax rate, set at 4 cents (as in years past), is still part of the City's tax rate. Largely as a result of that, a public hearing was set for tonight on the constant yield tax rate.

The Mayor then convened the public hearing, and asked for citizens comments regarding the tax increase or increase in property tax rate above the constant yield rate commencing on July 1, 1990. As a result of state code, the Mayor continued, each local government must announce its intent to exceed the tax rate established by the State Dept. of Assessment and Taxation. This was done by placing legal advertisements in both the Montgomery County and Prince George's County Journal newspapers on May 17, 1990. The property tax rate, \$1.75.8 per \$100 of the assessed valuation for FY '91, as advertised on May 17, is lower than the previous year, although exceeding the rate required to yield the same amount of property tax revenue as in the previous year. Although lower than the previous year, the Mayor said it will produce more revenue because of the increase in assessed values of property. The constant yield rate, based on increased assessed values, would be \$1.74.8 in Prince George's County and \$1.67.2 in Montgomery County. This tax rate includes the City's fire service and stormwater service. The Council was scheduled to set a final tax rate on Monday, June 11, 1990, at 8 p.m., he said.

After some discussion, the Mayor then corrected himself and said that the previous tax rate was \$1.75.8. The new proposed tax rate is \$1.77.3.

Mayor Del Giudice stated that after conclusion of this public hearing, the Council would go on to e the budget ordinances. However, the final budget and tax ordinances would not be adopted until June 11, 1990. The Mayor then asked for citizen comment on the tax rate.

Tom Gagliardo asked the Mayor what the increase was in both expenditures and revenues this year versus last year. Mr. Wilson, in looking at the budget, quoted a figure of \$8,214,450 for revenue, \$7,964,450 for actual budgeted expenditures. Mr. Gagliardo specified that he wanted the total expenditures of the City this budget year as opposed to last budget year. Ms. Habada responded that last year's budget was approximately \$7,495,400. This year's budget is \$8.2 million, with \$576,000 in reserve and that the revenue increase is slightly greater this year. The difference is the pulling up from the surplus of \$576,000, to come up with the figure of \$8.2 million. The difference between the amount of revenue appropriated, including the reserves, and the amount of the expenditures, is Council's desire to set aside \$250,000, appropriated but not allocated to the capital budget, to examine municipal building renovations.

Mr. Gagliardo said that he was primarily interested in the impact to the taxpayer of the assessment increase, and was less interested in overall figures. It comes down to, he said, what the citizens get and what they pay for. He asked for figures on the minimum tax increase, the maximum tax increase, and the average tax increase. He said he also wanted to know why the constant yield tax was different on each side of the city.

The Mayor replied to the last question that the properties in Montgomery County are appreciating at a much higher rate than those in Prince George's County. Ms. Habada added that the increase on Prince George's side was 4.6% and Montgomery County, roughly 8-9%. She went on to say that for a house valued at \$100,000, on a 15% increase on that value, the addition from last year to this year would be \$110.00 the tax payer would be paying. She said that assumed the house was taxed at the current state practice of 43%,

at a \$100,000 market price. Councilmember Elrich explained that in the adopted budget, line 30-11, it says that the estimated actual for '89-90, the city would be collecting \$2,374,000, and under the adopted budget, the number would be \$2,450,000, an increase of roughly 3.5%. That could be used as a number to figure a person's tax for the Montgomery side.

The Mayor said that this budget, for the first time, takes into account a significant increase in the personal income tax revenue that the City gets via the State. The budget now reflects a change in the federal and state income tax laws originally begun during the Reagan Administration. Thus the tax rate cut is possible.

Hearing no further comment, the Mayor closed the public hearing portion of the evening and turned to the budget items.

ITEMS FOR COUNCIL ACTION:

1. First Reading Ordinance to Establish Tax Rate FY '91. The Mayor introduced the tax rate ordinance, and said this ordinance would set the rate at \$1.77.3 and included 27.8 cents for fire service; and four cents for stormwater management purposes. The ordinance was moved by Councilmember Hamilton and seconded by Councilmember Elrich. Councilmember Douglas questioned the fire service number and asked if it was firm. Ms. Habada said that, based on a recommendation by Mr. Gudis of the Montgomery County Council, she called the Council staff and received that number as a basis for their rate. She said she would call the County Council again to verify this before the final adoption. Councilmember Douglas talked about trying to track that money: that is, how much was received from the fire tax rate, how much the City gave to the County, and what was to be done with any surplus or deficit. Ms. Habada said that if the Council was accurate, there would be neither.

Councilmember Douglas asked if the City printed their own tax forms. Ms. Habada responded that the County will print them but, on the City's request, will split out the figure for stormwater service.

The Mayor pointed out that the City Administrator's budget, as proposed, included 7 cents of the tax rate as a result of the Council's deliberations, public hearings, and worksessions. The tax rate taken up for consideration now represents roughly a 5 cents cut in the tax rate. The difference is that the Mayor and Council decided to create a tax credit program for low- and moderate-income homeowners. That 2 cents will be collected as revenue but will then be disbursed to those people who qualify. According to Mr. d'Eustachio, the program should be able to run on \$48,000. Councilmember Douglas asked further about the three alternatives of the proposal. Assuming that alternative #2 can be funded with the 2 cents, were alternatives #1 and #3 more or less costly than 2 cents, so would more money be needed to fund them. After some discussion from the floor, and explanations from Mr. d'Eustachio, the Mayor explained that at the last worksession it was decided to fund the tax credit program with 2 cents of the tax rate. If additional revenue was needed, then it would be taken from the unappropriated reserve after the program started. The estimates are based on real figures, he said, based on prior tax credits awarded to residents under a State program.

Hearing no further comments or discussion, the Mayor called the question and the ordinance was accepted at first reading unanimously.

ORDINANCE #1990-24
(Attached)

COUNCIL MEETING JOINTLY AS WATER AND SEWER BOARD

2. First Reading Adoption of Storm Water Fund Budget The Mayor then asked for a motion to accept at first reading the adoption of a Stormwater Fund Budget. Councilmember Hamilton moved and it was duly seconded by Councilmember Douglas. Councilmember Leary said that he thought he remembered that 3/4 of the budget was to be for maintenance, and the rest as the first installment on a reserve fund for extraordinary expenses, but that was not indicated in this budget. The Mayor suggested that this current budget be accepted at first reading but that staff be directed to bring back an amendment reflecting 3 cents worth of revenue for contract maintenance and 1 cent for capital stormwater reserves. Councilmember Prensky mentioned the application of excess funds from emergency reserves which through interest will total more than 8.5% mandated by the Charter. He remembered discussing transfer of \$25,000 of the excess into the storm water reserve fund, but did not see it reflected. The Mayor again suggested the budget return in an amended format; and at that time additional amendments could be discussed.

Councilmember Douglas wanted to know how Councilmember Leary's suggestion could actually be carried out. Ms. Habada recommended that if the intent was to allocate money for capital expenses to be incurred this year, then the budget could include a capital line item. If the intent is to hold the money in case of emergency, then the budget can have language suggesting a reserve be set up for that purpose. The Mayor pointed out that it should be flexible; the idea was to build a reserve so that in case of a capital project the City would not have to use bonds to pay for it.

Councilmember Prensky said he thought the Council was instructed by both staff and the state regulations to create a separate fund for stormwater. Within the fund, there is an operating budget and a reserve with few line items at the moment. The intent would be to set aside one of the four cents as initial funding of the reserve. The Mayor then directed staff to bring back a budget reflecting three cents in operation and one cent in capital or stormwater reserve, as long as Mr. Giancola agreed with the assumptions. A question was then asked about showing \$5,000 for repair materials, \$5,000 for equipment rental and \$83,000 for subcontracts, suggesting that both repair and rental in this case were reserved for the subcontractors. Mr. Giancola said that it could be used either by the City or the subcontractor. The Mayor then made a motion to accept the ordinance at first reading; the question was called and the ordinance was accepted unanimously at first reading.

ORDINANCE #1990-25
(Attached)

The Mayor then moved adjournment of the Council, sitting as the Water and Sewer Board and the motion carried.

4. FY'91 Budget Ordinance It was moved and seconded to accept the budget ordinance at first reading. Councilmember Prensky raised the question of \$25,000 being moved to stormwater reserve and wondered why it was not in the budget documents. He made a motion that \$25,000 of excess emergency reserve (in excess of the 8.5% of revenues) be transferred to the stormwater reserve; Councilmember Leary seconded the motion. Councilmember Douglas said that he was not in favor of this because he thought 1) the 8.5% was a floor, not a requirement or ceiling, and therefore more was better than less; and 2) next year, the tax rate would need to be increased, and thus the amount of the emergency reserve will have to go up, and he wanted to keep the extra \$25,000 there since the reserve might need to be increased next year. Councilmember Leary agreed with Councilmember Douglas; the money should be used only for

emergencies and if needed could be removed from that fund. However, it was pointed out by Councilmember Elrich that the Council was told they could not move money out of the emergency reserve on a regular basis into the stormwater account and that was why it should be set up as suggested above, and in fact, the amount should be \$50,000 and set aside for emergencies only. The Mayor agreed to that, but said that the monies would be subject to restrictions, and once there could not be taken from stormwater and moved back. Councilmember Prensky noted that even if more money than needed was moved into this stormwater emergency reserve, they could always reduce the tax rate. Councilmember Douglas asked if it was true that the 8.5% emergency reserve set up in the charter could not be used for emergencies related to stormwater; this was ascertained by several individuals to be untrue. Mr. Wilson pointed out that powers that the Council has have to be formally stated somewhere, specifically in the Charter. He suggested that some new language would therefore be necessary in the Water and Sewer section to legitimize certain uses.

Councilmember Douglas stated that his preference was that there be some mention in the stormwater management line to record that some money is specifically set aside for emergency purposes. He thought the money for such problems as a sinking street could come out of an operating reserve. He noted that it made no sense to put money into stormwater reserve if it could not be moved out again.

Councilmember Moore argued that the reserve needed to be defined. The Mayor then reiterated the amendment before the Council, to take \$25,000 of excess emergency reserve funds and place them into a stormwater budget reserve; the amendment carried with a 5-2 vote (Councilmembers Douglas and Sharp voted Nay).

