

INTERVIEW, PUBLIC HEARING, BUDGET WORKSESSION AND REGULAR WORKSESSION
OF THE CITY COUNCIL

Monday, May 2, 1994

OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Chavez	Assistant City Administrator Hobbs
Councilmember Davenport	City Clerk Sartoph
Councilmember Elrich	Public Works Director Knauf
Councilmember Porter	
Councilmember Rubin	
Councilmember Williams	

The City Council convened at 7:49 p.m. on Monday, May 2, 1994, in the Municipal building upstairs meeting room at 7500 Maple Avenue.

Mr. Sharp announced that the Council will be holding a Budget Worksession on Thursday, May 5, 1994, and expressed his desire to call an Executive Session following Thursday's worksession for Council to begin discussing the City Administrator's evaluation. He asked the Councilmembers to bring their evaluation worksheets to the meeting on Thursday.

INTERVIEW

#1 Applicant for Nuclear-Free Takoma Park Committee. The Council interviewed Carl Smith who has applied for appointment to the committee.

Mr. Sharp noted that there are currently three expired committee terms, and stated that persons seeking re-appointment should submit their letters of interest and resumes to the City Clerk. He remarked that the Clerk's Office will confirm which persons are going to seek re-appointment in an effort to determine the actual number of vacancies on the committee and schedule interviews within the next two weeks.

Mr. Rubin noted that he has forwarded the names of three persons who have expressed interest in serving on the Elections Committee, to the City Administrator.

Mr. Sharp asked that a discussion of the Elections Committee and appointments be scheduled for a future date.

PUBLIC HEARING

#2 Proposed FY95 Budget.

Mr. Sharp noted that to his recollection, this is the first public hearing to be held upstairs. He remarked that staff is present to discuss matters and answer questions regarding the proposed budgets for Public Works, Storm Water Management, Nondepartmental & Debt Service, and the FY95 Capital Budget.

Lisa Lefferts, Co-Chair of the Subcommittee on Public Health (Committee on the Environment) observed that there are no funds allocated in the budget for a lead program in FY95, and commented that members of the subcommittee will be present at next week's Council meeting to present some more specific recommendations regarding measures the City should undertake in addressing lead issues. She stated that she was of the understanding that the Department of Housing and Community Development would be providing cost estimates to correspond with each of the recommendations originally presented by the subcommittee.

Terry Berkeley, Chair of the Nuclear-Free Takoma Park Committee suggested that the waiver process may be observed for the proposed FY95 purchase of police radios.

In the absence of further citizen comments, Mr. Sharp closed the public hearing at 8:05 p.m., noting that any persons arriving later during the meeting who wish to speak on the matters of the public hearing, will be given the opportunity at that time.

The Council later adjourned from Worksession at 10:48 p.m.

PUBLIC HEARING, REGULAR MEETING AND BUDGET WORKSESSION
OF THE CITY COUNCIL

Monday, May 9, 1994

NOTE: On Monday, May 2nd, Mr. Sharp announced that the Council would be holding an Executive Session following Thursday's Budget Worksession (May 5th) to discuss the City Administrator's evaluation. The Council did not convene in Executive Session on that evening due to the late hour following the budget discussions.

OFFICIALS PRESENT:

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

OFFICIALS ABSENT:

Councilmember Chavez
Councilmember Davenport

DEPARTMENTAL STAFF PRESENT:

Housing & Community Development

DHCD Director Nance-Sims
Assistant DHCD Director Ludlow
COLTA Executive Director Lee-Bryant
Community Planner Schwartz
Housing Services Coordinator Walker
Code Enforcement Supv. Castillo

Library

Library Director Arnold-Robbins
Reference Librarian Brown

Recreation

Recreation Supervisor Claytor
Youth Outreach Worker Avant
Recreation Leader Sanford

Public Works

Public Works Director Knauf
Solid Waste Manager Braithwaite
Arborist Moskowitz
Streets & Parks Supervisor Shafer

The Council convened at 7:40 p.m. on Monday, May 9, 1994, in the Council Chamber at the Municipal building, 7500 Maple Avenue.

Following the Pledge of Allegiance, the following remarks were made:

MAYOR'S COMMENTS AND PRESENTATIONS

Mayoral Proclamation - Washington-McLaughlin Christian School's Spring Bazaar. Mr. Sharp read the Mayoral Proclamation (#1994-2) announcing the Spring Bazaar to be hosted by the Washington-McLaughlin Christian School. (NOTE: A representative from the school is expected to be present to receive the proclamation, but has not arrived. Staff will notify Mr. Sharp if the representative arrives, so he can make the presentation at that time.)

Resolutions of Appreciation - S.S. Carroll Neighborhood Traffic Study. Mr. Sharp commented on two resolutions of appreciation, recognizing the members of the S.S. Carroll Citizens Association and students of the Department of Civil Engineering, University of Maryland, for their service to the City in connection with the S.S. Carroll neighborhood traffic study.

Moved by Mr. Williams; seconded by Ms. Porter.

Jim Douglas, 18 Sherman Avenue commented that it was very resourceful for the Department of Housing and Community Development to have utilized students from the University of Maryland in conjunction with the traffic study.

The resolutions were unanimously adopted, simultaneously.

S.S. Carroll Citizens Association

RESOLUTION #1994 - 24
(Attached)

University of Maryland Students

RESOLUTION #1994 - 25
(Attached)

(NOTE: Mr. Sharp recognized the arrival of the representative from Washington McLaughlin Christian School.)

Dr. Washington, Washington-McLaughlin Christian School thanked the City for its continued support of the Washington-McLaughlin Christian School's activities, as well as its adult day care program.

Mr. Sharp presented the proclamation to Ms. Washington.

MINUTES

The Council meeting minutes from 2/22/94, 3/7/94, 3/21/94, 3/28/94, 4/4/94, 4/11/94, and 4/25/94, were adopted unanimously.

COUNCIL COMMENTS

Mr. Rubin called attention to the Montgomery County Journal headline "Blair on Kay Wins". He said that as a parent of two daughters who will be among the students to benefit from the new "Blair on Kay", he thanks all the people in Takoma Park who have fought long and hard for this victory. Mr. Rubin recalled a meeting that was held a few months ago with Jane Lawrence, Marilyn Park, and others, and said that by the end of the meeting, the discouraging aspects of the effort were put aside in exchange for the general belief that the only thing to do was to keep on fighting for Blair on the Kay Tract. It worked. He thanked individuals and all Takoma Park residents who joined in the effort, and stated that he cannot help but believe that one of the reasons residents won "Blair on Kay" is that public officials were made aware of what Takoma Park residents can do when they stand together, by winning the referenda on unification. Mr. Rubin said that the press has not tied these two efforts together, but that the role that Takoma Park played in "Blair on Kay" was a key role, part of it being the stunning victory on the unification referenda.

CITIZEN COMMENTS

Jim Douglas, 18 Sherman Avenue, as a neighbor of some properties at Lee and Hancock Avenues, he thanked the City staff for their quick response and continued efforts in keeping neighbors up-to-date on the recent events concerning those properties.

He reported that the Ethics Commission held their first meeting last Wednesday, at which time he was appointed Chair and Mr. Grahn was appointed vice Chair. He said that the Commission wants to work closely with the City as it tightens its procedures to meet the requirements of the Open Meetings Act, and announced that the next meeting of the Commission will be on June 1 in the Municipal Building. He said that he will be sending a memo to the City Administrator regarding the need for City staff assistance (records keeping, distribution of materials, logging-in of correspondence, etc.).

Clarence Boatman, 133 Ritchie Avenue commented on the recent break-in at 127 Ritchie Avenue, and thanked City staff for their prompt response in boarding up the property. He expressed his concern about increased traffic as a result of re-routing traffic for work on the bike trail, and urged staff to be considerate of the possible impacts on affected neighborhoods.

UPDATE - PRINCE GEORGE'S COUNTY BUDGET (Prince George's County Councilmember DelGuidice - presentation of P.G. County FY95 Budget and discussion of issues of public concern)

Mr. Sharp introduced Prince George's County Councilmember Stephen DelGuidice and noted his instrumental role in getting the unification effort off on the

right foot by getting the County Council to support the effort, which carried a lot of weight when the City held discussions with the delegations. He thanked Mr. DelGuidice for his support, and commented that it was crucial in the success of the unification effort.

Mr. DelGuidice commended the Takoma Park community for their successful efforts both in unification and in the Kay Tract issue. He presented the Council with two hand-outs ("Proposed Budget in Brief Fiscal Year 1995" and Prince George's County Budget Outline), and commented on some specifics of the County budget. He explained the creation of the Turner Commission in response to the Chamber of Commerce, and some of the issues that the commission has been investigating. Mr. DelGuidice noted that the County Council is holding budget worksessions every Wednesday, Thursday and Friday until the end of May.

Mr. DelGuidice said that he thinks that while the first step has been taken to get the City the unification referendum that it has so long struggled to get, there are a number of issues that need to be resolved. While the legislation was relatively comprehensive, there were a number of issues that were left unaddressed and unattended, and need further debate and discussion. He suggested that the City initiate a tripartite discussion among the City, Prince George's County, Montgomery County, and the County agencies to try to resolve the issues that are still outstanding. He said that for example, the City is fortunate that there is only one Prince George's County facility within Takoma Park--Park & Planning facility on New Hampshire Avenue. The future of that facility and what happens to it if the City unifies into Montgomery County (transfer to Montgomery County Parks Department, to the City, or some other agency), and the issue of compensation for the facility, need to be discussed. Mr. DelGuidice said that he is hopeful that all concerned parties will be able to engage in such discussions to prevent issues, that have not been considered or addressed, arising at the time of unification. He remarked that there are a number of issues that the City needs to address with both counties that are not as compensatory--issues of service (e.g. Takoma Park fire service), and offered his assistance in addressing these issues.

Mr. Sharp commented on the realization that there are still a lot of issues that need to be dealt with in conjunction with unification, and thanked Mr. DelGuidice for his offer. He noted the vacancy on the Prince George's County Council as a result of Frank Casula's election to Mayor of Laurel, and asked how the position will be filled.

Mr. DelGuidice stated that he is not sure that the County Council will appoint someone to the vacancy, and that he thinks there is a hope that a higher court will resolve the issue. He said that the Council finds itself in a legal quandary. In essence, the court decided that the State law requires an election, and it outlawed the prior practice and policy of appointing persons to vacancies by the Democratic or Republican Central Committee, as appropriate, on the County Council. The election process the County Council had set up by statute, the court ruled was "ok" in terms of a preemption issue and the Council's authority to set it up, but the court also found that the Council ran afoul of certain State time limits. He remarked that if, in fact, the Council were to follow the State time limits in holding a special election, such election cannot be conducted in a timely manner. He concluded that he is not sure that the Prince George's County Council is going to get a ninth Councilmember, and commented that the first councilmanic district is going unrepresented to a degree.

