

TRAINING SESSION, PRESENTATION, SPECIAL SESSION, WORKSESSION AND  
EXECUTIVE SESSION OF CITY COUNCIL

Monday, March 7, 1994

OFFICIALS PRESENT:

Mayor Sharp  
Councilmember Chavez  
Councilmember Davenport  
Councilmember Elrich  
Councilmember Porter  
Councilmember Rubin  
Councilmember Williams

Deputy City Administrator Grimmer  
City Clerk Sartoph  
DHCD Director Nance-Sims  
DHCD Asst. Director Ludlow  
Community Planner Schwartz  
Recreation Director Ellis  
Acting Chief Police Wortman

The City Council convened at 7:36 p.m. on Monday, March 7, 1994, in the Municipal Building upstairs meeting room at 7500 Maple Avenue.

Following a Training Session "Zoning and Planning Process" presented by the Department of Housing & Community Development and representatives from both Montgomery and Prince George's Counties, and a presentation by members of the Recreation Committee (Goals and Objectives), the Council moved into Special Session by unanimous consent at 9:08 p.m.

#3 Resolution of Appreciation - Sharon Ward Ellis, departing Recreation Director. Mr. Sharp read the resolution for the record.

C.P. Cook read a single whereas clause, Resolution of Appreciation on behalf of the Takoma Park Recreation Committee (attached).

Mr. Sharp commented on the annual Turkey Trot and Sharon's attempt to get some competition for him in the race. He thanked her for her work in the City and wished her well.

Ms. Porter thanked Ms. Ellis for her enthusiasm and efforts to provide recreation services to the community.

Mr. Elrich remarked about her abilities that brought continuity to the Recreation Department.

Mr. Rubin commented on the events that Ms. Ellis has organized and made particular mention of the Dog Contest.

Howard Kohn (member of Recreation Committee) said that the City may find someone to take Sharon's job, but that they will never be able to replace her.

Ms. Ellis commented on her appreciation for Takoma Park and fondness of the City's programs. She noted the challenge of working with staff to find new activities and complimented the service of the Recreation Committee members, other City volunteers, and former Councilmembers who she has had the opportunity to work with. Ms. Ellis remarked that the Police Department and Recreation have a unique relationship, enabling them to offer services, assistance and a home-away-from-home for the youth of the community.

The resolution was adopted unanimously.

RESOLUTION #1993-12  
(Attached)

Moved by Mr. Davenport; seconded by Mr. Rubin. The Council moved into Worksession at 9:21 p.m., and later adjourned to Executive Session at 10:18 p.m.

EXECUTIVE SESSION

Executive Session 3/7/94 - Moved by Mr. Elrich; seconded by Mr. Rubin. Council convened in Executive Session by unanimous vote (ABSENT: Davenport) at 10:30 p.m., in the Conference Room--Officials Present: Sharp, Chavez, Elrich, Porter, Rubin, Williams; Staff Present: Sartoph, Grimmer, Silber. Council was briefed on possible action by city to purchase an apartment building; Staff was directed to pursue further options (Authority: Annotated Code of Maryland, State Government Article, Sections 10-508(a)(3)).

RESOLUTION 1994 - 12  
IN APPRECIATION OF  
SHARON WARD ELLIS, RECREATION DIRECTOR

**WHEREAS,** Sharon Ward Ellis will be leaving her position as Recreation Director on March 11, 1994 to pursue her career and be with her family in Florida; AND

**WHEREAS,** during her time with the City, Ms. Ellis's enthusiasm and knowledge of the field of recreation and the people she served was highly evident; AND

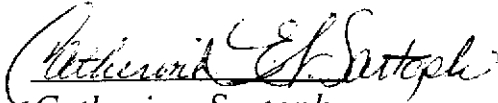
**WHEREAS,** her energy seemed without bounds in serving the people of Takoma Park, and her caring and concern for our younger residents will not be soon forgotten; AND

**WHEREAS,** her staff and colleagues remind her that the long arm of reciprocating practical jokes (something about attempted auto theft?) could reach all the way to Florida.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council, on behalf of the citizens and employees of the City of Takoma Park, commends and thanks Sharon Ward Ellis for her exemplary contributions and dedicated service to the citizens, staff and Council of the City of Takoma Park, Maryland.

  
Edward F. Sharp  
Mayor

ATTEST:

  
Catherine Sartoph  
City Clerk

## REGULAR MEETING, WORKSESSION AND EXECUTIVE SESSION OF CITY COUNCIL

Monday, March 14, 1994

## OFFICIALS PRESENT:

Councilmember Chavez  
 Councilmember Davenport  
 Councilmember Elrich  
 Councilmember Porter  
 Councilmember Rubin  
 Councilmember Williams

TAKOMA PARK MD LIBRARY  
 801 PENNSYLVANIA AVENUE  
 TAKOMA PARK, MD. 20912

## OFFICIAL ABSENT:

Mayor Sharp (see "Note" pg.5)

The City Council convened at 7:34 p.m. on Monday, March 14, 1994, in the Council Chamber at 7500 Maple Avenue.

The following remarks were made:

MAYOR PRO TEMPORE'S COMMENTS AND PRESENTATIONS

Mr. Elrich announced that he would be serving as Mayor pro tempore this evening, in the absence of Mr. Sharp who is in Annapolis for the third and final vote by the full House delegation on the unification bill.

Mr. Elrich wished Ms. Haynes-Fraser a speedy recovery from her recent stroke.

He noted with enthusiasm that Mr. Subin is in support of building the new Blair High School.

Mr. Rubin thanked all persons who have sent flowers or have otherwise expressed sentiments during his wife's recent illness and recovery.

ADOPTION OF MINUTES

Moved by Mr. Rubin; seconded by Mr. Williams. The minutes from 2/14/94 were adopted unanimously.

ADDITIONAL AGENDA ITEM

Mr. Williams asked that the Council reiterate its support for the Sligo Creek bike trail. The original Sligo Creek Trail Plan included a bicycle shoulder, that the Montgomery County Council is now considering deleting from the project budget. Mr. Elrich stated that the Council would further discuss this matter in Worksession to follow the Regular Meeting.

REGULAR COUNCIL MEETING

(NOTE: Agenda Items were discussed in an order other than that reflected on the meeting agenda. Numbers that precede the following topics of discussion indicate their order as reflected on the agenda.)

