

CITY OF TAKOMA PARK, MARYLAND (FINAL 7/23/92)

Regular Meeting of the City Council and
Stormwater Management Board
Monday, July 13, 1992

CITY OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Hamilton	City Clerk Jewell
Councilmember Leary	Public Works Director Knauf
Councilmember Porter	Corporation Counsel Silber

(ABSENT: Mr. Elrich, Mr. Johnson, Mr. Prenskey)

The City Council convened at 8:00 p.m. on Monday, July 13, 1992 in the Council Chambers at 7500 Maple Avenue.

Following the Pledge of Allegiance, the following announcements were made.

Mr. Sharp announced that Mr. Johnson and Mr. Prenskey were out of town.

Ms. Habada noted that the Housing Opportunities Commission would be taking up the matter of the Juniper Blair developments which were a McKinney Act application for affordable housing units.

Mr. Sharp announced that the Takoma Park Recycling Program won a certificate for environmental achievement from Renew America and would be listed in the 1992 Environmental Success Index. Mr. Sharp said this was one example of the success the City has had with its recycling program which was expanding out to more environmental matters.

Mr. Hamilton thanked the Takoma Park Independence Day Committee on another very successful parade.

Citizens Comments (On Items Not On Council's Agenda)

Karin Anderson, Woodland Avenue commented that parking prohibitions at the Carroll Avenue handicapped parking spaces and curb ramps were not being enforced and she cited an example where a police officer utilized a handicapped space while on lunch break. Ms. Anderson suggested that an article be put on the front page of the Newsletter reminding everyone of the need to respect the handicapped parking in the City.

Mr. Sharp asked the City Administrator to ask City department heads to make their staff particularly aware of this and to remind the Takoma Park Volunteer Fire Department about the issue. Mr. Sharp also suggested that ongoing articles be published in the Newsletter regarding handicapped related issues and accessibility for the handicapped.

Ms. Anderson also commented that there were some police officers who had less than good attitudes.

Mr. Sharp said there was a good review process in the Police Department to handle such complaints and he suggested that Ms. Anderson register her complaint with the Department.

AGENDA

1. 1st Reading Ordinance Amending Position Classification Plan.

Ms. Habada explained that the ordinance includes two positions that were included in the FY'93 budget: the Recreation Program Coordinator (which combined two part-time positions in the Recreation Department) and the Assistant Director for Special Projects in the Department of Housing and Community Development. In addition, the Community Resource position was being added and

the Building Mechanic title was being changed to Building Maintenance Supervisor.
Mr. Hamilton moved passage of the Ordinance at first reading; seconded by Ms. Porter.

Mr. Leary said that it was his understanding that the Community Resource Specialist position was to be a contract position and he questioned why the position classification on this particular position was being forwarded.

Ms. Habada explained that the Community Resource Specialist position needed some legal basis for the salary level and the easiest way to accomplish this was to put it in the Position Classification system. Ms. Habada said that because the funding was flexible for this position, she wanted to be assured that there would not be any conflict with the City's Union in terms of adding it as a position. Ms. Habada suggested that if Council wanted to drop it out of the classification system, some clarification may be needed from the City Attorney.

Mr. Leary suggested that there were fewer potential problems with the Union if this was not presented as a new City position.

Ms. Habada said that this was probably true but there was the question of how to legally set the salary level unless it was set by ordinance.

Mr. Leary said surely the City had the legal authority to attempt to hire a person to perform certain tasks at whatever salary the City chose to offer.

Ms. Habada noted that under those circumstances, she would recommend the position be deleted from the Classification Plan and she would confer with the City Attorney and make a recommendation.

The motion to delete was moved by Mr. Leary and seconded by Mr. Hamilton.

Ms. Porter said she agreed with the amendment to delete the position from the Ordinance because it was her understanding that the City had a certain amount of money to spend and the Council decided they would spend only that amount of money on the position. She said if it was added as part of the Position Classification System, the City would be paying benefits in addition to the salary.

Mr. Hamilton commented that there were a number of contract positions in the City (i.e., Newsletter Editor, Code Enforcement Position under the Block Grant funding, etc.) that the City was legally authorized to have and were not listed in the Position Classification Plan.

The amendment carried unanimously (Absent: Mr. Elrich, Mr. Johnson, Mr. Prensky).

Mr. Hamilton noted that the Cable Coordinator's position was still listed in the Classification Ordinance and he questioned whether the Council wanted to amend this out.

Ms. Habada suggested that it was not necessary to remove the Cable Coordinator's position since it was not being funded.

Council Action: The Ordinance, as amended, passed unanimously at first reading. (Absent: Mr. Elrich, Mr. Johnson and Mr. Prensky).

Mr. Hamilton asked to see a list of all the City's contracted positions.

ORDINANCE #1992-29
(Attached)

2. Resolution Appointing Members to Task Force on Family Diversity. The Resolution was moved by Mr. Hamilton and seconded by Ms. Porter. The Resolution appoints the following members to serve on the Taskforce: Bruce Williams, Paul Albergo, Rae Ballard, Mark Stahr, Cliff Hunter, Sarah Stevens, Joanne Desky, Chris Elfring and Irani Escolano.

Bruce Williams, 326 Lincoln Avenue said it was his understanding that the Council deleted the reference to an 11-member Task Force when the Resolution was passed, in order to leave the issue of membership open.

Mr. Sharp noted that this was true and the corrections to effect this were made in the first and second Whereas Clauses of the Resolution.

Mr. Sharp asked the City Clerk to notify the appointees of an initial meeting date.

Council Action: The Resolution, as amended, passed unanimously (Absent: Mr. Elrich, Mr. Johnson, Mr. Prensky).

RESOLUTION #1992-46
(Attached)

3. Resolution Appointing Members to Ethics Taskforce. Moved by Mr. Sharp; seconded by Ms. Porter. Mr. Sharp noted the addition of Jim Douglas, former Councilmember. The Resolution appoints the following members to the Taskforce: Kathleen Breckbill, Erwin Mack, Mike Moore, Ronald K.L. Collins, and Jim Douglas.

Mr. Leary noted that the City Clerk raised a few points regarding the number of members. He suggested an amendment to the second Resolved clause to remove the reference to a set number of members. Mr. Leary then suggested that the Ethics Taskforce be required to report back to the Council after the Council's last meeting in February 1993.

