

**STAFF REPORT, REGULAR MEETING, WORKSESSION
AND EXECUTIVE SESSION
OF THE CITY COUNCIL**

Thursday, January 11, 1996

Executive Session 12/11/95 - Moved by Rubin; seconded by Chavez. Council convened in Executive Session by unanimous vote at 8:10 p.m., in the Conference Room. **OFFICIALS PRESENT:** Sharp, Chavez, Elrich, Porter, Rubin, Williams. **OFFICIAL ABSENT:** Davenport. **STAFF PRESENT:** Habada, Grimmer, Sartoph. Council discussed matters related to possible land acquisition; no action taken (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3)).

OFFICIALS PRESENT:

Mayor Sharp

Councilmember Chavez

Councilmember Davenport

Councilmember Porter

Councilmember Rubin

Councilmember Williams

City Administrator Habada

Deputy City Clerk Espinosa

Corporation Counsel Silber

OFFICIAL ABSENT:

Councilmember Elrich

The City Council convened at 7:35 p.m. on Thursday, January 11, 1996, in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland. The meeting was postponed from Monday, January 8, because the large snowfall made travel precarious.

Following the Pledge of Allegiance, these remarks were made:

MAYOR AND COUNCIL COMMENTS

Mr. Sharp announced that the City Council is returning from its 1995 Holiday Season Recess, and reminded the Councilmembers that the next meeting is scheduled for Tuesday, January 16th. He commended the efforts of the City's Public Works and Police Departments during the recent snow emergency.

Mr. Williams added his thanks to the Public Works Department and suggested the city write a

letter to the editor or notify television stations, recognizing the municipalities for their exceptional response to snow removal.

Mr. Davenport and Ms. Porter echoed the congratulatory remarks.

Mr. Rubin noted that the Silver Spring and Takoma Park communities sustained a great tragedy with the recent death of young Brook Williams on Piney Branch Road. He commented on the inadequacy of words in expressing sorrow, and said that the city is consulting with other authorities in an effort to prevent such events from occurring in the future.

Mr. Davenport remarked that the Martin Luther King Commemoration events scheduled for Sunday, January 14th, have been canceled. He announced that the event will be rescheduled, and that the theme will be "Family and Education", adding that the what Dr. King inspired cannot be brought-out through one event, but can be brought-out through the family. He encouraged all persons to take seriously the lessons Dr. King taught.

Mr. Williams called attention to the photos from Historic Takoma's archives that have been mounted in the Council Chambers, and encouraged residents to come and take a look.

Mr. Sharp noted that Mr. Elrich is attending the Silver Spring Citizen Advisory Committee meeting and will be arriving later in the evening.

CITIZEN COMMENTS

Benjamin Onyeneke, Maple Avenue, raised three matters: (1) offered condolences to the family of Brook Williams, (2) commended the idea of construction of professional sports stadiums in Baltimore and in Prince George's County, and (3) commended the anti-crime initiatives of the Clinton Administration, and supported the idea of requiring uniforms for public school children.

Larry Fischel recommended that the city review the streets in the area of Takoma Park Intermediate School, noting that many streets in this area do not have sidewalks. He noted specific examples of streets without sidewalks.

Mr. Rubin agreed with Mr. Fischel's concern, and noted the absence of sidewalks on Boston Avenue.

Mr. Fischel added that approximately 175 children have to walk along Piney Branch Road, a 40 mph zone, every school day without adequate sidewalks. He urged an increase in police patrol and speed enforcement.

Susan Silber, Mississippi Avenue, identified the key issue as the need to lower traffic speeds on Piney Branch Road. She noted the relative slowness of morning rush-hour traffic compared with that of the afternoon rush-hour.

PUBLIC HEARING

#1 Pending Applications for Liquor Licenses and Transfer of License. The public hearing was opened at 8:05 p.m.

Benjamin Onyeneke, Maple Avenue, expressed opposition to the liquor licenses, stating that the applicants operate restaurants where children may go. He acknowledged the desire of restaurants to make a profit, but argued that restaurants should concentrate on serving food. He raised the concern that alcohol may attract undesirable elements, and emphasized the importance of protecting our children.

Susan Robb, 203 Manor Circle, noted that residents with whom she has consulted, largely support granting the licenses.

The public hearing was closed at 8:12 p.m.

REGULAR MEETING

#2 Resolution re: Pending Applications of Liquor Licenses and Transfer of License. Mr. Sharp noted that the Council has three pending applications for consideration, and that there may need to be three separate resolutions.

Mr. Rubin responded that he and Mr. Williams have agreed to co-sponsor a resolution in support of all three applications (seconded by Williams). Mr. Sharp stated that the matters can now be combined in one resolution.

Mr. Williams commented on the difference between “off” and “on” sales. He reported his estimate that by a ratio of 15 to 1, residents of Ward 3 support granting the licenses and transfer. He noted the economic aspects for the restaurants, i.e., availability of alcoholic beverages is a part of retaining businesses.

Mr. Chavez asked for clarification regarding intended “off” and “on” sales.