Mary Ellen Koenig, 7420 Holly Avenue, speaking as a member of the Takoma Park Elementary School PTA, asked that funds be restored in the proposed budget for improving the pathway, on City property, between the Hodges Field and the back of the Council building. She described the path's condition, and the request of the Public Works Department to improve it and their specific plan of action. She did not favor the Council's proposal at the worksession to fence off the pathway so it could not be used, because it robbed young children of a direct route to the back of the building.

Discussion of the pathway and the \$12,000 cost to pave it followed. Mr. Giancola noted that improvements included a path to the Library and in response to Councilmember queries said there had been no specific design overall for the pathway. Councilmember Leary suggested completing the asphalt to Grant Avenue and putting in a short guard rail to discourage people from using the hill and he proposed that staff return with a revised estimate. Councilmember Elrich argued against any kind of rail, saying that if the path was done properly, it would be unnecessary. The Mayor agreed, and said that a fence might only encourage kids to play on it. He added the bank was subject to environmental degradation and unsightly and that a stairway might even be necessary.

Ed Wilhelm, Supervisor, Takoma Park Youth Soccer League noted that he used the hill and not the pavement since it was too slippery in rain. He said that most kids go up the grass and through a hole in the fence, which seemed to him the safest route. He recommended not extending the pavement because of its slippery quality. Councilmember Hamilton asked that staff return with an estimate, with lighting perhaps as an optional cost; the Mayor and rest of Council concurred with this suggestion.

Carl Iddings, 7416 Carroll Avenue stated that he came specifically to pick up a copy of the budget but none were available this evening, and therefore he could not follow the line items being discussed. The Mayor asked that staff make a copy for Mr. Iddings and said it was not a complete document. Mr. Iddings replied that

he inferred that due to the reduced tax rate, services would be cut also, but citizens could not understand what was missing unless the entire document was available. Councilmember Douglas countered that it was the tax rate, not taxes, being cut, but that services were not being cut. The Mayor acknowledged Mr. Iddings' complaint and accepted responsibility for the lack of correct information. Mr. Wilson said that copies of the budget had been available since April 11.

Returning to the path issue, the Mayor directed staff to return with a proposal within two weeks. He then asked for other discussion of budget items. Councilmember Moore asked about Open Space funds for the Thomas/Siegler Phase II proposal, and the Mayor responded that the city's share of the financial responsibility came to \$4,500 for stabilization, and the rest was to come out of Open Space funds. Councilmember Douglas then proposed that the \$4,500 be added to the City's budget as part of the City's share of \$18,000 to preserve the building; the motion was seconded. Councilmember Sharp said he recalled that in 1986 it was proposed that the City not be involved in funding of the Siegler proposal. Councilmember Douglas said that the building should be well-maintained or torn down, but it should not just sit there. Councilmember Elrich felt that as the City could not compel parties originally involved to raise the money for the building, the City did have a responsibility to maintain it. Councilmember Hamilton said that the City needed a policy stance involving financial responsibility for maintaining these kinds of buildings and parks, for example, Hefner Park. The Mayor cited these improvements needed: window and door repair/replacement, gutter/drainage replacements, replacing the roof, scraping and painting the exterior, and electrical repairs. Under questioning from Councilmember Sharp, Mr. Giancola said that electrical repairs were needed as basic repairs. He recommended not delaying the electrical repairs. The Mayor stopped the discussion in the interests of time and asked for a vote on the amendment to add \$4,500 for restoration of the Thomas/Siegler property as matching funds to the Open Space budget. The amendment carried with two abstentions one of whom was Councilmember Sharp.

Paul d'Eustachio, 6611 Allegeny Avenue asked that the Council recognize that the property tax system is grossly inequitable. Over the last 8 - 9 years, the federal tax structure has become more regressive, he said, and on the local level taxes have had to be raised, especially property tax. He stated that taking a couple of cents from the proposed tax rate decrease and allocating it to a income-based credit program would not help people on moderate incomes, or retirees, or fixed income citizens. He cited three households on his street that have moved in the last several years because they could not afford it; they were elderly and black. He had with him a memo detailing several alternatives for changing this trend.

Councilmember Leary proposed that staff be instructed to prepare the necessary work to enact Mr. d'Eustachio's Alternative #2; to retain a modest amount of money in unappropriated reserve for [??]. A gesture was needed to help these particular taxpayers. Councilmember Hamilton supported Alternative #1, because the money was set aside but then not used. Mr. Hamilton said that one cent should be put into the budget, and then raised to two cents for this year. It would be the equivalent of three cents, the Mayor affirmed. Thus the \$22,000 not spent this year be moved from the unappropriated reserves to fund the new program, and add two cents for this year. Councilmember Douglas was concerned that the program begin this year with as much as three cents, and pointed out that taking that amount (\$22,000) out of unappropriate reserves was a large sum. Perhaps it should be paid by the tax rate and not unappropriated reserve. Councilmember Moore said he thought two cents was better now than three.

The Mayor directed staff to create the program, with the two-cent proposal thus not taking anything out of unappropriated reserves, at a funding level of approximately \$50,000. He asked for more general questions on the budget. Councilmember Douglas then asked where the 1% reduction in salaries as a result of anticipated lapses showed in the budget. Mr. Wilson said that the item had been dropped since there were some departments that could not accommodate such a reduction. Councilmember Douglas said he thought it would be reduced as a sum of the total, in the course of the year, as has been shown historically. Mr. Wilson said that he understood that the 1% that would be freed up would be spent for specific identified items. Councilmember Leary interpreted the discussion to mean that the Council really wanted \$36,000 in unappropriated reserve, rather than carrying it on the salary line.

Councilmember Sharp pointed out that not having a police officer or department head for a year made up the \$36,000 and that it should be in unappropriated reserves. Councilmember Douglas agreed and suggested that staff and Councilmembers figure out how to present it. The Mayor questioned if the Council wanted the staff to show a one percent "deduct" on the personnel expenditures, and report it as such.

Councilmember Hamilton said that he did not like the idea of using the one percent reduction in salary for other reasons. He proposed instead to use the extra money for a bonus program or to use interns. Mr. Wilson felt that the difference in Councilmember Sharp and Hamilton's ideas were one of budgetary control, and he reminded the Council that budget amendments were to insure that Council approval for certain items was guaranteed.

The Mayor asked for more discussion on the budget ordinance, and receiving none, the budget ordinance as amended at first reading, and the ordinance was accepted at first reading..

ORDINANCE #1990-26
(Attached)

4. 'FY91 Employee Pay Plan and the Executive Pay Plan

Upon motion made and duly seconded the ordinances for a pay plan for employees and executives alike, were accepted at first reading.

ORDINANCES #1990-27 and #1990-28
(Attached)

5. Amendment to the Personnel Classification Plan The Mayor noted that a new copy had been distributed this evening dated 5/29/90 and asked for a motion to adopt the amendments to the Personnel Classification Plan. It was so moved and adopted. The Mayor asked staff if the Deputy City Clerk's position would be retained as a position within the classification system, and if it was even funded. Staff replied that it was not funded. Councilmember Hamilton noted that in the charter, the clerk does not function under the employee pay plan. Ms. Habada said she understood that the position did not need to be part of the plan, but that it could be an option by contract. The Mayor commented that the council may need to amend the personnel ordinance to indicate that the position has a salary set by a mechanism other than the pay plan. The question was called to accept the ordinance at first reading and it was unanimously accepted at first reading.

ORDINANCE #1990-29
(Attached)

The Mayor then excused himself for health reasons. Councilmember Sharp presided as Mayor Pro Tem and introduced the next item.

6. Licensing/Inspection Fees - Increase The Ordinance was moved for acceptance at first reading. Councilmember Hamilton asked if discussion of housing fees required a public hearing to appear in

the Newsletter. Susan Weiss replied that intent to raise housing/licensing fees, and the amount, was printed in the newsletter. Councilmember Douglas asked why the fees did not go into effect at the beginning of the fiscal year. Ms. Weiss replied that the date of January 1, 1991, allowed them time to create regulations and for the Accounting Dept. to gear up for billing. Councilmember Sharp asked for a vote on those in favor of increasing the above-mentioned fees, and the ordinance was accepted at first reading with no opposition.

ORDINANCE #1990-30
(Attached)

7. Multi-family Waste Collection Fees - Increase The ordinance was moved for acceptance at first reading. Councilmember Sharp questioned the City Administrator on how trash issuing from a business in a home would be handled; Mr. Wilson responded that he was not sure. Councilmember Prensky reminded the Council that for each household, it cost the city \$186 to collect trash. Councilmember Douglas suggested charging trash collection by the bag. The question was called and the ordinance was unanimously accepted at first reading.

ORDINANCE #1990-31
(Attached)

8. Residential Parking Fees - Increase Mayor Pro Tem Sharp introduced the ordinance which was duly moved and seconded. Following discussion, it was agreed to make the effective date immediate. A vote was taken on the ordinance as amended and it was unanimously accepted at first reading.

ORDINANCE #1990-53
(Attached)

9. Intent to Support 3/4 Time Cable Coordinator's Position Beginning in FY '92 The resolution was moved and seconded. Councilmember Hamilton excused himself from voting since he was chair of the Cable Board. Councilmember Douglas said the intent of the proposal was to show that municipal programming should be financed out of tax dollars. He hoped that he hoped the additional one-fourth time would be made up by funds other than from the City. Councilmember Moore said the larger issue was that the position is part of an effort to re-evaluate the role of the Cable Board and television. Mayor Pro Tem Sharp then asked for those in favor of the resolution and all voted aye except for Councilmember Hamilton, who abstained.

RESOLUTION #1990-54
(Attached)

10. Resolution Approving Councilmember Prensky as Official Representative to Santa Marta - Mr. Sharp commented that the resolution also supports the trip itself. George Taylor, Takoma Park Presbyterian Church, noted that the City of Santa Marta had specifically invited the delegation. Councilmember Prensky asked that Reid Baron's name be added to the delegation list and this was accepted as an amendment which carried. The resolution passed by unanimously with Councilmember Prensky abstaining.

RESOLUTION #1990-56
(Attached)

11. Resolution Authorizing \$490 for Councilmember Prensky's Trip to Santa Marta. The resolution was moved and duly seconded. Councilmember Leary said he was voting against the resolution reluctantly, because he thought it represented a contribution to one of the Council's "favorite charities". He said that this was not a service directly benefiting citizens of the city, he said, and although the money was in effect donated to the people of Santa

Marta, there were many others just as worthy. Mr. Leary commented that the \$490, if not used, would revert to the unappropriated reserve; at least a typewriter could be bought out of that money. Councilmember Hamilton disagreed, saying that, after all, other Councilmembers attended the MML Conference with their families and that cost even more money. Councilmember Elrich added that Councilmember Prensky would be giving the money for food and medical supplies and it was worth it. Councilmember Moore said that he supported the trip but felt members should not make their own decisions about what to do with money originally budgeted for MML.