Regarding the issue of appointing non-Takoma Park residents, Mr. Leary said that citizens who were not necessarily residents of Takoma Park and were involved in City affairs should not be precluded from serving on City committees.

Ms. Porter said she agreed and said that the definition of "Takoma Park Community" should be expanded to include those with businesses here and who were certainly rooted in the community even though they were not residents.

Council Action: The Resolution, as amended, passed unanimously. (Absent: Mr. Elrich, Mr. Johnson, Mr. Prensky).

RESOLUTION #1992-47
(Attached)

4. Resolution Authorizing Change Order to Accomplish Stormwater Work on Takoma Avenue. Mr. Leary moved adoption; seconded by Mr. Hamilton.

Mr. Leary noted that the Resolution was based on a recommendation from the Director of Public Works, pursuant to a complaint from the property owner about an exposed drain in his backyard. Upon examination, the Public Works Director concluded that the matter constituted a safety hazard and suggested that the Council correct the problem by moving the pipe off of the personal property. Mr. Leary said this solution was somewhat more expensive than the possible solution of fixing the pipe system on the property. Mr. Leary said the Resolution delineates the special circumstances that apply to this situation that do not make this a precedent for every other possible situation involving stormwater drainage on private property. Mr. Leary noted that there was a safety issue involved

and said that one aspect of the problem that needed correcting, was that the connecting pipes were of different sizes than the piece of pipe that needed replacing.

Mr. Hamilton said that he also supported the Public Works Director's recommendation because the Council had been asking staff for the best and worst options of what it takes to rectify problems in the City and he noted that the Director had done a good job in reviewing this problem and recommending the options for solving it.

Ms. Porter noted that there was a concern expressed at the Worksession by a Councilmember not present tonight about this not setting a precedent for every property owner who has stormwater pipes on their property. Ms. Porter pointed out that there were two differences here--this was a situation that needed to be addressed in one way or another, and the Public Works Director had reviewed the situation and in his professional opinion, this was the option that was in the best interest of the City. Ms. Porter said she agreed this was the right option to take and the Council considered this with great care so that it did not set a precedent whereby every property owner with piping that functioned perfectly well on their property would have the same situation.

Council Action: The Resolution passed unanimously. (Absent: Mr. Elrich, Mr. Johnson, Mr. Prenskey).

RESOLUTION #1992-48
(Attached)

5. 1st Reading Ordinance - FY'93 Stormwater Budget Amendment No. 1. Without objection, Mayor Sharp declared the City Council simultaneously convened as the Stormwater Management Board. The Ordinance was moved for acceptance at first reading by Mr. Hamilton and seconded by Ms. Porter. Ms. Habada explained that the Ordinance amends the FY'1993 Stormwater Budget by appropriating \$40,000 from prior years Unappropriated Reserve as carryover funding from FY'92 for storm water capital improvement projects on Westmoreland Avenue and at Takoma and New York Avenues.

Council Action: The Ordinance was accepted unanimously at first reading. (Absent: Mr. Elrich, Mr. Johnson, Mr. Prenskey).

Mr. Sharp declared the adjournment of the Stormwater Management Board.

ORDINANCE #1992-30
(Attached)

The Council adjourned at 8:30 p.m. to reconvene in Regular Session on July 27, 1992.

Introduced by:

1st Reading: 7/13/92
2nd Reading:

COUNCIL ORDINANCE NO. 1992-29

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; Assistant Driver;
Police Records Clerk;

GRADE 5: Recreation Aide; Tool Library Attendant;
Communications Dispatcher; Parking Enforcement
Officer; Jr. Code Enforcement Officer;

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

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

GRADE 8: Administrative Clerk II; Account Clerk III; Gym
Supervisor; Police Private First Class; [Building
Mechanic] Building Maintenance Supervisor; Mechanic;
Community Development Coordinator; Crew Leader;
Recreation Program Coordinator;

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

COUNCIL ORDINANCE NO. 1992-29

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

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- Executive 1: Assistant Director for Special Projects (Department of Housing and Community Development); Deputy Public Works Director;
- Executive 2: Library Director; Recreation Director; Director of Housing & Community Development;
- Executive 3: Assistant City Administrator; Police Captain (Deputy Chief);
- Executive 4: Police Chief; Public Works Director

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective July 1, 1992.

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

 indicates new matter to be added at second reading.

 [] indicates matter to be deleted from existing code language.

 ■ indicates matter to be deleted at second reading.

Adopted this ____ day of July, 1992 by Roll Call Vote as follows:

AYE:

NAY:

ABSTAINED:

ABSENT:

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

Resolution # 1992 - 46

APPOINTING MEMBERS TO SERVE ON TASKFORCE ON FAMILY DIVERSITY

WHEREAS, on June 8, 1992, the City Council adopted Resolution # 1992-38, creating a Task Force on Family Diversity to explore ways in which the City can recognize and support citizen's familial rights and obligations; AND

WHEREAS, the Task Force membership shall represent a broad cross section of the Takoma Park community, with some members from the public and private business sectors; AND

WHEREAS, several Takoma Park residents have expressed an interest in serving on the Task Force on Family Diversity.

NOW THEREFORE BE IT RESOLVED THAT the following members are hereby appointed to the Task Force on Family Diversity.

NAME

ADDRESS

1. Bruce R. Williams - 326 Lincoln Ave., Takoma Park, MD 20912
2. Paul F. Albergo - 910 Heather Ave., Takoma Park, MD 20912
3. Rae Ballard - 7403 Hancock Ave., #201, Takoma Park, MD 20912
4. Mark T. Stahr - 29 Hickory Ave., Takoma Park, MD 20912
5. Cliff Hunter - 6811 Westmoreland Ave., Takoma Park, MD 20912
6. Sarah Stevens - 8304 Eastridge Ave., #C, Takoma Park, MD 20912
7. Joanne Desky - 610 Kennebec Ave., #304, Takoma Park, MD 20912
8. Irani Escolano - 704 Auburn Ave., Takoma Park, MD 20912
9. Chris Elfring - 7047 Eastern Ave., Takoma Park, MD 20912

BE IT FURTHER RESOLVED that the Task Force shall present its recommendations including an estimate of implementation costs to the City Council for immediate action on or about 1/15/93 and also make recommendations for the structure of an ongoing vehicle to monitor and advance this mandate.