#3 Single Reading Ordinance re: Tree Planting. Mr. Elrich explained the ordinance to award a contract to R.J. Sunday Landscaping for the purpose of street tree plantings.

Mr. Williams asked whether R.J. Sunday Landscaping Inc. is a minority contractor?

Ms. Grimmer and Ms. Schwartz were unable to respond. Ms. Grimmer stated that staff will forward a response to Council regarding this question.

Mr. Rubin asked where the trees will be planted?

Mr. Grimmer said that this information was provided to the Council at some point in the past, but stated that she would ensure that the original correspondence be copied to the new Council.

Moved by Mr. Davenport; seconded by Mr. Rubin.

The single reading ordinance was adopted unanimously by roll call vote (ABSENT: Sharp, Porter).

ORDINANCE #1994 - 6  
(Attached)

#1 Alternative Transportation Modes Staff Status Report. Mr. Elrich stated, on behalf of Mr. Sharp, that the Council has previously expressed its support and belief that there is a need for an alternative transportation modes plan, and recalled the lack of funding available from Prince George's County to assist in transportation projects.

Mr. Rubin said that residents of his ward have already begun efforts to conduct a comprehensive inventory of pedestrian conditions. He asked how this work, already under way, will fit into the projected budget outlined in conjunction with Recommendation #2 of the staff memorandum.

Ms. Venita George gave a brief overview of the history of the Alternative Transportation Modes (ATM) Committee and its past presentations to the Council. She commented on each of the recommendations.

Ms. George responded to Mr. Rubin's question stating that staff is aware that several neighborhood associations have begun some work in regard to inventories of pedestrian conditions. She confirmed that this recommendation is "in the spirit" of the efforts of the neighborhood associations, and that the recommendation involves continuing these inventories in all neighborhoods.

Ms. Porter recalled past discussions regarding Recommendation #4, transportation feeder services from the Prince George's County side of the City to the metro and across the City. She stated that she feels it is clear that residents would support this recommendation, but that it may not be realistic to think that Prince George's County will provide a bus line for the City in the near future.

Mr. Elrich said that he echoes Mr. Sharp's feelings on this matter and would not support allocating extensive city funding for this recommendation in consideration that experience indicates that P.G. County does not have the available budget to fund this type of project now.

Mr. Williams asked whether Recommendation #5 will involve the transportation authorities posting route schedules, or whether the City will have to post the schedules.

Ms. George responded that the first step is to notify the transportation authorities that the schedules need to be posted, in hope that they will handle the posting.

Mr. Elrich asked for an explanation of the projected budgets assigned to each of the recommendations.

Ms. Nance-Sims responded that the city departments are currently working on the FY95 Budget, and that the projected budgets and staff time allocations attached to these recommendations are put forward for the Council to identify which recommendations should be considered by staff in planning the departmental projects for the next year.

Mr. Williams asked whether route maps are provided at transit stops.

Ms. George stated that these are very limited, and that this is one reason that the ATM Committee thought that a city transit guide would be most helpful. She reminded the Council that the recommendations presented this evening are only 6 of the 29 originally made by the committee, and asked whether the Council wants staff to move forward with considering the six recommendations in the FY95 workplan; how to handle the remaining 23 recommendations; and how the Council feels the other recommendations might be addressed by neighborhood associations.

Ms. Porter and Mr. Rubin expressed their support for these six recommendations as a starting point.

Council asked staff for a copy of all the recommendations.

Mr. Williams reiterated his feeling that staff should ensure that the transit authorities are holding up their end of the responsibility in achieving related goals.

Mr. Davenport asked about the timeframe for completion of these recommendations.

Ms. Grimmer commented that the recommendations will have to be considered in conjunction with other departmental programs, which will directly effect the implementation and completion timeframes, and that these proposals will be presented for discussion in the proposed FY95 Budget.

## #2 Activities in Public Spaces Adjacent to Farmers Market.

Tom Stallone noted that he is not a citizen of Takoma Park, but that he is a merchant in the city. He commented on his wholesale and retail business of wooden toys and furniture in Takoma Park for the last five years. Mr. Stallone stated that he met with Ms. Jean Sickle (DHCD - Community Development Coordinator) on February 14th to discuss some questions on the Farmers Market, public spaces, and the use of public spaces. He remarked that seven businesses have closed in the Old Town area since last November. On Thursday, March 17th, the Takoma Old Town Business Association (TOTBA) is scheduled to meet to discuss ways to improve the area. Mr. Stallone stated that his concern with the Farmers Market is that the configuration of the market could be better designed to help support the full-time merchants in the Old Town area. He noted that on February 14th a citizen addressed the Council to suggest that the market vendors be turned around to allow traffic in the open space and at the same time, protect the middle ground--the median. In addition, such a configuration would also assist some of the merchants who are trying to conduct business on Sundays. Fewer businesses are open on Sundays because the market traffic is designed to have pedestrians and shoppers enter at one end of the market and exit at the opposite end. He asked the Council to request staff to consider the idea of reconfiguring the arrangement of the market vendors, by reversing the market. Mr. Stallone said that he understands the idea has been addressed in the past, but that it should be re-addressed in consideration of the area merchants. He remarked that in his conversation with Ms. Sickle, she pointed out that the market suggested and it was under consideration to physically block pedestrians from cutting between vendor stalls to the businesses located along Laurel Avenue. He stated that he is concerned about this matter and wished to voice his concerns this evening.

Mr. Davenport questioned what kinds of businesses Mr. Stallone was referring to as having closed.

Mr. Stallone listed an antique shop, paint store, nail salon, children's clothing store, and video store as examples. Four of these businesses were located directly behind the market along Laurel Avenue.

Mr. Rubin asked for clarification on the configuration that is being suggested by Mr. Stallone.

Mr. Stallone confirmed that if the market vendors were turned around and backed-up to the median, shoppers would have the pavement and sidewalks of Laurel Avenue open to them. Market vendors would be back-to-back.

Ms. Porter asked that this matter be referred to staff for some recommendations, and requested that staff take into account whether reconfiguration would reduce the number of vendor spaces.

Mr. Rubin commented that he and Mr. Williams represent portions of Laurel Avenue, and that he believes that the Council is open to considering a reconfiguration of the market. He seconded the suggestion made by Ms. Porter.

Mr. Stallone stated that when the farmers were presented with this idea in the past, the fact was that they would probably have to eliminate one or two of the large trucks that are parked adjacent to their stands. There may be the possibility of doing away with the large trucks and still having the same number of stands.