Councilmember Elrich elaborated by saying that in the future the Council might need to decide where it needs to have representation and where reimbursement might take place. Councilmember Hamilton added that there needed to be a defined policy on reimbursement for representation by Councilmembers of the city. Councilmember Elrich felt that the concrete presence of Americans in El Salvador was good and the money could even make a life or death difference. Councilmember Douglas then asked that given that judgment, if more money would not be better. Councilmember Elrich felt \$500 was appropriate.

Councilmember Hamilton asked Councilmember Prensky if he thought his presence or the donated money was more important in El Salvador.

Councilmember Prensky stated that the Mayor had asked him to go in his stead (as was Councilmember Hamilton) and he had been the only person interested or able. He felt that despite his desire to go to MML, he felt the opportunity was significant and unique, and that this kind of contribution differed from the usual financial kind made to non-profits, and he did not connect the savings of not going to MML with his trip to Santa Marta. His going was under the auspices of an official project of the city.

Councilmember Elrich responded that the Council was really discussing two different kinds of contributions. It is very important that an actual presence be there, almost as a "life insurance policy." Councilmember Prensky said he would have gone with or without the City's contribution, but the money freed up would do more good.

Debbie Tyler, Co-Chair of Companion Cities Project explained that Santa Marta is now in a state of extreme crisis, divided between starvation and bombing. She encouraged both types of contribution and said that as an official companion city, Takoma Park should be realizing Santa Marta's difficult situation.

Acting City Clerk Jewell then submitted and summarized a letter from Robert Sheldon, President of B.F. Gilbert Citizens Assn. He hoped the Council would transfer the money allotted from Councilmember Prensky's Ocean City trip to help pay for the Santa Marta trip. Mr. Sheldon wrote that the Association did not vote, but he felt he could speak for the other members, and Mr. Sheldon said he would contribute \$25.

Councilmember Douglas said he thought the money was less the issue than the context. Mayor Pro Tem Sharp then called for a vote. The resolution was passed by a majority vote (Councilmembers Leary and Sharp voted Nay, and Councilmember Prensky abstained).

RESOLUTION #1990-57
(Attached)

12. Resolution to Transfer Remaining Program Year 12 CDBG Funds to the Oliff Project. Community Development Coordinator VinCola commented that staff proposed that the Council adopt a resolution extending the contract expiration date for PY12, expand the scope of work for the Erie/Flower improvement program, and allow staff

to use the \$5,520 previously transferred to this improvement program, to be used for demolition. Ms. VinCola said that the County staff had been against the comingling of funds, but she worked out a situation agreeable to them using education cassette funds. She stated that as far as the TAP funds were concerned, they had one approved application; they had not gone to settlement with the Edinburgh, and she told them that she had \$4,000 in additional funds which could be given them in light of acceptable uses. Councilmember Leary then expressed his anger that Ms. VinCola had to wait 4 hours to make this one-minute presentation.

Mayor Pro Tem Sharp then called for a vote on the resolution and the resolution was passed unanimously.

RESOLUTION #1990-58
(Attached)

13. Appointing Representative to COLTA The Mayor Pro Tem said they interviewed a candidate this evening, Richard Joy of 7002 Westmoreland Avenue, to fill a vacancy on the City's Commission on Landlord-Tenant Affairs. The resolution was passed by majority vote (with Councilmembers Moore and Elrich abstaining).

RESOLUTION #1990-58
(Attached)

14. ADDITIONAL AGENDA ITEM - First Reading Ordinance - Amendments to the Cable Board Cable Ordinance Councilmember Douglas moved acceptance at first reading; and it was duly seconded and accepted by a majority vote (with Councilmember Hamilton abstaining). Mr. Sharp noted that the ordinance would be discussed at the June 4th worksession.

15. Flag Day The resolution was moved for passage and duly seconded. Councilmember Prensky said that he had difficulty with the resolution's language. He did not pledge allegiance to "things", he explained, but to principles, values, and performance. Mr. Prensky said that he disliked the flag as a test of patriotism, as was used in the previous presidential elections. Councilmember Elrich agreed, saying he found reciting the pledge distasteful because of its hypocrisy. In light of this, Councilmember Douglas suggested the Council look at the fact that they recited the Pledge of Allegiance - or at least, some did - every other Monday in the Council Chambers. Mayor Pro Tem Sharp brought the resolution to a vote, and it passed by a 5-2 vote (Councilmembers Prensky and Elrich voted Nay).

RESOLUTION #1990-61
(Attached)

CONSENT AGENDA ITEMS: The Consent Agenda was moved by Councilmember Leary.

Resolution #1990-59 - recognizing Takoma Park Intermediate School on their 50th Anniversary of the founding of the school.

Resolution #1990-60 - congratulating Hugh B. Robey, Director of Montgomery County Parks & Recreation, on his retirement after 40 years of service to the Maryland-National Capital Park & Planning Commission.

Upon motion duly made and seconded, the meeting adjourned at 11:50 PM to reconvene in Regular Session on June 11, 1990.

Mayor Pro Tem Sharp took a vote on the consent agenda items and all members voted unanimously for the items. He then adjourned the meeting.

1st Reading:
2nd Reading:

Introduced by:

ORDINANCE NO. 1990-

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, in accordance with Article IX of the Charter of the City of Takoma Park, it is the determination of the Mayor and City Council that the annual appropriation Ordinance should be enacted to budget and appropriate funds for the several objects and purposes for which the City must provide in the fiscal year beginning July 1, 1990 and ending June 30, 1991;

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

SECTION 1. THAT from and out of the monies and balances known to be in the General Fund of the City of Takoma Park, Maryland, and from all monies anticipated to come into all funds during the twelve (12) month period, ending June 30, 1991, there shall be, and hereby are appropriated General Fund revenues of SEVEN MILLION, FIVE HUNDRED SEVENTY EIGHT THOUSAND AND FORTY FOUR DOLLARS (\$7,578,044) and a transfer of prior year surplus and/or Unappropriated Reserve balance to the FY 91 budget as follows:

Taxes-Local	\$ 4,141,430
Taxes-State Shared	\$ 1,058,720
License & Permits	\$ 12,300
Revenue from other Agencies	\$ 1,659,944
Service Charges	\$ 356,650
Fines & Forfeitures	\$ 177,000
Miscellaneous	\$ 172,000
SUBTOTAL	\$ 7,578,044

Prior year surplus/unappropriate reserve	\$576,406
Equipment Replacement Reserve allocation	60,000

TOTAL \$ 8,214,450

SECTION 2. THAT the City Administrator is hereby authorized to transfer funds to the FY 1990-91 budget from the prior year surplus and/or Unappropriated Reserve in the amount of \$576,406.

SECTION 3. THAT there shall be, and hereby are appropriated the following sums for use by the several departments and offices of the City, and for the objects and purposes for which the City must provide during the 1989-90 Fiscal Year:

Public Works	\$ 2,171,212
Police Department	\$ 1,962,952
Non-Departmental	\$ 1,526,555
Government Administration	\$ 816,944
Housing & Community Development	\$ 519,414
Library	\$ 355,019
Cable	\$ 67,749
Recreation	\$ 325,681
Debt Service	\$ 198,240
General Fund Transfer to Special Revenue Fund	\$ 20,684
TOTAL EXPENDITURES	\$ 7,964,450

SECTION 4. THAT in accordance with Article IX, of the City Charter, Section 903, there is included in the NonDepartmental Budget, a General Contingency Account appropriation of ONE HUNDRED FIFTY ONE THOUSAND, FIVE HUNDRED SIXTY ONE DOLLARS (\$151,561);

SECTION 5. THAT in accordance with Article IX of the City Charter, Section 904 (b) the City Administrator is hereby authorized to transfer the balance of the FY 90 Capital Reserve allocation in the amount of SIXTY-TWO THOUSAND, THREE HUNDRED AND ONE DOLLARS (\$62,301) and transfer ONE THOUSAND, ONE HUNDRED AND FORTY DOLLARS (\$1,140) from Unappropriated Reserve to the Equipment Replacement Reserve for a total FY 90-91 Equipment Replacement Reserve allocation of SIXTY THREE THOUSAND, FOUR HUNDRED AND FORTY ONE DOLLARS (\$63,441);

SECTION 6. THAT a Special Revenue Fund is authorized for receipt of and expenditure of Federal or State funded projects with Revenues of SIX HUNDRED NINETY TWO THOUSAND AND FIFTY THREE DOLLARS (\$692,053) inclusive of a General Fund Transfer of TWENTY THOUSAND, SIX HUNDRED EIGHT FOUR DOLLARS (\$20,684) and an Expenditure appropriation of SIX HUNDRED NINETY TWO THOUSAND AND FIFTY THREE DOLLARS (\$692,053); AND

SECTION 7. THAT the City Administrator is hereby authorized to allocate \$60,000 to the FY 91 Budget from the Equipment Replacement Reserve for the purchase of a backhoe.

SECTION 8. THAT the approved FY 90 Approved Budget Document is to be made a part of this Ordinance by reference.

SECTION 9. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not effect any other sections.

SECTION 10. THAT this Ordinance shall become effective July 1, 1990.

Adopted this _____ day of June, 1990, by Roll Call Vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

Introduced by: Councilmember Sharp First Reading: May 14, 1990
Second Reading: May 29, 1990

ORDINANCE NO. 1990-19

(Establishment of a Water and Sewer Board for
the City of Takoma Park)

WHEREAS, House of Delegates Bill No. 971 (Chapter 369, Acts of Maryland 1990) transfers to the City of Takoma Park, as of July 1, 1990, the authority of the Washington Suburban Sanitary Commission ("WSSC") for stormwater management in the City of Takoma Park; provides for the transfer of certain property of the WSSC used for stormwater management to the City of Takoma Park; authorizes the levying of an ad valorem tax for stormwater management by the City of Takoma Park; and generally relates to stormwater management in the City of Takoma Park; and

WHEREAS, Article XII of the Charter of the City of Takoma Park provides that "[t]he Council shall by Ordinance, be designated the Water and Sewer Board for Takoma Park" and sets forth the powers of the Water and Sewer Board.