Dated this 13th day of July, 1992

Introduced By: Mayor Sharp
(Drafted by: P. Jewell)

RESOLUTION #1992 - 47

APPOINTING MEMBERS TO ETHICS TASK FORCE

WHEREAS, the City Council recognizes that our system of representative government is dependent in part upon the people maintaining the highest trust in their public officials and employees; AND

WHEREAS, in 1985, the City Council enacted the Takoma Park Ethics Ordinance which requires City officials and employees to disclose their financial affairs and sets minimum standards for their conduct of City business; AND

WHEREAS, the Council desires to appoint an Ethics Task Force to make recommendations on the Ethics Code and to make recommendations on the establishment of a local Ethics Commission; AND

WHEREAS, a number of persons have expressed an interest in serving on the Ethics Task Force.

NOW THEREFORE BE IT RESOLVED THAT the following persons are hereby appointed to the Ethics Task Force:

<u>NAME</u>	<u>ADDRESS</u>
1. Kathleen M. Breckbill	- 7104 Woodland Ave., Takoma Park, MD
2. Erwin Mack/Owner,	Denis Sleep Shop - 7681 New Hampshire Ave, Langley Park, MD
3. Mike Moore	- 7201 13th Ave, Takoma Park, MD
4. Ronald K.L. Collins	- 61 Walnut Ave, Takoma Park, MD
5. Jim Douglas,	18 Sherman Avenue, Takoma Park, MD

BE IT FURTHER RESOLVED, that the Task Force membership shall represent a broad cross section of the Takoma Park community; And

BE IT FURTHER RESOLVED, that the Ethics Task Force will present its recommendations to the City Council on or about February 22, 1993.

Dated this 13th day of July, 1992

Introduced by: Councilmember Leary

Resolution No. 48

- WHEREAS, a portion of the City stormdrain system traversing private property at Lot 6, Block 73 near the northeast corner of the intersection of Takoma and New York Avenues has deteriorated to a point requiring repair; AND
- WHEREAS, the deteriorated section of pipe connects through a manhole to a smaller size pipe; AND
- WHEREAS, this condition is considered unsuitable for the hydraulic condition; AND
- WHEREAS, it has been determined that the pipe and manhole should be replaced to address safety and engineering considerations; AND
- WHEREAS, an appropriate engineering solution has been conceptually developed to address this matter; AND
- WHEREAS, sufficient unexpended FY-92 Stormwater Management funds are available to address this engineering solution; AND
- WHEREAS, a contract was recently awarded for other stormwater work on Westmoreland Avenue; AND
- WHEREAS, the Director of Public Works recommends that the Takoma Avenue/ New York Avenue Stormwater Management Improvement in Lieu of Repair be accomplished by a Change Order to this contract; AND
- WHEREAS, the City Procurement Regulations provide for Change Orders to existing contracts above the 25% limit with the approval of Council.

NOW THEREFORE BE IT RESOLVED the Director of Public Works is authorized, pursuant to Section R3-106.01 of the City Procurement Regulations relating to construction contracts, to execute a Change Order to Contract P.W. 91-20 to accomplish the stormwater work at Takoma/New York; AND

BE IT FURTHER RESOLVED that the Director of Public Works will exercise this authority only following roll over of unexpended FY-92 funds to the FY-93 Budget by appropriate ordinance; AND

BE IT FURTHER RESOLVED THAT the Director of Public Works will exercise this authority only upon satisfactory performance by the Contractor performing P. W. Contract 91-20, Westmoreland Avenue Drainage Improvements.

Dated this 13th day of July, 1992.

First Reading: 7/13/92
Second Reading:

Upon motion by Councilmember , duly seconded by Councilmember , the following Ordinance was introduced.

**ORDINANCE #1992-30
FY 93 STORMWATER BUDGET AMENDMENT NO. 1**

AN ORDINANCE TO AMEND THE FISCAL YEAR 1993 STORMWATER BUDGET

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND CONVENED AS THE STORMWATER BOARD AND CITY COUNCIL

SECTION 1. that the Fiscal Year 1993 Stormwater Budget be amended as follows:

REVENUE AMENDMENTS

- a. Appropriate \$40,000 from prior years Unappropriated Reserve as carryover funding from FY 92 for storm water capital improvement projects.

EXPENDITURE AMENDMENTS

- a. Appropriate \$40,000 to Account 0030-8001, Stormwater capital budget, as additional funding for the Westmoreland Avenue project and for funding for storm water improvements at Takoma and New York Avenues, Lot 6, Block 73.

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

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

AYE:
NAY:
ABSTAIN:
ABSENT:

d#O/R3
O-93BA1

TAKOMA PARK MD. LIBRARY

CITY OF TAKOMA PARK, MARYLAND (FINAL 9/14/92)

Regular Meeting of the City Council and
Stormwater Management Board

PROPERTY OF
TAKOMA PARK MD. LIBRARY

Monday, July 27, 1992

CITY OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Hamilton	City Clerk Jewell
Councilmember Johnson	DHCD Director Grimmer
Councilmember Leary	Public Works Dir. Knauf
Councilmember Porter	Police Chief Fisher
Councilmember Prensky	Personnel Officer Hobbs

ABSENT: Councilmember Elrich

The City Council convened at 8:00 p.m. on Monday, July 27, 1992 in the Council Chambers at 7500 Maple Avenue.

Following the Pledge of Allegiance, a moment of silence was observed in memory of Administrative Clerk Karen Mitchell who passed away on July 15th.

CITY COUNCIL COMMENTS

Mr. Sharp announced that the annual Recreation Festival would be held on Thursday, July 30th at 7:00 p.m. at City Hall.

Mr. Prensky commented on the Council dais that was currently serving as the backdrop in a production being sponsored by the Takoma Repertory Theater, "Voices In The Darkness"; he noted that the play was an excellent one and he encouraged everyone to try and see a performance.

Mr. Johnson said he was delighted to attribute his absence from the July 13th Council meeting to his attendance at the National Democratic Convention as the consort to Takoma Park's representative to the Convention--his wife, Constance Johnson. Mr. Johnson noted that her picture was published in the Washington Post and she was quoted by the New York Post.

Mr. Hamilton added his remarks about the play, "Voices In The Darkness" and commented that Takoma Park's Cable Station would be airing it live on Friday, August 1st.

ADDITIONAL AGENDA ITEM

Mr. Johnson commented that he had a nomination to make for an additional appointment to the Family Diversity Taskforce.