Mr. Rubin thanked Mr. DelGuidice for the information he has presented, and his advice, guidance and offer for assistance in regards to unification. He asked whether there is any information showing a comparison of special needs (physical, educational, economic) of students in Montgomery and Prince George's Counties.

Mr. DelGuidice said that he could probably get a comparison of the funding aid that each county is receiving from the Federal government.

Mr. Rubin asked at what point the City should invite the State into the tripartite discussions.

Mr. DelGuidice said that the City should explore the need for the State being a part of these discussions, perhaps from the onset, because there may be some State interests, as well (e.g. liquor licensing procedures).

Mr. Sharp thanked Mr. DelGuidice for his presentation.

#1 PUBLIC HEARING - Proposed BY95 Budget (DHCD, Police, Library, Recreation, Government Administration and Special Revenue).

Mr. Sharp called the public hearing to order at 8:20 p.m.

Marilyn Park, 7415 Buffalo Avenue (North Takoma Citizens Association) commented on the need for additional funding for Jequie Park improvements, and said that residents of North Takoma are waiting for the park to turn around--it remains an inner-city park. She noted that money that has gone to landscaping and new equipment has gone to waste, because the grounds and equipment have not been maintained. She urged the Council to allocate funding for park improvements.

Stacy Sherman, 527 Albany Avenue (Co-Chair, North Takoma Citizens Association and Recreation Committee Member) asked the Council to seek funding through the Open Space Program to be allocated for improvements to Jequie Park (\$12,500 for equipment). The park is heavily used for its playground equipment and as a location for sports and special events. In the summer, the park is used by Montgomery County in conjunction with its summer camp program. She recalled a memo written by the former Recreation Director Ellis, that outlines three specific reasons for immediate improvements to the park--equipment needs, Americans with Disabilities Act (ADA) accommodations compliance, and time that has elapsed during which neighbors have awaited improvements to the park. In light of ADA and safety, the Council could (1) get rid of the old equipment and not replace it, (2) modify or retrofit the current equipment, or (3) find the money for new equipment. She gave reasons for why the first two options are not feasible. Ms. Sherman explained how Program Open Space funds could be effectively used to make the renovations to the park, if City could find \$12,500 as the 25% match to afford \$50,000 of POS funds. She thanked Mr. Moskowitz for his efforts in maintaining the parks, and commented on the importance of the parks in the City.

Jim Douglas, 18 Sherman Avenue commented on the Department of Housing and Community Development (DHCD) and Administration budgets. Regarding DHCD, he commented on the importance of increasing the efforts toward economic development and the current needs for such guidance in Takoma Junction and the City's business communities. He said that at this time, the public interest is best served by having some emphasis on economic development as a priority to Open Space and Transportation issues. He applauded the Council for moving ahead with the Transportation Plan, Phase II, but noted that plans require funding for implementation. Studies superficially appear easy, but in reality are complex. He said that having a traffic engineer available to the City is critical, and doing the traffic counts and collecting various kinds of data are also important. He urged the Council to put resources in the budget to facilitate the implementation of traffic studies (necessary equipment, data collection, staff time, etc.) and the follow-up analysis of the data. In addressing Administration, he noted that microphones are instrumental in communicating with the City via the cable station, and commented on electronic communication systems--designed to up-load information from City modems into a system to which residents can link to access information. Mr. Douglas suggested that the City investigate electronic communication as an option.

Mr. Rubin asked in regard to Mr. Douglas' comments about assigning a staff person to work on community development, how did that position work out in the past when it did exist.

Mr. Douglas said that Mr. Rubin may be referring to the pre-DHCD days during which there was an Economic Development Division which consisted of staff persons who did a lot of aggressive community promotion. He said that he is not sure whether the City wants to return to that model, but that he feels the City lost the emphasis on community development when the two departments were combined--Department of Housing Services and Economic Development Division.

Bill Valdez, 53 Walnut Avenue (Vice-Chair Recreation Committee and Officer of Westmoreland Area Citizens Organization (WACO)) said that the Recreation Committee discussed funding for Jequie Park improvements during their last meeting, and that the committee is in consensus that funding is needed for the park. He noted that the Committee now has representation from all City associations, and welcomed additional interested citizens. He announced an open forum that the Recreation Committee will hold on June 8th to hear citizens' concerns regarding City recreation programs. Mr. Valdez reported on the temporary measures that were implemented along Walnut Avenue--alternate side parking, lines in street, etc.--as a result of the WACO traffic study have been successful. He encouraged the Council to consider

implementing these measures on a permanent basis.

Tanner Wray, 604 Ethan Allen Avenue (President, Friends of the Takoma Park, Maryland, Library) introduced some members of the group, stated the purpose of the "Friends"--to further the mission and goals of the Library by encouraging broad community involvement and participation in all aspects of support and use of the Library--and noted some of the things that the group will focus on. He said that he is here this evening to express his, and that of the Friends of the Library, support for the Library budget, and thanked the Council for its continuing support of the budget. He remarked that he understands from Library Director Robbins that the budget is adequate to support the needs of the Library, and that the "Friends" are very pleased. Mr. Wray thanked Ms. Robbins for her work in establishing the group and her continued work with the Library.

Nina Seavey, 7214 Spruce Avenue (President, Old Takoma Citizens Association), as the President of the citizens association, stated that the City is in need of an emphasis on economic development. She said that there are currently economic development opportunities, and that she would like to see a full-time staff person assigned to address such issues. The City needs to be more aggressive in this area. As a citizen, Ms. Seavey commented on the matter of historic preservation, and noted that over the past few years, residents have witnessed the take-over by the Montgomery County Historic Commission of City historic preservation. She noted some instances where she witnessed and received ill-treatment at public hearings held by the County Commission. She remarked about the Commission's economic and building policies, and practice for assigning historic dating/categorization to structures in the City. Ms. Seavey urged the City to take a look at whether the Commission is overstepped its bounds in relation to regulatory historic preservation policies imposed upon City property owners.

Randy Boehm, 7426 Buffalo Avenue (North Takoma Citizens Association) commented on the proposals for improvements to Jequie Park. After learning last week that the City is again delaying funding for park improvements for two more years, neighborhood residents have become concerned. He remarked about the needed attention toward child welfare and safety, and noted some specific instances of problems in the park. He said it appears that the City is turning its head on child welfare, and the Council will show itself to be out of "community step" if it adopts the proposed budget without funding for improvements to all City parks. Mr. Boehm concluded that child welfare is the priority political concern for Takoma Park.

Lisa Lefferts, (Co-Chair Subcommittee on Toxics and Public Health; Committee on the Environment) urged the Council to take some action on lead issues, and said that the subcommittee members were very disappointed to see that despite their recommendations, there is no funding in the budget for efforts to address lead based paint issues. She outlined the subcommittee's efforts and recommendations in regards to lead issues. Ms. Lefferts commented on the Lead Strategy provided by the subcommittee, in particular, the recommendation for a staff member to focus on these issues, and remarked about the corresponding cost estimates provided by DHCD. She offered for the subcommittee to make another presentation regarding lead issues, noted she can arrange for a presentation regarding lead training for staff, and suggested that the Council seriously consider hiring a staff person to focus on this concern. Ms. Lefferts recapped the reasons that the subcommittee believes the City should take the matter of lead paint seriously. She reiterated that a lead program should be put into place this year based on the strategy that the subcommittee spent two years developing--provide adequate training to Code Enforcement Officers (total \$1600-1900 for all current officers), add lead assessment as a City service, hire a staff member or consultant to focus on lead issues, and explore whether the City can use Prince George's County's "lead gun" for City inspections. She encouraged staff to look to other jurisdictions for existing resources, determine what grants are available to the City in regards to lead abatement, and review and publish public information on lead poisoning and prevention.

Barbara Beelar, 7112 Maple Avenue said that she was the first person to turn to Takoma Park for assistance in abating lead from her home in 1985, and noted a similar experience she had in the last three months when she discovered lead painted surfaces in her store. Residents believe that the City government is here to help them, and the question needs to be addressed--what is the city's role in response to lead abatement? She said that she hopes that the staff is well informed about lead issues, that the subcommittee will continue to offer its assistance, and that the City should not take on the full responsibility for lead abatement. The City should lobby the State to provide assistance. She remarked that as a minimum, she

would like to see the City offer a referral service. City inspectors should be able to test flaking paint on site; lead assessments should be added to the City's inspection procedure. She concluded that she knows of five Takoma Park families who have dealt with lead in the past year.

Mr. Rubin asked whether it would be possible for Ms. Beelar and Ms. Lefferts to provide an amended cost analysis for the subcommittee's recommendations.

Ms. Lefferts said that she would be happy to provide such an analysis in writing.

Bob Hersh, 706 Erie Avenue stated that he moved to Takoma Park in 1992, and discovered, after receiving the results of a blood test taken by his son, that his family's apartment had not undergone lead abatement, and commented on his experience with having his landlord address the lead paint hazard. Testing revealed that the paint on his window frames was 100 times the prescribed level. He reiterated the importance of providing lead training to the housing inspection officers, and supported the establishment of a referral service.

Alecia Fanner and Chris Devito (no longer residents of Takoma Park) briefed the Council on their experience living in a Takoma Park rental unit and dealing with the landlord. Mr. Devito remarked on the assistance they received from the Commission on Landlord-Tenant Affairs (COLTA) in resolving their dispute over a security deposit refund and additional compensation. He praised the professionalism of the Commission, and thanked them for their assistance.

Belle Ziegler, 109 Sheridan Avenue noted the first piece of equipment that was installed at Jequie Park in 1960, and the pieces that followed. She said that it is time that the equipment be surveyed and replaced, and recommended that new equipment be put into the park. She recalled funds that were allocated for landscaping back at the time she retired as the Director of the Recreation Department. She stated that Colby and Jequie Parks have been underfunded and are in need of renovations. Ms. Ziegler elaborated on the history of the requested band wagon. She said that from her observations over the years, the youth programs have been very important to the youth of Takoma Park, and asked that the Council reconsider putting the 16 hours/week for the Moonlight Basketball Youth Director, back into the budget.

Mr. Rubin read a letter submitted by Linda Sapin, 7508 Dundalk Road regarding Jequie Park, as testimony for this evening's public hearing (attached).

Mr. Sharp closed the public hearing at 9:43 p.m.

#2 PUBLIC HEARING - Performing Arts Center. Mr. Sharp explained that funds have been allocated by the State of Maryland for the facility, and noted the site proposal. He remarked further that the City might have to share in the responsibility for the facility's maintenance.

Mr. Sharp called the public hearing to order at 9:44 p.m.

Norman Green, 6712 Westmoreland Avenue said that he is thrilled about the proposed facility, and remarked on the historical interest of T.A.G. in acquiring a building for a cultural center. He offered his assistance in bringing the arts center to the City. Mr. Green urged the Council and City to make this happen.

