

SPECIAL SESSION, WORKSESSION AND EXECUTIVE SESSION  
OF THE CITY COUNCIL

Monday, April 3, 1995

**OFFICIALS PRESENT:**

Mayor Sharp	City Administrator Habada
Councilmember Chavez	City Clerk Sartoph
Councilmember Davenport	Code Enforcement Officer George
Councilmember Elrich	
Councilmember Porter	
Councilmember Rubin	
Councilmember Williams	

The Council convened at 7:35 p.m. on Monday, April 3, 1995, in the Upstairs Meeting Room at the Municipal Building, 7500 Maple Avenue. The Council voted unanimously to convene in Executive Session until approximately 8:30 p.m.

**Executive Session 4/3/95 - Moved by Mr. Rubin; seconded by Mr. Williams.** Council convened in Executive Session by unanimous vote at 7:35 p.m., in the Conference Room.

**#1: OFFICIALS PRESENT:** Sharp, Chavez, Porter, Rubin, Williams. **OFFICIALS ABSENT:** Davenport, Elrich. **STAFF PRESENT:** Habada, Grimmer, Hobbs, Sartoph, Phillips. Staff updated Council on the status of Union negotiations with Local 400; no action taken. **Topic:** Union Negotiations (Local 400) (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(9)).

**#2: OFFICIALS PRESENT:** Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams, Habada, Grimmer, Hobbs, Sartoph, Andelman, Silber. Corporation Counsel advised Council on matters related to annexation; Council reached a consensus to proceed with redistricting of Ward boundaries contingent on annexation. **Topic:** Annexation - Redistricting (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(7)).

The Council adjourned from Executive Session and reconvened in Special Session at 8:57 p.m.

The following remarks were made:

**SPECIAL SESSION**

**#1 Resolution re: S.S. Carroll Traffic Management Report.** Moved by Mr. Williams; seconded by Ms. Porter.

Mr. Williams explained some of the findings and recommendations the S.S. Carroll Traffic Management Report. He commented on the proposal to restrict the flow of traffic around Manor Circle.

Mr. Sharp commented that the Council has already accepted the traffic report, and that the resolution before Council this evening addresses adoption of the technical memorandum concerning traffic restrictions on Manor Circle.

Mr. Williams asked what will be done after the six month trial period and evaluation, to continue to address traffic problems in the area.

Ms. George explained that an after-study will be conducted, and outlined some of the things that will be studied at that time.

The resolution was adopted unanimously (ABSENT: Rubin).

RESOLUTION #1995-20  
(Attached)

**WORKSESSION**

The Council moved into Worksession, and later adjourned for the evening at 10:06 p.m.

Introduced By: Councilmember Williams

RESOLUTION NO. 1995 - 20

Resolution Adopting the Takoma Park Manor Circle Technical Memorandum which proposes to restrict Manor Circle to only exiting Traffic at Ethan Allen Avenue as a temporary test measure.

WHEREAS, in 1994, the S. S. Carroll Citizens' Association requested that the City of Takoma Park arrange for a traffic study for their neighborhood; AND

WHEREAS, the Graduate students of the University of Maryland volunteered their services to coordinate a traffic volume study with the cooperation of S.S. Carroll Citizens' Association in the spring of 1994;

WHEREAS, the Graduate students of the University of Maryland reviewed the collected data and submitted a Traffic Management report to the City; AND

WHEREAS, the City's Traffic Consultant reviewed the Traffic Management report, performed field reviews, and refined the students' recommendations; AND

WHEREAS, the City's Traffic Consultant met several times with the members of S.S. Carroll Citizen's Association to identify problems, discuss alternate solutions and create the Takoma Park Manor Circle Technical Memorandum; AND

WHEREAS, the S.S. Carroll Citizen's Association has endorsed the resulting Takoma Park Manor Circle Technical Memorandum recommended proposal by the City's Traffic Consultant; AND

WHEREAS, the City has provided public notice and the Council has taken public comment on this matter;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND, THAT, the City Council hereby Adopts the Takoma Park Manor Circle Technical Memorandum.

BE IT FURTHER RESOLVED THAT the Council commends the S.S. Carroll Citizen's Association for its exemplary contributions to the preparation of the Technical Memorandum.

BE IT FURTHER RESOLVED THAT the City Administrator or her designee is hereby directed to prepare an implementation schedule for the Technical Memorandum's recommendation.

ADOPTED THIS 3RD DAY OF APRIL, 1995.

PUBLIC HEARING AND REGULAR MEETING  
OF THE CITY COUNCIL

Monday, April 10, 1995

---

Executive Session 4/3/95 - Moved by Mr. Rubin; seconded by Mr. Williams. Council convened in Executive Session by unanimous vote at 7:35 p.m., in the Conference Room.

#1: OFFICIALS PRESENT: Sharp, Chavez, Porter, Rubin, Williams. OFFICIALS ABSENT: Davenport, Elrich. STAFF PRESENT: Habada, Grimmer, Hobbs, Sartoph, Phillips. Staff updated Council on the status of Union negotiations with Local 400; no action taken. Topic: Union Negotiations (Local 400) (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(9)).

#2: OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams, Habada, Grimmer, Hobbs, Sartoph, Andelman, Silber. Corporation Counsel advised Council on matters related to annexation; Council reached a consensus to proceed with redistricting of Ward boundaries contingent on annexation. Topic: Annexation - Redistricting (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(7)).

---

**OFFICIALS PRESENT:**

Mayor Sharp	City Administrator Habada
Councilmember Chavez	City Clerk Sartoph
Councilmember Davenport	Asst. Director for Special Projects Ludlow
Councilmember Elrich	Corporation Counsel Silber
Councilmember Porter	
Councilmember Rubin	
Councilmember Williams	

The Council convened at 7:38 p.m. on Monday, April 10, 1995, in the Council Chamber at the Municipal Building, 7500 Maple Avenue.

**PRESENTATION**

Mayoral Proclamation re: 75th Anniversary of Boy Scout Troop 33. Mr. Sharp read the proclamation for the record, in honor of the 75th Anniversary of Boy Scout Troop 33. The Scouts led the Council in the Pledge of Allegiance.

MAYORAL PROCLAMATION #1995-4

(Attached)

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

**COUNCIL COMMENTS**

Mr. Rubin commented on his youth involvement in the Scouts, and the value of the experiences he gained while participating in the Scouts. He congratulated the young man in Troop 33 who was recognized as having achieved his Eagle Scout designation.

The Scouts presented the Council with copies of their anniversary publication of "Scouting Toward the 21st Century."

Mr. Sharp thanked the Scouts for the booklets and for their participation this evening in the Council meeting.

Mr. Sharp commented on the events of Saturday in commemoration of Arbor Day. He noted that Montgomery County has deleted an arborist from their personnel roster.

Mr. Chavez encouraged persons to attend the Council meetings on Monday evenings and to become more involved in the discussions about City affairs. He commented on the importance of citizen input during the budget discussions, in particular.

Ms. Porter offered to attend neighborhood association meetings, upon request, to discuss budget matters, and noted that other Councilmembers would be willing to do the same.

#### **CITIZEN COMMENTS**

Paul D'Eustachio, 19 Pine Avenue commented on the article published in the most recent Newsletter regarding a proposal to discontinue the mailing of the Council agenda. He said that the mailing is an important City service, that he would hate to see disappear. He remarked that he does not see how this service costs \$5,000, but recommended that the City consider offering subscriptions to the agenda mailing before discontinuing the service altogether. He urged the Council to consider maintaining an agenda mailing list.

Mr. Sharp remarked that several citizens of Ward 3 have access to Internet. He recalled the Council's last discussion of this matter and the direction given to the City Clerk to "clean" the list and investigate additional ways of making the agenda available to the public. The agenda mailing is not to be discontinued at this point in time.

#### **PUBLIC HEARING**

#1 Speed Humps - Baltimore Avenue (7300 Block). Opportunity for citizens to comment on a petition for installation of speed humps at 7307 and 7320 Baltimore Avenue.

Bill Sanburg, 7307 Baltimore Avenue commented that there are approximately 12-15 children under the age of 12 years who play in the neighborhood. He remarked about the traffic volume and speeding motorists on the street. Mr. Sanburg said that the situation is dangerous.

Stanley Reed, 7327 Baltimore Avenue said that he lives at the bottom of the hill, and amplified that there are probably more children under 13 years of age, than noted by Mr. Sanburg, who play in the triangle at the bottom of the hill. The traffic along the street has been exacerbated since the beginning of construction along Piney Branch Avenue. He said that the speed humps would add an additional dimension of comfort.

Mark Ginsburg, 73.. Baltimore Avenue remarked about the support for the speed hump.

Julie Boddy, 7314 Baltimore Avenue stated that she and some of her neighbors do not favor the speed humps. She said that the speeding of vehicles does need to be monitored, and suggested that there be a sign erected--Slow Children. Ms. Boddy said that she would like to see her tax dollars used in more cost effective endeavors.

Mr. Sharp closed the public hearing at 8:58 p.m.

#### **REGULAR MEETING**

#2 1st Reading Ordinance re: Baltimore Avenue Speed Humps. Moved by Mr. Rubin; seconded by Mr. Chavez.

Mr. Rubin said that the petitions that were circulated on the street were signed by a number of persons that well exceeds the minimum requirement of compliance for a petition to be considered. He added that once Piney Branch

Avenue road improvements are completed, it is anticipated that the traffic along Baltimore Avenue will be increased because Piney Branch will be narrowed. Mr. Rubin said that essentially, there are no intersecting streets that will be adversely affected by speed humps on this street.

Ms. Porter asked if this petition pre-dates the revisions to the Speed Hump Guidelines.

Mr. Rubin responded in the affirmative.

Mr. Williams asked if there are any other speed humps on the street.

Mr. Ginsberg said that there are two.

The ordinance was accepted unanimously at first reading (ABSENT: Elrich).

ORDINANCE #1995-6  
(Attached)

#3 1st Reading Ordinance re: Prohibited Dumping. Mr. Sharp commented on Corporation Counsel's memorandum that was included in the Council packages regarding the question about draining pool water into the storm drain system.

Moved by Mr. Williams; seconded by Mr. Davenport.

The ordinance was accepted unanimously, at first reading (ABSENT: Elrich).

ORDINANCE #1995-7  
(Attached)

#4 Single Reading Ordinance re: Street Sweeping Services. Mr. Sharp said that the Council has three options before them regarding the nature of the contract. He suggested a discussion of the options before considering the ordinance.

Ms. Porter said that the first option is essentially the same option that was originally before the Council and discussed in Worksession. The second and third options appear to trade off sweeps on commercial streets for more residential street sweeps.

Mr. Williams asked if there is another alternative with a more "middle ground" for frequency of residential sweeps, and asked whether this would be another question for which the Council would need an answer before deciding on the terms of the contract.

Ms. Habada responded in the affirmative.

Mr. Davenport questioned how the numbers would look for option #3 if the sweeping of residential areas could be done every other month.

Mr. Williams said that neighborhood posting for residents to move their vehicles, monthly, might be difficult.

Mr. Sharp asked what frequency other jurisdictions use for sweepings.

Ms. Habada said that she does not have this information.

Ms. Porter suggested that sweeping residential streets every other month might be less expensive.

Mr. Sharp proposed that the residential sweeping be done every three months, with a strong effort to notify residents to move their vehicles to enable good sweeping.

Mr. Williams said that to sweep in October would seem to be a "wash", since that is the beginning of leaf collection. The October sweep would not seem to be worth very much since the leaf collection will accomplish part of the same objective. He agreed with Mr. Sharp's proposal that the residential

sweepings be done every three months, and proposed March, June and September.

Ms. Habada said that the City can negotiate a contract where residential sweeps are every three months, and commercial sweeps are every other week (26 weeks/year). Staff will redraft the ordinance for Council's consideration on April 24th.

#5 1st Reading Ordinance re: FY95 Budget Amendment. Moved by Mr. Rubin; seconded by Mr. Williams.

Ms. Porter asked if the money for Colby Park funds all of the work that needs to be done in the park.

Ms. Habada replied in the affirmative.

The ordinance was accepted unanimously, at first reading (ABSENT: Elrich).

ORDINANCE #1995-8  
(Attached)

#6 Resolution re: Annexation. Mr. Sharp summarized the resolution. Moved by Mr. Chavez; seconded by Ms. Porter.

Mr. Williams noted that the numbers reflecting the percentage of owners of assessed property from Area #2 who have signed the petition appear to be wrong.

Ms. Sartoph noted the error in transposing the numbers from Area #1 to Area #2 in the calculation.

Councilmembers asked whether other petitions are anticipated.

Ms. Sartoph responded that she has not received any indication that there are additional petitions coming in.

Mr. Rubin said that he would feel more comfortable if the percentages were higher, but that the percentages indicate the need to hold the public hearings.

Ms. Porter stated that it is difficult to gauge the percentage of registered voters signing petitions, since voter lists include names of persons who have moved or who may be deceased.

Mr. Sharp pointed out that one question that remains is what percentage of persons would be voting in a potential referendum election.

Gregory Hamilton, Maple Avenue cautioned the Council to base the public hearing on the minimum--signatures of 25% of registered voters **and** 25% of persons owning assessed--as required by Maryland State Law. He said that the City should now proceed with the process and advertise the public hearing. Mr. Hamilton suggested that the Council not put the City Clerk in the position of making assumptions about "true" percentages of registered voters who have signed the petitions by taking into account persons who have moved or who are deceased but still listed on voter lists.