MINUTES FOR JUNE 22, 1992 AND JULY 13, 1992.

Motion to adopt was moved by Mr. Hamilton, seconded by Mr. Prensky and the minutes were adopted unanimously. (Absent: Mr. Elrich)

CITIZENS COMMENTS

Jack Mitton, 501 Philadelphia Avenue commented on the proposed acquisition and uses for the Parker Memorial Baptist Church property and asked why the issue was being discussed, saying that the City recently enacted a tax increase to fund existing activities. He noted the City's tax rate was the second highest in Maryland and said even if the building was purchased at no cost, there would be continuing and increasing operating costs. Mr. Mitton then commented about the Council's plan to continue discussions on Phase I of the Traffic Plan and asked when would citizens be able to participate. Mr. Mitton also asked how much the City was spending to enact, publicize and defend the cigarette vending legislation. He said it was his understanding the City was being defended by the Insurance Company and he asked what this would do to the insurance premiums.

Mr. Mitton then commented on the City's plan to install an additional speed hump on Boston Avenue. He reminded the Council about the four speed humps installed last year and he said there had been no review to see if this additional speed hump was needed. Mr. Mitton suggested that the City take one of the four speed humps and move it in front of the Tot Lot.

Mr. Sharp responded to Mr. Mitton's points raised about public notice and public participation. He assured Mr. Mitton that the Parker Memorial Baptist Church consideration was being put to a public meeting on August 3rd and there had been no decisions or appropriations made regarding the Church. Mr. Sharp said there were at least two public hearings scheduled on the Transportation Plan and there would ample opportunity for discussion on this.

Mr. Sharp said the Council did not pass the Smoking legislation with only one purpose in mind--to regulate cigarette vending machines; he said this was one part of a much more comprehensive smoking ordinance. Mr. Sharp explained that the City was defending the legislation because of a lawsuit filed against Takoma Park and Bowie by the tobacco vending machine companies. Mr. Sharp said it was true that the Local Government Insurance Trust was defending the two cities, because Bowie and Takoma Park were participants in the litigation and there may be other issues that develop from the lawsuit. He said he did not know what this would do to the premiums.

Mr. Sharp said Mr. Mitton touched on what his opinion of speed humps were--one asked for them and one got them. He said there was no outside estimate made of need (i.e., a police report) and it was simply based on what people who live in the neighborhoods wanted and who were able to meet the petition requirements for speed humps. Mr. Sharp said it was his hope that with a successful transportation plan there would be more options available for controlling speed in the future.

Mr. Leary added that there was currently no plan or proposal by the Council to add any additional speed humps on Boston Avenue.

CITIZENS COMMENTS (on items not on Council's agenda)

Ruth Abbott, 7416 Holly Avenue commented on the City's process for renewing parking permits. She said neighbors have complained that the Police Administrative Office hours are inconvenient and there was no adequate way to remind residents to renew their parking permits. Mrs. Abbott suggested that the City consider extending the period of time that citizens can renew their permits to July 15th. She also suggested that the Administration Office be open on Saturdays for renewals to take place. Ms. Abbott said that while it might be costly to send renewal notices by mail, the current process of putting a notice in the Newsletter was inadequate because the Newsletter was erratically delivered. She also suggested that the Police issue warnings instead of tickets during the first two weeks of the renewal period.

Mr. Sharp asked the City Administrator to consult with Chief Fisher and respond to the suggestions raised by Ms. Abbott.

Ms. Habada commented that the City had received a number of calls about this concern, and she had since met with Chief Fisher and the Finance Office to resolve the concerns raised.

Chief Fisher added that up until 1990, the Police Administrative Office was open in the evenings and on Saturdays; however it became expensive to continue to do this there were few citizens who showed up at these times and the decision was made to cancel Saturdays hours. Chief Fisher said that after revisiting the issue again, there were Finance and Police Administration employees who were willing to work in the evenings. He said the departments would be making better efforts to publicize reminder notices because it would not be feasible to mail out notices.

Chief Fisher said that allowances have been made over the past couple of weeks to accommodate persons trying to renew their permits through the dispatcher's office. He said the City will never avoid issuance of citations to some people who are unable to come in and renew their permits.

Mr. Leary said the issues raised by Mrs. Abbott were important and he was happy to hear the proposed solutions for dealing with them. Mr. Leary commented that he was one of the people who received a ticket; he was not able to get in to renew in time because he was out of town. He said he agreed that notice in the Newsletter was not the best method and that some thought should be given to other methods, i.e., fliers distributed in the neighborhoods with parking permits which would not be too expensive or too inconvenient.

Mr. Prenskey pointed out that he had discussions with the City Administrator and City Clerk a year ago and he was assured then that residents could mail copies of their registration and license information in and come into the Police Department in person a few days later to pick up their renewed parking permits. Mr. Prenskey questioned whether this mail-in service was still available.

Ms. Habada said that she was not aware of a mail-in service and she noted that this would probably not be a problem for citizens to drop their vehicle information off and have renewals mailed back to them.

Mark Florie, 7418 Holly Avenue said that he agreed with Mrs. Abbott's comments and said that he had received two parking tickets because he was out of town the week of renewal; one of the tickets was received while he was at City Hall renewing his permit. Mr. Florie said something had to be done to make the process more convenient and he encouraged the City to consider mailing reminder notices. He also asked that the City find a way to reimburse residents for the tickets they received under these kinds of circumstances.

Farrell Hamer, 7418 Holly Avenue said she also received a ticket the day after the permit was due for renewal. She said the purpose of the law was to allow residents to park on their own streets and keep those who did not live on those streets off. She recommended that the Police issue official warnings.

Jay Peters, 7418 Holly Avenue suggested it would be more effective for the Police Administration Office to be open on Saturday.

AGENDA

1. Resolution Expressing Sympathy to the Family of Karen Mitchell
Moved by Mr. Sharp; seconded by Mr. Hamilton. Mr. Sharp read the Resolution and he commented that he was asked by A.J. Mitchell to read the Resolution in advance at the Memorial Services for Karen held July 15th. Mr. Sharp said he noted that in the eulogy, the minister talked about everything in its own time and how God must have felt it was Karen's time. Mr. Sharp said that he disagreed--this was much too early for Karen.