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

Section 1. The Council is designated the Water and Sewer Board for the City of Takoma Park. The Mayor shall serve as the Presiding Officer of the Water and Sewer Board.

Section 2. The voting members of the Water and Sewer Board shall be the same as the Council as designated in the 1989 Charter of Takoma Park. Charter provisions governing the conduct of Council business shall be applicable to the Water and Sewer Board, and the Board is authorized to adopt such regulations as may be necessary or desirable for its operations and to carry out stormwater management in the City of Takoma Park. Water and Sewer Board regulations shall be promulgated in accordance with the procedures set forth in Chapter 2A, Article 5 (Administrative Regulations) of the Takoma Park Code, as amended from time to time.

Section 3. This Ordinance shall be effective immediately.

ADOPTED THE 29th OF MAY, 1990 BY ROLL CALL VOTE AS FOLLOWS:

Aye: Douglas, Elrich, Hamilton, Leary, Moore, Prensky, Sharp
Nay: None
Abstain: None
Absent: None

Underline indicates language added after First Reading

Introduced by:
Drafted by: Linda Perlman
Asst. Corp. Counsel

1st Reading: 5/29/90
2nd Reading:

ORDINANCE NO. 1990-

(Setting a hearing as to the condition of the building at 801 Colby Ave. to determine whether the building should be condemned as unfit for human habitation.)

WHEREAS, it has been reported to the Council by the Inspector of Buildings that the building located at 801 Colby Ave., Takoma Park (Prince George's County), Maryland (hereinafter "the building") is unfit for human habitation as it is so structurally unsound, dilapidated, unsanitary, and unsafe that it is a danger to public safety; and

WHEREAS, the City Code Enforcement Officer's exterior housing inspection report lists numerous housing code violations at 801 Colby Ave., Takoma Park, Maryland, as set forth in the inspection report, a copy of which is attached as Exhibit A; and

WHEREAS, a videotape of the building prepared by City staff indicates that the interior of the building is damaged, decayed and dilapidated, and lacks adequate illumination, ventilation and sanitary facilities, as shown on the videotape which is hereby made a part of the record of this matter; and

WHEREAS, the building is vacant and its condition presents a health and safety hazard to the neighborhood; and

WHEREAS, the Prince George's County Land Records show that 801 Colby Ave., Takoma Park, Maryland is owned 1/4 by Mamie Lewis Robinson, 1/8 by Fred Lee Lewis, 1/8 by Inez Lewis White, 1/8 by Samuel Edward Lewis, 1/8 by Evelyn Lewis Jones, 1/8 by Willie Lewis, and 1/8 by Albert Johns, all as tenants in common; and

WHEREAS, Mamie Lewis Robinson has informed City staff that she is the only surviving owner of record and that the other owners of record are deceased as follows: Fred Lee Lewis died on 1/30/85 in Takoma Park (Prince George's County), Md., Inez Lewis White died on 12/31/85 in Washington, D.C., Samuel Edward Lewis died on 6/16/84 in Washington, D.C., Evelyn Lewis Jones died on 2/11/81 in Washington, D.C., Willie Lewis died on 6/24/86 in Washington, D.C., and Albert Johns died on 6/27/82 in Takoma Park (Prince George's County), Md.; and

WHEREAS, the Office of the Register of Wills for Prince George's County, Maryland does not have records of any proceedings for administrative or judicial probate of an estate

or for appointment of a foreign personal representative for any of the estates of the deceased building owners of record.

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

SECTION 1. The Council has received information from the Inspector of Buildings that the building: (1) is so damaged, decayed, dilapidated, unsanitary and unsafe that it creates a serious hazard to the health or safety of the public; (2) lacks illumination, ventilation or sanitary facilities adequate to protect the health or safety of the public; and (3) because of its general condition is unsanitary or otherwise dangerous to the health or safety of the public.

SECTION 2. The building is located at 801 Colby Ave., Takoma Park, Md., and is more particularly described as Lot 7, Block 34, in the subdivision known as "B.F. Gilbert's Subdivision of Takoma Park", Prince George's County, within the City of Takoma Park, Maryland.

SECTION 3. Upon information and belief, Mamie Lewis Robinson, of 965 Randolph St., N.W., Apt. 1, Washington, D.C. 20011, is the only surviving building owner of record; the other building owners of record, Fred Lee Lewis, Inez Lewis White, Samuel Edward Lewis, Evelyn Lewis Jones, Willie Lewis, and Albert Johns, being deceased, and no estate administration proceedings (or foreign personal representative estates) having been instituted by the estate of any of the deceased building owners of record in Prince George's County, Maryland.

SECTION 4. The Council hereby initiates condemnation proceedings under Article 6, Chapter 6, Section 6-67 and Section 6-69 through 6-75 of the Takoma Park Code.

SECTION 5. The Council sets the date of _____, at _____ p.m., in the Council Chambers at 7500 Maple Avenue, Takoma Park, Md. 20912 as the time and place for a hearing as to the condition of the building in order to determine whether or not the building should be condemned as unfit for human habitation.

SECTION 6. The City Administrator is directed to give notice of the hearing to the building owner of record, Mamie Lewis Robinson, or her agent and to the unknown heirs of the deceased owners of record in accordance with the provisions of Article 6, Chapter 6, Section 6-70 of the Takoma Park Code.

THIS ORDINANCE IS ADOPTED ON THE _____ DAY OF _____, 1990 AND IS EFFECTIVE ON THE SAME DATE.

Adopted the ____ day of _____, 1990 by roll call
vote as follows:

Aye:

Nay:

Abstained:

Absent:

801colby.ord
corr70/cp

Introduced by:

First Reading: 5/29/90
 Second Reading:

ORDINANCE NO. 1990-

Short Title: Pay scale for employees.

AN ORDINANCE TO:

(a) Amend the pay scale for employees for FY 91, tied to the position classification schedule as adopted by Ordinance No. 1986-53, as amended.

WHEREAS, the City has negotiated a union contract with AFSCME Local 3399, and Local 400 of the United Food and Commercial Workers Union that includes a 5% cost-of-living adjustment for FY 1991;

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

SECTION 1. PAY SCALE PLAN.

Ordinance No. 1989-24 is hereby amended and the following pay scale is adopted as the new Pay Scale Plan for the City for the Fiscal Year beginning July 1, 1990 and ending June 30, 1991. This Pay Scale Plan will become effective July 1, 1989, and will remain in effect until amended or repealed by the City Council:

(a) City Administrator. The pay scale for the City Administrator is as follows:

STEP:	A	B	C	D	E	F
	40,635	42,155	43,733	45,371	47,070	48,834
	G	H	I	J	K	
	50,664	52,565	54,541	56,587	58,737	

(b) Recreation attendant. The pay scale for recreation attendants is as follows:

STEP	A	B	C	D	E	F
	<u>11,187</u>	<u>11,589</u>	<u>12,051</u>	<u>12,436</u>	<u>12,882</u>	<u>13,350</u>
	G	H	I	J	K	
	<u>13,831</u>	<u>14,334</u>	<u>14,852</u>	<u>15,393</u>	<u>15,978</u>	

(c) Crossing guard. The pay scale for crossing guards is as follows:

STEP:	A	B	C
	<u>[3,636] \$9.09/hour</u>	<u>[3,927] \$9.82/hour</u>	<u>[4,241] \$10.61/hour</u>

(d) All other employees. The pay scale for all other employees is as shown on the following 36 percent scale: (see next page).

(e) Special rule for employees who are represented by a certified employee organization.

All employees represented by a certified employee organization will be paid according to the terms of the collective bargaining agreement effective July 1, 1989, as it was adopted by Council pursuant to the provisions in Article 2 of Chapter 8B of the City Code.

Adopted this _____ day of June, 1990 by rollcall vote as follows:

AYES:
NAYS:
ABSTAIN:
ABSENT:

NOTE: Underlining indicates new language to be added. Brackets [] indicate language to be deleted.