Paul D'Eustachio commented on the complexity of the matter, and said that the numbers in the cost-benefit analysis are changing by the minute. He said that in looking at the numbers, the revenues are probably maximized and the expenditures are probably minimized. He stated that the surprises will be the future of a commercial property, for example. Mr. D'Eustachio remarked that it is difficult to get a handle on the expenditures, and encouraged the Council to pay close attention to this. He noted problems with storm water management in the Circle Woods area, adding that the area is a potential "money pit". He commented that he thinks the City is looking at drawing on substantial resources (e.g. Police, Public Works, Housing & Community Development). The commercial areas will have a draw, but may also be a long-term investment. He anticipated an impact on school enrollment, saying that clearly the schools in the City do not have the capacity to handle the

current population of Takoma Park children.

Mr. D'Eustashio said that the intent of his comments are to raise some "red flags", but that he supports the acceptance of the resolutions this evening as the beginning of the process. He suggested that the area be broken into four areas (Hampshire Knolls, Circle Woods and Gude Drive, lower Westmoreland Avenue, and Pine Crest), each area having certain pros and cons. He urged substantial caution, and remarked that he will be looking at the information and coming back to the Council at a later time.

Ms. Porter stated for clarification that the resolution being considered at this time, is simply a resolution that sets forth the procedures in accordance with Maryland State law.

Mr. Sharp asked if the Council goes forward with the two annexation resolutions tonight, can the Council later change the description of the areas before second reading.

Ms. Porter commented that she would assume the Council would have the ability to amend the resolutions before final adoption.

Mr. Elrich remarked that since the Council could have initiated this entire process by seeking the signatures of the residents in the subject areas for annexation, the Council should, therefore, have the ability to amend the resolutions prior to adoption.

Ms. Habada said that this is a question that should be addressed by legal Counsel. The question is whether the resolution can be amended, or would an amendment cause the annexation resolution process to start over again.

Mr. Rubin stated that it would seem to him that as long as the public hearing addresses all of the areas that have submitted petitions, the resolutions could be amended to define more specific, smaller areas.

Mr. Sharp said that the Council has already made some decisions prior to the public hearing (i.e. the two areas that have been defined). It may be the case that the Council should further apportion the areas before moving forward with the resolutions. He stated that it is hard to know the outcome of the vote prior to final enactment.

Ms. Habada suggested that the Council seek legal Counsel advice before acting on any assumptions about whether the resolutions can be amended after acceptance at first reading.

Mr. Sharp said that one of the possible consequences of annexation may be the need to redistrict the City's Ward boundaries. The Council is seeking persons to serve on an elections task force to redraw the boundaries.

Ms. Porter commented that the revenue figures are not solidified as of yet, and that we are not as far along as credited us by Mr. D'Eustachio.

Ms. Habada explained the memorandum regarding cost estimates for storm water improvements in the annexation areas. She noted that the storm water estimates are not broken down by areas.

(Corporation Counsel Silber arrived.)

Ms. Porter asked if all of the storm water related work would have to be done in the first year.

Ms. Habada commented on the necessary work.

Mr. Sharp remarked about the estimated income tax (\$42,000) and said that there have been some estimates as high as \$60,000, referring to Ms. Porter's calculations.

Ms. Porter said that she has a concern about the street repair number, and that she believes the streets in the area would need to be ranked along with streets currently in the City, to determine the order of repair. There are City streets already in line for repair.



Ms. Ludlow said that the majority of this estimate is based on the repairs needed on Circle Avenue. Traffic control devices have been deleted from the second year analysis under the assumption that any such devices would be in conjunction with neighborhood traffic control studies.

Ms. Porter remarked that this would make the numbers lower, since it takes time for the residents of any area to organize, conduct a study, and have the Council adopt the plan.

Mr. Sharp noted that the County has done a study of the area.

Ms. Ludlow acknowledged the Prince George's County study, and responded that the City would most likely use a lot of the information from the study.

Mr. Sharp said that the numbers do not take into account inflation or salary increases (expenditures), or the probability that the value of the property will go up (revenues).

Mr. Williams noted the estimate for replacement of street signs, and asked how the street signs in the area are different from those in Takoma Park.

Mr. Sharp commented that the signs should be replaced as necessary, and therefore, not calculated as a cost.

Ms. Porter asked if these are the final numbers.

Ms. Habada said that we are still trying to gain access to old storm water maps, but that the numbers are essentially complete.

Mr. Williams asked about how the Prince George's County water emergency affects the Prince George's side of the City.

Ms. Habada said that she was told today that the emergency affects all residences on the Prince George's County side of the City.

Ms. Porter remarked that it does not make sense to her that the emergency would not also affect persons on the Montgomery County side of the City.

Mr. Rubin said that he received information that the emergency does, in fact, affect the entire City.

Mr. Sharp suggested that a discussion that may be needed in the future, is getting the municipalities on board to assist in times of crises (e.g. water emergencies).

Mr. Sharp asked Ms. Silber to address the question about whether the Council can amend the geographic boundaries of the areas being considered for annexation as late as the public hearing and final adoption of the annexation resolutions. He asked if an amendment after first reading would cause the Council to have to go back to the beginning of the process to also amend the public notification and Outlines for Extension of Services. He questioned what is the Council's ability to make adjustments as time goes on.

Ms. Silber said she does not have definitive advice. She commented on a case where a surveyor did not survey an area accurately and the City was required to go back and re-advertise the annexation resolution. Given that case, the conservative advice would be to go forward with the exact resolutions at first reading. She suggested that the first readings be postponed until next week so that the resolutions can be rewritten if the desire of the Council is to amend the resolutions before Council this evening. If the areas are redefined, appropriate surveys will need to be conducted and appended to the corresponding annexation resolutions.

Mr. Sharp commented that he can make an argument for and against the need to postpone the first reading of the annexation resolutions, based on the case described by Ms. Silber.

Ms. Porter said that as long as the resolutions cover the larger area, any smaller area that the Council later decides on would have previously been covered by the larger area.



Ms. Silber said that the notion of "all inclusive" from the start, is something that she would need to research.

Ms. Porter asked if the resolution could be written with subsections that could later be amended.

Ms. Silber stated that the Council cannot go ahead without the exact survey descriptions.

Mr. Rubin asked if the resolution could be written to include a Whereas clause to the effect that the "Council will consider all or parts of the areas to be annexed."

Ms. Silber said that the resolutions need to be exact.

Ms. Porter suggested that the legal notice of the public hearing contain the language "some or all" of the area will be discussed for possible annexation.

Ms. Silber objected. She commented that she is not sure about the legality of the all inclusive approach and whether it would enable the Council to later delete portions of the area from the annexation.

Mr. Sharp called attention to the attachments to Item #8 (survey maps), and asked if part of the survey information, that is needed to further reduce the size of the areas being considered, is already available.

Ms. Habada commented on the maps.

Ms. Porter asked if these are the maps provided by the land office.

Ms. Habada confirmed.

Mr. Williams said that the conservative approach would be to obtain metes and bounds for all areas being considered.

Ms. Habada noted that the current resolutions are based on distinct boundaries (New Hampshire Avenue, Eastern Avenue and the City boundary). Any further division will require more time and expense to survey the smaller areas.

Mr. Williams proposed that Area #2 be divided to set-out the Westmoreland area, as a separate Area (#3).

Ms. Habada suggested that any annexation should include the adjacent commercial areas.

Ms. Porter proposed that Area #1 not be divided.

Mr. D'Eustachio supported Ms. Porter's approach. He said that in regards to Area #2, the all or nothing approach scares him. He acknowledged Ms. Habada's recommendation to take as much commercial area as possible, but said that this raises a lot of potential headaches and poses problems. He stated that if he were made to vote all or nothing on the Area #2, he would have to vote "nothing". On the other hand, if he were asked about Westmoreland Avenue, he would favor annexing lower Westmoreland Avenue into the City. He recognized the additional costs of more surveys to break-apart the proposed area, but urged the division, nonetheless.

Mr. Williams asked for a consensus to make the Westmoreland Avenue segment a separate area.

Mr. Sharp said that he would support breaking-out the Westmoreland Avenue area, with the understanding that this action in no way indicates that he has made a decision on the other areas seeking annexation.

Mr. Rubin proposed that the additional engineering (surveys) and legal work needs to be done.

Ms. Silber reminded the Council that the further segmenting the area will require the petition verifications to be re-worked based on the boundaries of

the new areas.

Ms. Porter said that by pulling out pieces from the larger area, the percentages may go down and hence, prohibit some areas from meeting the minimum requirements.

Ms. Porter asked if the Gude Addition and Pine Crest areas could be divided.

Mr. Elrich supported the proposal to separate out the Westmoreland Area, the only area he currently favors for annexation. He said that he is not in favor of adding large populations to the City at this point. Mr. Elrich reminded the Council of his concern about overcrowding in schools.

Mr. Sharp clarified that the proposal has been made to break-out the houses on Westmoreland Avenue as a definitive option.

In the absence of further Council remarks, Mr. Sharp asked if there are any objections to tabling the resolution until next week.

Council and staff discussed the time line considerations.

Mr. Rubin questioned whether the resolution could be amended to encompass three annexation resolutions and still be adopted this evening.

Ms. Silber said that this resolution should include, as attachments, a map outlining the distinct areas covered by each annexation resolution and the annexation resolutions, themselves.

The Council reached a consensus to table the resolution and the two annexation resolutions until next week.

Mr. Sharp said that the discussion now is how Council wishes to direct staff to proceed with the surveys.

Mr. D'Eustachio suggested that at the very least, the houses along Westmoreland Avenue and the one on Second Avenue should be included together, as one area. As an argument against including the houses along Eastern Avenue that backup to the ones on Westmoreland Avenue, he said it would be necessary to drive outside the State of Maryland to provide services to the homes along Eastern Avenue.

Mr. Williams said that he does not have a strong opinion about the houses along Eastern Avenue, and that he supports the Westmoreland Avenue houses being a separate area. He commented on the petition circulated by the residents on Westmoreland Avenue.

Mr. Davenport asked that if the boundary of the smaller area being discussed were carried over to Eastern Avenue, then would the boundary be drawn at the District line.

Mr. Sharp responded in the affirmative.

The Council reached a consensus to break-out the Westmoreland Avenue area, to include the home on Second Avenue as a separate annexation area.

Mr. Sharp said that he does not view this break-out as a decision about anything, but that he does have a strong inclination about Westmoreland Avenue area because the City is probably already providing services to these homes.

Mr. Sharp said that the public hearing will be held on Tuesday, May 30th, and that there will also be a public forum scheduled for May 8th. He noted Ms. Sartoph's concern about holding a public hearing prior to the State required public hearing, since there will not be time to provide adequate legal notice. Ms. Sartoph wants to ensure that the County governing bodies, and regional and State Planning Agencies do not mistake an early public hearing for the legally required one to be held on May 30th. Mr. Sharp stated, however, that he wants there to be another opportunity for citizens to comment on the proposed annexations, other than the May 30th public hearing.

Ms. Porter asked about the intent of next week's discussion of these resolutions.

Mr. Sharp said that the resolutions will be presented for acceptance at first reading next week.

Ms. Porter questioned the necessity for Council to formally vote to accept the resolutions next week, noting that in a sense, an acceptance vote would indicate that the Council approves the annexation requests.

Gary Pendleton, Gude Avenue asked that the Council consider further breaking down Area #2 to make Circle Woods a separate area.

Mr. Sharp asked for any further proposals to break-down Area #2.

Ms. Porter proposed, for the purpose of opening the discussion, that Gude, Poplar, Circle, and portions of Fourth and Cockerille (Circle Woods Association) be broken-out of the larger Area #2.

Mr. Pendleton (President of Circle Woods Neighborhood Association) said that he would suggest breaking-out only Gude Avenue, but that if the annexation of Gude Avenue alone were enacted, the only access to Gude would be gained from going outside of the City.

Ms. Porter recalled that one of the arguments for considering annexation was to create more defensible boundaries, but that there was also the argument to bring in entire community associations.

Mr. Sharp adjourned the regular meeting at 9:58 p.m. to continue the discussion of the areas for proposed annexation, and moved directly into Worksession, without objection from the Council.

#### **WORKSESSION**

The Council continued the discussion of the areas requesting annexation in Worksession, and later adjourned for the evening at 10:34 p.m.

**MAYORAL PROCLAMATION #1995 - 4  
IN HONOR OF THE SEVENTY-FIFTH  
ANNIVERSARY OF BOY SCOUT TROOP 33**

WHEREAS, *Boy Scout Troop 33 is celebrating the seventy-fifth anniversary of its Charter of June, 1920; AND*

WHEREAS, *Troop 33 has faithfully served the greater Takoma Park community over the years through such projects as the periodic cleanup of parks and stream valleys within the City, delivery of the City Newsletter, the assisting of elderly residents with leaf raking, and other service projects; AND*

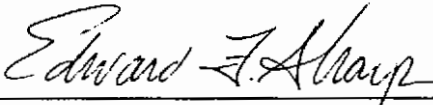
WHEREAS, *Troop 33, during its seventy-five years, continuously has been sponsored by the Takoma Park Presbyterian Church; AND*

WHEREAS, *Troop 33 has fostered the scouting virtues of moral rectitude, mental awareness, physical fitness, service to others, and environmental consciousness in three generations of Takoma Park youth; AND*

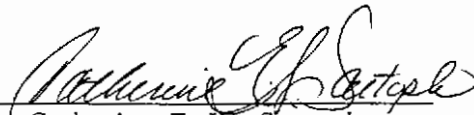
WHEREAS, *in commemoration of the late Don Patti, who served the Takoma Park community as its beloved Scoutmaster for twenty-two years, and all of the concerned citizens who have contributed to Troop 33 during the past seventy-five years, the City of Takoma Park recognizes the indispensable contributions made by the adult leaders of Troop 33.*

**NOW, THEREFORE, I, EDWARD F. SHARP, MAYOR OF THE CITY OF TAKOMA PARK, MARYLAND, on behalf of the Citizens, Council, and Staff of the City of Takoma Park, do hereby extend our appreciation of and gratitude for the innumerable, positive contributions of Troop 33 to the Community, and do hereby extend congratulations and sincere best wishes to Troop 33 on the occasion of the observance of the seventy-fifth anniversary of its first Charter.**

*Dated this 10th day of April, 1995.*

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

ATTEST:

  
\_\_\_\_\_  
Catherine E. W. Sartoph  
City Clerk

Introduced By: Councilmember Rubin

1st Reading: 4/10/95  
2nd Reading:  
Effective:

ORDINANCE #1995 - 6

INSTALLATION OF SPEED HUMP

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

SECTION 1. THAT Ordinance No. 2676, adopted June 27, 1983, be amended by the addition of a new subsection to Section 1, as set forth below:

That speed hump installations, as defined in Sec. 13-2(a)(14.2) of the Code of Takoma Park, Maryland, 1972, as amended, be effected at the following locations:

- (a) Baltimore Avenue (7300 block of Baltimore Avenue), one (1) speed hump to be placed approximately 180 feet from the stop sign at Takoma Avenue, and one (1) speed hump to be placed approximately 180 feet from the stop sign at Albany Avenue; exact locations shall be at the discretion of the City Administrator.