Dave Lorenz, Takoma Park Symphony Orchestra said that members of the orchestra are very excited about the proposed arts center, and that the center would be an appropriate facility for their concerts. He remarked the need for approximately 500 seats in the center and for the design to be such that the building is expandable. He urged the City to work in conjunction with the Silver Spring Theater, such that our facilities complement instead of compete with each other.

Virginia Ripley-Wolf, (President, Hodges Heights Citizens Association) stated that she is very excited about the Performing Arts Center. As President of the citizens association, she requested additional information regarding the center's impacts upon the neighborhood (e.g. increased traffic).

Mr. Sharp closed the public hearing at 9:54 p.m.

#3 Resolution re: Anti-Crime Legislation. Ms. Habada noted that the Maryland Municipal League requested that the City take action in support of

Federal anti-crime legislation.

Tom Anastasio, 32 Columbia Avenue said that he is happy to see the City take action on National issues. He commented on the ambiguous language of the final whereas clause, and suggested that the City not endorse any Federal legislation that expands the death penalty. He remarked about the racial bias of the death penalty (range of 3/1 to 6/1 for black/white executions), and offered some statistics regarding State executions. He said that the resolution should clearly state that the City does not support expansion of the death penalty. He commented on the last phrase of the second resolved clause, and suggested that the "military" component be removed from the phrase.

Mr. Sharp asked if the Council is open to table the resolution. Mr. Elrich moved to table the resolution. A majority of the Council voted to table the resolution (NAY: Porter, Rubin).

Mr. Sharp suggested that interested Councilmembers discuss proposed amendments to the resolution, and that the resolution will be considered at a later date.

WORKSESSION - Moved by Mr. Elrich; seconded by Ms. Porter. The Council moved into Worksession at 10:03 p.m.; the Council later adjourned for the evening at 11:13 p.m.

MAYORAL PROCLAMATION
NO. 1994-2
ANNOUNCING THE SPRING BAZAAR OF THE WASHINGTON-MCLAUGHLIN
CHRISTIAN SCHOOL

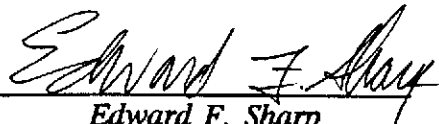
WHEREAS, the Washington-McLaughlin Christian School of Takoma Park, Maryland (WMCS), is an institution dedicated to providing quality education to children from pre-school to eighth grade; AND

WHEREAS, WMCS is a non-profit institution which provides early morning and after school programs, in addition to its regular educational curricula; AND

WHEREAS, WMCS soon will be holding its Spring Bazaar, featuring a colorful clown, delicious refreshments, and pleasant surprises.


NOW, THEREFORE, I, EDWARD F. SHARP, MAYOR, on behalf of the citizens, Council, and staff of the City of Takoma Park, Maryland, do hereby announce the Washington-McLaughlin Christian School Bazaar, to be held on Saturday, May 21, 1994, from 10:00 a.m. to 4:00 p.m., at 6500 Poplar Avenue, and do hereby encourage all members of the Takoma Park community to participate in the Bazaar.

Dated this 9th day of May, 1994.



Edward F. Sharp
Mayor

ATTEST:



Catherine Sartoph
City Clerk

Introduced By: Councilmember Williams
Drafted By: Venita George

Resolution 1994-24

A resolution to recognize the members of S.S. Carroll Citizens' Association and express appreciation for their service to the City of Takoma Park

WHEREAS, the members of S.S. Carroll Citizens' Association has assisted in conducting a traffic study for their neighborhood in connection with the City's recently adopted Traffic Management Plan; AND

WHEREAS, the members of S.S. Carroll Citizens' Association have demonstrated their commitment to the City of Takoma Park by generously volunteering their time to collect pertinent data which can provide a safer environment for all residents.

NOW, THEREFORE BE IT RESOLVED THAT the City Council on behalf of the citizens of the City of Takoma Park commends the members of S.S. Carroll Citizens' Association on their exemplary contributions and service to the City of Takoma Park, Maryland.

Adopted this 9th day of May, 1994.

Introduced By: Councilmember Williams
Drafted By: Venita George

Resolution 1994-25

A resolution to recognize the students of the Department of Civil Engineering, University of Maryland and express appreciation for their service to the City of Takoma Park

WHEREAS, pursuant to the City's recently adopted Traffic Management Plan, the students of the Department of Civil Engineering, University of Maryland have conducted a traffic study for the S.S. Carroll Citizens' Association; AND

WHEREAS, the students of the Department of Civil Engineering, University of Maryland have implemented their mandate and have developed a Final Report which has been disseminated to the members of S.S. Carroll Citizens' Association and to the Department of Housing and Community Development staff; AND

WHEREAS, the students of the Department of Civil Engineering, University of Maryland have performed a valuable service for the City by committing their time, knowledge, and expertise in collecting and analyzing pertinent traffic which can provide a safer environment for the pedestrians, bicyclists and motorists of Takoma Park, Maryland.

NOW, THEREFORE BE IT RESOLVED THAT the City Council on behalf of the citizens of the City of Takoma Park commends the students of the Department of Civil Engineering, University of Maryland, listed below, on their exemplary contributions and service to the City of Takoma Park, Maryland.

Tom Jacobs
Evelyn Gebauer
Norene Pen
Beth Provenzano

Adopted this 9th day of May, 1994.

Larry Rubin
Councilman for Ward I
7500 Maple Avenue
Takoma Park, Maryland 20912

Dear Mr. Rubin:

While watching my son play in Jequi Park today, I saw him stumble on the large spiral slide platform, and when I climbed up there with him was amazed to see how dangerous this piece of equipment is.

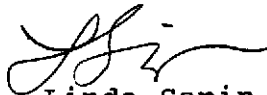
Rather than a flat platform, the levels are constructed from round logs, so that it is difficult to maintain a foothold. In addition, at the top there is broken, sharp-edged plastic which an older child can reach and cut himself on. There are exposed metal studs which could cause injury if a child fell on them. There is a jutting metal flange near the bottom of the slide, and the general condition of the logs is poor, with split, splintered surfaces.

My first concern is the welfare of all our children, but I would also be loathe to contribute my taxes as a Takoma Park citizen toward litigation against our city stemming from an injury on this slide. As a neuropsychologist who works with head-injured children, I am very familiar with serious injuries caused by faulty playground equipment.

The slide should be replaced with updated, safe equipment such as the pieces newly installed along Sligo Creek Parkway.

Thank you for your attention to this important matter.

Sincerely,



Linda Sapin, Ph.D.
7508 DUNDALK Rd
TAKOMA PARK, MD 20912
589-6339

cc. Mayor Edward F. Sharp

INTERVIEW, PUBLIC HEARING, REGULAR MEETING AND WORKSESSION
OF THE CITY COUNCIL

Monday, May 23, 1994

OFFICIALS PRESENT:

Mayor Sharp	City Administrator Habada
Councilmember Davenport	Deputy City Administrator Grimmer
Councilmember Elrich	Assistant City Administrator Hobbs
Councilmember Porter	City Clerk Sartoph
Councilmember Rubin	Public Works Director Knauf
Councilmember Williams	DHCD Director Nance-Sims
	Code Enforcement Supervisor Castillo

OFFICIALS ABSENT:

Councilmember Chavez

The Council convened at 7:42 p.m. on Monday, May 23, 1994, in the Council Chamber at the Municipal Building, 7500 Maple Avenue.

Following the Pledge of Allegiance, the following remarks were made:

MAYOR AND COUNCIL COMMENTS

PRESENTATION - Resolution re: Lesbian, Bisexual and Gay Pride Day. Mr. Sharp explained that the resolution commemorates Lesbian, Bisexual and Gay Pride Day on June 11, 1994.

Moved by Mr. Sharp; seconded by Mr. Williams. Mr. Williams read the resolution for the record.

Mr. Rubin asked whether any particular celebration events are planned.

Mr. Williams responded that the consortium will be sponsoring a Pride Day celebration at the Hillandale Recreation Center on New Hampshire Avenue, on Saturday, June 11th from 1:00 to 7:00 p.m.

The resolution was adopted unanimously.

RESOLUTION #1994 - 26
(Attached)

Brian Ellison, Gay and Lesbian Interest Consortium of Montgomery County thanked the Council on behalf of the Montgomery County gay, lesbian and bisexual community for the resolution and the City's support over the years.

Ms. Porter noted that she represents the City on the Council of Governments Transportation Planning Board, which took up the very important issue of a long term transportation plan. Every 3 years, Board puts together a long-term transportation plan, and this is the year that they will be determining a plan which usually consists of a number of individual transportation projects that are proposed by the various states. Several of the projects proposed this year by Virginia are related to the proposed Disney's America theme park. She said that a number of people have the impression that the Board has the capability of approving or not approving the Disney project, but that is not the case. In fact, the Board decided to put the Disney-related transportation projects on a list of things to be measured against the air quality standards. She said that this is the first step in developing and finalizing a transportation plan for the area, and that there are many to go between now and the final decision, several months from now. Ms. Porter remarked that she hopes that persons who are interested in this issue continue to stay involved. She noted that the State of Virginia has committed itself to doing an environmental impact statement on the transportation improvements associated with the Disney project, and invited persons who are interested in more information to call her.

CITIZEN COMMENTS

Clifford L. Frank, 7620 Maple Avenue commented on an information sheet that

was circulated to the residents of his building, and noted in particular an announcement regarding restrictions on automobile repairs that are taking place in the building's parking lot. He expressed his opinion that if a tenant of the building would like to work on his car in public, he should be allowed to. He commented that the City's Code Enforcement Officers are only interested in cosmetics and do not know anything about electricity, plumbing, building standards, or automobile repairs (routine vs. emergency). If persons living in multi-tenant buildings are restricted from working on their vehicles in parking lots, businesses (garages) and property owners who use their driveways should be required to do their repairs inside garages. Mr. Frank commented on another issue, asking why the bus booths further down the Maple Avenue corridor were put on the curb side of the sidewalk. He requested that the City move the booths to the property side of the sidewalk to allow a wider pedestrian passage along the sidewalk.

Mr. Sharp commented that the City's Code Enforcement Officers are highly trained in the requirements of building codes in Takoma Park and the State of Maryland. They may not be qualified electricians or plumbers, however, they are aware of basic requirements as they apply to code enforcement. He asked the City Administrator to take a look at whether the sidewalk passage is unreasonably narrow at points where bus booths are located along Maple Avenue, and to investigate Code enforcement distinctions regarding routine and emergency automobile repairs in public areas.

Ms. Habada commented that the Zoning Code prohibits automobile repairs in parking lots, and that the City would enforce the Code for automobile repairs taking place on both residential property and other locations, illegally.

Mr. Sharp clarified that this is a zoning matter.

Mr. Rubin asked whether this applies to repairing one's own car.