In response to Council's request, Ms. Nance-Sims stated that staff could respond to Council on this matter by the next Regular Council meeting.

Mr. Rubin suggested that a staff member attend the upcoming TOTBA meeting.

Mr. Elrich asked two questions and made one suggestion as relayed by Mr. Sharp: (1) in reference to the market manager's books that are subject to review, has the city ever reviewed the books, and if not, shouldn't the city conduct an occasional review? (2) in regard to "Space Assignment and Size", Mr. Sharp noted the language "approximately 16 feet from the outside curb" and suggested that there should be some definite, specified number of feet or less, as opposed to "approximately", (3) though the vendors have the responsibility for keeping the space clean, does city staff feel that the space has been adequately kept clean, and are the receptacles treated as vendor or city responsibility?

Ms. Nance-Sims stated that the city has reviewed the records on a complaint basis.

Ms. Grimmer remarked that she believes there is a reason that a definite footage from the outside curb is not specified, and that it may have something to do with tree grates. Staff will review this matter. She said that the vendors are expected to keep the market area clean and that for the most part, the city believes that the farmers do a good job. Any problems that have been experienced were thought to be coordination problems between the vendors and Public Works, which have been addressed. Staff will take this suggestion under advisement.

Moved by Mr. Elrich; seconded by Mr. Rubin.

The ordinance was unanimously adopted at second reading by roll call vote (ABSENT: Sharp).

ORDINANCE #1994 - 5  
(Attached)

Mr. Elrich commented that before entertaining a motion to adjourn to Worksession, he would like to point out that there is an Executive Session scheduled following the Worksession to discuss a land acquisition matter and a personnel matter. He stated that Casa de Maryland had requested to address the Council regarding a Bill that is before the legislature in Annapolis, and that they did not arrive in time for the citizen comments period. Mr. Elrich asked for the Council's consent to extend representatives from Casa de Maryland the courtesy of a few minutes to make their comments before the Council adjourns to Worksession.

CITIZEN COMMENTS

Juan Torres, 900 Elm Avenue introduced Gustavo Torres and stated on behalf of Casa de Maryland, that they would like the Council's support in opposing two bills before the Maryland General Assembly (HB982 and SB467). The intent of the bills is to make English the official language of Maryland. He noted that the new immigrants have nothing against English; however, they fear that the future intent of the bills is to affect elimination of programs such as English for Speakers of Other Languages (ESOL). He noted that representatives of Casa de Maryland and Latino (unintelligible) are planning to appear before the Senate and House Committees on Wednesday, March 16th, to make their opposition to the bills known. Mr. Torres asked the Council to address a letter of opposition to the sponsors of the Bills. He reiterated that the principal of the Bills is good, but that the fear is that the process may be to attach other issues to the Bills. (Council was provided with copies of the Bills).

Ms. Porter clarified that Mr. Torres is stating that they oppose the Bills, not the idea of people learning English, because it is felt that the Bills would have a negative impact on programs for non-English speaking people.

Mr. Rubin commented that this Country does not have an official language, for good reason, because America is a Country of many nations. Every nationality that has come to this Country has had public schools in their own language as a way of learning English. Studies show that the best way to teach language is through a native language. He stated that had he been aware of these Bills and the concerns being raised, he would have prepared a resolution for Council's consideration, and made a motion that the Council adopt a resolution opposing the Bills and supporting the principal of having a multi-language culture.

Mr. Elrich asked Mr. Rubin if the Council were to approve the principal of the his proposed resolution, would he volunteer to draft a letter to the same effect before the Committee meetings on Wednesday.

Mr. Rubin made a motion that the City Council oppose the Bills that would make English the official language of Maryland, and reaffirm the historic and constitutional idea that the United States is a multi-language, multi-cultural nation and that it in fact, makes good sense, educationally.

Mr. Elrich seconded the motion.

Ms. Porter said that there was an article in Sunday's Washington Post regarding bi-lingual schools. The irony is that parents of English speaking children are discovering how much their children benefit from becoming bilingual.

Mr. Williams stated that he has to be in Annapolis on Wednesday and would be happy to deliver copies of the Council's letter at that time.

Mr. Torres remarked that he plans to be present in Annapolis on that day, regardless.

The Council agreed unanimously that Mr. Rubin is to prepare a letter expressing the Council's opposition to the Bills.

Mr. Rubin is to coordinate with the City Clerk's office in preparing ample copies of the letter for Mr. Torres to pick-up before the Wednesday Committee meetings.

#### WORKSESSION

Moved by Mr. Williams; seconded by Ms. Porter. The Council adjourned to Worksession at 8:33 p.m. Following the Worksession, the Council adjourned to Executive Session by unanimous vote at 9:34 p.m.

(NOTE: Mayor Sharp arrived during the final Worksession topic of discussion regarding FY95 Budget Priorities, and was present for the remainder of the evening's proceedings.)

EXECUTIVE SESSION - The Council discussed a land acquisition matter and a personnel matter.

Council adjourned for the evening at 10:26 p.m.

Introduced by: Bruce Williams  
Larry Rubin

1st Reading: 2/28/94  
2nd Reading: 3/14/94

Drafted by: Bruce Williams  
Larry Rubin  
Susan Silber, Corporation Counsel

ORDINANCE #1994 - 5

ACTIVITIES IN PUBLIC SPACES ADJACENT TO FARMER'S MARKET

**WHEREAS**, the City sponsored Takoma Park Farmer's Market on Laurel Avenue in the Takoma Old Town Business District has enjoyed tremendous success over the past nine years and draws patrons from inside the community and visitors from outside of the City; AND

**WHEREAS**, representatives from community, educational, health, environmental and other types of groups as well as performers offering entertainment contribute to the diversity of our community and promote freedom of expression, two valued characteristics of the City; AND

**WHEREAS**, merchants participating in the Farmer's Market or near the Farmer's Market also contribute to the valued character of the City; AND

**WHEREAS**, existing state laws and City ordinances require that activities taking place in public spaces are conducted in a safe manner, do not create a nuisance, and do not block public rights of way, AND

**WHEREAS**, in order to preserve the atmosphere of the Farmer's Market, the City Council recognizes the need to regulate the activities of persons and groups in public spaces adjacent to the Takoma Park Farmer's Market.

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

**SECTION 1. Definitions**

(a) "Noncommercial activities" shall include any activity by a group or an individual except an activity which involves the promotion or sale of commercial goods or property and which is conducted on behalf of for-profit business enterprises.