SECTION 2. THAT this Ordinance becomes effective upon adoption.

Adopted by the Council of the City of Takoma Park, Maryland, this \_\_\_\_\_ day of \_\_\_\_\_, 1995, by roll call vote as follows:

AYE:  
NAY:  
ABSTAINED:  
ABSENT:

Introduced by:  
Councilmember Williams

First Reading: 4/10/95  
Second Reading:

Effective Date:

ORDINANCE NO. 1995 - 7

(Prohibiting the Discharge of Pollutants into  
Storm Drainage System)

WHEREAS, the City of Takoma Park has responsibility for stormwater management in the City; and

WHEREAS, the discharge of pollutants such as motor oil into storm drains in the City may cause contamination and pollution that will render the surface and ground waters of the state, which include the storm drainage system, harmful or detrimental to public health, safety, and welfare.

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

SECTION ONE. Chapter 10, Article 4, Prohibited Disposal Methods, of the Takoma Park Code is amended to repeal the current Section 10-26, Drainage of offensive matter, and to replace it with the following:

Sec. 10-26. Discharge of pollutants into storm drain system prohibited.

(a) No person shall discharge any pollutant or toxic substance into any storm drain, public sewer or drainage system in the City of Takoma Park.

(1) Pollutant means any liquid, gaseous, solid, radioactive, hazardous, or other substance which, when discharged directly or indirectly into the waters of the state in the City in a manner other than as authorized by applicable permits,

regulations, or manufacturer's instructions, has the potential to or does cause contamination or other alteration of the physical, chemical, or biological properties of any waters of the state in the City or harm to human life, aquatic life, or terrestrial plant and wildlife.

(A) Pollutant includes but is not limited to motor oil, gasoline, kerosene, antifreeze, brake fluid, insecticide, herbicide, pesticide, chemical waste, and toxic substance.

(B) Waters of the state include both surface waters and ground waters within the boundaries of the State of Maryland and subject to its jurisdiction, including storm drain systems and public drainage systems, other than sanitary sewer systems.

(2) Discharge means directly or indirectly adding, introducing, leaking, spilling, or emitting any pollutant in a storm drain, public sewer, or drainage system or any other location, including natural and man-made land surfaces, subsurfaces, or other surfaces connected to these surfaces, where it is likely to reach waters of the state in the City.

(b) A violation of this section shall be a Class AA offense.

(c) This section is intended to supplement and not to contradict, supersede, or prevent the enforcement of any applicable provisions of the law and regulations of the county, state, and federal government.



SECTION TWO. This Ordinance shall be effective immediately.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1995, by roll  
call vote as follows:

AYE:  
NAY:  
ABSTAIN:  
ABSENT:

f:\wpdocs\takoma\hazmat\pollut.ord

Introduced By: Councilmember Rubin

First Reading: April 10, 1995  
Second Reading:

ORDINANCE #1995-8  
FY 95 BUDGET AMENDMENT NO. 2

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

SECTION 1. that the Fiscal Year 1995 Budget be amended as  
follows:

General Fund

- a. Appropriate \$20,500 from Capital Budget, Account 9100.8000, to Special Revenue Transfer, Account #9200.8100, for Jequie Park and Colby Park.
- b. Transfer \$15,000 from Account 9000-8200, Unappropriated Funds, to Account 9000-7010, General Contingency, to cover costs of Annexation expenses.
- c. Transfer \$25,000 from Account 9000-8200, Unappropriated Funds, to Account 9000-8001, Capital Expenditures, for costs of additional street work (Chestnut, Maple).
- d. Transfer \$4,700 from Account 9000-8200, Unappropriated Funds, to Account 1120-7035, Newsletter, for additional funding for City newsletter mailing.
- e. Appropriate \$8,867 to Revenue account number 3311, to account for receipt of State grant for installation of emergency call boxes.
- f. Increase appropriation of Capital expenditures, Account number 9100-8000, by \$8,867.
- g. Transfer \$40,000 from Equipment Replacement Reserve to General Fund, for Finance/Admin. computer replacement. Increase Account 9100-8000 by \$40,000.
- h. Transfer \$7,084 from Account 9000-8200, Unappropriated Funds, to Special Revenue Transfer, Account 9200-8100 for City match to COPS grant.
- i. Appropriate \$20,000 to Revenue Account 3305 and Account 9000-8001 for receipt of State Tree Grant.

**Special Revenue Fund - Revenue Amendments**

- a. Appropriate \$18,000 to General Fund Transfer, Account #0010.3385, for Jequie Park.
- b. Appropriate \$2,500 to General Fund Transfer, Account #0010.3385, for Colby Park.
- c. Create a revenue account in the amount of \$54,000 for Jequie Park: Account 0010.3833.
- d. Create a revenue account in the amount of \$7,500 in Program Open Space funds for Colby Park: Account 0010.3831.
- e. Create a revenue account, 0010-3382, with an appropriation of \$21,251, to account for receipt of Federal Crime bill Community Policing grant for final quarter of FY 95.
- f. Appropriate \$7,084 to General Fund Transfer, Account 0010-3385, for COPS grant match.

**Special Revenue Fund - Expenditure Amendments**

- a. Create an expenditure account in the amount of \$72,000 for Jequie Park: Account 0010.7191.
- b. Create an expenditure account in the amount of \$10,000 in Program Open Space funds for Colby Park: Account 0010.7192.
- c. Create an expenditure account 0010-7240, with an appropriation of \$28,335, for Federal Crime bill Community policing grant expenditures for the final quarter of FY 95.

**Stormwater Management Fund - Revenue Amendments**

- a. A revenue account, 3000-3388, EPA Grant, is created with an appropriation of \$15,532, to account for partial receipt of EPA storm water utilities grant during FY 95.

**Stormwater Management Fund - Expenditure Amendments**

- a. Transfer \$12,000 from Account 6145, Subcontract Work, to Account 3000-4010, Salaries.
- b. An expenditure account, 3000-5100, Office Supplies, is created with an appropriation of \$6,000.

Page Three  
O-95BA2

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

AYE:  
NAY:  
ABSTAIN:  
ABSENT:

WORKSESSION AND SPECIAL SESSION  
OF THE CITY COUNCIL

Monday, April 17, 1995

**OFFICIALS PRESENT:**

Mayor Sharp	City Administrator Habada
Councilmember Chavez	Asst. City Administrator Hobbs
Councilmember Porter	City Clerk Sartoph
Councilmember Rubin	Corporation Counsel Silber
Councilmember Williams	Asst. Dir. Special Projects Ludlow

**OFFICIALS ABSENT:**

Councilmember Davenport  
Councilmember Elrich

The Council convened at 7:34 p.m. on Monday, April 17, 1995, in the Upstairs Meeting Room at the Municipal Building, 7500 Maple Avenue.

The following remarks were made:

**COUNCIL COMMENTS**

Ms. Porter commented on the tragic house fire the previous Wednesday morning that took the lives of Mr. and Mrs. Rivera, who had lived in the community for over 30 years. She noted that the Longbranch-Sligo Neighborhood Association has scheduled a community meeting for Wednesday, April 19th at 8:00 p.m. in the Council Chamber. This is an opportunity for citizens to meet with City officials, and representatives from the Montgomery County and Prince George's County Fire and Rescue Services.

She asked that the Council and audience observe a moment of silence in memory of Mr. and Mrs. Rivera.

**WORKSESSION**

#1 Nuclear-Free Zone Waiver. Mr. Sharp summarized the staff memorandum, explaining that for the second time, the bid opening for the Lighting Upgrade project was held and no bids were submitted.

Ms. Habada said that Public Works staff will consider the option of the City purchasing the materials and having the vendors bid on the installation portion of the project. Staff has requested that the waiver hearing be delayed until the project can be re-bid.

Mr. Rubin questioned the time period that elapsed between the first two project bid openings.

Ms. Habada responded that there were approximately six weeks between the bid openings.

Mr. Sharp asked whether the project proposal could be put out for bid with two options: (1) the entire project, as previously described, and (2) installation of materials only, as described by Ms. Habada.

Ms. Habada replied in the affirmative.

**SPECIAL SESSION**

Moved by Mr. Williams; seconded by Mr. Rubin. The Council moved into Special Session at 7:39 p.m.

#2 Resolution re: Annexation. The resolution provides for a public hearing, publications, outlines for extension of services, and public notice to the County governing body, and regional and State planning agencies, in connection with the proposed annexation of three areas of land located in Prince George's County, contiguous and adjoining to the existing corporate area of the City of Takoma Park.

Mr. Sharp explained that the resolution was tabled on April 10th. He noted that the original resolution only made reference to two annexation resolutions (Area #1 and Area #2), but that as decided by the Council last week, Westmoreland Avenue and 6502 Second Avenue have been broken-out of the larger Area #2 and designated as a separate Area #3. The resolution before Council this evening, therefore, makes reference to three annexation resolutions. He moved that the resolution, as amended, be put back on the table for discussion.

Ms. Porter noted that the dates for the public hearing, legal notices and outlines for extension of services have also been amended.

Mr. Williams said that he has been convinced over the weekend to favor the proposed annexations. He commented on the need to focus on the long-term benefits of annexation, said that the community response has been favorable, and asked for staff to comment on the school considerations.

Assistant Director for Special Projects Ludlow remarked about her meeting with Deanna Newman, Acting Director of the Department of Education Facilities Planning and Capital Programming for the Montgomery County Public Schools. According to Ms. Newman, the Montgomery County schools will be able to accommodate the increased numbers of middle and high school students resulting from pending annexation and unification. Ms. Newman stated that Montgomery County is working with Prince George's County regarding a future facility for the Takoma Park elementary school students.

Mr. Williams asked if the additional numbers of elementary school students resulting from annexation, would hinder the negotiations regarding a school facility.

Ms. Ludlow responded that Ms. Newman did not indicate that this was a concern. Ms. Ludlow added that the elementary-aged students in the areas proposed for annexation, combined with those currently in the City, together constitute an entire elementary school population.

Mr. Sharp stated that the Council will need to take action on the resolution this evening, in order to meet the desired time line. He said that the Council will take the comments made at the upcoming public forum (5/8) and public hearing (5/30), seriously, before taking final action on the annexation resolutions. He stressed that the final action will occur after citizens' have had the opportunity to comment on the proposed annexations.

Hank Prensky, 209 Spring Avenue (Vice-President, Circle Woods Community Association) summarized the analysis of annexation prepared by him and Mr. Douglas. He noted common issues of concern. He remarked about persons who are on registered voter lists, but who no longer live in the area, and concluded that the verified percentages, therefore, do not reflect the actual percentage of persons who have signed petitions. Mr. Prensky said that there are currently problems with local schools in the lower part of Montgomery County, and that the City has an opportunity to help itself and neighbors (areas requesting annexation) to remedy the school problems--a larger voice. He commented that the battle for adequate school representation has already begun.

Mr. Prensky elaborated on the major points of his analysis: (1) neighborhood and community cohesiveness, (2) rational City boundaries, (3) economics, and (4) relations with counties. He emphasized that this is the last chance for persons living in these areas to join a jurisdiction. He encouraged the Council to consider all three areas. If only one or two areas are annexed, a problem area will still remain, only pushed a little further East, by taking only parts of the greater area made up of the three smaller areas.

Byrne Kelly, Circle Avenue remarked about problems he has experienced with 911 services. He commented that he has two small children who will have to go to a public school on Riggs Road, and that he cannot afford to allow them to go to a public school with the reported incidents of students carrying concealed weapons or afford to pay to send them to a private school. Mr. Kelly stated that a super-majority of residents on Circle Avenue signed petitions in support of the annexation.

Jane Buckwalter (Area #1) requested a show of hands from persons in attendance this evening who live in the areas seeking annexation. (The majority of the audience raised their hands.) She asked for the Council's support for the annexation resolutions. Ms. Buckwalter said that she has only encountered three persons who are opposed to signing the annexation petitions, and noted that there were other persons who were not at home when

the petitions were circulated.

Buddy Daniels supported the analysis made by Mr. Prensky and Mr. Douglas. He stated that S.S. Carroll Citizens Association would like to go on record as supporting the proposed annexations.

Matthew Graham, Westmoreland Avenue said that he supports the annexation of all three areas being considered, and that it would be helpful to establish rational City boundaries.

Stephanie Hall, Circle Avenue commented that many of the residents in the areas seeking annexation already feel and behave like they are citizens of the Takoma Park, and want to become citizens of the City. She noted that annexation of the three areas would rationalize the City boundary.

Jim Douglas, Sherman Avenue stated that he and Mr. Prensky were asked by the Mayor to help frame some of the issues associated with annexation. He referred to Mr. Prensky's summarization of the analysis, and added that the only other thing the Council may want to consider is whether anything will "functionally" go wrong. He said, however, that he does not anticipate that this will happen. Mr. Douglas commented that this is the City's one opportunity to deal with these areas on the Prince George's County side of the City. He remarked that it is important to go through the annexation process, and that the "burden of proof" should focus on why annexation would be bad for the City. He urged the Council to move forward with the annexation resolutions.