Ms. Habada responded that there are degrees. In the past, the City has cited residents for leaving their cars up on blocks for six months or more. The BOCA Code would dictate how the City would respond on the length of time a vehicle is stored with a cover over it.

Mr. Rubin and Mr. Davenport asked Mr. Frank for a copy of the tenant flyer that he referred to in making his comments.

Barbara Glenn, (Toxics Subcommittee; Committee on the Environment) thanked the Council for its attempts to budget for a lead program. She said that while the subcommittee realizes that it is a difficult program to implement because of the requirements for money and staff, they appreciate the Council's effort to begin to address a very immediate public health problem in the City.

Mr. Sharp interrupted Ms. Glenn to explain that her testimony applies to a later agenda item, the 1st Reading Ordinance re: FY95 City Budget, and asked her to present her comments at that time.

INTERVIEW

#1 Applicant for Commission on Landlord-Tenant Affairs (COLTA).

The Council interviewed Mr. Christopher Oyobio, an applicant for appointment to the Commission on Landlord-Tenant Affairs (COLTA).

Mr. Sharp commented that the Council will be conducting more interviews and will be discussing appointments within approximately two weeks.

PUBLIC HEARING

#2 CONSTANT YIELD TAX RATE. Mr. Sharp read an introduction statement regarding the public hearing (attached), and called the public hearing to order at 8:08 p.m.

Raymond Carter commented on the FY93 surplus, and stated that the surplus should be used to offset any FY95 tax increase, allowing residents to pay the constant yield tax rate. He said that double taxation is bad enough, but in light of the surplus, he considers an increasing City tax rate as triple taxation. He encouraged the City to hold down the tax rate.

The public hearing was closed at 8:10 p.m.

REGULAR MEETING

#3 1st Reading Ordinance re: FY95 Storm Water Budget.

The Council simultaneously convened as a Stormwater Management Board. (Moved by Mr. Sharp; seconded by Ms. Porter).

Moved by Ms. Porter; seconded by Mr. Williams.

Mr. Sharp explained that the stormwater management tax rate is set at 4 cents per \$100.00 on assessed property valuation, there is a carryover surplus of \$44,000, and the City is anticipating stormwater management fees of \$5,000, for a total of \$168,000 for stormwater management. The total budget includes cleaning of two sections of the City and two additional projects.

Ms. Porter noted that the tax rate of 4 cents is higher than last year's stormwater tax rate, however, it is lower than years prior to that. The Council is working toward setting a stable stormwater tax level. She said that there has been some discussion that 4 cents is about the correct rate to plan for in the future, and that the Council is going to make an effort to keep it stable.

Mr. Williams asked how long the City has been setting its own stormwater tax rate.

Ms. Habada stated that the City has been setting this tax rate since 1990.

Mr. Sharp noted that Montgomery County's stormwater rate has been 4 cents for some time, and that Prince George's County's rate may be 11 cents this year, but has been as high as 13 cents in the past.

The ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 13
(Attached)

#4 1st Reading Ordinance re: FY95 City Budget.

Moved by Mr. Elrich; seconded by Ms. Porter.

Barbara Glenn, Toxics Subcommittee (Committee on the Environment) thanked the City for its efforts to begin working on lead issues. She noted some of the suggestions for funding a coordinator--volunteer, loaned executive or consultant--to initiate a lead program. While the loaned executive idea has appeal, the City staff has not identified a specific individual although mention of the Washington Adventist Hospital has come up. The hospital may be interested; however, they have recently undergone a restructuring--cutting five million dollars from their budget and cutting the number of executives on staff. She remarked that a formal letter requesting an executive is required and it may still be worth pursuing, but that the subcommittee is skeptical that a loaned executive, at least from the hospital, can be relied on to initiate this program. Ms. Glenn said that the subcommittee is concerned that no forward movement will be realized this year unless money or adjustments in staff priorities are committed. The subcommittee continues to support hiring a consultant to do the initial program development, and feels that \$7,000 for a consultant is a reasonable amount. This is the most cost effective method that will still ensure that progress will be made this year.

David Bates, Philadelphia Avenue (Coordinator of Anti-Crime Task Force) said that he is pleased to see that the Council is going to attempt to fund the two expiring grant police officer positions, and urged the Council to vote in favor of this funding. He provided crime statistics for his neighborhood.

George LaRoche commented on increases reflected in the budget, applauded the idea of improving the way the City looks, particularly the parks, and recognized, however, that improving the parks will probably also occasion an increase in crime. Most of the crime that is perpetrated in Takoma Park is perpetrated by opportunists. He noted that a later agenda item is a resolution supporting national anti-crime legislation, and commented that the City cannot shift the responsibility to the Federal agencies. There is a tendency of cities to look to the Federal government for funding. Crime prevention, the prevention of the sorts of crime in Takoma Park at this time, is not going to be addressed by Federal legislation. He urged the Council to fund the expiring grant positions and to think seriously about a large

increase in next year's budget to address crime concerns.

Joanne Dooley, 7321 Willow Avenue (Old Takoma Citizens Association) thanked the Council for continuing the funding for the expiring police grant positions, and encouraged the Council to continue to focus on addressing crime concerns.

Mr. Sharp noted that attached to the ordinance are the "out years" on the Capital Improvement Program, that is not meant to imply that the Council is addressing the "out years" because the Council has not talked about a number of those items and has planned to come back to this discussion at a later date. He said that he has supported the efforts to retain the two police positions that are currently funded through grants, and pointed out that the grant positions run out in October. The funding that the Council is committing in the FY95 Budget, therefore, does not represent a full year's salary, which means that in the future, to retain those positions, the Council will need to, in a sense, add another penny to the tax rate. By virtue of keeping those positions, the Council is building-in future years' tax increase or some type of other spending cut. He commented on the City Administrator's efforts to balance the budget to include the projects that the Councilmembers wanted to see in the budget.

Mr. Rubin clarified that funding for Jequie Park improvements and \$3,000 for a consultant to address lead issues are both items that are still in the budget. He said that he shares the concern that the less things are made explicit in the budget, the more chance there is that those things will not be done. He remarked that he feels the Council has made funding for a full lead program available in the budget.

Mr. Sharp said that he does not feel that the Council has made a full lead program available, and that the comment that was made regarding shifting staff priorities is right. He remarked that he has not heard this Council indicate that it is prepared, at this point, to make lead paint abatement a priority for the staff. The \$3,000 is not going to address the full need.

Mr. Rubin remarked that his reference to a full program was not meant to refer to a full scale program. It referred to the Council touching every base of a program; but in depth, the Council does need to clarify this in terms of staff priorities.

Ms. Porter commented that any surplus monies that are left over from one fiscal year are rolled over to next year. She noted that when preparing a budget, it is necessary to use estimates that may or may not result in a surplus. She reiterated the Mayor's comments regarding the City Administrator's efforts to come up with a budget that includes all the projects identified by the Councilmembers as priorities. Ms. Porter commented on some of the priorities that the FY95 Budget addresses-- transportation concerns and traffic control devices; continued funding for the expiring police grant positions and the importance of youth outreach in addressing some of the crime issues in the community; and an increased focus on parks improvements. She said that the Council will need to talk about the already evident long range situation where the normal increases in salaries and benefits will exceed revenues.

Mr. Williams said that overall, he is happy with this budget, but that it has come about by a lot of squeezing which would seem to suggest that next year's budget will be more difficult. He stated that he is pleased with the inclusion of some staff time for economic development, traffic studies, street lighting for 1st Avenue, and park maintenance. He commented that he was disturbed last week by the seeming direction the Council was taking to undercut staff's efforts to rearrange departments to manage the work requested by the Council. When the Council was considering cutting out one parks maintenance person, the wrong message was being sent to staff. That is the kind of thing that would make it even harder for DHCD to follow-up on the Council's request to see if some shuffling could be done to reduce staff by one Code Enforcement Officer. Mr. Williams said that he is glad that the parks maintenance worker is back in the budget, and applauded the Public Works Department's efforts to rearrange its staff to get more done that the Council wants to see completed.

Mr. Elrich remarked that the Council was presented with a very responsible reorganization of the Public Works Department, and that Public Works should be singled out for their good recommendations. Other departments should be expected to take a close look at their own operations to determine how the departments can best deliver the services the citizens want in the most efficient manner. He said that he hopes the Public Works Director is

appropriately rewarded for the reorganization. Mr. Elrich reminded the citizens who have expressed particular concern about the Police Department, that there will be a citizens committee to look at public safety issues, and urged them to participate on the committee. He commented on how commercial and economic development could help to offset future increases in the tax rate, and encouraged the City Administrator to continue to look at the cost benefits of annexation options. He reminded the Council of his suggestion to put a one year moratorium on Library purchases of CD's and cassettes (\$4,000), to free-up additional monies to address the lead program, and stated that he continues to support such a moratorium if the priority is strong for dealing with the lead program. This would allow for funding of \$7,000 that was originally identified by the subcommittee as necessary for the lead program; this would be a better expenditure of that money (\$4,000) for one year and could be restored next year in the Library budget. He said that he thinks there is some value in asking the City Administrator to consider reducing the budgeted expenditure for non-salary items by \$10,000-15,000 and trying to get departments to meet those targets, setting a very tough goal knowing that the City Administrator does have a surplus that they could appropriate during the year if collectively, the departments were to come up short. He suggested that the City think seriously about employee financial incentives for savings that are brought to departments.

Mr. Rubin said that as far as the budget itself, he agrees with the comments of his colleagues. In general, the Council did the best they could with what is available. He said that he does intend, in the near future, to raise two issues--lead abatement and resource allocation in the Police Department. Mr. Rubin remarked that this has been his first budget process and that he thinks the Council needs to take a close look at the processes by which the Council gets citizen input, prioritizes matters in the City, and allocates resources. He commented that he feels the Council has gotten stuck in old forms of organization and thinking that have served well over the years, but that may not be leading to new and creative ways of looking at things. He stated that he intends to work with some people who have skills in budgetary matters to methodically review the budget process. Perhaps they will have some suggestions regarding better ways of proceeding.

Mr. Sharp responded that he would welcome such suggestions, and that any suggestions need to be conveyed so that the Council can start to deal with them as soon as possible. Any process regarding a change in the budget procedures should include staff and Council.

Mr. Rubin agreed, and added that he did not mean to imply that the group would proceed entirely on the outside. The process will need to include the Council, City Administrator, staff and citizens. He said that it could be expanded from an informal to a formal process if the Council would like.

Mr. Sharp said that a more formal process would be best. He commented on the Council's discussions regarding a one time infusion, in the neighborhood of \$250,000, from the Emergency Reserve to the Equipment Replacement Reserve, and noted that as a result of this plan, the budget funds some projects out of reserves versus current expenditures. The Equipment Replacement Reserve is a "dedicated" fund, drawn from each year to fund equipment replacement; the Emergency Reserve is a "vital" fund used to fund large items that would pose a problem when responding to emergencies, as well as to respond to other emergencies related to revenue shortfalls. He noted that this shift of funds will require a Charter amendment, and that the Council is trying to tie this Charter amendment in with some other Charter discussions with regard to elections issues.