(b) Public performances by individuals or groups who seek voluntary contributions from spectators for their performances shall be considered "noncommercial activities".



(c) "Public spaces adjacent to the Takoma Park Farmer's Market" consist of the bricked-in area in front of the Adventist Church located at the southwest corner of the intersection of Laurel and Carroll Avenues and all areas outside of and contiguous to the parameters of the Farmer's Market..

**SECTION 2. Activities Shall Be Noncommercial.**

(a) Activities in public spaces adjacent to the Takoma Park Farmer's Market are limited to those activities which are noncommercial, provided that:

(1) Such activity does not block or impede pedestrian passage, access to or operation of farmer or vendor stands, or ingress and egress to and from any building, and does not cause the area to become so congested as to create a safety hazard or impede or inconvenience the public.

(i) There shall be a presumption that pedestrian passage is being blocked or impeded if the activity permits less than a five foot clearance for pedestrian passage on the sidewalk, as measured from the edge of the curb.

(ii) The burden of showing that the activity does not block or impede, access to or operation of farmer or vendor stands, or ingress and egress to and from any building, and does not cause the area to become congested shall be on the person or group engaging in the activity.

(2) Such activity does not create a disturbance or offense of the public peace as defined by Sections 121 - 122 of Article 27 of the Annotated Code of Maryland and amendments thereto and Chapter 8, Article 3 of the Takoma Park Code and amendments thereto.

(b) During the operation of the Farmer's Market, activities in the street on either side of the police barricades are prohibited.

(c) Lawful commercial activities by Farmer's Market vendors with valid permits and by those conducting sidewalk sales pursuant to Takoma Park Ordinance No. 1992-12 are specifically permitted, and shall have priority in the use of the area set forth in their valid permits over all authorized noncommercial activities.

(d) The activities authorized by this Ordinance shall be subject to all applicable City, County, State and Federal laws and regulations, whether civil or criminal.

(e) A violation of this Section is a Class D offense.

**SECTION 3. Artificial Amplification Prohibited.**

(a) The use of electrical or other mechanical means of

amplifying the volume of performances or other activities permitted in accordance with Section 2 is prohibited.

(b) A violation of this section is a Class C offense.

**SECTION 4. Effective Times and Date.**

(a) This Ordinance shall be effective beginning, April 24, 1994, the opening day of the Farmer's Market season, 1994.

(b) This ordinance shall be in effect during the 1994 Farmer's Market season on Sundays 10:00 a.m. - 2:00 p.m. beginning with the opening day of the Farmer's Market and ending the final day of the Farmer's Market.

Adopted this 14th day of March, 1994 by roll call vote as follows:

AYE:	Chavez, Davenport, Elrich, Porter, Rubin, Williams
NAY:	None
ABSTAINED:	None
ABSENT:	Sharp

Introduced by: Councilmember Davenport      Single Reading: 3/14/94

ORDINANCE NO. 1994-6

To Award A Contract for the Purpose of Street Tree Plantings

WHEREAS,            Small Business Administration Street Tree Planting funds have been earmarked to address these improvements; AND

WHEREAS,            appropriate advertising was placed in the Washington Post and the Dodge and Blue Reports; AND

WHEREAS,            outreach efforts to minority contractors were pursued through Prince George's County Contractor's Association; AND

WHEREAS,            bids were publicly opened at 2:00 p.m., March 9, 1994 with ten bidders; AND

WHEREAS,            R. J. Sunday Landscaping, Inc. has submitted the low bid of \$22,955.00.

WHEREAS,            it has been determined that R.J. Sunday Landscaping has submitted a responsive and responsible bid; AND

WHEREAS,            sufficient earmarked funds are available.

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

SECTION 1.            THAT the low bid received from R.J. Sunday Landscaping, Inc. in the amount of TWENTY TWO THOUSAND, NINE HUNDRED AND FIFTY FIVE DOLLARS (\$22,955.00)

SECTION 2.            THAT authority is granted to award a contract to R.J. Sunday Landscaping, Inc. accordingly.

Adopted this 14th day of March, 1994 by Roll Call Vote:

AYE: Chavez, Davenport, Elrich, Rubin, Williams

NAY: None

ABSTAINED: None

ABSENT: Porter, Sharp

## SPECIAL SESSION, WORKSESSION AND EXECUTIVE SESSION OF CITY COUNCIL

Monday, March 21, 1994

## OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Chavez	Deputy City Administrator Grimmer
Councilmember Elrich	Assistant City Administrator Hobbs
Councilmember Porter	City Clerk Sartoph
Councilmember Rubin	Corporation Counsel Silber
Councilmember Williams	

## OFFICIAL ABSENT:

Councilmember Davenport

The City Council convened at 8:53 p.m. on Monday, March 21, 1994, in the Municipal Building upstairs meeting room at 7500 Maple Avenue.

The Council immediately moved into Special Session by unanimous consent at 8:53 p.m.

#1 Ethics Commission. Mr. Sharp explained that the resolution appoints applicants to the Ethics Commission, and noted that the five vacant positions have staggered terms--two two-year appointments and three one-year appointments. He suggested that Mr. Douglas and Mr. Kimmel both be appointed to two-year terms, and that Mr. Grahn and Ms. O'Donnell be appointed to one-year terms.

Moved by Mr. Sharp; seconded by Mr. Williams.

The resolution was adopted unanimously.

RESOLUTION #1994-13  
(Attached)

#2 Nuclear Free Committee. Mr. Sharp noted that the resolution appoints Mr. Levy to fill a vacancy on the committee.

Moved by Mr. Rubin; seconded by Mr. Elrich.

The resolution was adopted unanimously.

RESOLUTION #1994-14  
(Attached)

Moved by Mr. Williams; seconded by Mr. Elrich. The Council moved into Worksession at 8:58 p.m., and later adjourned to Executive Session at 9:55 p.m.

EXECUTIVE SESSION

Executive Session 3/21/94 - Moved by Mr. Elrich; seconded by Mr. Chavez. Council convened in Executive Session by unanimous vote at 9:55 p.m., in the Conference Room--Officials Present: Sharp, Chavez, Elrich, Porter, Rubin, Williams; Staff Present: Habada, Grimmer, Hobbs, Sartoph, Silber. Council discussed land acquisition and was briefed on union contract issues; staff was directed to continue to pursue land acquisition. (Authority: Annotated Code of Maryland, State Government Article, Sections 10-508(a)(3) and 10-508(a)(2), respectively).