Mr. Rubin encouraged the persons in attendance this evening to return and comment during the public forum and public hearing. He noted that there is no voice of opposition here this evening, but that he anticipates that any opposition will be expressed during the upcoming hearings.

Mr. Chavez asked if neighborhood meetings have been held by the residents in the areas seeking annexation.

Persons from the audience responded in the affirmative.

Corporation Counsel Silber noted that County government officials will also be present the night of the public hearing, and that residents should come out in force to make a showing of support for the annexation.

Mr. Sharp commented on the safeguard aspect of the State law provision that allows for the County Council to petition the annexation resolution(s) to referendum. He encouraged persons from the annexation areas to directly contact their County and State delegates regarding their desire to be annexed into the City. Mr. Sharp noted that this is a citizen initiated process, and that Takoma Park is not actively seeking annexation. He said that the map illustrating the City's current boundary effectively tells the story.

Mr. Douglas asked where the line will be drawn on New Hampshire Avenue.

Ms. Habada responded that the line will be drawn down the center of New Hampshire Avenue.

Ms. Porter commented on the importance of letters and phone calls from residents of the areas to State delegates of District 21.

Mr. Chavez suggested that the residents of the annexation areas could also invite County Council members to neighborhood meetings.

Bryan Sayer, Spring Avenue said that he supports the annexations, and that he thinks the people in these areas have been receiving City services for some time now and annexation would require them to pay for those services. He questioned why the City's boundary was originally drawn the way that it is.

Mr. Rubin said that the research he has done would seem to suggest that Mr. B.F. Gilbert bought land as he desired, with no real logic or consideration for the boundary.

Several persons from the audience noted that some of the plat maps for the annexation areas reference Takoma Park.

Mr. Williams commented that there may be a concern about senior citizens residing in the areas who are on fixed incomes and may not be able to afford the tax increase resulting from annexation. He suggested that these persons investigate State and/or City rebate programs.



Ms. Porter explained the rebate programs.

Mr. Prenskey pointed out that if the areas are annexed, the City will have to undergo a redistricting of Wards prior to the 1995 November election.

Mr. Kelly asked for additional information about the rebate programs, and remarked that he knows of residents on his block who are "on the fence" about annexation because of this concern.

(Mr. Sharp noted that Council members Davenport and Elrich are out of town this evening.)

The resolution was adopted unanimously (ABSENT: Davenport, Elrich).

RESOLUTION #1995-21  
(Attached)

#3 1st Reading Annexation Resolution (Area #1). The resolution proposes annexation of property commonly known as Hampshire Knolls Subdivision, into the City's corporate boundaries.

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

Mr. Prenskey asked why the overall area has been broken into three separate areas, requiring three annexation resolutions. He noted that the Council has agreed to go forward with the process for the entire area.

Mr. Sharp explained that since Area #1 and Area #2 are not contiguous--divided by a strip of land within the City--by law they must be considered as two separate areas for annexation. He said that since the Council has been advised that the annexation resolutions cannot be amended after acceptance at first reading, separating out Area #3 leaves the Council some flexibility for final action.

Mr. Prenskey stated that he cannot see the logic then, of locking into the inclusion of commercial areas in the annexations.

Mr. Sharp responded and commented on the revenue potential of the commercial areas.

Mr. Prenskey recognized the opportunity for a better mix of tax revenues (residential/commercial). He commented that it would make no sense to take any one area without taking all of the areas under consideration, and noted that no positive reason has been presented to oppose taking the entire area. He suggested that the three resolutions be combined.

A person from the audience suggested that the Council vote this evening to consider "all or nothing."

Mr. Sharp repeated the reasons for the separate areas.

Mr. Rubin added that the divisions are a neutral act, and should not be perceived as an indication that the Council has made a decision about any one or more areas.

The resolution was accepted unanimously at first reading (ABSENT: Davenport, Elrich).

RESOLUTION #1995-22  
(Attached)

#4 1st Reading Annexation Resolution (Area #2). The resolution proposes annexation of properties commonly known as Gude Addition, Gibbs & Kosack and Pine Crest Subdivisions, into the City's corporate boundaries.

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

The resolution was accepted unanimously at first reading (ABSENT: Davenport, Elrich).

RESOLUTION #1995-23  
(Attached)

#5 1st Reading Annexation Resolution (Area #3). The resolution proposes annexation of properties located in the 6500 block of Westmoreland Avenue (even numbered addresses) and the property at 6505 Second Avenue.

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

The resolution was accepted unanimously at first reading (ABSENT: Davenport, Elrich).

RESOLUTION #1995-24  
(Attached)

**WORKSESSION**

Moved by Mr. Rubin; seconded by Mr. Chavez. The Council moved into Worksession, and later adjourned for the evening at 8:59 p.m.

Introduced By: Mayor Sharp

Resolution Date: 4/17/95

RESOLUTION NO. 1995 - 21

A RESOLUTION PROVIDING FOR PUBLIC HEARING, PUBLICATION, SERVICE EXTENSION AND PUBLIC FACILITIES OUTLINE, AND PUBLIC NOTICE TO THE COUNTY GOVERNING BODY AND REGIONAL AND STATE PLANNING AGENCIES IN CONNECTION WITH THE PROPOSED ANNEXATION OF THREE AREAS OF LAND LOCATED IN PRINCE GEORGE'S COUNTY, CONTIGUOUS AND ADJOINING TO THE EXISTING CORPORATE AREA OF THE CITY OF TAKOMA PARK.

WHEREAS, the Council has received annexation petitions signed by at least 25% of the residents and qualified voters along with the owners of at least 25% of the assessed valuation of the real property for three areas of land, all the areas being located in Prince George's County, contiguous and adjoining to the existing City of Takoma Park corporate area; and

WHEREAS, the City has verified that the annexation petition signatures meet the requirements of Section 19(c) of Article 23A of the Annotated Code of Maryland and that all other prerequisites of the law have been met; and

WHEREAS, the Mayor has introduced annexation resolutions proposing the annexation of three areas of land, which land areas are more particularly described in Annexation Resolution Nos. 1995-22, 1995-23, and 1995-24; and

WHEREAS, if these three areas of land are all annexed, then the City's boundary along the District of Columbia line would be extended from the intersection of Second Avenue and Eastern Avenue, southeast along Eastern Avenue to the intersection of Eastern Avenue and New Hampshire Avenue, and then north along New Hampshire Avenue to the intersection of Ethan Allen Avenue (Route 410), as shown on the map attached hereto as Exhibit "A"; and

WHEREAS, by this resolution, the Council desires to provide for public notice, publication, and a public hearing on the proposed annexation and for a proposed outline for the extension of services and public facilities to be made available to the public and copies to be provided to the county governing bodies and to regional and state planning agencies, all in accordance with the provisions of Section 19 of Article 23A of the Annotated Code of Maryland.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT the City Clerk is instructed to cause a public notice of the three annexation resolutions which have been introduced and which, if adopted, would annex the land areas described in Annexation Resolution Nos. 1995-22, 1995-23, and

1995-24 to be published not fewer than four times at not less than weekly intervals in a newspaper of general circulation in the City of Takoma Park and the areas to be annexed which briefly and accurately describes the proposed changes of boundaries as requested by the annexation petitions. The public notice shall further specify that a public hearing will be held by the Council on the three annexation resolutions on May 30, 1995, at \_\_\_\_ p.m. (or as soon thereafter as the matters may be heard), in the Council Chambers of the City of Takoma Park Municipal Building, 7500 Maple Ave., Takoma Park, MD 20912.

**BE IT FURTHER RESOLVED**, that the City Clerk is instructed to provide outlines of the extension of services and public facilities into the areas proposed to be annexed by the three annexation resolutions to the County Executives of Prince George's and Montgomery Counties, the Secretary of the State Department of Planning, and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty (30) days prior to the holding of the scheduled public hearing.

**BE IT FURTHER RESOLVED**, that immediately upon the first publication of the public notice of the three annexation resolutions, the City Clerk is instructed to provide a copy of said public notices to the County Executive of Prince George's County, the Secretary of the State Department of Planning, and the Chairman of the Maryland-National Capital Park and Planning Commission.

**THIS RESOLUTION IS ADOPTED THIS 17th DAY OF APRIL, 1995.**



Introduced By: Mayor Sharp

1st Reading: 4/17/95  
2nd Reading:  
\*Effective Date:

\*Unless a referendum petition meeting the requirements of Md. Ann. Code Art. 23A, Sec. 19(g), (h) or (i) is received by \_\_\_\_\_ (within 45 days following final enactment of the annexation resolution).

ANNEXATION RESOLUTION NO. 1995 - 22

A RESOLUTION PROPOSING TO ENLARGE THE CORPORATE BOUNDARIES OF THE CITY OF TAKOMA PARK TO INCLUDE THE AREA COMMONLY KNOWN AS HAMPSHIRE KNOLLS, LOCATED IN PRINCE GEORGE'S COUNTY, BETWEEN THE EXISTING CITY BOUNDARIES TO THE NORTH, WEST, AND SOUTH AND NEW HAMPSHIRE AVENUE TO THE EAST.

WHEREAS, petitions have been presented to the Council of the City of Takoma Park requesting that property located in Prince George's County between the existing City boundaries to the north, west, and south and New Hampshire Avenue to the east, as shown on the map attached hereto as Exhibit "A" and as more particularly and fully described on Exhibit "B" attached hereto, be annexed into the corporate boundaries of the City of Takoma Park; and

WHEREAS, the signatures on said petitions have been verified and it has been ascertained that the persons signing said petitions represent at least twenty-five percent (25%) of the persons who reside in the area to be annexed, who are registered voters in county elections in the precinct or precincts in which the territory to be annexed is located, and the owners of at least twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed; and

WHEREAS, pursuant to the provisions of Section 19(c) of Article 23A of the Annotated Code of Maryland, this resolution proposing the change of boundaries as requested by the petitions has been introduced which, if enacted, would annex the property which is more particularly and fully described on Exhibit "B" to this resolution.

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

Section 1. The corporate boundaries of the City of Takoma Park shall be enlarged to include the following area in Prince George's County, which is contiguous and adjoining to the existing corporate area of the City of Takoma Park, as more particularly and fully described on Exhibit "B" attached hereto

and incorporated herein by reference as if fully set forth in this resolution.

**Section 2.** This annexation resolution shall become effective forty-five (45) days after its final enactment (i.e., second reading of this resolution), unless within said forty-five (45) day period following the final enactment of this resolution, one or more petitions for referendum are filed pursuant to the provisions of Section 19(f), (g) or (h) of Article 23A of the Annotated Code of Maryland.

**Section 3.** All of the area annexed to the City of Takoma Park and the persons residing thereon shall, after the effective date of the annexation provided by this resolution, be subject to the Charter, laws, ordinances, and regulations of the City of Takoma Park.

**Section 4.** As soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register the new boundaries of the City with the City Clerk of Takoma Park, with the Clerk of the Circuit Court for Prince George's and Montgomery Counties, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Reference.

THIS ANNEXATION RESOLUTION IS ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995, BY ROLL CALL VOTE AS FOLLOWS:

Aye:  
Nay:  
Abstained:  
Absent:

COUNCILMEMBERS OF THE CITY OF  
TAKOMA PARK, MARYLAND

---

Edward F. Sharp, Mayor

---

Larry Rubin, Councilmember, Ward 1

---

Kathy Porter, Councilmember, Ward 2



\_\_\_\_\_  
Bruce Williams, Councilmember, Ward 3

\_\_\_\_\_  
Anthony Davenport, Councilmember, Ward 4

\_\_\_\_\_  
Marc Elrich, Councilmember, Ward 5

\_\_\_\_\_  
Reggie Chavez, Councilmember, Ward 6

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

f:\takoma\annex\annexatn.res



CITY OF TAKOMA PARK

Beginning for the same at a point on the southwest side of Ethan Allen Avenue at the southeast corner of Lot 12, Block 26 as shown on the B. F. Gilbert's Addition to Takoma Park subdivision plat, running thence with the southerly boundary of Block 26 to the southwest corner of Lot 16, Block 26, thence with the southerly line of Lots 85 thru 88 and Lot 92 as shown on the plat of subdivision Lots 85 thru 92, Block 16 being a resubdivision plat of Lots 69 thru 75, Block 16, B. F. Gilbert's Addition to Takoma Park to the easterly right of way line of Prince Georges Avenue as shown on the subdivision plat Hampshire Knolls, Takoma Park thence crossing Prince Georges Avenue to the northeast corner of Lot 13, Block A as shown on the subdivision plat of Section Two, Hampshire Knolls, Takoma Park, thence running with the northerly line of said Block A to a point at the northwest corner of Lot 1, Block A on the easterly right of way line of Woodland Avenue thence running with said easterly right of way line and crossing Circle Avenue to the northwest corner of Lot 1, Block C as shown on said plat, thence running with the westerly outline of said subdivision plat Section Two, Hampshire Knolls, Takoma Park to the northerly right of way line of New Hampshire Avenue, thence running with said right of way line at said New Hampshire Avenue to the place of beginning.