Mr. Elrich proposed an amendment--a one year moratorium on Library purchases of compact discs (CD's) and cassettes (thereby making \$4,000 available for allocation to the Unappropriated Reserves, which could be directed to lead issues in addition to \$3,000 already in the FY95 Budget for a lead consultant); seconded by Mr. Sharp. He said that when the Council talked about this, they left open the possibility that \$3,000 might be enough to fund a lead consultant, realizing that the City Administrator has some funds that can be spent in a discretionary manner to perhaps supplement the \$3,000, if necessary. If the Council is intent on lead issues being a priority, the \$4,000 should be allocated in addition to the \$3,000 funded for a consultant (lead issues), in the beginning of the lead project, and the City Administrator should be allowed to use her discretion over the course of the year regarding the need for CD purchases. He said that the funding, up front, should be available for the lead abatement work.

Mr. Sharp said that he supports Mr. Elrich's comments, and that the Council needs to put direct funding in the budget for lead abatement matters and

basically to provide staffing, because Council tends to load up the smaller departments on a per capita basis more than any other. He commented that he does not believe the Council will see work in this regard, unless there are funds actually dedicated for staff time. Mr. Sharp stated that he does not oppose the Library buying CD's and cassette tapes, but that he has always opposed the purchase of video tapes by the Montgomery County libraries. The City's library does not buy video tapes. He said that he completely agrees with Mr. Elrich, that these purchases can come out of the Unappropriated Reserves if the City Administrator sees fit. Money needs to be directed to lead abatement.

Mr. Williams agreed.

Ms. Porter stated that she also agrees. She explained that what the Council is basically saying is not that they do not intend for the Library to buy the CD's, but that the Council wants to commit the funding up front to make sure that the lead abatement program is taken care of. She said that she will support the amendment with the expectation that as the year goes on, there will be discretionary funds that the City Administrator may use to fund the purchase of CD's for the Library.

Mr. Rubin asked Ms. Habada if this proposal is workable.

Ms. Habada clarified that the Council has discretion over Unappropriated Reserves, and that she has discretion over contingency funds.

Mr. Sharp commented, however, that recommendations for spending Unappropriated Reserves come from the City Administrator.

Ms. Grimmer remarked that staff will need to talk to DHCD staff and will most likely come back to the Council in terms of clarification of priorities. Even with additional funds to spend, there is a contract that requires possibly an RFP and management of a consultant.

Clifford Frank asked about the expenditures and revenue amounts in the budget. (NOTE: Mr. Frank was provided with a copy of the budget ordinance.)

Mr. Sharp briefly explained some specifics of the ordinance, and called the Council's attention to the motion for an amendment to the budget.

Mr. Rubin clarified that Mr. Elrich's motion is referring to CD's and cassettes tapes (non-print media), and that there would be no funds allocated for purchases of these items. He noted that during the last worksession discussion, the Council had made a distinction between CD's and tapes. He asked if this means that every time there is a new tape, for example, to help people learn English, a request to purchase such a tape would be directed to the Council.

Ms. Habada said that requests for individual tapes will not come before the Council, but that there may be a request at a later date for a review of the decision not to fund non-print media. The Library Director could propose a reallocation of resources within the Library budget.

Mr. Rubin asked how many people use CD's and tapes each year.

Ms. Habada responded that she does not have the statistics.

Ms. Grimmer said that the tapes also include audio books for the blind, and suggested that the motion be broadened to allow for the City Administrator's discretion regarding such purchases.

Mr. Sharp stated that the motion was very clear in that the Council is not saying that there is no authority to purchase non-print media and that was specifically not being said. It is a mischaracterization to say that the Library is being prohibited from buying those things.

Mr. Rubin asked what is the process by which the Library would go about getting tapes.

Ms. Habada said that the Library Director can ask for a reallocation within her budget, which can be worked out administratively on paper.

Mr. Sharp stated that he was not aware that the City Administrator was overseeing these types of reallocations.

Ms. Habada responded that the purchase authority is up to \$1,000 for

department heads, and that she must approve anything over that limit.

Ms. Porter said that the way it is likely to work is that the Library Director may have to delay some purchases until it becomes clear later in the year whether there is sufficient money in the Unappropriated Reserves for items of this kind.

Mr. Davenport stated that while he understands Mr. Rubin's concerns, he is curious whether there are adequate numbers of instructional tapes to meet the public demand. If not, what are the needs and associated costs? He concluded that it would be interesting to know whether \$4,000 would really affect the inventory needs.

Mr. Rubin said that the Council has two situations at hand: (1) something or nothing for the children who need language tapes, and (2) increased focus on lead issues. The Council has taken some steps toward a lead program--training Code Enforcement Officers, and pledging to take a closer look at later making lead issues a priority. He commented that many children use the tapes in the Library.

Mr. Elrich commented that if the Library Director comes back later in the year and conveys that CD's and cassettes are crucial, then funding will be considered. He said that he is convinced that the initiation of a lead abatement program is crucial--a life and death issue.

Mr. Williams said that in addition to the fact that the Library already has tapes and CD's, there are other libraries in the area where patrons can obtain these types of media.

Mr. Rubin reminded the Council that at its last discussion, there was a distinction made between CD's and audio cassettes.

Mr. Elrich said that he was not comfortable with that distinction, and reminded Mr. Rubin that the Library currently has these items. The amendment would only affect funding allocation for new purchases during FY95.

Mr. Rubin asked whether there is another place in the entire budget of 9.5 million dollars, from which \$4,000 can be drawn.

Mr. Elrich said that this is a place from which he feels comfortable taking \$4,000 for this year, for the purpose of a lead program.

Mr. Sharp said that these kinds of choices are necessary and made throughout the budget process, as an alternative to raising the tax rate.

Mr. Rubin stated that if staff had been directed to find this \$4,000 to increase the total lead funding to \$7,000, he doubts that the expense deletion would have been made from the Library Budget (CD's and cassette tapes). He suggested a substitute amendment--fully fund the lead program (\$7,000) and ask staff to provide a proposal regarding the \$4,000.

Mr. Elrich noted that Mr. Rubin's proposed amendment would not allow for a balanced budget at first reading.

Mr. Sharp said that he does not oppose the idea of looking at other areas to obtain the \$4,000, but that this evening, he will vote for the original amendment proposed by Mr. Elrich. He asked the City Administrator to look at the budget over the next two weeks and possibly, come back to the Council with another proposal that would restore the Library's budget. He said that the Council could deal with the City Administrator's proposal at second reading of the ordinance.

Mr. Elrich stated that he agrees with Mr. Sharp's suggestion.

Mr. Rubin proposed an amendment to the amendment--\$4,000 be moved from the Cable budget to the lead abatement program. The proposed amendment to the amendment was not seconded.

Mr. Sharp called the question on the original amendment (ABSTAIN: Rubin); the amendment was accepted.

The amended ordinance was accepted at first reading (ABSTAIN: Rubin).

ORDINANCE #1994 - 14
(Attached)

#5 1st Reading Ordinance re: FY95 Tax Rate. Mr. Sharp commented that the tax rate is set at \$1.792 per \$100 of assessed property valuation. This is an increase of 1.5 cents; 1.1 cents of this comes from the Fire Service rate which is set by Montgomery County. The general City services rates has gone down, and the stormwater management tax has gone up by 2 cents.

Moved by Mr. Williams; seconded by Ms. Porter.

The ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 15
(Attached)

#6 1st Reading Ordinance re: Employee Pay Plan. Mr. Sharp noted that the pay scale reflects a 2.5% cost of living adjustment, and asked about the Section (f) in the ordinance.

Ms. Habada commented that this should have been deleted.

Mr. Sharp moved that this item be deleted (Section (f)). Council agreed to the deletion (amendment to ordinance).

The amended ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 16
(Attached)

#7 1st Reading Ordinance re: Police Pay Plan. Mr. Sharp commented that changes in the pay plan reflect an effort to keep Takoma Park competitive in hiring police officers with surrounding jurisdictions.

The ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 17
(Attached)

#8 1st Reading Ordinance re: Executive Pay Plan. Moved by Ms. Porter; seconded by Mr. Elrich.

Mr. Sharp asked whether department heads are covered by individual contracts, off of the pay scale.

Ms. Habada stated that Corporation Counsel is working on a generic contract document for department heads. Further discussions of the matter will follow a review of the contract as proposed by Corporation Counsel.

Mr. Sharp noted that the Executive Pay Plan provides for a 2.5% cost of living adjustment.

The ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 18
(Attached)

Moved by Mr. Williams; seconded by Ms. Porter, the Council adjourned from session as a Stormwater Management Board.

#9 Resolution re: National Anti-Crime Legislation. Moved by Ms. Porter; seconded by Mr. Williams the resolution was removed from the table (OPPOSED: Elrich).

Moved by Mr. Rubin; seconded by Mr. Davenport. The resolution was open for discussion.

Mr. Davenport referred to the earlier citizen comments regarding this resolution, and stated that this resolution is not an attempt to replace or ignore the City's responsibility to address crime issues.

Mr. Rubin explained that the resolution has been re-written since the time it was tabled. It now says that all levels of government must share in anti-crime work. He said that the resolution was presented at the last Regular

Council meeting upon recommendation from the Maryland Municipal League (MML) to support anti-crime legislation, and that it did not specify the anti-crime bill that is currently before Congress. Objection was raised to the way the resolution was originally written because it implied support for expansion of the death penalty and that anti-crime was just the job of the Federal government, and because it called for "boot camps" to be run by the military for at-risk people.

Mr. Rubin proposed the resolution as presented this evening, as a substitute resolution. He explained the amendments to the original resolution.

Ms. Porter seconded the substitute resolution.

Mr. Rubin added that he has discussed these changes with some of the citizens who addressed this resolution, and that it was favored that Council take action on this resolution as opposed to no resolution at all.

George LaRoche said that he supports this resolution, but that crime needs to be addressed on the City level. He suggested that the Council add specifics to the resolution--ask the Federal government to go after white-collar crime, etc.--things that go beyond the City's level.

Mr. Rubin said that he supports these suggestions, and that this resolution is not aimed at supporting the way crime is addressed at a national level.

Mr. Davenport commented that he supports the comments made by Mr. LaRoche, but remarked on the limitations on the City's ability to address crime on a national level.

Mr. Elrich stated his reasons for not supporting this resolution, and said that he would not oppose this resolution but would abstain.

Mr. Williams said that he would also abstain.

Mr. Rubin noted that this resolution came about in response to a request by the Maryland Municipal League for municipalities to encourage the government to address anti-crime legislation on a national level.

Mr. Davenport said that he supports funding for more programs to help persons steer free of crime, but that he is not supporting locking up more people as a means of addressing crime.