FY 91 PAY PLAN

		A	B	C	D	E	F	G	H	I	J	K
GRADE	Starting Pay	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL
	Percentage Increase	4.25%	4%	3.75%	3.5%	3.25%	3%	2.75%	2.5%	2.25%	2.10%	
1	Annual	\$14,332.50	\$14,941.64	\$15,539.30	\$16,122.02	\$16,686.28	\$17,228.59	\$17,745.44	\$18,233.45	\$18,689.28	\$19,109.80	\$19,511.10
	Weekly	\$275.63	\$287.34	\$298.83	\$310.04	\$320.89	\$331.32	\$341.26	\$350.64	\$359.41	\$367.50	\$375.21
	Hourly	\$6.89	\$7.18	\$7.47	\$7.75	\$8.02	\$8.28	\$8.53	\$8.77	\$8.99	\$9.19	\$9.38
2	Annual	\$15,406.86	\$16,061.65	\$16,704.12	\$17,330.53	\$17,937.09	\$18,520.05	\$19,075.65	\$19,600.23	\$20,090.23	\$20,542.27	\$20,973.65
	Weekly	\$296.29	\$308.88	\$321.23	\$333.28	\$344.94	\$356.15	\$366.84	\$376.93	\$386.35	\$395.04	\$403.34
	Hourly	\$7.41	\$7.72	\$8.03	\$8.33	\$8.62	\$8.90	\$9.17	\$9.42	\$9.66	\$9.88	\$10.08
3	Annual	\$16,562.64	\$17,266.55	\$17,957.21	\$18,630.61	\$19,282.67	\$19,909.36	\$20,506.64	\$21,070.57	\$21,597.34	\$22,083.27	\$22,547.03
	Weekly	\$318.51	\$332.05	\$345.33	\$358.28	\$370.82	\$382.87	\$394.36	\$405.20	\$415.33	\$424.68	\$433.60
	Hourly	\$7.96	\$8.30	\$8.63	\$8.96	\$9.27	\$9.57	\$9.86	\$10.13	\$10.38	\$10.62	\$10.84
4	Annual	\$17,805.55	\$18,562.29	\$19,304.78	\$20,028.71	\$20,729.71	\$21,403.42	\$22,045.52	\$22,651.78	\$23,218.08	\$23,740.47	\$24,239.04
	Weekly	\$342.41	\$356.97	\$371.25	\$385.17	\$398.65	\$411.60	\$423.95	\$435.61	\$446.50	\$456.55	\$466.14
	Hourly	\$8.56	\$8.92	\$9.28	\$9.63	\$9.97	\$10.29	\$10.60	\$10.89	\$11.16	\$11.41	\$11.65
5	Annual	\$19,140.19	\$19,953.65	\$20,751.80	\$21,529.99	\$22,283.54	\$23,007.75	\$23,697.98	\$24,349.68	\$24,958.42	\$25,519.98	\$26,055.90
	Weekly	\$368.08	\$383.72	\$399.07	\$414.04	\$428.53	\$442.46	\$455.73	\$468.26	\$479.97	\$490.77	\$501.08
	Hourly	\$9.20	\$9.59	\$9.98	\$10.35	\$10.71	\$11.06	\$11.39	\$11.71	\$12.00	\$12.27	\$12.53
6	Annual	\$20,575.74	\$21,450.21	\$22,308.22	\$23,144.77	\$23,954.83	\$24,733.36	\$25,475.37	\$26,175.94	\$26,830.34	\$27,434.03	\$28,010.13
	Weekly	\$395.69	\$412.50	\$429.00	\$445.09	\$460.67	\$475.64	\$489.91	\$503.38	\$515.97	\$527.58	\$538.66
	Hourly	\$9.89	\$10.31	\$10.73	\$11.13	\$11.52	\$11.89	\$12.25	\$12.58	\$12.90	\$13.19	\$13.47
7	Annual	\$22,119.06	\$23,059.12	\$23,981.48	\$24,880.78	\$25,751.61	\$26,588.54	\$27,386.20	\$28,139.32	\$28,842.80	\$29,491.76	\$30,111.09
	Weekly	\$425.37	\$443.44	\$461.18	\$478.48	\$495.22	\$511.32	\$526.66	\$541.14	\$554.67	\$567.15	\$579.06
	Hourly	\$10.63	\$11.09	\$11.53	\$11.96	\$12.38	\$12.78	\$13.17	\$13.53	\$13.87	\$14.18	\$14.48
8	Annual	\$23,778.19	\$24,788.76	\$25,780.32	\$26,747.07	\$27,683.22	\$28,582.93	\$29,440.41	\$30,250.02	\$31,006.28	\$31,703.91	\$32,369.70
	Weekly	\$457.27	\$476.71	\$495.78	\$514.37	\$532.37	\$549.67	\$566.16	\$581.73	\$596.27	\$609.69	\$622.49
	Hourly	\$11.43	\$11.92	\$12.39	\$12.86	\$13.31	\$13.74	\$14.15	\$14.54	\$14.91	\$15.24	\$15.56
9	Annual	\$25,561.15	\$26,647.50	\$27,713.40	\$28,752.66	\$29,758.99	\$30,726.17	\$31,647.95	\$32,518.26	\$33,331.22	\$34,081.17	\$34,766.88
	Weekly	\$491.56	\$512.45	\$532.95	\$552.94	\$572.29	\$590.89	\$608.61	\$625.35	\$640.99	\$655.41	\$669.17
	Hourly	\$12.29	\$12.81	\$13.32	\$13.82	\$14.31	\$14.77	\$15.22	\$15.63	\$16.02	\$16.39	\$16.73
10	Annual	\$27,478.27	\$28,646.09	\$29,791.93	\$30,909.14	\$31,990.96	\$33,030.66	\$34,021.58	\$34,957.18	\$35,831.10	\$36,637.30	\$37,406.68
	Weekly	\$528.43	\$550.89	\$572.92	\$594.41	\$615.21	\$635.20	\$654.26	\$672.25	\$689.06	\$704.56	\$719.36
	Hourly	\$13.21	\$13.77	\$14.32	\$14.86	\$15.38	\$15.88	\$16.36	\$16.81	\$17.23	\$17.61	\$17.98
11	Annual	\$29,539.86	\$30,795.31	\$32,027.11	\$33,228.13	\$34,391.11	\$35,508.82	\$36,574.08	\$37,579.87	\$38,519.38	\$39,386.05	\$40,213.17
	Weekly	\$568.07	\$592.22	\$615.91	\$639.00	\$661.37	\$682.86	\$703.35	\$722.69	\$740.76	\$757.42	\$773.33
	Hourly	\$14.20	\$14.81	\$15.40	\$15.98	\$16.53	\$17.07	\$17.58	\$18.07	\$18.52	\$18.94	\$19.33
12	Annual	\$31,755.09	\$33,104.68	\$34,428.87	\$35,719.95	\$36,970.14	\$38,171.68	\$39,316.83	\$40,398.04	\$41,407.98	\$42,339.66	\$43,228.79
	Weekly	\$610.67	\$636.63	\$662.09	\$686.92	\$710.96	\$734.07	\$756.09	\$776.89	\$796.31	\$814.22	\$831.32
	Hourly	\$15.27	\$15.92	\$16.55	\$17.17	\$17.77	\$18.35	\$18.90	\$19.42	\$19.91	\$20.36	\$20.78

Introduced by:

1st Reading: 5/29/90
2nd Reading:
Effective:

ORDINANCE NO. 1990-

Short Title: An ordinance to amend the Executive Pay Plan

AN ORDINANCE TO:

- (a) Change the Executive Pay Plan to provide for a 4% adjustment to the Pay Plan for FY 91.

BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT THIS ORDINANCE amends the Executive Pay Plan as adopted by Ordinance 1989-25; this ordinance is to be effective July 1, 1990:

SECTION 1. PAY SCALE PLAN

Positions listed in Ordinance No. 1986-53, as amended, designated as Executive 1 shall be compensated at the level of Executive 1; those listed in Executive 2 shall be compensated at the level of Executive 2; those listed as being in Executive 3 shall be compensated at the level of Executive 3, and those listed in Executive 4 shall be compensated at the level of Executive 4.

SECTION 2. IMPLEMENTATION OF PAY SCALE PLAN

- (a) Effective July 1, 1987, Senior Management staff in Grades Executive 1 through Executive 4 will be paid in accordance with the pay scale for:
- (1) the grades that their job classifications have been allocated;
 - (2) with the exact amount to be determined by the City Administrator with the provision that none of the executives will receive a salary decrease as a result of the initial implementation of this pay plan.

SECTION 3. GUIDANCE FOR PLACING EXECUTIVE STAFF IN THE PAY SYSTEM.

(a) 1st Quartile - Hiring Bracket:

Individuals are generally hired within this quartile with the exact place to be determined by the City Administrator based on the experience and subject matter knowledge of the appointee. Subsequent merit increases should continue within the quartile with the amount depending upon the results of performance evaluation(s). Further guidance to the City Administrator for differentiating between amounts will be given in the Personnel Regulations.

(b) 2nd Quartile - Performance Step:

Individuals are granted raises into this area for average and above average performance after they have learned to perform their functions thoroughly and have proven their ability to manage their units.

(c) 3rd Quartile - Performance and Longevity Step:

Individuals are placed in this step normally after they have acquired many years of experience in managing their units and have received ratings of average and above consistently. Most executives will not ever be awarded pay greater than the maximum allowed for this quartile.

(d) 4th Quartile - Superior Performance

Individuals normally are awarded pay in this quartile only if they perform clearly in a superior manner and/or if they have been recognized by a national professional organization as one of the leaders in the field.

SECTION 4. EXECUTIVE PAY SCALE

Executive 1:	1st Quartile = [30,581 - 35,446]	<u>\$31,804 - \$36,864</u>
	2nd Quartile = [35,447 - 38,384]	<u>36,865 - 39,919</u>
	3rd Quartile = [38,385 - 41,321]	<u>39,920 - 42,974</u>
	4th Quartile = [41,322 - 44,256]	<u>42,975 - 46,026</u>
Executive 2:	1st Quartile = [32,765 - 38,094]	<u>34,075 - 39,618</u>
	2nd Quartile = [38,095 - 41,240]	<u>39,618 - 42,890</u>
	3rd Quartile = [41,241 - 44,385]	<u>42,891 - 46,160</u>
	4th Quartile = [44,386 - 47,529]	<u>46,161 - 49,430</u>
Executive 3:	1st Quartile = [36,020 - 40,950]	<u>37,461 - 42,588</u>
	2nd Quartile = [40,951 - 44,333]	<u>42,589 - 46,106</u>
	3rd Quartile = [44,334 - 47,714]	<u>46,107 - 49,623</u>
	4th Quartile = [47,715 - 51,095]	<u>49,624 - 53,139</u>
Executive 4:	1st Quartile = [39,050 - 44,024]	<u>40,612 - 45,785</u>
	2nd Quartile = [44,025 - 47,655]	<u>45,786 - 49,561</u>
	3rd Quartile = [47,656 - 51,291]	<u>49,561 - 53,343</u>
	4th Quartile = [51,292 - 54,928]	<u>53,344 - 57,125</u>

SECTION 5. COST OF LIVING ADJUSTMENTS

- (a) A cost of living adjustment is a percentage applied to Executive quartiles.
- (b) The Mayor and Council determine whether the City will give a cost of living adjustment in any year and the size of the adjustment.
- (c) A cost of living adjustment shall be effective on the first day of a new fiscal year.

SECTION 6. DATE OF PAY INCREASES

- (a) Notwithstanding provisions of Article 8B, Section 8B-124(a) of the City Code, the effective date for an executive employee(s) merit increase(s), if any, shall be on said employee(s) initial anniversary date of hire, and thereafter as the Mayor and Council deem appropriate upon evaluation of said employee(s).

Page Four
Executive Pay Plan Ordinance

Adopted this _____ day of June 1990, to take effect July 1, 1990.

AYE:
NAY:
ABSTAINED:
ABSENT:

NOTE: Underlining indicates new language to be added. Brackets
[] indicates language to be deleted.

O-EX90P

1st Reading:
2nd Reading:

Introduced by:

ORDINANCE NO. 1990-

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, in accordance with Article IX of the Charter of the City of Takoma Park, it is the determination of the Mayor and City Council that the annual appropriation Ordinance should be enacted to budget and appropriate funds for the several objects and purposes for which the City must provide in the fiscal year beginning July 1, 1990 and ending June 30, 1991;

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

SECTION 1. THAT from and out of the monies and balances known to be in the General Fund of the City of Takoma Park, Maryland, and from all monies anticipated to come into all funds during the twelve (12) month period, ending June 30, 1991, there shall be, and hereby are appropriated General Fund revenues of SEVEN MILLION, FIVE HUNDRED SEVENTY EIGHT THOUSAND AND FORTY FOUR DOLLARS (\$7,578,044) and a transfer of prior year surplus and/or Unappropriated Reserve balance to the FY 91 budget as follows:

Taxes-Local	\$ 4,141,430
Taxes-State Shared	\$ 1,058,720
License & Permits	\$ 12,300
Revenue from other Agencies	\$ 1,659,944
Service Charges	\$ 356,650
Fines & Forfeitures	\$ 177,000
Miscellaneous	\$ 172,000
SUBTOTAL	\$ 7,578,044

Prior year surplus/unappropriate reserve	\$576,406
Equipment Replacement Reserve allocation	60,000

TOTAL \$ 8,214,450

SECTION 2. THAT the City Administrator is hereby authorized to transfer funds to the FY 1990-91 budget from the prior year surplus and/or Unappropriated Reserve in the amount of \$576,406.