EXHIBIT  
B  
(Annexation  
Resol. 1995- )

*Copy from Map Lib. No. 3 July 1885*



B.F. GILBERT'S ADDITION  
 —TO—  
 "TAKOMA PARK"

Being a part of the Carroll Farm in  
 Montgomery and Prince Georges Counties, Maryland

1885

*B.F. Gilbert*

Passed & Dec. 4th, Chapter 31, Act of the General Assembly of  
 Session of 1884, I hereby certify that this plat is a true and correct  
 copy of the original recorded in Liber 32 A. 13 folio 412, one of the Land  
 Office, Co. Md. of which it purports to be a copy.  
 W. Ernest Griffith  
 County Clerk for  
 Montgomery County

As of 98  
4/27/54  
**728**

**ENGINEER'S CERTIFICATE**

I hereby certify that the map shows herein is correct that it is a subdivision of all the land conveyed by C. Maurice Weidinger and Carolyn Weidinger, his wife, to Lennis Homes, Inc. by deed dated March 12, 1934, and recorded in Liber 1708 of Public Records among the Land Records of Prince Georges County, Maryland, being a resubdivision of Lots 89 through 93, inclusive, Block 18, B.F. Gilbert's Addition to Takoma Park, as per plat recorded in Plat Book 1017 of Public Records, said Land Records; and the streets marked thereon and iron pipes marked thereon have been placed as indicated to the approved finish grade. The total area contained in this resubdivision is 12,770 acres of land.

Date: March 23, 1954

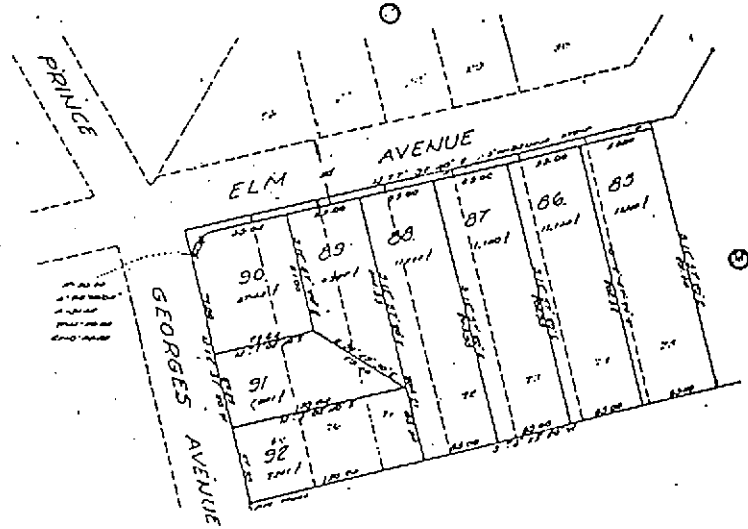
Witness Signature for  
of Lennis Homes Inc.  
Thomas B. McNeil  
President  
Residence 1400 S. ...  
Baltimore Certificate #1152

**OWNERS' DEDICATION**

We, Lennis Homes Inc., a Maryland corporation by Samuel Lennis, President and Fannie R. Lennis, Secretary, owners of the property shown and described herein, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets to public use. There are no suits of action, claims, liens or trusts on the property included in this plan of subdivision.

Date: April 8, 1954

Lennis Homes Inc.  
Witnessed by  
Thomas B. McNeil  
Fannie R. Lennis  
Samuel Lennis, President  
Fannie R. Lennis, Secretary

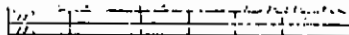


LOTS 85 THRU 92 BLOCK 18  
BEING A RESUBDIVISION OF  
LOTS 89 THRU 93 BLOCK 18  
B.F. GILBERT'S ADDITION TO  
TAKOMA PARK  
PRINCE GEORGES CO. MARYLAND  
JUNE 1, 1934

APPROVED APRIL 12<sup>th</sup> 1954  
R. M. ...  
John P. ...

THE MAYOR AND COUNCIL  
CITY OF TAKOMA PARK  
APPROVED 4-27-54  
...

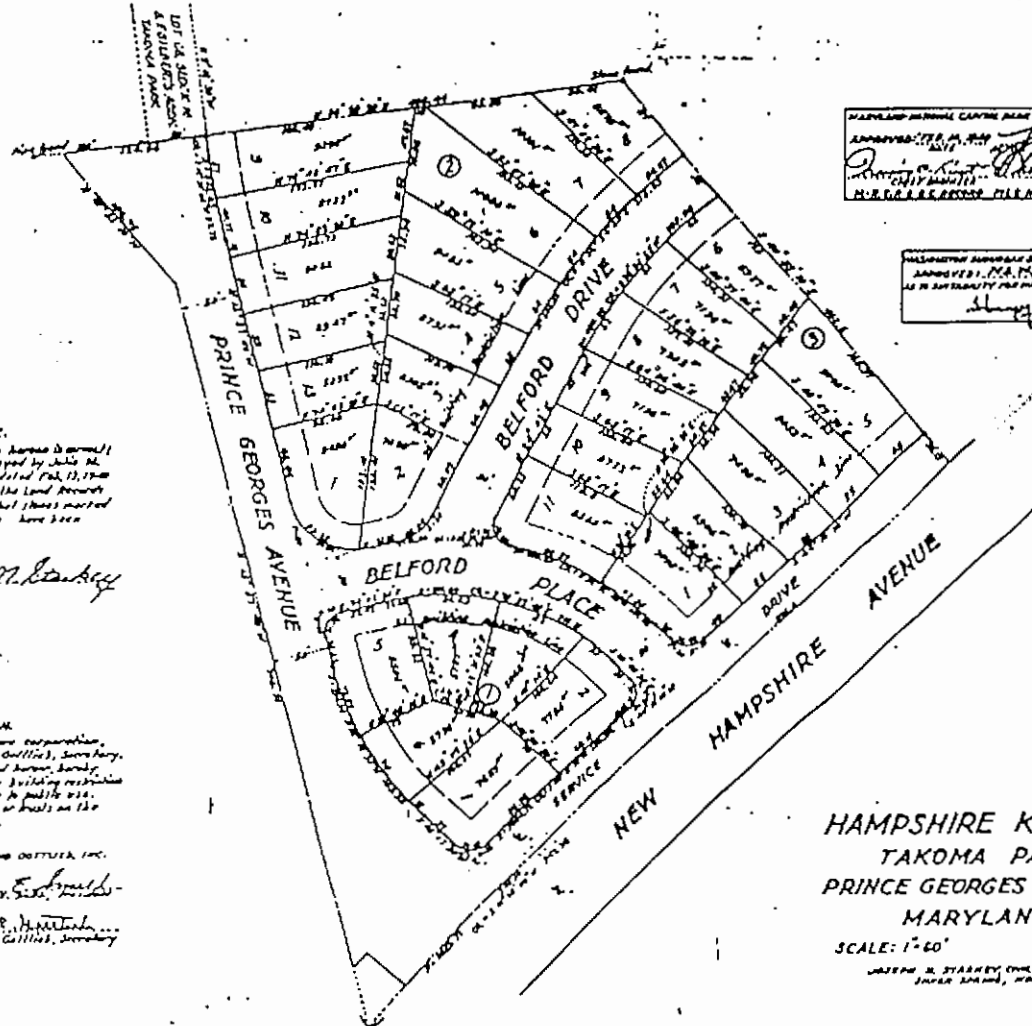
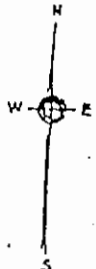
Witnessed by  
1000 Carroll Ave  
Takoma Park  
Maryland



*Joseph H. Starnes*

M.C.G.P. & A. G. RECORD FILE NO. 1740

17.0460



MAPLELAND APPROVAL CAPTION PLANS & PLANNING BOARD  
 APPROVED: FEB. 11, 1940  
*Joseph H. Starnes*  
 CHIEF ENGINEER  
 M.C.G.P. & A. G. RECORD FILE NO. 1740

MARYLAND APPROVAL BOARD OF ARCHITECTS  
 APPROVED: FEB. 15, 1940  
*Joseph H. Starnes*  
 AS TO ARCHITECTURE FOR PLANS AND SPECIFICATIONS

**ENGINEER'S CERTIFICATE.**  
 I hereby certify that the plan shows correct dimensions and is a subdivision of all of the land surveyed by John M. Corp. & Smith and Oullick, Inc., by deed dated Feb. 11, 1940 and recorded in 1740 of the Land Records of Prince Georges County, Maryland, and that stakes marked that I and two pipe marked that I have been placed as indicated.

FEB. 12, 1940... *Joseph H. Starnes*

**OWNER'S DECLARATION.**  
 We, Smith and Oullick, Inc., a Delaware corporation, by Joseph E. Smith, President and Burke L. Oullick, Secretary, owners of the property shown and described herein, hereby certify that the plan of subdivision, including the building restrictions thereon shown and described in the plat is correct and true. There are no liens or other claims or debts on the property indicated in this plan of subdivision.

SMITH AND OULICK, INC.      SMITH AND OULICK, INC.  
*Joseph E. Smith*  
 President  
*Burke L. Oullick*  
 Secretary

**HAMPSHIRE KNOLLS  
 TAKOMA PARK  
 PRINCE GEORGES COUNTY  
 MARYLAND**  
 SCALE: 1"=40'      FEB. 1940  
 JOSEPH H. STARNES, CIVIL ENGINEER  
 1000 W. MARKET ST., WASHINGTON, D.C.

564





Introduced By: Mayor Sharp

1st Reading: 4/17/95

2nd Reading:

\*Effective Date:

\*Unless a referendum petition meeting the requirements of Md. Ann. Code Art. 23A, Sec. 19(g), (h) or (i) is received by \_\_\_\_\_ (within 45 days following final enactment of the annexation resolution).

**ANNEXATION RESOLUTION NO. 1995 - 23**

A RESOLUTION PROPOSING TO ENLARGE THE CORPORATE BOUNDARIES OF THE CITY OF TAKOMA PARK TO INCLUDE THE AREAS COMMONLY KNOWN AS GUDE'S ADDITION AND PINE CREST (BUT EXCLUDING LOTS 11-20, BLOCK 11 OF THE "PINE CREST" SUBDIVISION), LOCATED IN PRINCE GEORGE'S COUNTY, BETWEEN THE EXISTING CITY BOUNDARIES TO THE NORTH AND WEST, NEW HAMPSHIRE AVENUE TO THE EAST, AND EASTERN AVENUE TO THE SOUTH.

WHEREAS, petitions have been presented to the Council of the City of Takoma Park requesting that property located in Prince George's County between the existing City boundaries to the north and west, New Hampshire Avenue to the east, and Eastern Avenue to the south (but excluding Lots 11-20, Block 11 of the "Pine Crest" subdivision--the portion of Westmoreland Avenue between the existing City boundary at Second Avenue and Highland Street), as shown on the map attached hereto as Exhibit "A" and as more particularly and fully described on Exhibit "B" attached hereto, be annexed into the corporate boundaries of the City of Takoma Park; and

WHEREAS, the signatures on said petitions have been verified and it has been ascertained that the persons signing said petitions represent at least twenty-five percent (25%) of the persons who reside in the area to be annexed, who are registered voters in county elections in the precinct or precincts in which the territory to be annexed is located, and the owners of at least twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed; and

WHEREAS, pursuant to the provisions of Section 19(c) of Article 23A of the Annotated Code of Maryland, this resolution proposing the change of boundaries as requested by the petitions has been introduced which, if enacted, would annex the property which is more particularly and fully described on Exhibit "B" to this resolution.

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

**Section 1.** The corporate boundaries of the City of Takoma Park shall be enlarged to include the following area in Prince George's County, which is contiguous and adjoining to the existing corporate area of the City of Takoma Park, as more particularly and fully described on Exhibit "B" attached hereto and incorporated herein by reference as if fully set forth in this resolution.

**Section 2.** This annexation resolution shall become effective forty-five (45) days after its final enactment (i.e., second reading of this resolution), unless within said forty-five (45) day period following the final enactment of this resolution, one or more petitions for referendum are filed pursuant to the provisions of Section 19(f), (g) or (h) of Article 23A of the Annotated Code of Maryland.

**Section 3.** All of the area annexed to the City of Takoma Park and the persons residing thereon shall, after the effective date of the annexation provided by this resolution, be subject to the Charter, laws, ordinances, and regulations of the City of Takoma Park.

**Section 4.** As soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register the new boundaries of the City with the City Clerk of Takoma Park, with the Clerk of the Circuit Court for Prince George's and Montgomery Counties, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Reference.

THIS ANNEXATION RESOLUTION IS ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995, BY ROLL CALL VOTE AS FOLLOWS:

Aye:  
Nay:  
Abstained:  
Absent:

COUNCILMEMBERS OF THE CITY OF  
TAKOMA PARK, MARYLAND

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

\_\_\_\_\_  
Larry Rubin, Councilmember, Ward 1

\_\_\_\_\_  
Kathy Porter, Councilmember, Ward 2

\_\_\_\_\_  
Bruce Williams, Councilmember, Ward 3

\_\_\_\_\_  
Anthony Davenport, Councilmember, Ward 4

\_\_\_\_\_  
Marc Elrich, Councilmember, Ward 5

\_\_\_\_\_  
Reggie Chavez, Councilmember, Ward 6

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

f:\wpdocs\takoma\annex\area2&3.res



# EXHIBIT

FOR CREST AND CIRCLE WOODS  
SCALE 1"=200'

CITY OF TAKOMA PARK

Beginning for the same at a point at the northeast corner of Lot 11, Block C as shown on the plat entitled Block C, George E. Gude's Addition to Takoma Park running thence with the northeast boundary of Block C to the southeast corner of Lot 19, Block C, thence across Circle Avenue to the northeast corner of Lot 1, Block A, thence running with the northeast boundary of Block A to the northeast right of way line of Ray Road, thence straight across Ray Road to intersect the northwesterly right of way line of New Hampshire Avenue thence running with said northwesterly right of way line of New Hampshire Avenue to intersect the northeasterly right of way line of Eastern Avenue, thence running with said northeasterly right of way line of Eastern Avenue to intersect the southerly right of way line of said Second Street (now known as Second Avenue) in the Pine Crest subdivision thence running with the southerly right of way line of Second Avenue (previously described as Corporate Boundary of City of Takoma Park) to the northwest corner of Lot 11, Block 11 as shown on the plat entitled Pine Crest subdivision, thence running with the westerly line of Lots 11 thru 20, Block 11 to intersect the southerly right of way line of Highland Street (now known as Highland Avenue), thence running with the southerly right of way line of Highland Avenue to a point on the easterly right of way line of Cockerille Avenue, thence running with said easterly right of way line of Cockerille Avenue to the southwest corner of Lot 1, Block 13 of the Gibb's and Kosack Addition to Takoma Park subdivision, thence running with the

**EXHIBIT B**

southerly line of Lots 1 thru 9, Block 13 to a point on the westerly right of way line of Poplar Avenue, thence across Poplar Avenue to the southwest corner of Lot 4, Block 12, thence running with southerly line of said Lot 4, Block 12 to the southeast corner of said Lot 4, thence running with the northeasterly outline of Block 12, being also the southwesterly outline of Block C of the George E. Gude's Addition to Takoma Park subdivision to the rear corner common to Lots 9 and 10, Block C, thence running with the northwesterly outline of Block C to the place of the beginning.