Mr. Elrich moved to table the resolution; seconded by Mr. Rubin. Mr. Elrich agreed to submit a re-write of the resolution to be considered by the Council at a later date.

The Council agreed to table the resolution.

#10 Nuclear Free Takoma Park Committee. Mr. Sharp noted that the resolution re-appoints Terry Berkeley and appoints Carl Smith to the committee.

The resolution was unanimously adopted.

RESOLUTION #1994 - 27
(Attached)

#11 Single Reading Ordinance re: Computer Network System. Moved by Mr. Davenport; seconded by Ms. Porter.

Mr. Elrich commented that the contract proposal seems high.

Forrest Bittner stated that he has visited with staff representatives from the Department of Housing and Community Development, and that this proposal is an excellent foundation for the needs of the department. He said that he will be working with Code Enforcement Supervisor Castillo, in regards to the project, and that the proposed cost of the network system may be flexible as discussions continue with the contractor. The network will be a good foundation that will offer the most expansion capability of all systems that were investigated.

Clifford Frank asked what this network will accomplish.

Mr. Bittner explained the purpose of establishing a network.

Mr. Frank asked what type of information will be accumulated in the database.

Mr. Bittner responded that the database will include information on rental licenses and property code violations.

Ms. Porter noted for the record that Mr. Bittner is not a staff member, but that he is a professional computer consultant who has offered his expertise as a volunteer.

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

ORDINANCE #1994 - 19
(Attached)

#12 1st Reading Ordinance re: Trees and Vegetation - Municipal Infractions.
DHCD Director Nance-Sims noted that this amendment deals with complaints about overgrown lawns and vegetation that impede pedestrian passage along sidewalks. The current municipal infraction warning period is ten days, and it is being suggested that this warning period be reduced to three days, for correction of violations.

Ms. Porter asked whether this amendment will in any way affect the Tree Ordinance.

Ms. Nance-Sims responded that this amendment deals with lawn and vegetation overgrowth. The reference to "trees" in the title of the agenda item simply references the section of the Code where the amendment will occur.

Mr. Williams remarked that during the Election season, three residents along his block were notified that they were in violation of vegetation overgrowth, and that he responded to the notification by cutting back some of his bushes. However, he is not aware that the other persons that were in violation ever complied. He encouraged the City to enforce the ordinance.

Mr. Rubin commented on a case in Washington D.C. where a couple appealed just such an ordinance, based on their practice of "all natural vegetation growth".

Ms. Porter said that this ordinance is in line with the recommendations of the Alternative Transportation Modes Committee, and remarked that the loss of Mr. William's bushes were not in vain.

The ordinance was unanimously accepted at first reading.

ORDINANCE #1994 - 20
(Attached)

WORKSESSION - The Council moved into Worksession at 9:48 p.m; the Council later adjourned for the evening at 10:03 p.m.

CONSTANT YIELD TAX RATE

PUBLIC HEARING

The Constant Yield Tax Rate is calculated by the State of Maryland, Department of Assessments and Taxation for each taxing authority in the State. It represents the property tax rate for the coming tax year that will generate the same amount of property tax revenues that were generated in the most recent, meaning the current, tax year. As assessments go up, the Constant Yield Tax Rate goes down. When a taxing authority plans to impose an actual property tax rate that is higher than the Constant Yield Tax Rate, it must hold a public hearing and it must advertise that hearing.

The City Council of the City of Takoma Park, proposes to increase the property tax rate by 1.5 cents over the current year; 1.1 cents of this is for Fire Service, and that rate is set by Montgomery County.

1. For the tax year beginning July 1, 1994, the estimated assessable base will increase by 4.6%, from \$289,613,348 to \$ 302,894,525.
2. If the City of Takoma Park maintains the current tax rate of \$1.777 per \$100 of assessment, property tax revenues will increase by 4.6%, resulting in \$236,007 of new property tax revenues.
3. In order to fully offset the effect of increasing assessments, the property tax rate should be reduced to \$1.699, the constant yield rate.
4. The city is considering not reducing its property tax rate enough to offset increasing assessments.

The city proposes to adopt a tax rate of \$1.792 per \$100 of assessment. This tax rate is 5.5% higher than the constant yield tax rate and will generate \$45,434 in additional property tax revenues.

Introduced By: Councilmember Williams

RESOLUTION NO. 1994 - 26

COMMEMORATING LESBIAN, BISEXUAL AND GAY PRIDE DAY

WHEREAS, the lesbian, bisexual, and gay communities are a significant and visible part of Takoma Park's population and contribute morally, financially, culturally, and spiritually to its wealth; and

WHEREAS, the empowerment of the lesbian, bisexual, and gay communities has contributed to a flowering of diversity and enrichment in our city at large; and

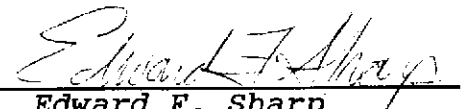
WHEREAS, the laws of Takoma Park have protected our citizens from discrimination on the basis of race, color, religious creed, ancestry, national origin, handicap, age, or sexual orientation for ten years; and

WHEREAS, the Stonewall Riots of June, 1969, marked the start of the movement for the rights of lesbian, bisexual, and gay people, twenty-five years ago; and

WHEREAS, June is a time of celebration of accomplishment for lesbian, bisexual, and gay communities.

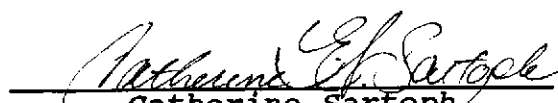
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that Saturday, June 11, 1994, is hereby recognized as Lesbian, Bisexual, and Gay Pride Day in Takoma Park, Maryland, and that all our citizens are encouraged to join in recognizing the contributions made by lesbian, bisexual, and gay individuals to our community.

Adopted this 23rd day of May, 1994.



Edward F. Sharp
Mayor

ATTEST:



Catherine Sartoph
City Clerk

Introduced By: Mayor Sharp

RESOLUTION #1994 - 27

APPOINTING MEMBERS 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 are 3 vacancies on this Committee due to three terms that have expired; AND

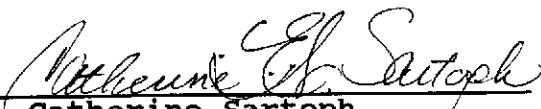
WHEREAS, the Council has interviewed two Takoma Park residents, one who has expressed an interest in serving on the Committee, and one who is seeking re-appointment.

NOW, THEREFORE, BE IT RESOLVED THAT the following persons are hereby appointed to serve on the Nuclear Free Takoma Park Committee with the terms assigned opposite their names:

Name/Address	Term Expires
Terry Berkeley 7513 Carroll Avenue	May 23, 1996
Carl Smith 632 Kennebec Avenue	May 23, 1996

Dated this 23rd day of May, 1994.

ATTEST:


Catherine Sartoph
City Clerk

Introduced by: Mayor Sharp

1st Reading: 5/23/94

2nd Reading:

ORDINANCE NO. 1994-13

AN ORDINANCE TO ADOPT A STORM WATER MANAGEMENT BUDGET FOR FISCAL YEAR 95 BEGINNING JULY 1, 1994 AND ENDING JUNE 30, 1995.

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

WHEREAS, Article 29, Section 3-205 of the Annotated Code of Maryland authorizes the levying of an ad valorem tax for stormwater management by the City, AND;

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

WHEREAS, the Stormwater Board desires to maintain a Storm Water Management Fund for the collection and payment of revenues and expenditures as it deems necessary to provide for the construction, maintenance, operations and repair of the storm water drainage system in the City.

NOW THEREFORE BE IT ORDAINED BY THE STORMWATER BOARD OF THE CITY OF TAKOMA PARK

SECTION 1. THAT for the 1994-95 fiscal year, an ad valorem tax of 4 cents per \$100.00 on assessed property valuation in the City is hereby established to be used for stormwater management activities.

SECTION 2. THAT a Stormwater Management Fund as previously established by Ordinance No. 1990-25 shall be maintained into which shall be deposited:

- (a) All the receipts and revenues from ad valorem taxes, user charges, and utility fees levied by the City to pay for stormwater management; AND
- (b) All charges, fees, fees-in-lieu, and other contributions received from any person or governmental entity in connection with stormwater management activities or practices.

SECTION 3. THAT from and out of the monies known to be received from the 4 cent ad valorem tax established by Section 1 of this Ordinance and levied by the FY95 Tax Rate Ordinance (Ordinance No. 1994-), and from all monies to come into all funds during the twelve (12) month period ending June 30, 1995, there shall be, and hereby are appropriated Storm Water Management Fund revenues of \$168,945 as follows:

Local Taxes	\$119,945
Stormwater Permit fees	5,000
Appropriated Surplus	44,000
TOTAL	\$168,945

SECTION 4. THAT the City Administrator is hereby authorized to transfer funds to the FY95 stormwater budget from the prior year surplus and/or unappropriated reserve in the amount of \$44,000.

SECTION 5. THAT there shall be, and hereby are appropriated the following sums for use for the support of storm water management activities during the 1994-95 Fiscal Year:

Storm Water Management Expenditures	\$168,945
-------------------------------------	-----------

SECTION 6. THAT stormwater management projects that are declared to be emergencies as defined by the City Council in accordance with the City Charter, may be funded through the Emergency Reserve.

SECTION 7. THAT the approved FY95 budget document with account listings is to be incorporated as a part of this Ordinance by reference.

SECTION 8. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

SECTION 9. THAT this Ordinance shall become effective July 1, 1994.

O-95STRM.

Page Three
STORM WATER MANAGEMENT BUDGET ORDINANCE

Adopted this day of June, 1994 by Roll Call Vote of the
Stormwater Board for the City of Takoma Park:

AYES:
NAYS:
ABSTAIN:
ABSENT:

Introduced by: Mayor Sharp

1st Reading: 5/23/94
2nd Reading:

ORDINANCE NO. 1994-14

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 1995, BEGINNING JULY 1, 1994 AND ENDING JUNE 30, 1995.

WHEREAS, in accordance with Article IX of the Charter of the City of Takoma Park, it is the determination of the City Council that the annual appropriation Ordinance should be enacted to budget and appropriate funds for the several objects and purposes for which the City must provide in the fiscal year beginning July 1, 1994 and ending June 30, 1995 (FY95);

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

SECTION 1. THAT from and out of the monies and balances known to be in the General Fund of the City of Takoma Park, Maryland, and from all monies anticipated to come into all funds during the twelve (12) month period ending June 30, 1995, there shall be, and hereby are appropriated General Fund revenues of NINE MILLION SEVEN HUNDRED EIGHT THOUSAND FOUR HUNDRED SIXTY SIX DOLLARS (\$9,708,466) and a transfer of prior year surplus and/or Unappropriated Reserve balance to the FY95 budget as follows:

Taxes-Local	\$5,292,640
Taxes-State Shared	1,135,000
License & Permits	14,500
Revenue from other Agencies	1,877,076
Service Charges	415,700
Fines & Forfeitures	155,000
Miscellaneous	178,550

SUBTOTAL \$9,068,466

Prior year surplus/unappropriated reserve 640,000

TOTAL \$9,708,466

SECTION 2. THAT the City Administrator is hereby authorized to transfer funds to the FY95 budget from the prior year surplus and/or Unappropriated Reserve in the amount of \$640,000.