The Council adjourned for the evening at 10:45 p.m.

Introduced by: Mayor Sharp

RESOLUTION NO. 1994 - 13

APPOINTING MEMBERS TO THE TAKOMA PARK ETHICS COMMISSION

**WHEREAS,** Section 2-15, City of Takoma Park Public Ethics Ordinance, of the Takoma Park Code, 1972, as amended, sets forth the provisions for the establishment and duties of a City Ethics Commission, to oversee implementation of and adherence to the City of Takoma Park Public Ethics Ordinance; AND

**WHEREAS,** the City Ethics Commission consists of five Takoma Park residents; and

**WHEREAS,** currently, all five positions on the Ethics Commission are vacant, due to the recent establishment of the Commission; AND

**WHEREAS,** the Council has interviewed Takoma Park residents who have expressed an interest in serving on the Commission.

**NOW, THEREFORE, BE IT RESOLVED THAT** the following persons are hereby appointed, effective immediately, to serve on the City Ethics Commission:

Name/Address:	Term Expires:
Jim Douglas 18 Sherman Avenue	December 31, 1995
Ulf Grahn 7404 Holly Avenue	December 31, 1994
Edward M. Kimmel 215 Manor Circle	December 31, 1995
Nancy O'Donnell 8 Pine Avenue	December 31, 1994

Dated this 21st day of March, 1994.

Introduced By: Councilmember Rubin

RESOLUTION NO. 1994 - 14

APPOINTING MEMBER TO THE NUCLEAR-FREE TAKOMA PARK COMMITTEE

WHEREAS, Takoma Park's Nuclear Free Zone Act established a seven-member Nuclear Free Takoma Park Committee; AND

WHEREAS, currently, there is one vacancy on this Committee; AND

WHEREAS, the Council has interviewed Takoma Park residents who have expressed an interest in serving on the Committee.

NOW, THEREFORE, BE IT RESOLVED THAT the following person is hereby appointed, effective immediately, to serve on the Nuclear Free Takoma Park Committee:

Name/Address:

Jay Levy  
7437 Baltimore Avenue

Term Expires:

March 21, 1996

Dated this 21st day of March, 1994.

## REGULAR MEETING, WORKSESSION AND EXECUTIVE SESSION OF CITY COUNCIL

Monday, March 28, 1994

## OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Chavez	Deputy City Administrator Grimmer
Councilmember Davenport	City Clerk Sartoph
Councilmember Elrich	Public Works Director Knauf
Councilmember Porter	Acting Chief Police Wortman
Councilmember Rubin	Solid Waste Manager Braithwaite
Councilmember Williams	Streets & Parks Supervisor Shafer
	Arborist Moskowitz

The City Council convened at 9:13 p.m. on Monday, March 28, 1994, in the Council Chamber at 7500 Maple Avenue.

The following remarks were made:

MAYOR'S COMMENTS AND PRESENTATIONS

Mr. Sharp noted that the Council is starting its meeting late this evening because members of the Council have just returned from meetings in Annapolis regarding the Unification Bill.

ADOPTION OF MINUTES

Moved by Ms. Porter. The minutes from 2/28/94 were adopted unanimously.

ADDITIONAL AGENDA ITEMS

Mr. Williams asked that the Council spend a couple of minutes at the end of the Worksession discussing the 1993 request to close a section of the alley adjacent to 317 and 319 Boyd Avenue.

CITIZEN COMMENTS

Carl Elefante, 6607 Westmoreland Avenue noted that he is here this evening with C.P. Cook, and gave a brief overview of a citizens meeting that was held last Wednesday evening here in the Municipal Building. It was an informal meeting of essentially the Takoma Junction Revitalization Committee and others; about half of the persons in attendance were business owners in the Takoma Junction area. He noted that an invitation was extended to Mr. Chris Zarpas, who was unable to attend but who did express interest in the direction of this adhoc committee. One result of the meeting was the formation and naming of a new adhoc committee--The Last Takoma Junction Committee. He elaborated on three resolutions arrived at by the attendees (see attached letter).

C.P. Cook, speaking as a representative of the businesses in the Takoma Junction Area, encouraged the City to assist Mr. Zarpas in developing the junction area and to assist the developer of the proposed Wild Iris Cafe in obtaining a Use and Occupancy Permit by supporting the proposal, and reminded the City to keep in mind the subsequent traffic and parking issues that will arise with any development of the Takoma Junction area.

Mr. Rubin commended Mr. Elefante and Mr. Cook for their efforts in bringing together this community committee to address the concerns of development in the Takoma Junction area. This type of committee is characteristic of the efforts of Takoma Park citizens to work together in resolving community issues.

REGULAR MEETING

#1 Resolution of Condolence - Benjamin (Ben) W. Jones. Mr. Sharp read the resolution for the record.

Moved by Mr. Sharp; seconded by Mr. Chavez. The resolution was unanimously adopted.

RESOLUTION #1994 - 15  
(Attached)

#2 "Moms on a Mission" Gun Turn-in Campaign. Mr. Elrich read the resolution for the record.

Moved by Mr. Sharp; seconded by Mr. Elrich.

Lt. Rosenthal introduced Julie Elsrod and Lisa Huggins who have been involved with this program for several years. He thanked the Council and the City Administrator for their support in endorsing this campaign, and the Police Department for their assistance in this effort.

Ms. Elsrod thanked the Council and the Takoma Park Police Department for their assistance in getting guns off the streets. She noted that 300 weapons were taken off the streets during last year's campaign, and commented on the nationwide effects of gun violence.

The resolution was unanimously adopted.

RESOLUTION #1994 - 16  
(Attached)

#3 Takoma Park Arbor Day and Earth Day Celebrations. Mr. Sharp commented on the resolution and noted that Takoma Park has again been recognized a Tree City--an annual award.

Moved by Mr. Sharp. The resolution was unanimously adopted.

RESOLUTION #1994 - 17  
(Attached)

#4 Recreation Committee Appointments. Mr. Sharp noted that the resolution appoints Stacey Gurian-Sherman and Karyn Molines to the committee.

Moved by Mr. Williams. The resolution was unanimously adopted.

RESOLUTION #1994 - 18  
(Attached)

#5 Cooperative Purchase of Public Works Vehicle. Mr. Sharp briefly explained the purpose of the single reading ordinance.