Pine Crest

Rev. 1













Introduced By: Mayor Sharp

1st Reading: 4/17/95

2nd Reading:

\*Effective Date:

\*Unless a referendum petition meeting the requirements of Md. Ann. Code Art. 23A, Sec. 19(g), (h) or (i) is received by \_\_\_\_\_ (within 45 days following final enactment of the annexation resolution).

**ANNEXATION RESOLUTION NO. 1995 - 24**

**A RESOLUTION PROPOSING TO ENLARGE THE CORPORATE BOUNDARIES OF THE CITY OF TAKOMA PARK TO INCLUDE PROPERTY KNOWN AS LOTS 11-20, BLOCK 11, "PINE CREST" SUBDIVISION, LOCATED IN PRINCE GEORGE'S COUNTY.**

**WHEREAS**, petitions have been presented to the Council of the City of Takoma Park requesting that property known as Lots 11-20, Block 11, "Pine Crest" subdivision and located at 6505 Second Avenue and at 6500, 6502, 6504, 6506, 6508, 6510, 6512, 6514, and 6518 Westmoreland Avenue, in Prince George's County, as shown on the map attached hereto as Exhibit "A" and as more particularly and fully described on Exhibit "B" attached hereto, be annexed into the corporate boundaries of the City of Takoma Park; and

**WHEREAS**, the signatures on said petitions have been verified and it has been ascertained that the persons signing said petitions represent at least twenty-five percent (25%) of the persons who reside in the area to be annexed, who are registered voters in county elections in the precinct or precincts in which the territory to be annexed is located, and the owners of at least twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed; and

**WHEREAS**, pursuant to the provisions of Section 19(c) of Article 23A of the Annotated Code of Maryland, this resolution proposing the change of boundaries as requested by the petitions has been introduced which, if enacted, would annex the property which is more particularly and fully described on Exhibit "B" to this resolution.

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

**Section 1.** The corporate boundaries of the City of Takoma Park shall be enlarged to include the following area in Prince George's County, which is contiguous and adjoining to the existing corporate area of the City of Takoma Park, as more particularly and fully described on Exhibit "B" attached hereto

and incorporated herein by reference as if fully set forth in this resolution.

**Section 2.** This annexation resolution shall become effective forty-five (45) days after its final enactment (i.e., second reading of this resolution), unless within said forty-five (45) day period following the final enactment of this resolution, one or more petitions for referendum are filed pursuant to the provisions of Section 19(f), (g) or (h) of Article 23A of the Annotated Code of Maryland.

**Section 3.** All of the area annexed to the City of Takoma Park and the persons residing thereon shall, after the effective date of the annexation provided by this resolution, be subject to the Charter, laws, ordinances, and regulations of the City of Takoma Park.

**Section 4.** As soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register the new boundaries of the City with the City Clerk of Takoma Park, with the Clerk of the Circuit Court for Prince George's and Montgomery Counties, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Reference.

THIS ANNEXATION RESOLUTION IS ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1995, BY ROLL CALL VOTE AS FOLLOWS:

Aye:  
Nay:  
Abstained:  
Absent:

COUNCILMEMBERS OF THE CITY OF  
TAKOMA PARK, MARYLAND

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

\_\_\_\_\_  
Larry Rubin, Councilmember, Ward 1

\_\_\_\_\_  
Kathy Porter, Councilmember, Ward 2

\_\_\_\_\_  
Bruce Williams, Councilmember, Ward 3

\_\_\_\_\_  
Anthony Davenport, Councilmember, Ward 4

\_\_\_\_\_  
Marc Elrich, Councilmember, Ward 5

\_\_\_\_\_  
Reggie Chavez, Councilmember, Ward 6

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

f:\wpdocs\takoma\annex\wstmanx.res

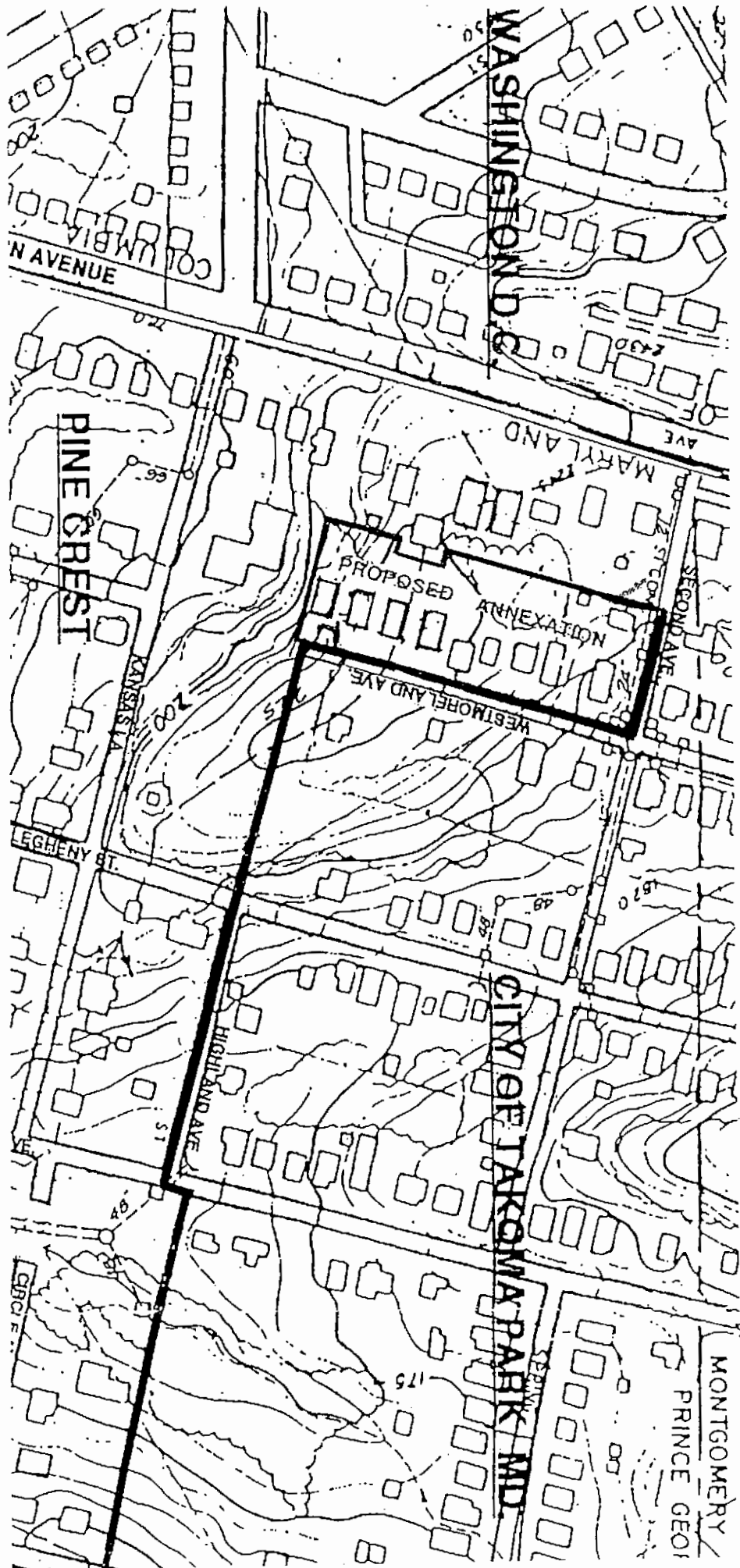


EXHIBIT A

CITY OF TAKOMA PARK

Beginning for the same at a point at the southwest corner of Lot 20, Block 11 as shown on the plat entitled Pine Crest subdivision, thence running with the westerly line of Lots 20, 19, 18, 17, 16, 15, 14, 13, 12, and 11, Block 11 to a point on the southerly right of way of Second Street (now known as Second Avenue), thence running with southerly right of way line of Second Avenue (previously described as corporate Boundary of City of Takoma Park) to intersect the westerly line of Westmoreland Street, thence running with said westerly line of Westmoreland Street to intersect the southerly right of way line of Highland Street (now known as Highland Avenue), thence running with said southerly line of Highland Avenue to the northwesterly corner of Lot 20, Block 8 as shown on the plat entitled Pine Crest subdivision, thence running across Highland Avenue to the place of the beginning.

(Westmoreland.rev 1)



# "PINE CREST"

## SUBDIVISION

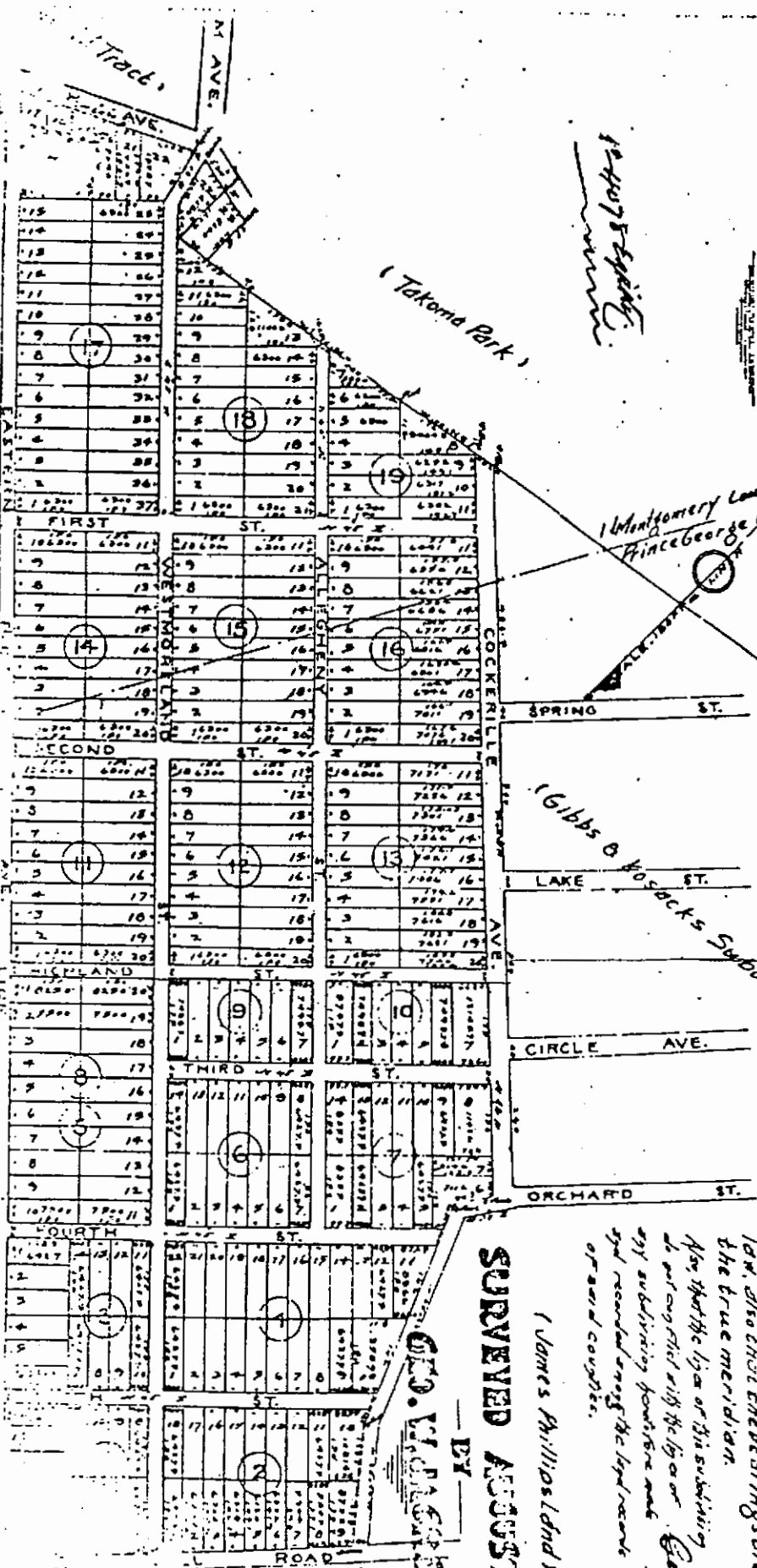
LIVING PARTLY IN MONTGOMERY AND PARTLY IN PRINCE GEORGE COUNTIES MARYLAND AND ADJOINING THE DISTRICT OF COLUMBIA.

*1940's & 1950's*

(Takoma Park)

Montgomery County  
Prince George Co.

(Gibbs & Wosacks Subdivision)



(District of Columbia)

(James Phillips Land)  
SURVEYED ABOUT 1900  
BY  
GEO. W. BAKER, JR.

Thereby Certify that the land subdivided as shown on this plat, is the same land as conveyed by Carl B. Kester to W. L. & Robert G. Lohr by Deed dated April 13, 1900, recorded in Liber No. 52, folio one of the land records of Prince George's Maryland and Liber No. 108, folio 340 one of the land records of Montgomery County, Maryland.