O-95BUD

SECTION 3. THAT there shall be, and hereby are appropriated the following sums for use by the several departments and offices of the City, and for the objects and purposes for which the City must provide during the 1994-95 Fiscal Year:

Public Works	\$2,457,167	
Police Department	\$2,497,054	
Non-Departmental	\$1,103,333	
Capital Expenditures	\$ 520,050	
Government Administration	\$1,027,033	
Housing & Community Development	\$ 758,420	(762,420)
Recreation	\$ 509,404	
Library	\$ 468,851	(464,851)
Cable	\$ 54,000	
Debt Service	\$ 86,967	
General Fund Transfer to Special Revenue Fund	\$ 13,822	
TOTAL EXPENDITURES	\$9,496,101	
Contribution to Equipment Replacement Reserve	72,798	
<u>AUTHORIZED FY95 EXPENDITURES</u>	\$9,568,899	

SECTION 4. THAT in accordance with Article IX of the City Charter, Section 903, there is included in the NonDepartmental Budget, a General Contingency Account appropriation of THIRTY ONE THOUSAND SEVEN HUNDRED DOLLARS (\$31,700);

SECTION 5. THAT in accordance with Article IX of the City Charter, Section 904 (b) the City Administrator is hereby authorized to allocate SEVENTY TWO THOUSAND SEVEN HUNDRED NINETY EIGHT DOLLARS (\$72,798) to the Equipment Replacement Reserve;

SECTION 6. THAT a Special Revenue Fund is authorized for receipt of and expenditure of Federal or State funded projects, with Revenues of EIGHT HUNDRED ELEVEN THOUSAND FIVE HUNDRED TWENTY EIGHT DOLLARS (\$811,528) inclusive of a General Fund Transfer of THIRTEEN THOUSAND EIGHT HUNDRED TWENTY TWO DOLLARS (\$13,822), and an Expenditure appropriation of EIGHT HUNDRED ELEVEN THOUSAND FIVE HUNDRED TWENTY EIGHT DOLLARS (\$811,528).

- SECTION 7. THAT the Council hereby ratifies the stormwater management budget for FY95 adopted by the Stormwater Board by Ordinance #1994-.
- SECTION 8. THAT the approved FY95 Budget Document is to be made a part of this Ordinance by reference.
- SECTION 9. THAT stormwater management projects that are declared to be emergencies as defined by the City Council, in accordance with the City Charter, may be funded through the Emergency Reserve.
- SECTION 10. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.
- SECTION 11. THAT this Ordinance shall become effective July 1, 1994.

Adopted this day of June, 1994, by Roll Call Vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

Introduced by: Mayor Sharp

1st Reading: 5/23/94
2nd Reading:

ORDINANCE NO. 1994-15

AN ORDINANCE TO ESTABLISH THE TAX RATE FOR THE FISCAL YEAR 1995 BEGINNING JULY 1, 1994 AND ENDING JUNE 30, 1995.

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

WHEREAS, the Council sitting as the Water and Sewer Board, by Ordinance No. 1994- set an ad valorem tax on property at \$0.04 per \$100 assessed valuation for storm water management.

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

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

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

(a) Effective July 1, 1994, all real and personal property which is subject to taxation by the City of Takoma Park shall be subject to a tax on the assessed value of such real and personal property as such value is determined by the State Department of Assessments and Taxation, at the rate of:

General City services:	\$1.500
Fire service (Montgomery County rate):	.252
Stormwater Management Fund:	<u>.040</u>
Total	\$1.792

per \$100.00 of assessed valuation.

SECTION 2. THAT this Ordinance shall be effective July 1, 1994.

Adopted this day of June, 1994.

AYES:
NAYS:
ABSTAIN:
ABSENT:

O-95RATE

Introduced by: Mayor Sharp

First Reading: 5/23/94
Second Reading:
Effective:

ORDINANCE NO. 1994-16

Short Title: Pay scale for Employees.

AN ORDINANCE TO:

(a) Amend the pay scale for employees for FY 95, tied to the position classification schedule as adopted by Ordinance No. 1986-53, as amended.

WHEREAS, the City has negotiated a contract with AFSCME Local 3399, that includes a 2.5% cost-of-living adjustment for FY 1995;

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

SECTION 1. PAY SCALE PLAN.

Ordinance No. 1991-14 is hereby amended and the following pay scale is adopted as the new Pay Scale Plan for the City for the Fiscal Year beginning July 1, 1994 and ending June 30, 1995. This Pay Scale Plan will become effective July 1, 1994, and will remain in effect until amended or repealed by the City Council:

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

STEP	A	B	C	D	E	F
	12,649	13,091	13,549	14,024	14,514	15,022
	G	H	I	J	K	
	15,548	16,092	16,656	17,239	17,842	

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

STEP:	A	B	C
	\$10.28/hour	\$11.10/hour	\$11.99/hour

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

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

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

(e) Police officers shall be paid on a separate pay scale as established under a separate ordinance, and as agreed upon by the terms of a collective bargaining agreement negotiated with United Food and Commercial Workers Union, Local 400.

~~(f) This ordinance shall not be effective for those employees who are paid under the terms of the Contract with AFSCME Local 3399 until such time as a new contract, which is under negotiations, with Local 3399 has been ratified by the Union membership and the Council.~~

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

AYES:
NAYS:
ABSTAIN:
ABSENT:

FY-95 EMPLOYEE PAY PLAN (2.5% COLA)

		A	B	C	D	E	F	G	H	I	J	K
GRADE	Starting Pay	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL
	Percentage Increase	4.25%	4%	3.75%	3.5%	3.25%	3%	2.75%	2.5%	2.25%	2.10%	
1	Annual	\$16,205.88	\$16,894.63	\$17,570.41	\$18,229.30	\$18,867.33	\$19,480.51	\$20,064.93	\$20,616.72	\$21,132.13	\$21,607.61	\$22,061.37
	Weekly	\$311.65	\$324.90	\$337.89	\$350.56	\$362.83	\$374.63	\$385.86	\$396.48	\$406.39	\$415.53	\$424.26
	Hourly	\$7.79	\$8.12	\$8.45	\$8.76	\$9.07	\$9.37	\$9.65	\$9.91	\$10.16	\$10.39	\$10.61
2	Annual	\$17,421.32	\$18,161.72	\$18,888.19	\$19,596.50	\$20,282.38	\$20,941.55	\$21,569.80	\$22,162.97	\$22,717.04	\$23,228.18	\$23,715.97
	Weekly	\$335.03	\$349.26	\$363.23	\$376.86	\$390.05	\$402.72	\$414.80	\$426.21	\$436.87	\$446.70	\$456.08
	Hourly	\$8.38	\$8.73	\$9.08	\$9.42	\$9.75	\$10.07	\$10.37	\$10.66	\$10.92	\$11.17	\$11.40
3	Annual	\$18,727.92	\$19,523.85	\$20,304.81	\$21,066.24	\$21,803.55	\$22,512.17	\$23,187.54	\$23,825.19	\$24,420.82	\$24,970.29	\$25,494.67
	Weekly	\$360.15	\$375.46	\$390.48	\$405.12	\$419.30	\$432.93	\$445.91	\$458.18	\$469.63	\$480.20	\$490.28
	Hourly	\$9.00	\$9.39	\$9.76	\$10.13	\$10.48	\$10.82	\$11.15	\$11.45	\$11.74	\$12.00	\$12.26
4	Annual	\$20,132.51	\$20,988.14	\$21,827.87	\$22,646.20	\$23,438.82	\$24,200.58	\$24,926.60	\$25,612.08	\$26,252.38	\$26,843.06	\$27,406.77
	Weekly	\$387.16	\$403.62	\$419.76	\$435.50	\$450.75	\$465.40	\$479.36	\$492.54	\$504.85	\$516.21	\$527.05
	Hourly	\$9.66	\$10.09	\$10.49	\$10.89	\$11.27	\$11.63	\$11.98	\$12.31	\$12.62	\$12.91	\$13.18
5	Annual	\$21,642.45	\$22,562.25	\$23,464.74	\$24,344.87	\$25,196.73	\$26,015.63	\$26,796.10	\$27,532.99	\$28,221.31	\$28,856.29	\$29,462.27
	Weekly	\$416.20	\$433.89	\$451.25	\$468.17	\$484.55	\$500.30	\$515.31	\$529.48	\$542.72	\$554.93	\$566.58
	Hourly	\$10.41	\$10.85	\$11.28	\$11.70	\$12.11	\$12.51	\$12.88	\$13.24	\$13.57	\$13.87	\$14.16
6	Annual	\$23,265.63	\$24,254.42	\$25,224.60	\$26,170.52	\$27,086.49	\$27,966.80	\$28,805.80	\$29,597.96	\$30,337.91	\$31,020.51	\$31,671.94
	Weekly	\$447.42	\$466.43	\$485.09	\$503.26	\$520.89	\$537.82	\$553.96	\$569.19	\$583.42	\$596.55	\$609.08
	Hourly	\$11.19	\$11.66	\$12.13	\$12.56	\$13.02	\$13.45	\$13.85	\$14.23	\$14.59	\$14.91	\$15.23
7	Annual	\$25,010.55	\$26,073.50	\$27,116.44	\$28,133.31	\$29,117.97	\$30,064.31	\$30,966.24	\$31,817.81	\$32,613.25	\$33,347.05	\$34,047.34
	Weekly	\$480.97	\$501.41	\$521.47	\$541.03	\$559.96	\$578.16	\$595.50	\$611.88	\$627.18	\$641.29	\$654.76
	Hourly	\$12.02	\$12.54	\$13.04	\$13.53	\$14.00	\$14.45	\$14.89	\$15.30	\$15.68	\$16.03	\$16.37
8	Annual	\$26,886.34	\$28,029.01	\$29,150.17	\$30,243.31	\$31,301.82	\$32,319.13	\$33,288.71	\$34,204.14	\$35,059.25	\$35,848.08	\$36,600.89
	Weekly	\$517.05	\$539.02	\$560.58	\$581.60	\$601.96	\$621.52	\$640.17	\$657.77	\$674.22	\$689.39	\$703.86
	Hourly	\$12.93	\$13.48	\$14.01	\$14.54	\$15.05	\$15.54	\$16.00	\$16.44	\$16.86	\$17.23	\$17.60
9	Annual	\$28,902.82	\$30,131.19	\$31,336.44	\$32,511.55	\$33,649.46	\$34,743.07	\$35,785.36	\$36,769.46	\$37,688.69	\$38,536.69	\$39,345.96
	Weekly	\$555.82	\$579.45	\$602.62	\$625.22	\$647.10	\$668.14	\$688.18	\$707.10	\$724.78	\$741.09	\$756.65
	Hourly	\$13.90	\$14.49	\$15.07	\$15.63	\$16.18	\$16.70	\$17.20	\$17.68	\$18.12	\$18.53	\$18.92
10	Annual	\$31,070.53	\$32,391.03	\$33,686.67	\$34,949.92	\$36,173.17	\$37,348.80	\$38,469.26	\$39,527.16	\$40,515.34	\$41,426.94	\$42,296.90
	Weekly	\$597.51	\$622.90	\$647.82	\$672.11	\$695.64	\$718.25	\$739.79	\$760.14	\$779.14	\$796.87	\$813.40
	Hourly	\$14.94	\$15.57	\$16.20	\$16.80	\$17.39	\$17.96	\$18.49	\$19.00	\$19.48	\$19.92	\$20.34
11	Annual	\$33,400.82	\$34,820.36	\$36,213.17	\$37,571.17	\$38,886.16	\$40,149.96	\$41,354.45	\$42,491.70	\$43,553.99	\$44,533.96	\$45,469.17
	Weekly	\$642.32	\$669.62	\$696.41	\$722.52	\$747.81	\$772.11	\$795.28	\$817.15	\$837.58	\$856.42	\$874.41
	Hourly	\$16.06	\$16.74	\$17.41	\$18.06	\$18.70	\$19.30	\$19.88	\$20.43	\$20.94	\$21.41	\$21.86
12	Annual	\$35,905.88	\$37,431.88	\$38,929.16	\$40,389.00	\$41,802.62	\$43,161.20	\$44,456.04	\$45,678.58	\$46,820.54	\$47,874.01	\$48,879.36
	Weekly	\$690.50	\$719.84	\$748.64	\$776.71	\$803.90	\$830.02	\$854.92	\$878.43	\$900.40	\$920.85	\$939.99
	Hourly	\$17.26	\$18.00	\$18.72	\$19.42	\$20.10	\$20.75	\$21.37	\$21.96	\$22.51	\$23.02	\$23.50