SECTION 3. THAT there shall be, and hereby are appropriated the following sums for use by the several departments and offices of the City, and for the objects and purposes for which the City must provide during the 1989-90 Fiscal Year:

Public Works	\$ 2,171,212
Police Department	\$ 1,962,952
Non-Departmental	\$ 1,526,555
Government Administration	\$ 816,944
Housing & Community Development	\$ 519,414
Library	\$ 355,019
Cable	\$ 67,749
Recreation	\$ 325,681
Debt Service	\$ 198,240
General Fund Transfer to Special Revenue Fund	\$ 20,684
TOTAL EXPENDITURES	\$ 7,964,450

SECTION 4. THAT in accordance with Article IX of the City Charter, Section 903, there is included in the Non-Departmental Budget, a General Contingency Account appropriation of ONE HUNDRED FIFTY ONE THOUSAND, FIVE HUNDRED SIXTY ONE DOLLARS (\$151,561);

SECTION 5. THAT in accordance with Article IX of the City Charter, Section 904 (b) the City Administrator is hereby authorized to transfer the balance of the FY 90 Capital Reserve allocation in the amount of SIXTY-TWO THOUSAND, THREE HUNDRED AND ONE DOLLARS (\$62,301) and transfer ONE THOUSAND, ONE HUNDRED AND FORTY DOLLARS (\$1,140) from Unappropriated Reserve to the Equipment Replacement Reserve for a total FY 90-91 Equipment Replacement Reserve allocation of SIXTY THREE THOUSAND, FOUR HUNDRED AND FORTY ONE DOLLARS (\$63,441);

SECTION 6. THAT a Special Revenue Fund is authorized for receipt of and expenditure of Federal or State funded projects with Revenues of SIX HUNDRED NINETY TWO THOUSAND AND FIFTY THREE DOLLARS (\$692,053) inclusive of a General Fund Transfer of TWENTY THOUSAND, SIX HUNDRED EIGHT FOUR DOLLARS (\$20,684) and an Expenditure appropriation of SIX HUNDRED NINETY TWO THOUSAND AND FIFTY THREE DOLLARS (\$692,053); AND

SECTION 7. THAT the City Administrator is hereby authorized to allocate \$60,000 to the FY 91 Budget from the Equipment Replacement Reserve for the purchase of a backhoe.

SECTION 8. THAT the approved FY 90 Approved Budget Document is to be made a part of this Ordinance by reference.

SECTION 9. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not effect any other sections.

SECTION 10. THAT this Ordinance shall become effective July 1, 1990.

Adopted this _____ day of June, 1990, by Roll Call Vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

DRAFT. 6/8/90

1st Reading: May 29, 1990

2nd Reading:

Introduced by:

ORDINANCE NO. 1990-24

AN ORDINANCE TO ESTABLISH THE TAX RATE FOR THE FISCAL YEAR 1991 BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, in accordance with *Section 6-303 of the Tax Property Article of the Annotated Code of Maryland*, [of the City Charter,] the City Council is mandated to establish [a] the *municipal corporation tax rate* on or before the [last] first day of [June] July of each year; AND

WHEREAS, the Water and Sewer Board, by Ordinance 1990-25 set an ad valorem tax on property at 4 cents per \$100.00 assessed valuation for stormwater management.

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

SECTION 1. THAT the ad valorem tax on property at the rate of 4 cents per \$100.00 assessed valuation for stormwater management, as established by the Water and Sewer Board by Ordinance #1990-25, is hereby ratified.

SECTION [1] 2. THAT Section 11A-2, Chapter 11A, "Taxation", of the City Code of Takoma Park, Maryland, 1972 as amended, be further amended as follows:

Section 11A-2. Annual tax levy on real and personal property.

(a) Effective July 1, 1990, all real and personal property which is subject to taxation by the City of Takoma Park shall be subject to a tax on the assessed value of such real and personal property as such value is determined by the State Department of Assessments and Taxation, at the rate of \$1.773 per \$100.00 assessed valuation, including an equivalent of 27.8 cents per \$100.00 assessed valuation for fire service reimbursement to Montgomery County and 4 cents per \$100.00 assessed valuation for stormwater management to be distributed to the [Washington Suburban Sanitary Commission] Storm Water Management Fund.

SECTION [2.] 3. THAT this Ordinance shall be effective July 1, 1990.

NOTE: In this ordinance, *italics* shall indicate language added by the Corporation Counsel after first reading and worksession discussions, and [brackets] shall indicate language removed.

Adopted this _____ day of June, 1989.

AYES:

NAYS:

ABSTAIN:

ABSENT:

M E M O R A N D U M

TO : James S. Wilson, Jr.
City Administrator

FROM : Linda McKenzie
Account Supervisor

RE : Property Tax Increase

DATE : June 8, 1990

What follows is an analysis of the changes in assessable base in Montgomery County, Prince George's County, and an average of the two counties in order to show the increases of same over the last two years.

Montgomery County

Year	Assessable Base	Tax Rate	Total Revenue	% Increase
1989	116,801,800	\$1.84	\$2,149,154	
1990	130,100,455	\$1.828	\$2,378,236	10.65
1991	142,829,000	\$1.773	\$2,532,358	6.48
1991	142,829,000	\$1.828	\$2,610,914	9.78

Prince George's County

Year	Assessable Base	Tax Rate	Total Revenue	% Increase
1989	66,727,200	\$1.84	\$1,227,781	
1990	73,815,859	\$1.828	\$1,349,354	9.90
1991	77,184,189	\$1.773	\$1,368,476	1.41
1991	77,184,189	\$1.828	\$1,410,927	4.56

Combined Counties

Year	Assessable Base	Tax Rate	Total Revenue	% Increase
1989	183,529,000	\$1.84	\$3,376,935	
1990	203,916,314	\$1.828	\$3,727,590	10.38
1991	220,013,189	\$1.773	\$3,900,834	4.64
1991	220,013,189	\$1.828	\$4,021,841	7.89

Based on my calculations, the following is a comparison of the changes in property taxes resulting from a change in the tax rate for the City of Takoma Park.

(Drafted by: P. Jewell, B. Habada)

Introduced by:
DRAFT 6/8/90

1st Reading: May 29, 1990
2nd Reading:

ORDINANCE NO. 1990-25

AN ORDINANCE ESTABLISHING AN AD VALOREM TAX FOR STORMWATER MANAGEMENT AND [TO] ADOPTING A STORMWATER MANAGEMENT BUDGET FOR FISCAL YEAR 91 BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, Article XII, Section 1201 of the Takoma Park City Charter states that the Council shall by ordinance, be designated the Water and Sewer Board with all the powers therein, AND;

WHEREAS, Ordinance 1990-19, adopted [this] the 29th day of May, 1990, established a Water and Sewer Board for the City of Takoma Park and thereby designated the Council as the Water and Sewer Board, AND;

WHEREAS, HB 971 Chapter 369, Acts of Maryland 1990 authorizes the levying of an ad valorem tax for stormwater management by the City, AND;

WHEREAS, Article XII, Section 1205 of the Takoma Park City Charter states that the Water and Sewer Board is empowered to provide by ordinance for an ad valorem tax on property in order to raise sufficient annual revenue to pay for stormwater management activities in the City; AND

WHEREAS, the [City Council] Water and Sewer Board desires to establish a Stormwater Management [Budget] Fund for the collection and payment of revenues and expenditures as it deems necessary to provide for the construction, maintenance, operations and repair of the stormwater drainage system in the City.

NOW THEREFORE BE IT ORDAINED BY THE [CITY COUNCIL OF] WATER AND SEWER BOARD FOR THE CITY OF TAKOMA PARK

SECTION 1. THAT for the 1990-91 fiscal year, an ad valorem tax on property of 4 cents per \$100.00 of assessed valuation to be used for stormwater management activities in the City is hereby established.

SECTION 2. THAT a Stormwater Management Fund is hereby established into which shall be deposited:

(a) All the receipts and revenues from ad valorem taxes, user charges, and utility fees levied by the City to pay for stormwater management;

(b) All fees, contributions, and reserve funds collected by the Washington Suburban Sanitary Commission (WSSC) before July 1, 1990 for stormwater management activities in the City of Takoma Park and transferred to the City of Takoma Park by WSSC; and

(c) All charges, fees, fees-in-lieu, and other contributions received from any person or governmental entity in connection with stormwater management activities or practices.

SECTION [1.] 3. THAT from and out of the monies known to be received from the 4 cent ad valorem tax established by Section 1 of this Ordinance and levied by Ordinance No. 1990-24, and from all monies to come into all funds during the twelve (12) month period ending June 30, 1991, there shall be, and hereby are appropriated Stormwater Management Fund revenues of NINETY THREE THOUSAND, THREE HUNDRED AND FORTY NINE DOLLARS (\$93,349) as follows:

Local Taxes	\$93,349
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SECTION [2.] 4. THAT there shall be, and hereby are appropriated the following sums for use for the support of storm water management activities during the 1990-91 Fiscal Year:

Stormwater Management Expenditures	\$(93,349) <u>70,012</u>
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SECTION [3.] 5. THAT the approved FY 91 budget document with account listings is to be incorporated as a part of this Ordinance by reference.

SECTION [4.] 6.

THAT a Stormwater Management Reserve is hereby established and the City Administrator is [hereby] directed to [establish and] incorporate into the accounting system of the Stormwater Management Fund, a Stormwater Management Capital Reserve for storm water system capital improvement expenses that the Council may approve from time to time.

SECTION [5.] 7.

THAT from and out of the monies known to be received from the 4 cent ad valorem tax established by Section 1 of this Ordinance and levied by Ordinance No. 1990-24, the equivalent of one cent of the tax levy or \$23,337 shall be dedicated to [a] the Stormwater Management Reserve.

SECTION [6.] 8.

THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

SECTION [7.] 9.