Mr. Hamilton said he agreed with the words in the Resolution that Karen had done a lot for many people; he said it was also important to know that she was a wife, mother and grandmother who loved her family and the neighborhood children and she represented the family unit in the community and the family unit of the City employees. He said that Karen had come before the Council on many different issues and he asked that Karen be remembered as a part of the Council Chambers as Brint Dillingham was and Juanita Nunn would be.

Ms. Porter commented that when she was first elected to the Council, she asked the City Administrator to appoint someone to be a liaison with the community associations and he appointed Karen Mitchell to be that person. Ms. Porter said she always felt that

was a very appropriate choice because of her connections and love of the Takoma Park community. Ms. Porter said that Karen's passing would be a loss not only for the Council but for the people who would have benefitted so much by contact with her.

Mr. Leary said the thing that he thought of most distinctively when he thought of Karen was that she had a marvelous wit which could be devastating at times and had strong opinions that were articulately and forcefully expressed.

Mr. Prensky said he was particularly touched to see the City Hall Flag flying at half mast for Karen. He said Karen represented many things simultaneously--a member of City Staff, president of the Union representing labor, a private citizen who came before the Council as a resident of Takoma Park, a leader of her community association, and for him, one of the connections to learn the ropes of the City business.

Mr. Johnson said that, as the newest member of the Council, he could not pretend to know Karen as well as his colleagues on the Council. However, he said it was apparent to him, soon after he joined the Council, that he learned the importance of returning the Council package envelopes to Karen with dispatch...it was clear that Karen was the "glue" that kept so many things moving and that was her legacy--one that the Council and Karen's family could be proud of.

Ms. Jewell said she hired Karen only nine months after becoming Deputy City Clerk and that a lot of her growth in the job was done together with Karen. She said Karen was a wonderful assistant and she kept things going in the office.

Ms. Habada noted that in the early days when Karen first came on board, as a staff person, the Administrative Office had some difficulty keeping control of the office supply budget. Ms. Habada said she made a dinner bet with Karen if she could come in under budget that particular year. Ms. Habada said that she lost the bet and ended up taking Karen as well as A.J. Mitchell out to Sunday brunch, she was not willing to repeat the bet the next fiscal year.

Mr. Mitchell thanked the City employees for their contributions to the leave bank that was established for Karen. He also expressed appreciation to Sue Silber's office who assisted him with some legal work. Mr. Mitchell noted that a memorial fund had been established in Karen's name and donations would be forwarded to two of Karen's favorite causes: to fund a supply of necessities for small children who are brought into the Police Department and an alcohol and drug rehabilitation operation in Washington, D.C.

Council Action: The Resolution passed unanimously.

RESOLUTION #1992-49
(Attached)

2. Introduction of New City Employees

Nancy Grimmer introduced Danita Lee Bryant, the new Executive Director for the Commission on Landlord-Tenant Affairs. Ms. Grimmer noted that Ms. Lee-Bryant was recently admitted to the Maryland Bar, having received her law degree from George Washington University in 1991 and has a Bachelor's Degree in Government and Politics from the University of Maryland. Ms. Lee-Bryant was former treasurer of the University's Thurgood Marshall Pre Law Society and served as a trial clerk at the U.S. Department of Justice, and at the U.S. Tax Court and has interned with the Maryland General Assembly.

Ms. Grimmer then introduced the new DHCD Code Enforcement Officers. Jose Mesa, formerly with the Public Works Building Maintenance Division. Ms. Grimmer noted that Mr. Mesa does volunteer work with Takoma Park Cable and is currently working on his Bachelor's Degree at Columbia Union College.

Ms. Grimmer announced that Junior Code Enforcement Officer, Travis Aldous, was promoted to Code Enforcement Officer I. Mr. Aldous interned for two summers with Montgomery County's Department of Housing and Community Development and holds a Bachelor's Degree from Washington College.

Mr. Knauf introduced Houston Jenkins, the City's new Building Maintenance Supervisor, who had been with the Public Works Department for a year as the Buildings Maintenance Helper. Prior to that Mr. Jenkins served in a variety of building maintenance positions in the metropolitan area and served in the U.S. Army. Mr. Knauf said that Mr. Jenkins has been in the position for a few weeks and has been doing an excellent job.

Mr. Sharp welcomed all the new employees.

3. Resolutions of Appreciation to Outgoing City Employees.

A. To J.P. Morgan, DHCD Code Enforcement Officer

Moved by

The Resolution was read by Mr. Sharp. Moved by Mr. Prensky; seconded by Mr. Hamilton.

Mr. Prensky noted that he had the pleasure of participating in a concert with Mr. Morgan and sponsored by the Takoma Park Symphony Orchestra a few weeks ago.

Mr. Sharp added that Mr. Morgan's musical talents had overshadowed his code enforcement work in many people's minds but that he was also an excellent employee for the City.

Mr. Hamilton said that Mr. Morgan handled code enforcement problems on Maple Avenue in a very professional way, and his relationship with the resident managers and the tenants was noteworthy.

Council Action: The Resolution passed unanimously (Absent: Elrich)

Mr. Morgan thanked everyone and said that it was Karen Mitchell who overheard him singing happy birthday to a City employee which got him into participating as a musical performer at many City events.

Mr. Johnson said that as a native of Boston, he would find Boston a very interesting City.

RESOLUTION #1992-50

B. Appreciation to Elizabeth Tracey

Mr. Sharp read the Resolution. Moved by Mr. Hamilton; seconded by Ms. Porter. Mr. Hamilton said he hoped Ms. Tracey's pursuit of her Masters degree would not take as long as her pursuit of Article 7.

Mr. Prensky noted that Ms. Tracey's was relocating to a sister city--Berkeley, California--also a nuclear free zone. He said her work was well appreciated by the Council, the tenants and maybe one day the landlords for her contributions made to the City's landlord-tenant law.

Ms. Porter noted that Ms. Tracey had been very patient with her and she had learned a lot about housing issues from Ms. Tracey.

Citizen Comment, David Lurie, COLTA Member said on behalf of COLTA, Ms. Tracey had made their jobs a lot easier and he thanked her for that.

Council Action: The Resolution passed unanimously.

Ms. Tracey said she enjoyed working on Article 7 and it was a very challenging and rewarding experience.

RESOLUTION #1992-51
(Attached)

C. Resolution of Appreciation to City Employees For Their Assistance in Cleaning Efforts After the 7/21/92 Flooding of City Hall. Mr. Sharp read the Resolution. Moved by Mr. Sharp; seconded by Mr. Prensky. Mr. Sharp noted that he was here at City Hall that evening and had noted the job was well done.