Mr. Elrich asked why the Ford Taurus was chosen versus the less expensive Tempo model.

Mr. Knauf responded that there were no Tempos available or offered through the cooperative purchase program.

Mr. Chavez asked what will happen with the old car.

Mr. Knauf stated that the car has already been traded-in.

The single reading ordinance was unanimously adopted by roll call vote.

ORDINANCE #1994 - 7  
(Attached)

#6 Blair High School.

Moved by Mr. Rubin.

Mr. Elrich stated that the resolution reiterates the City's support for the building of a new Blair High School that will accommodate all the students in the Blair cluster and notes that the Kay Tract meets this criteria.

Mr. Rubin noted that what occasioned this resolution was the move by Councilmember Subin who stated that the golf course may be a suitable site for the new Blair High School.

Ms. Porter commented on the wording of the second resolved clause.

Mr. Elrich explained that the intent of the resolution is to state that the Council is not opposed to a review of the golf course as a potential site for the school, and at the same time reiterate that the Kay Tract meets the



criteria that the citizens seek.

Mr. Porter proposed an amendment "...the criteria that the Kay Tract has satisfactorily addressed; AND"

The resolution was unanimously adopted as amended.

RESOLUTION #1994 - 19  
(Attached)

ADJOURNMENT

Moved by Mr. Sharp. The Council adjourned to Worksession at 9:42 p.m. by unanimous consent; following the Worksession, the Council adjourned to Executive Session by unanimous vote at 10:54 p.m.

EXECUTIVE SESSION

Executive Session 3/28/94 - Moved by Mr. Rubin; seconded by Mr. Elrich. Council convened in Executive Session by unanimous vote at 10:55 p.m., in the Conference Room--Officials Present: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams; Staff Present: Habada, Ellis Koch. Council discussed the city's participation in possible land development; staff was directed to continue discussions with possible developer. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3)).

The Council adjourned for the evening at 11:55 p.m.

# RESOLUTION OF CONDOLENCE

#1994 - 15

**WHEREAS,** *it was with sorrow that the City Council learned of the death on Thursday, March 24, 1994, of Benjamin "Ben" Jones, an outstanding employee of the City of Takoma Park; AND*

**WHEREAS,** *Mr. Jones served the City in its Public Works Department for more than forty years; AND*

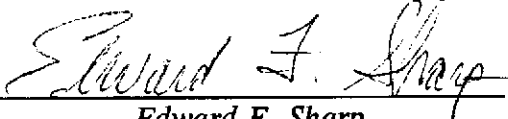
**WHEREAS,** *in all his efforts for the Public Works Department, in general, and for the City Library, in particular, exemplary diligence and pride in workmanship were hallmarks of Mr. Jones; AND*

**WHEREAS,** *on innumerable occasions, Mr. Jones went well beyond the call of duty, and was acclaimed by his co-workers as always giving his best; AND*

**WHEREAS,** *Mr. Jones will long be remembered as a true gentleman, reknown for his quiet, kind, and gentle manner; and his memory will be cherished by his colleagues and many friends, who share with his family a profound sense of loss.*

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Takoma Park, Maryland, on behalf of its employees and the citizens of the community, that we hereby extend to Mr. Jones' family, this expression of heartfelt sympathy.

Adopted this 28th day of March, 1994.

  
Edward F. Sharp  
Mayor

**ATTEST:**

  
Catherine Sartoph  
City Clerk

**RESOLUTION #1994 - 16**

**WHEREAS,** *each year, handguns in the wrong hands kill thousands of Americans; AND*

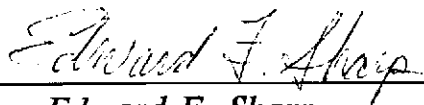
**WHEREAS,** *in 1990, according to the National Safety Council, gun accidents were the fifth leading cause of accidental death for children ages 14 and under, and nearly half of all African-American teenage males who died in 1988 were killed with guns; AND*

**WHEREAS,** *Our Lady of Sorrows Church and the Takoma Park Police Department, in cooperation with other groups in the metropolitan area, have undertaken an important initiative to help stem this tide of violence; AND*

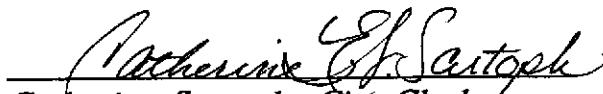
**WHEREAS,** *Gun Turn-in Day makes it possible for guns and ammunition to be handed in anonymously after which they will be melted down for recycling.*

**NOW, THEREFORE, BE IT RESOLVED THAT** *the City Council of Takoma Park, Maryland, does hereby proclaim April 16, 1994, as "Gun Turn-in Day" and urge that residents of Takoma Park and all citizens build a safer, saner community by taking unwanted guns and ammunition to Our Lady of Sorrows Church on April 16, or calling Lt. Jim Rosenthal of the Police Department to arrange for other police pick-up.*

*Adopted this 28th day of March, 1994.*

  
\_\_\_\_\_  
Edward F. Sharp  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Catherine Sartoph, City Clerk

Introduced by: Mayor Sharp

Resolution #1994 - 17

IN SUPPORT OF ARBOR DAY AND EARTH DAY CELEBRATIONS IN TAKOMA PARK

WHEREAS, the environment is an issue of importance to the residents of Takoma Park; AND

WHEREAS, the Committee On The Environment, a City Council appointed body of City residents who advise the City on developing programs and administrative practices that are environmentally responsible, have organized special events to celebrate Arbor Day and Earth Day; AND

WHEREAS, Arbor Day will be celebrated Saturday, April 9th at the Takoma Park Library from 10 am to 4 pm, and will include the distribution of free tree saplings, answers to tree questions provided by the Tree Doctor and a special visit from Woodsy Owl; AND

WHEREAS, Earth Action Day will be celebrated on Sunday, May 1st, from 11am to 3 pm at the Gazebo on Carroll Avenue. This event will include alternative fueled vehicles, information about energy conservation, lead paint abatement, composting and drumming.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland supports and encourages the local environmental celebration of Arbor Day on Saturday, April 9th, and Earth Action Day on May 1st, and encourages all residents to participate in these events.

Dated this 28th day of March, 1994.