Introduced by: Mayor Sharp

First Reading: 5/23/94
Second Reading:
Effective:

ORDINANCE NO. 1994-17

Short Title: Pay Scale for Police.

AN ORDINANCE TO:

Establish a pay scale for police officers for FY 95, tied to the position classification schedule as adopted by Ordinance No. 1986-53, as amended.

WHEREAS, the City has negotiated a contract with Local 400 of the United Food and Commercial Workers Union, that establishes a separate pay table that incorporates a 1% market adjustment and a 2.5% cost-of-living adjustment for FY 1995;

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

SECTION 1. PAY SCALE PLAN.

Ordinance No. 1991-14 is hereby amended and the following pay scale (see next page) is adopted as the new Pay Scale Plan for the City's Police Officers for the Fiscal Year beginning July 1, 1994 and ending June 30, 1995. This Pay Scale Plan will become effective July 1, 1994, and will remain in effect until amended or repealed by the City Council:

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

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

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

AYES:
NAYS:
ABSTAIN:
ABSENT:

POLICE PAY SCALE FY 95
 2.5% COLA + 1% MARKET ADJUSTMENT

GRADE	STEP % INCR	A STARTING	B 4.25%	C 4.00%	D 3.75%	E 3.50%	F 3.25%	G 3.00%	H 2.75%	I 2.50%	J 2.25%	K 2.10%
CADET 6	ANNUAL WEEKLY HOURLY	24,919.58 479.22 11.98										
PRIVATE 7	ANNUAL WEEKLY HOURLY	26,788.55 515.16 12.88	27,927.06 537.06 13.43	29,044.15 558.54 13.96	30,133.30 579.49 14.49	31,187.97 599.77 14.99	32,201.58 619.26 15.48	33,167.62 637.84 15.95	34,079.73 655.38 16.38	34,931.73 671.76 16.79	35,717.69 686.88 17.17	36,467.76 701.30 17.53
PFC 8	ANNUAL WEEKLY HOURLY	28,797.69 553.80 13.85	30,021.59 577.34 14.43	31,222.46 600.43 15.01	32,393.30 622.95 15.57	33,527.07 644.75 16.12	34,616.69 665.71 16.64	35,655.20 685.68 17.14	36,635.71 704.53 17.61	37,551.61 722.15 18.05	38,396.52 738.39 18.46	39,202.84 753.90 18.85
CORPORAL 9	ANNUAL WEEKLY HOURLY	30,957.52 595.34 14.88	32,273.21 620.64 15.52	33,564.14 645.46 16.14	34,822.80 669.67 16.74	36,041.60 693.11 17.33	37,212.95 715.63 17.89	38,329.34 737.10 18.43	39,383.39 757.37 18.93	40,367.98 776.31 19.41	41,276.26 793.77 19.84	42,143.06 810.44 20.26
SERGEANT 10	ANNUAL WEEKLY HOURLY	33,279.33 639.99 16.00	34,693.70 667.19 16.68	36,081.45 693.87 17.35	37,434.51 719.89 18.00	38,744.71 745.09 18.63	40,003.92 769.31 19.23	41,204.04 792.39 19.81	42,337.15 814.18 20.35	43,395.58 834.53 20.86	44,371.98 853.31 21.33	45,303.79 871.23 21.78
LIEUTENANT 12	ANNUAL WEEKLY HOURLY	38,458.43 739.59 18.49	40,092.91 771.02 19.28	41,696.63 801.86 20.05	43,260.25 831.93 20.80	44,774.36 861.05 21.53	46,229.53 889.03 22.23	47,616.41 915.70 22.89	48,925.87 940.88 23.52	50,149.01 964.40 24.11	51,277.36 986.10 24.65	52,354.19 1006.81 25.17

Introduced by: Mayor Sharp

1st Reading: 5/23/94
2nd Reading:
Effective:

ORDINANCE NO. 1994-18

Short Title: An Ordinance to Amend the Executive Pay Plan

AN ORDINANCE TO:

- (a) Change the Executive Pay Plan to provide for a 2.5% adjustment to the Pay Plan for FY 95.

BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT THIS ORDINANCE amends the Executive Pay Plan as adopted by Ordinance 1990-28; this ordinance is to be effective July 1, 1994:

SECTION 1. PAY SCALE PLAN

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

SECTION 2. IMPLEMENTATION OF PAY SCALE PLAN

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

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

(a) 1st Quartile - Hiring Bracket:

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

(b) 2nd Quartile - Performance Step:

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

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

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

(d) 4th Quartile - Superior Performance

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

SECTION 4. EXECUTIVE PAY SCALE

Executive 1:	1st Quartile = [34,749 - 38,659]	35,618 - 39,625
	2nd Quartile = [38,660 - 42,568]	39,526 - 43,632
	3rd Quartile = [42,569 - 46,478]	43,632 - 47,640
	4th Quartile = [46,479 - 50,387]	47,641 - 51,647
Executive 2:	1st Quartile = [37,356 - 41,558]	38,350 - 42,598
	2nd Quartile = [41,559 - 45,761]	42,599 - 46,905
	3rd Quartile = [45,762 - 49,963]	46,906 - 51,212
	4th Quartile = [49,964 - 54,166]	51,214 - 55,520
Executive 3:	1st Quartile = [40,158 - 44,676]	41,162 - 45,793
	2nd Quartile = [44,677 - 49,194]	45,794 - 50,424
	3rd Quartile = [49,195 - 53,712]	50,425 - 55,055
	4th Quartile = [53,713 - 58,230]	55,056 - 59,686
Executive 4:	1st Quartile = [43,170 - 48,027]	44,219 - 49,227
	2nd Quartile = [48,028 - 52,883]	49,228 - 54,205
	3rd Quartile = [52,884 - 57,740]	54,206 - 59,181
	4th Quartile = [57,741 - 62,596]	59,184 - 64,161

SECTION 5. COST OF LIVING ADJUSTMENTS

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

SECTION 6. DATE OF PAY INCREASES

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

Page Four
Executive Pay Plan Ordinance

Adopted this ____ day of _____ to take effect July 1, 1994.

AYE:

NAY:

ABSTAINED:

ABSENT:

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

Introduced by: Mayor Sharp
Drafted by : Juan Castillo

Single Reading: 05/23/94

ORDINANCE 1994-19

ORDINANCE TO PURCHASE A LOCAL AREA NETWORK (LAN) FOR THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, the City Council has allocated funds under capital improvements in this Fiscal Year 94 for the purchase of a Local Area Network (LAN) for Department of Housing and Community Development; AND

WHEREAS, in accordance with City procurement procedures a Request for Bids was publicly advertised; AND

WHEREAS, bids were publicly opened at 4:00 PM April 14, 1994 with eight (8) bids being received; AND

WHEREAS, the low bidder is considered to be responsive and responsible; AND

WHEREAS, based on allocated funds along with other departmental operating funds, sufficient funds exist for this project.

NOW THEREFORE, BE IT ORDAINED THAT the low bid received from MASS Inc. in the amount of THIRTEEN THOUSAND EIGHT HUNDRED SEVENTY EIGHT DOLLARS AND NINETY NINE CENTS (\$13,878.99) be accepted.

This ordinance becomes effective immediately upon adoption.

Adopted this 23rd day of May, 1994.

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

NAY: none

ABSTAINED: none

ABSENT: Chavez

Introduced by: Mayor Sharp
Drafted by : Juan Castillo

1st Reading: 05/23/94
2nd Reading:
Effective :

ORDINANCE 1994-20

ORDINANCE TO AMEND THE TAKOMA PARK CODE, CHAPTER 12, ARTICLE 3,
SEC. 12-22(a), MUNICIPAL INFRACTIONS; WARNINGS; OTHER REMEDIES.

WHEREAS, Section 12-22(a) of the Takoma Park Code currently allows for one (1) municipal infraction warning of (10) days for a violation of Sections 12-9, 12-12, 12-14, 12-15, 12-16, 12-17, and 12-18; AND,

WHEREAS, City staff finds that a warning period of three (3) days is sufficient time and is consistent with recent efforts to improve the overall city appearance.

NOW THEREFORE, BE IT ORDAINED THAT Section 12-22a of the Takoma City Code shall be amended to read as follows:

Sec. 12-22. Municipal infractions; warnings; other remedies.

(a) One (1) municipal infraction warning of [ten (10)] three (3) days shall be issued to the person responsible for violation of Sections 12-9, 12-12, 12-14, 12-15, 12-16, 12-17, and 12-18. No additional warnings shall be issued to the person responsible for subsequent violations of those previously violated sections declared to be municipal infractions for which a warning was received.

This ordinance becomes effective immediately upon adoption.

Adopted this _____ day of _____, 1994.

AYE:

NAY:

ABSTAINED:

ABSENT:

Deletions are [bracketed]; additions are underlined.