I also certify that stones indicated by arrows in this plat or more so, have been planted two feet in the ground conformably with the requirements of law, also that the bearings are calculated the true meridian.

Any that the lines of this subdivision do not correspond with the lines on any adjoining plat, same were made and recorded among the land records of said counties.

*Geo. W. Baker, Jr.*

THIS IS A  
PLAT  
AND  
SHOULD  
BE  
RECORDED  
IN  
THE  
LAND  
RECORDS  
OF  
THE  
DISTRICT  
OF  
COLUMBIA  
AND  
THE  
COUNTY  
OF  
PRINCE  
GEORGE  
MARYLAND

11

REGULAR MEETING, WORKSESSION AND EXECUTIVE SESSION  
OF THE CITY COUNCIL

Monday, April 24, 1995

**OFFICIALS PRESENT:**

Mayor Sharp	City Administrator Habada
Councilmember Davenport	Asst. City Administrator Hobbs
Councilmember Elrich	City Clerk Sartoph
Councilmember Porter	Volunteer Coordinator Broadwater
Councilmember Rubin	
Councilmember Williams	

**OFFICIALS ABSENT:**

Councilmember Chavez

The Council convened at 7:35 p.m. on Monday, April 24, 1995, in the Council Chamber in the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

Mr. Sharp noted that Mr. Chavez is out of town this evening due to a death in his family, and that Mr. Elrich will be arriving later this evening.

Mr. Sharp asked that persons remain standing after the Pledge of Allegiance to observe a moment of silence in observance of the crisis situation in Oklahoma City, arising from the April 19 bombing of the Murrah Federal Building.

Following the Pledge of Allegiance and moment of silence, the following remarks were made:

**MAYOR'S COMMENTS AND PRESENTATIONS**

Mayoral Proclamation re: Buddy Poppy Month. Mr. Sharp read the proclamation for the record. He presented the Proclamation to Claudia Rohrback, President of the Takoma Park Ladies Auxiliary, Veterans of Foreign Wars (#350).

Ms. Rohrback thanked the Mayor for the Proclamation and presented each of the Councilmembers with a buddy poppy.

**REGULAR MEETING**

#1 Resolution re: City Volunteers and Members of Citizen Advisory Committees and Commissions. Mr. Sharp read the resolution for the record. Moved by Mr. Sharp; seconded by Mr. Davenport.

Volunteer Coordinator Sandra Broadwater read a list of volunteers who are present for this evening's meeting and volunteer reception that is being held upstairs. She noted that this list does not include the names of all persons who volunteer for the City--just those who are in attendance. She commented that volunteers who have served more than 100 hours will be presented with a brass bookmark, with the inscription "Volunteers Move Maryland." Ms. Broadwater remarked that indeed volunteers do move Takoma Park, and therefore, move the State of Maryland.

Mr. Sharp acknowledged that Ms. Carrie Spicer, Volunteer for the Police Department, will be one of two persons receiving a Governor's Award for volunteer excellence in the senior category. Ms. Spicer will be presented with the award tomorrow evening at the Governor's mansion in Annapolis. Mr. Sharp remarked about the work Ms. Spicer has done in the Police Department, and thanked her for her commitment and service.

Ms. Porter related a discussion she recently had with an official from another municipality who could not believe that Takoma Park citizens are willing to give so much time and expertise to their community. Ms. Porter said that she is grateful for the enormous willingness of the Takoma Park citizens to take on the many jobs they do as volunteers.

Mr. Sharp thanked Ms. Broadwater for her efforts as the City's volunteer coordinator, and commented that the success of the volunteer program is a direct result of her hard work.

Catherine Tunis said she has never lived in a place where there is so much community involvement. She complimented the Council and staff, on their concern for the community.

The resolution was adopted unanimously (ABSENT: Chavez, Davenport, Elrich).

RESOLUTION #1995-25  
(Attached)

#2 Resolution re: City Staff. Mr. Sharp read the resolution for the record. Moved by Mr. Sharp; seconded by Mr. Rubin.

Ms. Porter said that it is appropriate that this resolution has come up prior to this year's budget season. Staff is really called on by the Council when it comes time each year to discuss the upcoming year's budget. She thanked all of the City staff who have helped her over the years.

Mr. Rubin echoed the comments made by Ms. Porter about volunteers and staff. In most cities, "it is just a job" to staff; but here in Takoma Park, staff really enjoy their jobs and care about the city.

Mr. Davenport stated that he has often relied upon staff and volunteers for information and assistance, since becoming a new Councilmember. He thanked the staff and volunteers for their work in the City.

Mr. Williams said that he enjoyed working with staff for years before becoming a Councilmember, and that much of what he has learned about the City has been from staff. He complimented their continued efforts.

The resolution was adopted unanimously (ABSENT: Chavez, Elrich).

RESOLUTION #1995-26  
(Attached)

#3 Resolution re: Municipal Clerks Week. Mr. Sharp read the resolution for the record. Moved by Mr. Sharp; seconded by Mr. Rubin.

Mr. Sharp commented on the efficiency of the Clerk's Office. He said that the City has been fortunate to have had a history of a professionally staffed Clerk's Office. He remarked about the work the Clerk's Office performs for the Council, largely in preparation for their weekly meetings. He noted the traditionally active involvement of the City's Clerks in the Maryland Municipal Clerks Association and Maryland Municipal League, and commended the current Clerk's Office on its work and continued excellence.

Ms. Porter thanked the Clerk's Office for their assistance and work for the Council.

Mr. Davenport noted that the work of the Clerk's office is not only an asset to the City but to other Cities (e.g. Tom Espinosa's assistance in making a presentation to Mount Rainier regarding non-citizen voting). He recognized that work is often carried beyond the regular office hours.

Mr. Rubin said that his introduction to and involvement with the workings of municipal government, aside from the City Administrator, should be credited to the City Clerk's office. He thanked the Clerk's office for its support and assistance.

The resolution was adopted unanimously (ABSENT: Chavez, Elrich).

RESOLUTION #1995-27  
(Attached)

#4 Resolution re: Elections Task Force. Mr. Sharp explained the need for this Task Force. He moved the resolution as written with the addition of Rudy Arredondo, and asked that other Councilmembers add names to the membership.

Ms. Porter named JoHanna Potts (member of former Elections Task Force) and Allison Porter (Area #1 of the area to be annexed), and asked to reserve a spot for a representative from the Longbranch-Sligo Citizens Association.

Mr. Sharp said that he believes that there is a person in Area #2 of the areas to be annexed who is interested in serving on the Task Force.

Mr. Williams asked that Mac MacWilliam be added to the resolution.

Mr. Rubin stated that he may know of another person who is interested in serving on the committee.

Rudy Arredondo said that there are other areas bordering the City's boundary that have been discussed in the past as possible areas for annexation (i.e. Montgomery College), and asked how such areas could be included in this process.

Mr. Sharp explained that the areas currently being considered petitioned the City for annexation, and stated that other areas could certainly follow the same petition process.

Mr. Rubin proposed that the Council submit names in the next two weeks, and that the Task Force then be charged to get up-and-running. He asked what will be necessary to get the Task Force moving in two weeks, regardless of whether there is a full membership appointed. He questioned whether the Council will need to adopt another resolution at that time.

Mr. Williams supported Mr. Rubin's proposal, and said that he believes that the Task Force need not wait until there is a full slate before it begins meeting.

Ms. Porter cautioned "getting the ball rolling" and later adding members to the Task Force, noting that it will take some time for later additions to get up to speed.

Mr. Sharp said that it is important, given the legal implications of this process, that the Council make the appointments to this Task Force by resolution. If necessary, later appointments can be made in Special Sessions.

The resolution was adopted unanimously with the addition of the names noted this evening (ABSENT: Chavez, Elrich).

RESOLUTION #1995-28  
(Attached)

#5 2nd Reading Ordinance re: Baltimore Avenue Speed Humps. Moved by Mr. Rubin; seconded by Mr. Davenport.

Bill Sanburn, 7303 Baltimore Avenue spoke in support of the ordinance, saying that it is a wise move. The majority of the residents in the Baltimore Avenue block have signed the petition. He remarked about the number of children living on the block.

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

ORDINANCE #1995-6  
(Attached)

#6 2nd Reading Ordinance re: Prohibited Dumping. Moved by Mr. Williams; seconded by Ms. Porter.

Mr. Rubin noted that since the Council has discussed this ordinance in depth over the past couple of months, there may not be much discussion of the ordinance this evening.

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

ORDINANCE #1995-7  
(Attached)

Mr. Sanburn asked if there is a hazardous waste dumping site in the City.

Mr. Sharp stated that there is a disposal site at Public Works for motor oil, but that batteries must be taken to sites outside of the City.

#7 2nd Reading Ordinance re: FY95 Budget Amendment. Moved by Mr. Davenport; seconded by Ms. Porter.

Ms. Porter explained that the amendment is being made to the FY95 budget, and that in effect, the amendment moves money around in the budget.

Ms. Habada called the Council's attention to amendments to the ordinance since first reading.

Mr. Sharp noted each amendment. With no objection, the amendments were considered as part of the ordinance.

The amended ordinance was unanimously adopted at second reading by roll call vote (ABSENT: Chavez, Elrich).

ORDINANCE #1995-8  
(Attached)

#8 Single Reading Ordinance re: Street Sweeping Services. Ms. Habada explained the ordinance, and noted that the commercial streets will be swept 26 weeks out of the year.

Moved by Mr. Williams; seconded by Mr. Davenport.

Mr. Davenport said that he thought that the Council also asked for a proposal for sweeping the residential streets once every five months of the year.

Ms. Porter commented on the costs of other sweeping options that were discussed by the Council.

Mr. Williams said that the Council had discussed posting the residential streets prior to sweepings, and asked if this is something that the contractor will be responsible for doing.

Ms. Habada said that this can be added into the contract, noting that the bid has been awarded, but the contract has not been completed.

Mr. Davenport asked what the residential sweeping months will be.

Ms. Habada noted that it would be difficult to street sweep during the leaf season.

Ms. Porter clarified that the residential sweeps will be done in the spring, summer and fall before leaf season.

The single reading ordinance was unanimously adopted (ABSENT: Chavez, Elrich).

ORDINANCE #1995-9  
(Attached)

#### **WORKSESSION**

Without objection, the Council moved into Worksession, and later adjourned from Worksession to convene in Executive Session at 8:37 p.m. Following the Executive Session, the Council adjourned for the evening at 10:45 p.m.

---

Executive Session 4/24/95 - Moved by Mr. Rubin; seconded by Mr. Davenport. Council convened in Executive Session by unanimous vote at 8:40 p.m., in the Conference Room.

#1: OFFICIALS PRESENT: Sharp, Davenport, Elrich, Porter, Rubin, Williams. OFFICIAL ABSENT: Chavez. STAFF PRESENT: Habada, Grimmer, Hobbs, Sartoph, Gay Gooen, Claudine Dussert. Staff briefed Council on employee performance issues; no action taken. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i)).

#2: OFFICIALS PRESENT: Sharp, Davenport, Elrich, Porter, Rubin, Williams. OFFICIAL ABSENT: Chavez. STAFF PRESENT: Habada, Grimmer, Sartoph. Staff updated Council on a land acquisition matter; Council authorized the staff to continue negotiations (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3)).

---

## MAYORAL PROCLAMATION #1995-5

**WHEREAS,** *the annual sale of Buddy Poppies by the Veterans of Foreign Wars (VFW) of the United States has been officially recognized and endorsed by governmental leaders since 1922; AND*

**WHEREAS,** *VFW Buddy Poppies are assembled by disabled, needy, and aging veterans in Veterans Administration Hospitals and domiciliaries across the country; AND*

**WHEREAS,** *the majority of proceeds from sales conducted by VFW Posts and their Ladies Auxiliaries is retained locally to provide for veteran services and welfare; AND*

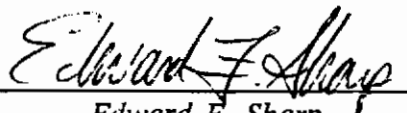
**WHEREAS,** *the minimal cost of Buddy Poppies to VFW units provides compensation to the veterans who assembled the poppies, provides financial assistance in maintaining state and national veterans' rehabilitation and service programs, and partially supports the VFW National Home for orphans and widows of our nation's veterans; AND*

**WHEREAS,** *the basic purpose of the annual sale of Buddy Poppies by the VFW is eloquently reflected in the desire to "Honor the Dead by Helping the Living"; AND*

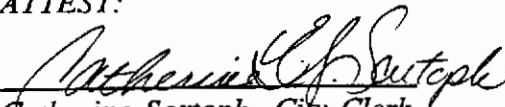
**WHEREAS,** *the wearing of a Buddy Poppy is mute evidence of our appreciation of those who have risked or lost their lives in defense of the principles upon which our Nation was founded.*

**NOW, THEREFORE, I, Edward F. Sharp, Mayor of the City of Takoma Park, Maryland, on behalf of the Council, do proclaim the month of May 1995 as Buddy Poppy Month, which has been set aside for the official distribution of these symbols of sacrifice in the City of Takoma Park by the members and Auxiliary of Takoma Park Post No. 350 of the Veterans of Foreign Wars.**

*Dated this 24th day of April, 1995.*

  
Edward F. Sharp  
Mayor

**ATTEST:**

  
Catherine Sartoph, City Clerk

Introduced By: Mayor Sharp

## RESOLUTION #1995 - 25

### IN APPRECIATION OF THE CITY OF TAKOMA PARK VOLUNTEERS

WHEREAS, National Volunteer Week is April 23, 1995 through April 29, 1995 and volunteers across the nation are recognized for their efforts; AND

WHEREAS, the City of Takoma Park volunteers and members of citizen advisory committees have given their time to the City and fellow residents; AND

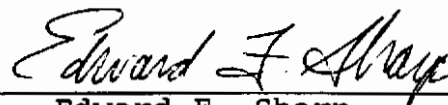
WHEREAS, they have worked to help the children of Takoma Park by providing educational and recreational opportunities, to provide assistance to victims of crime, to maintain city parks, AND

WHEREAS, they have assisted in researching, planning, and implemented policies that affect individuals with disabilities, the environment, affordable housing, community development and more; AND

WHEREAS, they have contributed over 5,000 hours of service through the year to the City.