Mr. Prensky said he also was at City Hall during the flood which took place at the same time the City was holding a press conference regarding the vending machine lawsuit. He moved an amendment to the Resolution: in the final Whereas clause to add the name of Lee Vidal since he had led the efforts in the Administrative Office.

Building Supervisor, Houston Jenkins, expressed appreciation to the Takoma Park youths who were in the building at the time and who also assisted in the clean up.

Council Action: The Resolution passed unanimously.

Mr. Hamilton expressed appreciation to Paul Ngo and Jose Mesa for quickly moving the press conference camera equipment out of the way of the flood water.

RESOLUTION #1992-52
(Attached)

3. Amendment to Position Classification Plan. Motion to adopt was moved by Mr. Hamilton; seconded by Ms Porter. The amendment to add the Arborist position was moved by Mr. Johnson and seconded by Ms. Porter.

Council Action: The Ordinance, as amended, was adopted unanimously on second reading. (Absent: Elrich).

Mr. Hobbs explained that the amendment adds the positions of Recreation Program Coordinator, Arborist and Assistant Director for Special Projects and changes the title designation for the Building Mechanic Position to Building Maintenance Supervisor.

ORDINANCE #1992-29
(Attached)

4. FY'93 Stormwater Budget Amendment No. 1. Motion was made by Mr. Hamilton and seconded by Ms. Porter for the Council to convene simultaneously as the Stormwater Management Board and to adopt the ordinance on second reading.

Ms. Habada explained that the Ordinance amends the FY'93 Stormwater Management Budget to carry over funds for stormwater capital improvement projects on Westmoreland Avenue and Takoma/New York Avenues.

Council Action: The Ordinance was adopted unanimously on second reading. (Absent: Elrich).

ORDINANCE #1992-30
(Attached)

Without objection, the Council adjourned as the Stormwater Management Board.

5. Resolution Making Additional Appointments to the Environmental Committee

Moved by Hamilton; seconded by Ms. Porter, the Resolution appointing Ken Bossong and Stacey Katz was passed unanimously. (Absent: Elrich)

RESOLUTION #1992-53
(Attached)

6. 1st Reading Ordinance Setting A Recycling Collection Fee

Mr. Sharp explained that the Ordinance proposes to establish a fee for recyclable collections from multi-family rental properties with six units or less who do not receive regular garbage collections from the City but who would like to receive recyclable collection on a voluntary basis. The Ordinance was moved by Mr. Leary and seconded by Mr. Hamilton.

Daryl Braithwaite clarified that the Ordinance set up a structure within the City's Treasurer's Office and Public Works Department to enable the City to deal with the recycling collection as a single service for those apartments with six units or less, at the owner's choosing.

Mr. Hamilton asked what the fiscal impact would be if all the eligible units took advantage of this.

Ms. Braithwaite said there were about 200 units or less who would be eligible for this and it was unlikely they would have that many respondents; however if they did, the City could handle these in the normal course of the recycling route without significantly impacting the collection as it currently occurred. She said any addition costs would be brought about by the mixed paper collection but would be covered by the fee the City was proposing to charge.

Mr. Hamilton asked if this option opened the door for other larger buildings with more than 6 units to want to take advantage of this.

Ms. Braithwaite said the City looked at and chose buildings with six units or less because the handling of single buckets tended to get unmanageable on the curb side when there were 12 units or more.

Mr. Prenskey said it was important to make it clear that it would be at the discretion of the owners of the 6 units or larger buildings, not the tenants. He said it would be up to the tenants to lobby their landlords and property managers if tenants chose to participate in this service.

Mr. Hamilton asked what was anticipated as a pass through back to the tenants.

Ms. Braithwaite responded that the proposed fee to be charged was \$50 per unit, per year and she understood that a certain percentage would have to be reached before costs could be passed on to tenants. In response to Mr. Sharp's question, Ms. Braithwaite said there certainly could be some savings to owners if there was great participation from the apartment.

Citizens Comments

Rino Aldrighetti, 7213 Central Avenue asked if the City was moving towards universal recycling and he asked if the limitations of the buckets meant that the City was limiting itself to 6 apartments or less.

Ms. Braithwaite responded that the City would still have the same trash and recycling service available to 12 unit and less sized buildings. She said establishing recycling across the City was an interest of hers and of the Taskforce. She said legislation had

been drafted and would be considered by the Council in September that would provide the opportunity to owners of all apartments in the City. She said the proposal would call for the apartment owners to match the City's program within three years, increasing the number of materials that are recycled.

Mr. Prenskey noted that all apartment buildings on the Prince George's side of the City, as of July 1st 1992, were required by that County to provide recycling services. He said the only place where this was not required was in multi-family buildings on the Montgomery County side.

Council Action: The Ordinance was accepted for first reading unanimously. (Absent: Johnson (for vote), Elrich)

ORDINANCE #1992-31
(Attached)

7. Additional Agenda Item - Appointments to Taskforce on Family Diversity. Mr. Johnson nominated Richard Csarny, 1101 Holton Lane, an active member of the Hampshire Gardens Citizens Association, to serve on the Taskforce.

Mr. Hamilton asked if additional appointments could be made by the City Administrator.

Council Action: Upon motion by Mr. Johnson, duly seconded and carried unanimously, John Gavin and Richard Csarny were appointed to serve on the Taskforce.

8. Resolution Setting Forth Council's Summer Recess. Moved by Mr. Prenskey; seconded by Mr. Hamilton, the Resolution passed unanimously.

RESOLUTION #1992-55
(Attached)

The City Council adjourned at 9:40 p.m. to reconvene in Regular Session on September 14, 1992.

Introduced by: Mayor Sharp

RESOLUTION OF CONDOLENCE

#1992-49

TO THE FAMILY OF KAREN L. MITCHELL

WHEREAS, it was with great sorrow that the City Council learned of the passing on July 15, 1992, of Karen L. Mitchell in her forty-fourth year; AND

WHEREAS, Karen devotedly served Takoma Park in the capacity of Administrative Clerk to the City Clerk for almost five years performing her extensive duties in a dependable, organized and efficient manner; AND

WHEREAS, Karen served as the President of Takoma Park's AFSCME local 3399 since 1990 and was the Secretary of AFSCME Council 67 and was known for her forthright manner in getting to the bottom of problems and arriving at solutions that were fair for both labor and management; AND

WHEREAS, Karen was also extensively involved in the Takoma Park Community and has served on the Park Ritchie Tenants Association, the Community Development Block Grant Committee CAC, the Martin Luther King Celebration Planning Committee, Takoma Park's Cable Board, and the City's Labor Management and the Safety Committees, and was a tester with Suburban Maryland Fair Housing, to name a few; AND

WHEREAS, to those persons with whom she worked closely, she exemplified humor and a quick wit, composure under stress, patience and compassion for others and empathy with their problems; AND

WHEREAS, many will want to remember Karen for the happy things she enjoyed -- the City's festivals she liked to attend, her love of children, her fondness for the Takoma Park community.