Introduced By: Councilmember Williams

RESOLUTION NO. 1994 - 18

APPOINTING MEMBERS TO THE RECREATION COMMITTEE

**WHEREAS,** the Takoma Park Recreation Committee has been established by the City Council as a means to promote citizen volunteers and their assistance to the Recreation Department of the City; AND

**WHEREAS,** there are vacancies on the City's Recreation Committee; AND

**WHEREAS,** the following Takoma Park residents have made application to serve on the Recreation Committee.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND,** does hereby appoint the following persons to the Takoma Park Recreation Committee:

Name	Address	Term Expires
Stacey Gurian-Sherman	527 Albany Avenue	March 28, 1995
Karyn Moline	6616 Gude Avenue	March 28, 1995

**BE IT FURTHER RESOLVED THAT** this appointment becomes effective immediately.

Adopted this 28th day of March, 1994.

Introduced By: Councilmembers Elrich and Rubin

(Drafted by Councilmembers Elrich and Rubin)

**RESOLUTION NO. 1994 - 19**

**SUPPORTING CONTINUED MOVEMENT TOWARD SITING THE NEW BLAIR HIGH SCHOOL**

**WHEREAS,** the City of Takoma Park, Maryland, is committed to a strong academic program at Blair High School; AND

**WHEREAS,** the City of Takoma Park supports the maintenance of both the cluster boundaries and the academic programs that are a part of Blair High School; AND

**WHEREAS,** Montgomery County, Maryland's, acquisition of the Kay Tract is the essential first step toward building a new Blair High School that can maintain both boundaries and programs; AND

**WHEREAS,** the City of Takoma Park has supported building a new Blair High School on the Kay Tract because the Kay Tract has been the only studied alternative that meets the needs of the community.

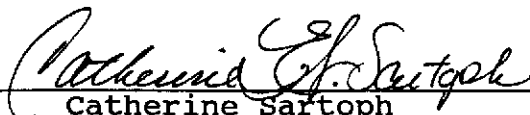
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT** the City of Takoma Park continues its support for a new Blair High School that keeps cluster boundaries and school programs intact; AND

**BE IT FURTHER RESOLVED THAT** the City of Takoma Park is not opposed to the study of an alternate location, such as the Sligo Creek Golf Course, so long as the final selection of a site is determined by the site's ability to meet the criteria that the Kay Tract has satisfactorily addressed; AND

**BE IT FURTHER RESOLVED THAT** the City of Takoma Park supports the immediate purchase of the Kay Tract to ensure that Montgomery County, Maryland, controls the site should it be determined by the Montgomery County Board of Education that the Kay Tract remains the best location for a new Blair High School.

Adopted this 28th day of March, 1994.

**ATTEST:**

  
Catherine Sartoph  
City Clerk

Introduced by: Councilmember Davenport

Single Reading: 3/28/94

Ordinance No. 1994-7

Authority to Purchase Public Works Department Sedan

WHEREAS, one (1) 1984 Dodge Diplomat assigned to the Public Works Department vehicle fleet is due for replacement according to the City of Takoma Park Vehicle Fleet Replacement Policy; AND

WHEREAS, the FY-94 Budget identifies funds to purchase a replacement vehicle; AND

WHEREAS, the recommended, desired and requested replacement vehicle has been identified as the Ford Taurus; AND

WHEREAS, the 1994 Ford Taurus is available from Lanham Ford through cooperative purchasing on a State of Maryland contract; AND

WHEREAS, the \$12,000.00 authorization in FY-1994 Budget is sufficient to satisfy the purchase price of \$11,941.

NOW THEREFORE BE IT ORDAINED THAT authorization is granted to purchase one (1) Ford Taurus from Lanham Ford for ELEVEN THOUSAND NINE HUNDRED AND FORTY ONE DOLLARS (\$11,941.00), charged to Account 3100-8000.

AYE: Chavez, Davenport, Elrich, Porter, Rubin, Sharp, Williams

NAY: None

ABSTAINED: None

ABSENT: None

## SPECIAL SESSION AND WORKSESSION OF THE CITY COUNCIL

Monday, April 4, 1994

## OFFICIALS PRESENT:

Councilmember Chavez  
 Councilmember Davenport  
 Councilmember Elrich  
 Councilmember Rubin  
 Councilmember Williams

City Administrator Habada  
 Deputy City Administrator Grimmer  
 Assistant City Administrator Hobbs  
 City Clerk Sartoph  
 Corporation Counsel Silber  
 DHCD Director Nance-Sims  
 DHCD Asst. Director Ludlow  
 Community Dev. Coordinator Sickie  
 Code Enforcement Supv. Castillo  
 Public Works Director Knauf  
 Library Director Arnold-Robbins

## OFFICIALS ABSENT:

Mayor Sharp  
 Councilmember Porter

The City Council convened at 7:37 p.m. on Monday, April 4, 1994, in the Municipal Building upstairs meeting room at 7500 Maple Avenue.

Mr. Elrich announced that he would be conducting the meeting as Mayor Pro Tempore, in the absence of the Mayor who, along with Ms. Porter, Ms. Habada, and others, is in Annapolis this evening regarding the Unification Bill.

The Council immediately moved into Special Session by unanimous consent at 7:40 p.m.

#1 English - Official Language. Mr. Elrich briefly explained that the resolution is in opposition to HB982 and SB467 both entitled "English Language - Formal Recognition" which would designate a single language (English) as the official language of the State of Maryland.

Mr. Chavez said that he supports the resolution, but that he encourages all immigrants to learn English as a second language. He asked whether the City Council meeting minutes are provided in a language other than English.

Ms. Sartoph replied in the negative.

Moved by Mr. Chavez; seconded by Mr. Williams.

(Mr. Rubin arrived to the meeting.)

Mr. Rubin commented that he was of the understanding that this resolution was being removed from this evening's agenda and postponed until next week, to allow several citizens who are unable to be here this evening, the opportunity to comment on the resolution. He moved that the resolution be tabled until 4/11/94.

Upon unanimous consent of the Council, the resolution was tabled until 4/11/94.

Ms. Grimmer noted that the Maryland General Assembly will close on midnight 4/11/94, and asked that if it were to become necessary because of a time conflict, the Council give staff permission to convert the intent of the resolution into a letter that would be forwarded to Annapolis with the stated "unanimous Council consent".

The Council took a straw vote, and unanimously agreed to Ms. Grimmer's request.

#2 Juniper Street Bridge. Mr. Elrich explained that the resolution is in regards to an agreement that has been reached by Montgomery County and the Washington Metropolitan Area Transit Administration (WMATA) to split the cost for the removal of the Juniper Street pedestrian bridge.