THAT this Ordinance shall become effective July 1, 1990.

NOTE: In this ordinance, underlining shall indicate language added after first reading and worksession discussions, *italics* shall indicate Corporation Counsel's amendments, and [brackets] shall indicate language removed.

Adopted this _____ day of June, 1990 by Roll Call Vote of the Water and Sewer Board for the City of Takoma Park:

AYES:
NAYS:
ABSTAIN:
ABSENT:

d#O/R2
0-91STRM

Introduced by:

1st Reading: May 29, 1990
2nd Reading:

COUNCIL ORDINANCE NO. 1990-29

An ordinance to amend the Personnel Classification System

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

SECTION 1. New position classes. The grade structure adopted by Ordinance No. 1986-53, Section 2, as amended, is amended, to add the following positions to the classification plan or change the following positions in the classification plan:

GRADE JOB CLASSES

GRADE 1 :

GRADE 2 : Custodian

GRADE 3 : Laborer; Clerk Typist I;

GRADE 4 : Account Clerk I; Library Shelver; [Communications Dispatcher]; Assistant Driver; Police Records Clerk;

GRADE 5 : Recreation Aide; Tool Library Attendant; Equipment Operator I; Communications Dispatcher; Parking Enforcement Officer;

GRADE 6 : Account Clerk II; Secretary; Personnel Clerk; Library Assistant; Recreation Specialist; Driver Foreman; Equipment Operator II; Clerk Typist II; Building Mechanic Helper;

GRADE 7 : Administrative Clerk I; Playground Coordinator; Equipment Operator III; Code Enforcement Officer I; Police Private; Clerk Typist III; Senior Communications Dispatcher;

GRADE 8 : Administrative Clerk II; Account Clerk III; Gym Supervisor; Police Private First Class; Tree Maintenance Foreman; Building Mechanic; Mechanic; Community Development Coordinator;

GRADE 9 : Account Supervisor; Administrative Supervisor; Deputy City Clerk; Executive Secretary; Police Affairs Specialist; Police Corporal; Parks Foreman; Street Foreman; Master Mechanic; Housing Rehabilitation Construction Coordinator; Code Enforcement Officer II; Community Planner I; Youth Outreach Assistant;

COUNCIL ORDINANCE NO. 1990-10

Page 2

GRADE 10: Librarian; Police Sergeant; Sanitation Supervisor; Street-Parks Supervisor; Planner III; COLTA Executive Director; Community Development Construction Specialist;

GRADE 11: Youth Outreach Worker; Recreation Supervisor; Code Enforcement Supervisor; Housing Coordinator; Recycling Coordinator; Supervisor of Administrative Services (Police); City Clerk;

GRADE 12: Assistant Library Director; Police Lieutenant; Cable TV Coordinator; Personnel Officer;

Executive 1: Deputy Public Works Director; [Director of Economic & Community Development];

Executive 2: Library Director; Recreation Director; [Housing Services Director]; Police Captain (Deputy Chief); Director of Housing & Community Development;

Executive 3: Assistant City Administrator;

Executive 4: Police Chief; Public Works Director

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective July 1, 1990.

NOTE: Underlining indicates new matter to be added to existing code language.

[] indicates matter to be deleted from existing code language

Adopted this _____ day of June, 1990 by Roll Call Vote as follows:

AYE:

NAY:

ABSTAINED:

ABSENT:

d#OR/1

O-CLASS3.

Introduced by: Councilmember
(Drafted by S. Weiss)

1st Reading: 05/29/90
2nd Reading:
Effective : 01/01/91

ORDINANCE 1990 - 30

ORDINANCE TO AMEND THE 1972 TAKOMA PARK CODE, CHAPTER 6,
ARTICLE 9, SEC.6-107(a) (1), LICENSING AND INSPECTION FEES

WHEREAS Section 6-107 (a)(1) of the Takoma Park Code requires the payment of licensing fees in the amount of \$ 24.00 per rental unit and requires the payment of inspection fees in the amount of \$ 8.00 per unit, AND

WHEREAS The Accounting Division has never collected more than one inspection fee per unit, and all indications are that the collection of additional inspection fees, individualized to specific properties and based upon the number of inspections individual properties have received, would not be feasible in the near future, AND

WHEREAS The Department of Housing Services averages 3 inspections per property , which results in an average uncollected sum of \$ 16.00 per unit, AND

WHEREAS The fees established in Section 6-107 (a)(1) of the Takoma Park Code have been designed to offset actual City expenses related to licensing and inspection activities.

NOW THEREFORE, BE IT ORDAINED THAT the City shall replace the current fee structure for licensing and inspection with one combination fee; AND

BE IT FURTHER ORDAINED THAT the combination licensing and inspection fee shall be \$ 48.00 per licensing period; AND

BE IT FURTHER ORDAINED THAT Section 6-107 (a)(1) of the Takoma Park Code shall be amended as follows:

Sec. 6-107 Licensing and inspection fee[s].

(a) Each [application filed] rental property subject to licensing under this Article shall be [accompanied by] charged the following licensing and inspection fee[s]:

(1) One (1) or more units: [twenty-four dollars (\$ 24.) per unit for licensing and eight dollars (\$ 8.) per unit for inspection] forty-eight dollars (\$ 48.) per licensing term, where such term or duration is specified in Sec. 6-106 of the Code.

This Ordinance becomes effective upon adoption January 1, 1991.

Adopted by the Council of the City of Takoma Park this day of , 1990, by roll call vote as follows:

AYE:

NAY:

ABSTAINED:

ABSENT:

note: Deletions are bracketed ([]); additions are underlined.

Introduced by:
(Drafted by: P. Jewell)

1st Reading: 5/29/90
2nd Reading:
Effective :

ORDINANCE #1990-31

TO AMEND THE 1972 TAKOMA PARK CODE, CHAPTER 10, ARTICLE 3,
SECTION 10-15, MULTIFAMILY UNIT REFUSE FEE SCHEDULE

- WHEREAS, Section 10-15 of the Takoma Park Code sets forth fees for collection and disposal of refuse for multiple-family dwellings; AND
- WHEREAS, these fees are based on a sliding scale according to the number of units or families in each dwelling; AND
- WHEREAS, of the multifamily dwellings in the City, the sliding scale applies to approximately 80% of the multifamily units having less than eleven units or families; AND
- WHEREAS, due to the large number of small multifamily units, the sliding scale has not proven to be administratively or economically feasible; AND
- WHEREAS, the City Council desires to establish a more efficient and economically feasible across the board fee schedule.

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

SECTION 1: THAT Chapter 10, Article 3, Sec. 10-15, Multifamily unit refuse fee schedule, of the 1972 Takoma Park Code is amended as follows:

SECTION 2: (a) There shall be no fee for the first unit in each multiple-family dwelling.

(b) Dwellings not in excess of [~~six (6)~~] eleven (11) units or families: [~~fifty-three dollars (\$53.)~~] one hundred dollars (\$100.) per year per family or unit for each of the first [~~five (5)~~] ten (10) units or families in excess of one (1) unit or family.

[(c) Dwellings not in excess of eleven (11) units or families: two hundred sixty-three dollars (\$263.) per year for the first five (5) units or families in excess of one (1) unit or family, plus thirty-eight dollars (\$38.) per unit or family for each of those in excess of six (6) units or families.]

(d) Dwellings in excess of eleven (11) units or families: [four hundred fifty dollars (\$450.)] ninety dollars (\$90.) per unit per year for the first ten (10) units or families in excess of one (1) unit or family[,]. [plus twenty-six dollars (\$26.) per year per unit or family for each of those in excess of eleven (11) units or families.]

SECTION 3: THAT in this ordinance, [brackets] shall denote language being deleted from the City Code and underlining shall denote language being added.

SECTION 4: THAT this ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

Adopted this _____ day of _____, 1990, by roll call vote as follows:

AYE:
NAY:
ABSTAINED:
ABSENT:

Introduced by: Councilmember Douglas
(Drafted by P. Jewell)

**RESOLUTION NO. 1990-53
AUTHORIZING AN INCREASE IN RESIDENTIAL
PARKING AND VISITOR PERMITS**

WHEREAS, Article 7, Sec. 13-63.1(i) authorizes the City Administrator to recommend a parking permit fee for residential and visitor permits and such fee becomes effective upon the affirmative action of the Council; AND

WHEREAS, permits are currently sold annually at a cost of \$5.00 and \$8.00 (for Area B) per year, per vehicle; AND

WHEREAS, the fee of \$5.00 was originally set in 1976 with the establishment of permit areas in general and has not been increased since that time; AND

WHEREAS, the fee of \$8.00 was originally set with the establishment of Parking Permit Area B in 1985 and has not been increased since that time; AND

WHEREAS, the City Council desires to increase the fees to ten dollars (\$10.00) for all parking/visitor permit areas in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT the recommendation of an increase to \$10.00 for all permit area fees is hereby affirmed.

BE IT FURTHER RESOLVED THAT the City Administrator is authorized to implement this increase in fees, effective immediately.

Dated this 29th day of May 1990.

Introduced by: Councilmember Douglas
(Drafted by: P. Jewell)

RESOLUTION #1990-54

OF INTENT TO SUPPORT THREE-FOURTH'S TIME
CABLE COORDINATOR POSITION BEGINNING IN FY'92

WHEREAS, City Code Sec. 2-150(a) states that all city staff and other resources related to the operation of the municipal channel shall generally be shared evenly among municipal and community needs; AND

WHEREAS, it is the intent of this Council to have a full-time Cable Coordinator where one-fourth of the Coordinator's time is funded by the community side for community needs and three-fourths of the Coordinator's time is funded by the municipal side for municipal programming; AND

WHEREAS, it is the intent of the City Council to provide for municipal purposes, funding of the Cable Coordinator's position at a rate of three-fourths salary.

NOW THEREFORE BE IT RESOLVED, THAT beginning on July 1, 1991 (Fiscal Year 1992), the City Budget shall reflect funding to support the Cable Coordinator's position, equivalent to three-fourths salary rate; AND

BE IT FURTHER RESOLVED, THAT this three-fourths salary rate is to continue throughout successive budget years, unless otherwise mandated by the City Council.

Dated this 29th day of May, 1990.

Introduced By: Councilmember Hamilton
Drafted By: Valerie VinCola

Resolution No. 1990-55

A resolution directing staff to execute an amendment to the Community Development Block Grant (CDBG) Program Year 12 contract with Montgomery County to extend the Program Year 12 contract expiration date, and, to expand the scope of work of the Erie/Flower Facade Improvement Program.