NOW, THEREFORE, BE IT RESOLVED by the City Council, on behalf of the employees and officials of the City of Takoma Park, Maryland, as well as the citizens of the community, that we hereby extend to the members of Karen Mitchell's family this expression of heartfelt sympathy in the great loss that they have suffered, and which we all share.

BE IT FURTHER RESOLVED THAT this Resolution be spread upon the permanent records of the City of Takoma Park, and that an appropriate copy be prepared for the family of Karen L. Mitchell.

Dated this 27th day of July 1992.

Edward F. Sharp, Mayor

Attest:

*Paula S. Jewell, CMC
City Clerk*

Introduced by: Councilmember Prensky

RESOLUTION #1992-50

*In appreciation of J. P. Morgan, Code Enforcement Officer,
Department of Housing and Community Development*

WHEREAS, J.P. Morgan has decided to pursue full-time his Doctoral Degree at Boston College in Arts Administration; AND

WHEREAS, Mr. Morgan is to be commended for his years of excellent service to the City as a Code Enforcement Officer; AND

WHEREAS, Mr. Morgan is to be commended for his unfailing willingness to contribute his superb musical talents to a wide and never-ending variety of City events, even though he has not been a resident of this City; AND

WHEREAS, Mr. Morgan is to be commended for his perseverance and competence in routinely resolving problems with respect to housing code problems; AND

WHEREAS, Mr. Morgan is to be commended for his willingness to take on the emergency calls which invariably came in at 4:55 p.m. on a Friday evening; AND

WHEREAS, the department staff in particularly commends J.P. Morgan for his grace under pressure like the time the live roaches fell out of the smoke detector into his hair.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland joins the staff of the Department of Housing and Community Development in commending James P. Morgan for his exemplary contributions to the Department, and in particular, to the City residents; AND

BE IT FURTHER RESOLVED THAT the City Clerk is hereby requested to place this Resolution in the permanent records of the City of Takoma Park.

Dated this 27th day of July, 1992.

Mayor Edward Sharp

ATTEST:

Paula S. Jewell, CMC/City Clerk

Introduced by: Councilmember Hamilton

RESOLUTION #1992-51

***In appreciation of Elizabeth Tracey, Executive Director,
Commission on Landlord-Tenant Affairs,
Department of Housing and Community Development***

WHEREAS, *Elizabeth L. Tracey is leaving the City to pursue her Master's degree in Business Administration, with a concentration in Public Policy and Financing, at the University of California, Berkeley; AND*

WHEREAS, *Ms. Tracey has served the City and the Commission on Landlord-Tenant Affairs as the first Executive Director of that Commission; AND*

WHEREAS, *Ms. Tracey is to be commended for her accomplishments in recruiting new members to COLTA and contributing to their effective functioning; AND*

WHEREAS, *Ms. Tracey is to be commended for the expertise and professionalism which she brought to the comprehensive revisions to Article 7, the City law on landlord-tenant affairs, and her role in seeing that project through to its fruition; AND*

WHEREAS, *department staff particularly wants to thank Ms. Tracey for contributing to the department environment which she enjoyed, where people can work hard and still maintain a sense of humor and enjoyment of their work.*

NOW, THEREFORE, BE IT RESOLVED THAT *the City Council of Takoma Park, Maryland joins with the members of the Commission on Landlord-Tenant Affairs and the staff of the Department of Housing and Community Development in commending Elizabeth Tracey on her exemplary contributions to the City and its work on landlord-tenant affairs; AND*

BE IT FURTHER RESOLVED THAT *the City Clerk is hereby requested to place this Resolution in the permanent records of the City of Takoma Park.*

Dated this 27th day of July, 1992.

Mayor Edward Sharp

ATTEST:

Paula S. Jewell, CMC/City Clerk

Introduced by: Mayor Sharp

RESOLUTION #1992-52

WHEREAS, *on Tuesday, July 21st at approximately 4:00 PM, a downpour of one and half inches of rain fell in about 15 minutes time, overwhelming the stormdrain in the rear parking lot of the Municipal building; AND*

WHEREAS, *the rainwater poured through the back door of the municipal building into the police lobby and up the hallway into the Departments of Housing & Community Development and Recreation, the front lobby and into the Council Chambers; AND*

WHEREAS, *City staff from the Police Department acted quickly to move the water away from the dispatch office; AND*

WHEREAS, *Public works staff, lead by Houston Jenkins, Building Maintenance Supervisor, Tyrone Laster, Deputy Public Works Director, and Willis Shafer, Streets and Parks Supervisor, responded quickly to push the water out the front and back doors of the municipal building; AND*

WHEREAS, *City staff from the Department of Housing and Community Development responded quickly to move equipment, furniture and files out of the water's path and assist with moving the water out of the building with mops and pushbrooms, and quickly photographed the damage; AND*

WHEREAS, *City staff from the Recreation Department came back to the office from being flooded out at Piney Branch Middle School to find their office at high tide, and started moving furniture so the water could be pushed out the front door of the municipal building; AND*

WHEREAS, *the Administrator's office staff, led by Lee Vidal, promptly set up a flood dam at the doorway.*

NOW THEREFORE BE IT RESOLVED, *THAT the City Council of Takoma Park, Maryland commends City staff members for their quick thinking and quick action to control damage to the building and its contents, and for their willingness to roll up their sleeves, and their pantlegs, and successfully team up against an immense problem; AND*

BE IT FURTHER RESOLVED THAT *the City Clerk be requested to place this Resolution in the permanent record of the City, and that a copy be given to City employees in recognition and appreciation of their performance.*

Dated this 27th day, July, 1992.