NOW THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland, on behalf of the citizens and employees of the City, commends these volunteers on their exemplary contributions and service to the citizens of Takoma Park, Maryland.

Adopted this 24th day of April, 1995.



Edward F. Sharp  
Mayor

ATTEST:



Catherine Sartoph, City Clerk



Introduced By: Mayor Sharp

RESOLUTION #1995-26

EXPRESSING APPRECIATION TO CITY STAFF

WHEREAS, the Staff of the City of Takoma Park has committed itself to excellence in service to City residents; AND

WHEREAS, the Staff of the City of Takoma Park serves City residents through the Public Works, Administration, Library, Housing and Community Development, Recreation, Accounting, and Police Departments; AND

WHEREAS, members of the Staff of the City of Takoma Park often serve at great personal sacrifice for the well-being of City residents; AND

WHEREAS, individuals of the Staff and Staff Teams of Takoma Park have been recognized for excellence in their fields.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that on behalf of the Residents and Council of the City of Takoma Park, appreciation is extended to the members of the Staff of the City of Takoma Park for their outstanding commitment to the City and their pursuit of excellence in their contributions to the community.

Adopted this 24th day of April, 1995.

ATTEST:

---

Edward F. Sharp  
Mayor

Introduced By: Mayor Sharp

RESOLUTION #1995-27

IN RECOGNITION OF MAY 7-13, 1995, AS MUNICIPAL CLERKS' WEEK

- WHEREAS, the Office of Municipal Clerk, a time-honored and vital part of local government, exists throughout the world; AND
- WHEREAS, the Office of Municipal Clerk is the oldest among public servants; AND
- WHEREAS, the Office of Municipal Clerk provides the professional link among citizens, local governing bodies, and agencies of government at other levels; AND
- WHEREAS, the Municipal Clerk has pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; AND
- WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; AND
- WHEREAS, the Municipal Clerk continually strives to improve the administration of the affairs of the office of Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations; AND
- WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, on behalf of the Residents, Council, and Staff of the City of Takoma Park, that the week of May 7-13, 1995, is hereby recognized as "Municipal Clerks' Week;" AND

BE IT FURTHER RESOLVED, THAT appreciation is hereby extended to the City Clerk's Office of Takoma Park, comprised of Catherine Sartoph, City Clerk, Thomas Espinosa, Deputy City Clerk, and Andrew Lee Vidal, Administrative Assistant, as well as to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Adopted this 24th day of April, 1995.

---

Edward F. Sharp  
Mayor

ATTEST:

---

Beverly K. Habada  
City Administrator

Introduced by: Mayor Sharp

RESOLUTION #1995 - 28

ESTABLISHING AN ELECTIONS TASK FORCE AND EFFECTING APPOINTMENTS

WHEREAS, the City of Takoma Park has received and verified petitions for annexation from persons residing the in the areas commonly known as Hampshire Knolls, Gude Addition, Gibbs & Kosack, and Pine Crest Subdivisions; **AND**

WHEREAS, Annexation Resolutions #1995-22, #1995-23, and #1995-24 were introduced on April 17, 1995, and will be considered by Council for final action on May 30, 1995, following public hearings on the proposed annexations; **AND**

WHEREAS, should the Annexation Resolutions be adopted at second reading, the City's population will increase by approximately 800 persons; **AND**

WHEREAS, annexation will necessitate a reconfiguration of the boundaries of the Wards within the City for purposes of preserving balanced populations, and racial and ethnic distributions across Wards, and determining the geographic areas the members of the Council represent; **AND**

WHEREAS, a reconfiguration of Ward boundaries must be adopted prior to the City's 1995 Nominating Caucus and biennial election in November.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council authorizes the establishment of an Elections Task Force (Task Force) to recommend to the City Council boundaries for six Wards on the basis of which Councilmembers shall be elected; **AND**

**BE IT FURTHER RESOLVED** that the recommended boundaries shall take into consideration existing neighborhoods with the goal, to the degree possible, of locating those neighborhoods within the same Ward; **AND**

**BE IT FURTHER RESOLVED** that the recommended boundaries shall be drawn in such a way that the social, economic and cultural diversity that exists in Takoma Park will have an equal opportunity for representation by those elected to the City Council; **AND**

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

BE IT FURTHER RESOLVED that the City Council does hereby appoint the following persons to serve on the Task Force for such time as is required for the Task Force to fulfill its purpose as established in this resolution; AND

	<u>Name</u>	<u>Address</u>	<u>Ward</u>
1.	Bryan Sayer	215 Spring Avenue	3
2.	Matthew MacWilliams	9 Sherman Avenue	3
3.	Johanna Potts	1016 Heather Avenue	2
4.	Allison Porter	6812 Belford Drive	Area #1
5.	Rudy Arredondo	7620 Maple Avenue	4

BE IT FURTHER RESOLVED that the Task Force shall present its recommendations to the City Council on or about June 26, 1995.

Adopted this 24th day of April, 1995.

ATTEST:

  
Catherine Sartoph, City Clerk

Introduced By: Councilmember Rubin

1st Reading: 4/10/95

2nd Reading: 4/24/95

Effective: Immediately  
Upon Adoption

ORDINANCE #1995 - 6

INSTALLATION OF SPEED HUMP

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

SECTION 1. THAT Ordinance No. 2676, adopted June 27, 1983, be amended by the addition of a new subsection to Section 1, as set forth below:

That speed hump installations, as defined in Sec. 13-2(a)(14.2) of the Code of Takoma Park, Maryland, 1972, as amended, be effected at the following locations:

- (a) Baltimore Avenue (7300 block of Baltimore Avenue), one (1) speed hump to be placed approximately 180 feet from the stop sign at Takoma Avenue, and one (1) speed hump to be placed approximately 180 feet from the stop sign at Albany Avenue; exact locations shall be at the discretion of the City Administrator.

SECTION 2. THAT this Ordinance becomes effective upon adoption.

Adopted by the Council of the City of Takoma Park, Maryland, this 24th day of April, 1995, by roll call vote as follows:

AYE: Sharp, Davenport, Porter, Rubin, Williams

NAY: None

ABSTAINED: None

ABSENT: Chavez, Elrich

Introduced by:  
Councilmember Williams

First Reading: 4/10/95  
Second Reading: 4/24/95

Effective Date: 4/24/95

ORDINANCE NO. 1995 - 7

(Prohibiting the Discharge of Pollutants into  
Storm Drainage System)

WHEREAS, the City of Takoma Park has responsibility for stormwater management in the City; and

WHEREAS, the discharge of pollutants such as motor oil into storm drains in the City may cause contamination and pollution that will render the surface and ground waters of the state, which include the storm drainage system, harmful or detrimental to public health, safety, and welfare.

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

SECTION ONE. Chapter 10, Article 4, Prohibited Disposal Methods, of the Takoma Park Code is amended to repeal the current Section 10-26, Drainage of offensive matter, and to replace it with the following:

**Sec. 10-26. Discharge of pollutants into storm drain system prohibited.**

(a) No person shall discharge any pollutant or toxic substance into any storm drain, public sewer or drainage system in the City of Takoma Park.

(1) Pollutant means any liquid, gaseous, solid, radioactive, hazardous, or other substance which, when discharged directly or indirectly into the waters of the state in the City in a manner other than as authorized by applicable permits,

regulations, or manufacturer's instructions, has the potential to or does cause contamination or other alteration of the physical, chemical, or biological properties of any waters of the state in the City or harm to human life, aquatic life, or terrestrial plant and wildlife.

(A) Pollutant includes but is not limited to motor oil, gasoline, kerosene, antifreeze, brake fluid, insecticide, herbicide, pesticide, chemical waste, and toxic substance.

(B) Waters of the state include both surface waters and ground waters within the boundaries of the State of Maryland and subject to its jurisdiction, including storm drain systems and public drainage systems, other than sanitary sewer systems.

(2) Discharge means directly or indirectly adding, introducing, leaking, spilling, or emitting any pollutant in a storm drain, public sewer, or drainage system or any other location, including natural and man-made land surfaces, subsurfaces, or other surfaces connected to these surfaces, where it is likely to reach waters of the state in the City.

(b) A violation of this section shall be a Class AA offense.

(c) This section is intended to supplement and not to contradict, supersede, or prevent the enforcement of any applicable provisions of the law and regulations of the county, state, and federal government.

**SECTION TWO.** This Ordinance shall be effective immediately.

Adopted this 24th day of April, 1995, by roll  
call vote as follows:

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

**NAY:** None

**ABSTAIN:** None

**ABSENT:** Chavez, Elrich

f:\wpdocs\takoma\hazmat\pollut.ord



Introduced By: Councilmember Rubin

First Reading: April 10, 1995

Second Reading: April 24, 1995

**ORDINANCE #1995-8  
FY 95 BUDGET AMENDMENT NO. 2**

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

SECTION 1. that the Fiscal Year 1995 Budget be amended as  
follows:

**General Fund**

- a. Appropriate \$20,500 from Capital Budget, Account 9100.8000, to Special Revenue Transfer, Account #9200.8100, for Jeque Park and Colby Park.
- b. Transfer \$15,000 from Account 9000-8200, Unappropriated Funds, to Account 9000-7010, General Contingency, to cover costs of Annexation expenses.
- c. Transfer \$25,000 from Account 9000-8200, Unappropriated Funds, to Account 9000-8001, Capital Expenditures, for costs of additional street work (Chestnut, Maple).
- d. Transfer \$4,700 from Account 9000-8200, Unappropriated Funds, to Account 1120-7035, Newsletter, for additional funding for City newsletter mailing.
- e. Appropriate \$8,867 to Revenue account number 3311, to account for receipt of State grant for installation of emergency call boxes.
- f. Increase appropriation of Capital expenditures, Account number 9100-8000, by \$8,867.
- g. Transfer \$40,000 from Equipment Replacement Reserve to General Fund, for Finance/Admin. computer replacement. Increase Account 9100-8000 by \$40,000.
- h. Transfer \$7,084 from Account 9000-8200, Unappropriated Funds, to Special Revenue Transfer, Account 9200-8100 for City match to COPS grant.
- i. Appropriate \$20,000 to Revenue Account 3305 and Account 9000-8001 for receipt of State Tree Grant.

**Special Revenue Fund - Revenue Amendments**

- a. Appropriate \$18,000 to General Fund Transfer, Account #0010.3385, for Jequie Park.
- b. Appropriate \$2,500 to General Fund Transfer, Account #0010.3385, for Colby Park.
- c. Create a revenue account in the amount of \$54,000 for Jequie Park: Account 0010.3833.
- d. Create a revenue account in the amount of \$7,500 in Program Open Space funds for Colby Park: Account 0010.3831.
- e. Create a revenue account, 0010-3382, with an appropriation of \$21,251, to account for receipt of Federal Crime bill Community Policing grant for final quarter of FY 95.
- f. Appropriate \$7,084 to General Fund Transfer, Account 0010-3385, for COPS grant match.

**Special Revenue Fund - Expenditure Amendments**

- a. Create an expenditure account in the amount of \$72,000 for Jequie Park: Account 0010.7191.
- b. Create an expenditure account in the amount of \$10,000 in Program Open Space funds for Colby Park: Account 0010.7192.
- c. Create an expenditure account 0010-7240, with an appropriation of \$28,335, for Federal Crime bill Community policing grant expenditures for the final quarter of FY 95.

**Stormwater Management Fund - Revenue Amendments**

- a. A revenue account, 3000-3388, EPA Grant, is created with an appropriation of \$15,532, to account for partial receipt of EPA storm water utilities grant during FY 95.

**Stormwater Management Fund - Expenditure Amendments**

- a. Transfer \$12,000 from Account 6145, Subcontract Work, to Account 3000-4010, Salaries.
- b. An expenditure account, 3000-5100, Office Supplies, is created with an appropriation of \$6,000.

Page Three  
O-95BA2

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

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

Introduced by: Councilmember Williams

Adopted: 4/24/95  
(Single Reading)

ORDINANCE NO. 1995-9

AN ORDINANCE TO AWARD A CONTRACT FOR A  
STORMDRAIN CLEANING AND T.V. INSPECTION

WHEREAS, the FY-95 budget set aside funds for a STORMDRAIN CLEANING AND T.V. INSPECTION Contract for City of Takoma Park; AND

WHEREAS, in accordance with City procurement procedures a Request for Bids was advertised in the Washington Post, Dodge and Blue Reports; AND

WHEREAS, bids were publicly opened at 2:00 p.m., Wednesday, May 2, 1995 with four (4) bids being received; AND

WHEREAS, the bid received from MAGNOLIA PLUMBING, INC. is considered both responsive and responsible.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND sitting as the Stormwater Management Board

SECTION 1. THAT a contract be awarded to MAGNOLIA PLUMBING effective June 1, 1995 through May 30, 1996 with (two) year renewal options; AND

SECTION 2. THAT annual expenditure shall not exceed Council's Stormwater Budget appropriations; AND

SECTION 3. THAT funds to cover this work be charged to Stormdrain Cleaning and T.V. Inspection Sub-Contract Account No. 0030-3700-6145.

Adopted this 24th day of April, 1995.

AYE: Sharp, Davenport, Porter, Rubin, Williams

NAY: None

ABSTAIN: None

ABSENT: Chavez, Elrich