WHEREAS, the City holds a contract with Montgomery County for CDBG funds allocated under PY 12, which includes the Tenant Awareness Program and the Erie/Flower Facade Improvement Program; AND

WHEREAS, neither of these two PY 12 activities will be complete by the PY 12 contract expiration date of June 30, 1990; AND

WHEREAS, the City, in cooperation with Montgomery County, has implemented a commercial revitalization program at the Erie/Flower intersection; AND

WHEREAS, the City entered into an agreement with an owner of commercial property at this intersection to pursue below-market financing for the demolition of his existing quonset huts and the construction of a new commercial building; AND

WHEREAS, under the terms of the agreement, that property owner is not obligated to demolish his quonset huts or construct a new building because the bids he solicited were above the price range specified in the agreement; AND

WHEREAS, the City has \$4,053 remaining in the PY 12 Erie/Flower Facade Improvement Program budget in addition to \$5,520 of PY 13 CDBG funds from Montgomery County due to the ineligibility of the library's Educational Cassette Program; AND

WHEREAS, the City desires to move the revitalization of the Erie/Flower intersection forward and provide an incentive to the commercial property owner for constructing the proposed new building by providing funds to demolish the quonset huts thereby "removing slums and blight"; AND

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT City staff may execute an amendment to the CDBG PY 12 contract with Montgomery County which will extend the PY 12 contract expiration date, and, expand the scope of work of the Erie/Flower Facade Improvement Program to include the demolition of quonset huts on Erie Avenue.

BE IT FURTHER RESOLVED THAT these CDBG funds will not be expended for the purpose of the demolition of quonset huts on Erie Avenue until the same commercial property owner gives proof to City staff of a financial commitment from a financial institution for funds to construct the proposed new building on Erie Avenue.

ADOPTED THIS 29th DAY OF May, 1990

aac\PY12AMN2.RES

Introduced by: Councilmember Hamilton

RESOLUTION NO. 1990-56


WHEREAS, On March 14, 1988, Resolution No. 1988-14 was passed establishing Takoma Park as a Companion City in affiliation with Santa Marta, El Salvador; AND

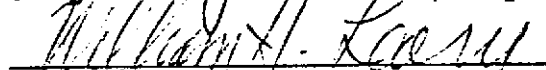
WHEREAS, Takoma Park's citizens and the community work actively for peace in Central America; AND


WHEREAS, On June 13, 1990 a United States delegation of community leaders and citizens including Takoma Park Councilmember Hank Prensky, Reverend George Taylor, Deborah Tyler, Peter Melberg and Reid Baron will travel to El Salvador with the principle purpose of visiting our companion city Santa Marta to bring official greetings from the Takoma Park City Council and citizens of Takoma Park.

NOW, THEREFORE, BE IT RESOLVED THAT, Councilmember Hank Prensky is an official representative of the City of Takoma Park, Maryland, United States of America.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council respectfully ask that Salvadoran Government authorities and the U. S. embassy and the Coordinating Council of Santa Marta also lend their full support and assistance to this delegation in carrying out the common goal towards peace in international affairs.

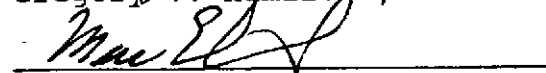

Stephen J. Del Giudice, Mayor

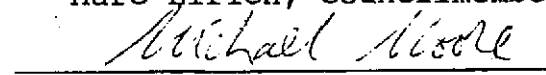

William Leary, Councilmember


James C. Douglas, Councilmember


Hank Prensky, Councilmember


Gregory V. Hamilton, Councilmember


Marc Elrich, Councilmember


Michael Moore, Councilmember


Edward Sharp, Councilmember

Introduced by: Councilmember Hamilton
(Drafted by P. Jewell)

**RESOLUTION NO. 1990-57
AUTHORIZING CONTRIBUTION TO THE U.S. DELEGATION
VISIT TO EL SALVADOR**

WHEREAS, on June 13, 1990, a United States delegation of community leaders and citizens will travel to El Salvador to visit Takoma Park's Companion City, Santa Marta; AND

WHEREAS, Councilmember Hank Prensky will be representing the City Council in the U. S. Delegation visit towards the goal of peace in international affairs.

NOW, THEREFORE, BE IT RESOLVED THAT the City Administrator is hereby authorized to disburse the amount of Four Hundred and Ninety dollars (\$490.00), to Councilmember Hank Prensky towards his travel expenses; AND

BE IT FURTHER RESOLVED THAT this expenditure is to be taken from Mayor and Council Expense, Account # 1110-7015.

Dated this 29th day of May, 1990.

Introduced by: Councilmember Hamilton

RESOLUTION NO. 1990-58

APPOINTING MEMBER TO COLTA

WHEREAS, there currently exists one vacancy on the City's Commission on Landlord and Tenant Affairs; AND

WHEREAS, an application has been made to serve on the Commission.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF TAKOMA PARK, MARYLAND, does hereby appoint to the vacant seat on the Takoma Park Commission on Landlord and Tenant Affairs:

Name	Address
Richard Joy	7002 Westmoreland Avenue Takoma Park, Maryland 20912

BE IT FURTHER RESOLVED, THAT this appointment is effective immediately and will expire June 30, 1993.

Adopted this 29th day of May, 1990.

Introduced by: Councilmember Leary

**Proclamation
(Resolution 1990-60)
Congratulating Hugh B. "Reds" Robey, Director of Parks and Recreation,
M-NCP&PC, on His Retirement**

WHEREAS, After forty years of service to the Maryland-National Capital Park and Planning Commission and the public, Hugh B. "Reds" Robey will retire on July 1, 1990; AND

WHEREAS, Since 1976, Mr. Robey has served as the Director of Parks and Recreation where he was responsible for planning and research for Parks and Recreation, land acquisition, design and construction of facilities, landscaping, enterprise facilities, area and county wide operations which include Takoma Park; AND

WHEREAS, Takoma Park's recreation and park programs have certainly benefitted from the support and in many instances have been assisted beyond the call of duty that "Reds" Robey has offered in his representation of the Commission; AND

WHEREAS, "Reds" Robey is to be commended for his forty years of continuous service, beginning in 1950 with the Maintenance and Development Division and through hard and diligent work and keen oversight over the years advanced to Director in 1976.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland hereby extends to Hugh B. "Reds" Robey their appreciation and admiration for his many years of loyal and faithful service and hopes he will have many happy and fruitful years to enjoy his well earned retirement.

Dated this 29th day of May, 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk

Introduced by: Councilmember Sharp

RESOLUTION NO. 1990-61

RECOGNIZING NATIONAL FLAG DAY IN TAKOMA PARK, June 14, 1990

WHEREAS, by Act of the Congress of the United States dated June 14, 1777, the first official flag of the United States was adopted; AND

WHEREAS, by Act of Congress dated August 3, 1949, June 14 of each year was designated "National Flag Day"; AND

WHEREAS, the Congress has requested the President to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week; AND

WHEREAS, on December 8, 1982 the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to PAUSE FOR THE PLEDGE of Allegiance as part of National Flag Day ceremonies; AND

WHEREAS, the Ninety-Ninth Congress passed, and President Ronald Reagan signed on June 20, 1985, Public Law 99-54 recognizing the PAUSE FOR THE PLEDGE of Allegiance as part of National Flag Day ceremonies; AND

WHEREAS, Flag Day celebrates our Nation's symbol of unity, a democracy in a republic and stands for our country's devotion to freedom, to the rule of all, and to equal rights for all.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of Takoma Park, Maryland, do hereby proclaim June 14, 1990 as Flag Day in Takoma Park, Maryland and urge all citizens of Takoma Park to pause at 7:00 PM, EDT on this date for the Eleventh Annual PAUSE FOR THE PLEDGE and recite, with all Americans, the Pledge of Allegiance to our Flag and Nation.

Dated this 29th day of May, 1990.

ADDITIONAL ITEM

Introduced By: Councilmember Sharp

Drafted By: V. VinCola

Resolution No. 1990 -52

A resolution in appreciation of Mr. Reid Baron, and in recognition of the four years of service which he provided the City as Editor of the Takoma Park Newsletter.

WHEREAS, in 1986, the Mayor and Council established a Newsletter Editor Selection Committee to recommend a candidate for Newsletter Editor based on specific criteria, such as: news judgement, layout skills, management of production process, copy-editing, and technical quality; AND

WHEREAS, based on the recommendation of the Committee, the Mayor and Council appointed Mr. Reid Baron as Editor of the Takoma Park Newsletter; AND

WHEREAS, Mr. Baron has served as the Newsletter Editor for the past four years, and during his tenure as Editor, has made substantial contributions to the quality of the Newsletter within the confines of the budget and the City's Newsletter policy, thereby performing a valuable service to the City; AND

WHEREAS, Mr. Baron has, throughout his tenure, ably and enthusiastically provided editorial and technical assistance to City Staff responsible for producing departmental articles and columns which appear in the Newsletter; AND

WHEREAS, Mr. Baron has formally announced his resignation from his position as Newsletter Editor.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT the City Council formally thanks Mr. Reid Baron and commends him for his service to the City of Takoma Park.

ADOPTED THIS 29 DAY OF May 1990.

Introduced by: Councilmember Leary
(Drafted by: P. Jewell)

PROCLAMATION
(RESOLUTION 1990-59)

- WHEREAS, in 1938 work began on the Takoma Park Junior High School on Piney Branch Road and the school opened for use in 1940; AND
- WHEREAS, in 1981 the Takoma Park community organized to prevent the Takoma Park Junior High School from being closed and was successful in getting the Montgomery County School Board to rescind the closure of the school; AND
- WHEREAS, in the mid-1980's the Takoma Park Junior High School became the Takoma Park Intermediate School; AND
- WHEREAS, for 50 years the Takoma Park Intermediate School has served the City by providing educational and recreational activities for youths from many different cultures and diverse backgrounds in the City; AND
- WHEREAS, this year, in 1990, the Takoma Park Intermediate School celebrates its Golden Anniversary of the founding of the School.
- NOW, THEREFORE, BE IT PROCLAIMED by the City Council that congratulations are hereby extended to Takoma Park Intermediate School on their 50th Anniversary.

Dated this 29th day of May 1990.

Stephen J. Del Giudice
Mayor

ATTEST:

Paula S. Jewell
Acting City Clerk