Mayor Edward Sharp

ATTEST:



Paula S. Jewell, CMC/City Clerk



Introduced by: Councilmember Hamilton

1st Reading: 7/13/92

2nd Reading: 7/27/92

COUNCIL ORDINANCE NO. 1992-29

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; Assistant Driver;
Police Records Clerk;

GRADE 5: Recreation Aide; Tool Library Attendant;
Communications Dispatcher; Parking Enforcement
Officer; Jr. Code Enforcement Officer;

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

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

GRADE 8: Administrative Clerk II; Account Clerk III; Gym
Supervisor; Police Private First Class; [Building
Mechanic] Building Maintenance Supervisor; Mechanic;
Community Development Coordinator; Crew Leader;
Recreation Program Coordinator;

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

- GRADE 10: Librarian; Police Sergeant; Sanitation Supervisor; Street-Parks Supervisor; Planner III; COLTA Executive Director; Community Development Construction Specialist; Community Resource 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: Assistant Director for Special Projects (Department of Housing and Community Development); Deputy Public Works Director;
- Executive 2: Library Director; Recreation Director; Director of Housing & Community Development;
- Executive 3: Assistant City Administrator; Police Captain (Deputy Chief);
- Executive 4: Police Chief; Public Works Director

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective July 1, 1992.

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

 indicates new matter to be added at second reading.

 [] indicates matter to be deleted from existing code language.

 ■ indicates matter to be deleted at second reading.

Adopted this 27th day of July, 1992 by Roll Call Vote as follows:

AYE: Hamilton, Johnson, Leary, Porter, Prensky, Sharp.
NAY: None.
ABSTAINED: None.
ABSENT: Elrich.

First Reading: 7/13/92
Second Reading: 7/27/92

Upon motion by Councilmember Hamilton, duly seconded by Councilmember Porter, the following Ordinance was introduced.

**ORDINANCE #1992-30
FY 93 STORMWATER BUDGET AMENDMENT NO. 1**

AN ORDINANCE TO AMEND THE FISCAL YEAR 1993 STORMWATER BUDGET

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND CONVENED AS THE STORMWATER BOARD AND CITY COUNCIL

SECTION 1. that the Fiscal Year 1993 Stormwater Budget be amended as follows:

REVENUE AMENDMENTS

- a. Appropriate \$40,000 from prior years Unappropriated Reserve as carryover funding from FY 92 for storm water capital improvement projects.

EXPENDITURE AMENDMENTS

- a. Appropriate \$40,000 to Account 0030-8001, Stormwater capital budget, as additional funding for the Westmoreland Avenue project and for funding for storm water improvements at Takoma and New York Avenues, Lot 6, Block 73.

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

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

AYE: SHARP, HAMILTON, JOHNSON, LEARY, PORTER
NAY: NONE
ABSTAIN: NONE
ABSENT: ELRICH, PRENSKY (for vote)

d#O/R3
O-93BA1

Introduced by:

1st Reading: 7/27/92

2nd Reading: / /

ORDINANCE NO. 1992-31

Establishing Fee For Collection of Recyclables In Multi-family Dwellings

WHEREAS, Section 10-15 of the Takoma Park Code sets forth fees for the collection and disposal of refuse and recycling from multifamily dwellings; AND

WHEREAS, owners and managers of multifamily dwellings, of up to twelve units, can choose to have City collection or private, commercial refuse collection depending on what meets the needs of the multifamily dwelling; AND

WHEREAS, apartment owners that choose private trash collection, must currently contract with private commercial collectors to establish recycling collection; AND

WHEREAS, the cost for the collection of recyclables from small apartment buildings of six (6) units and less can be substantial; AND

WHEREAS, this substantial cost could act as a disincentive to establishing recycling programs in small multifamily dwellings that have private refuse collection; AND

WHEREAS, the City's recycling collection program can absorb a modest increase in the number of households from which it collects; AND

WHEREAS, by making City recycling collection available to the owners of small apartment buildings that have private, commercial trash collection the City would be encouraging the establishment of recycling programs in Takoma Park.

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

SECTION 1. Chapter 10 (Refuse), Article 3 (Multifamily Unit Refuse Collection), Section 10-15 (Multifamily dwelling units-- refuse fee schedule), of the Takoma Park Code is amended as follows:

Section 10-15. Multifamily dwelling units -- refuse and recycling fee schedule.

(a) The annual fees for collection and disposal of refuse and recyclables placed for collection at the ground level outside the multifamily dwelling in a position easily accessible to the [refuse collector] sanitation personnel or at any point as may be

designated by the Director of Public Works and not more than one hundred (100) feet distant from the side of a street or alley from which the collection is to be made [not more than twice each week] shall be as follows:

(1) [(a)] Multifamily dwellings with two (2) through (10) dwelling units: no fee for the first dwelling unit and one hundred dollars (\$100.00) for each additional dwelling unit.

(2) [(b)] Multifamily dwellings with eleven (11) or more dwelling units: no fee for the first dwelling unit and ninety dollars (\$90.00) for each additional dwellings unit.

(b) The annual fee for the collection of recyclables only, placed at a collection point designated by the Director of Public Works, from multifamily dwellings of six (6) units or less, shall be fifty dollars (\$50.00) for each unit, except the first unit, which shall be collected at no charge.

SECTION 2. This Ordinance shall be effective on _____, 1992.

Adopted this ____ day of _____, 1992, by roll call vote as follows:

AYES:

NAYS:

ABSTAINED:

ABSENT:

Note: In this Ordinance:

1. Underlining indicates additions to the existing Code language.
2. [brackets] indicates existing matter being deleted from the Code language

Introduced By: Councilmember Prensky

RESOLUTION NO. 1991 - 55

SETTING FORTH THE CITY COUNCIL'S SUMMER 1991 RECESS

WHEREAS, It has been decided that in order to accommodate vacation schedules of the City Council, a summer recess shall be called; AND

WHEREAS, this recess shall commence after a Regular Council Meeting scheduled for Monday, July 27, 1992; AND

WHEREAS, with the first Monday of September, 1992 being the Labor Day Holiday, the Council will reconvene their meetings on Tuesday, September 8th, in Council Worksession; AND

WHEREAS, further the Council will reconvene their first Regular Meeting of official business, scheduled on Monday, September 14, 1992.

NOW, THEREFORE, BE IT RESOLVED THAT the City council does hereby set forth its summer recess from July 28, 1992 through September 7, 1992.

Dated this 27th day of July 1992.