Dave McSpaden asked for clarification on the history of the Agreement and subsequent resolution being considered by the Council.



Mr. Rubin commented on the long history of disagreements and meetings regarding which party is the responsible for the maintenance of the bridge. He said that during his campaign for councilmember, many residents expressed concern about the bridge and related safety hazard issues. The neighborhood expressed a strong desire to have some pedestrian bridge at the site; however, the residents understand the need to remove the current bridge. He remarked that the bridge has been the topic of discussion at several North Takoma Citizens Association meetings, and noted some of his efforts in corresponding with Montgomery County and WMATA to arrive at an agreement regarding the disposition of the bridge. Mr. Rubin stated that there is a committee within the neighborhood association that has formed to explore building a new pedestrian bridge at some time in the future.

Mr. McSpaden asked whether the city has any "hold" (rights) to the bridge.

Mr. Rubin responded in the negative.

Mr. McSpaden said that he views this resolution as an abandonment of that section of Takoma Park and that it is very distressing. He urged the Council to be careful with taking any action regarding the bridge.

Larry Ravitz stated that he spends a lot of time at the Montgomery Gardens and that a lot of other young families from his apartment building also use the bridge to access the park.

Grace Bateman (President, Shepherd Park Citizens Association) said that she is not a citizen of Takoma Park. She commented that there is still some doubt as to who owns some of the property that the bridge spans and that until ownership is decided, it is premature to take any action on the bridge. Ms. Bateman noted that the Montgomery County Housing Opportunities Commission has asked Metro to reopen the case regarding the bridge.

Dan Maier remarked on the history of the bridge and suggested that the city handle the matter of the bridge according to the right-of-way abandonment procedures of the Code. He expressed his desire for North Takoma Citizens Association to meet with Shepherd Park Citizens Association to discuss this matter. He noted too, that the foundations for a vehicular bridge are still in place underneath the pedestrian bridge structure.

Mr. Rubin commented that the pedestrian bridge has been declared unsafe, and explained that the City can only "abandon" a right-of-way that the City owns. The City has no responsibility for the bridge. He noted that a notice of this discussion appeared in the North Takoma Citizens Association Newsletter that was distributed to residents encompassed by the association and in the vicinity of the bridge.

Mr. Maier stated that he is disappointed that the North Takoma Citizens Association did not arrange to meet with Shepherd Park Citizens Association.

Mr. Rubin remarked that a neighborhood association committee has been established to explore a future bridge, the current pedestrian bridge has been declared unsafe, and the neighborhood fears a rising crime rate in the area of the bridge. He emphasized that this is not a matter of "abandoning" or "giving-up" on the bridge, but that the current bridge is simply unsafe. Mr. Rubin said he is inclined to favor that a bridge at the location would be good; however, there is the matter of priorities to be considered. The City does not have \$200,000 to spend on a new bridge.

Mr. Maier said if the communities support restoration of the bridge, he hopes that Community Development Block Grant funds can be applied for to replace the bridge.

Mr. Williams asked if passing the resolution will affect whether or not a new bridge is ever considered.

Mr. Maier said that the current resolution makes no mention of a new bridge and offered a friendly amendment to make the City's consent to the Agreement contingent on Metro replacing the bridge.

Mr. Elrich stated that he is hesitant to add such an amendment to the resolution, and that the City should not prolong the decision to remove the current "hazardous" bridge. He commented that he does not believe that the community will ever concede to having the bridge opened as a vehicular bridge, and said that the resolution, as is, is the way to go.

Mr. Rubin proposed two amendments: (1) last Whereas clause "...the current

bridge for safety reasons, even if the..."; and (2) add Therefore clause "...applauds efforts of North Takoma Citizens Association to explore possibilities of replacing the current structure..."

Mr. Davenport seconded the proposed amendments.

Raymond Altevogt stated that he has an interest in the bridge, is not a member of North Takoma Citizens Association, and was not notified of this discussion. He said that the description of this item on the agenda does not clearly identify the topic of discussion--Juniper Street Bridge. He commented that he used the bridge regularly until recently, when it was closed, and questioned the bridge being "unsafe". He asked whether the plywood surface could be replaced to adequately restore the bridge to pedestrian use.

The amended resolution was adopted unanimously.

RESOLUTION #1994-20  
(Attached)

Moved by Mr. Elrich; seconded by Mr. Williams. The Council moved into Worksession at 8:20 p.m., and later adjourned for the evening at 10:40 p.m.

Introduced by: Councilmember Davenport  
(Drafted by: C. Sartoph)

**RESOLUTION #1994 - 20**

**WHEREAS**, in 1976, the Washington Metropolitan Area Transit Authority (WMATA) constructed a temporary pedestrian bridge known as the Juniper Street Bridge (hereinafter referred to as the Bridge) as a replacement for the former Juniper Street vehicular bridge, over the WMATA and B&O Railroad Tracks in the vicinity of Blair Road and Takoma Avenue south of Montgomery College; **AND**

**WHEREAS**, the condition of the bridge has suffered from disrepair for several years, resulting in it being closed to pedestrian passage because of associated safety hazards; **AND**

**WHEREAS**, the WMATA has agreed to remove the bridge under a cost participation agreement with Montgomery County; **AND**

**WHEREAS**, WMATA and the County will split the cost of the bridge removal without any cost participation from the City of Takoma Park; **AND**

**WHEREAS**, the City of Takoma Park is made party to the agreement for the following conditions:

1. The City has no objections to the permanent removal of the bridge;
2. The City hereby quits any right, title, and interest the City may have in the present bridge structure;
3. The City hereby agrees that the abutments of the bridge may remain in place--necessary to prevent any erosion of the steep slopes at the abutments; **AND**


**WHEREAS**, the City further realizes the necessity to remove the current bridge for safety reasons, even if the construction of a new bridge at the same site were to be considered at some time in the future.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council applauds the efforts of the North Takoma Citizens Association to explore possibilities of replacing the current structure; **AND**

**BE IT FURTHER RESOLVED THAT** the City Council hereby agrees to the conditions as they apply to the City and acknowledges the cost sharing provisions that will be split by WMATA and Montgomery County, of the Agreement to be executed among the Washington Metropolitan Area Transit Authority, the City of Takoma Park, Maryland, and Montgomery County, Maryland.

**ADOPTED** this 4th day of April, 1994.

**ATTEST:**

  
Catherine Sartoph, City Clerk