Mr. Williams responded that the applications are only for “on” site sales.

Ms. Porter noted concerns about the Taliano’s license, because it provides for distilled spirits as well as beer and wine.

Mr. Williams remarked that Taliano’s renovation has yielded a smaller bar, and that the establishment is now more family-oriented.

Mr. Rubin added that the management of both Savory and Mark’s Kitchen have been active contributors to community programs.

Mr. Davenport commented on the large amount of “red tape” for restauranteurs, and supported the resolution.

Mr. Williams noted that the applicants must undergo training related to alcohol sales.

Benjamin Onyeneke, Maple Avenue, stated that research indicates that the black community does not support the applications and will not patronize businesses that sell alcohol. He said he thinks such businesses may draw prostitution, using Takoma Station as an example of an establishment that has drawn bad elements. He remarked that his research also indicates that approximately 3/4 of the white community also oppose the applications.

Mr. Chavez said that no establishment can sell alcohol to minors.

The resolution was adopted unanimously (ABSENT: Elrich).

RESOLUTION #1996-1
(Attached)

#3 2nd Reading Ordinance re: Takoma Junction Development Consultant. Moved by Sharp; seconded by Davenport.

Mr. Williams commented on the recent meeting of the Takoma Junction Community Development Corporation (TJCDC), and their support for retention of the consultant.

Ms. Porter expressed concern about the portion of the proposed contract’s Task B, Section 1 (paragraph 2 on page 4) as it relates to possible walk-in traffic for the Junction. She asked for clarification of the intent of this section.

Ms. Habada replied that the intent is to not confine the focus of development to walk-in traffic, and offered an editorial correction to the paragraph.

Benjamin Onyeneke, Maple Avenue, stated that he believes the traffic in the Junction should be the priority issue, and expressed his support for the contract.

The ordinance was adopted unanimously by roll call vote.

ORDINANCE #1995-51
(Attached)

#4 Resolution re: Gun Control Legislation. Mr. Davenport commented on the importance of the legislation proposed for enactment by the Maryland General Assembly, read the resolution for the record, commented on artistic and cultural influences upon violence in society, and emphasized the importance of improved communication within families as a bulwark against

antisocial behavior.

Mr. Rubin inquired about the relationship of the legislation proposed by Governor Glendening and the legislation proposed by Delegate Franchot (D-District 20).

Ms. Porter commented that Governor Glendening's proposals provide for background checks for prospective gun purchasers, limits on quantities of guns that may be purchased, and requirements for firearms training for prospective purchasers. She noted the importance of city participation in educating its residents about the need and benefits of effective gun control legislation.

Benjamin Onyeneke, Maple Avenue, spoke in favor of the legislation.

Mr. Rubin stated that the resolution should be forwarded to the Governor and our Delegates, upon adoption.

The resolution was adopted unanimously.

RESOLUTION #1996-2
(Attached)

#5 Single Reading Ordinance re: Emergency Procurement--Snow-removal Equipment. Ms. Habada referred to her memorandum that outlines the need for an emergency procurement due to current snow emergency. She described the acquisition ordinance proposed for adoption this evening, and emphasized the need for quick action on the proposal to purchase a "Bobcat" tractor, suitable for use in snow removal.

Ms. Porter commented that the Council previously has considered purchase of a "Bobcat". She indicated that the current weather emergency warrants shifting of priorities so as to purchase the machine.

Ms. Habada noted a caveat, that the CIP funds are available due to a surplus in the budget for the Municipal Building--Police Department laboratory ventilation renovations--which, prior to the weather emergency, was being considered for allocation to other projects. She noted that while the city is exploring weather-emergency funding from federal, state and county sources, such funding could not be guaranteed.

Mr. Sharp noted particulars of the city's emergency procurement procedures.

Juan Torres, Elm Avenue, stated his belief that the inability to do the job with current equipment is due to poor handling. He commented that the "Bobcat" is a 4-wheel drive vehicle which will not be good on ice and that he is opposed to the purchase. He also commented that not all streets had had leaves removed before the snow fell.

Mr. Sharp disagreed with the comment that a bad job was done in handling the equipment, and challenged Mr. Torres to show where improvement needs to be made.

Mr. Davenport said that he has seen "Bobcat" performance, and that it was good.

Ms. Porter agreed with Mr. Torres' comments about leaf removal, but noted that the Bobcat was needed because snow removal on some streets and alleys is difficult because of their narrow dimensions.

Mr. Sharp stated that in regards to leaf removal, if there was something wrong with the removal schedule, it could be explored, but emphasized that leaves fell unusually late this season.

Ms. Porter commented that leaves only complicate snow removal.

Mr. Sharp agreed.

Mr. Torres clarified that his complaint is about management staff, not the laborers.

Mr. Williams noted some benefits of backhoes, but recognized that "Bobcats" are more maneuverable. He expressed his support.

Ms. Habada remarked about the diligence of the management staff.

The ordinance was adopted unanimously by roll call vote.

**ORDINANCE #1996-1
(Attached)**

WORKSESSION

The Council adjourned to Worksession at 9:10 p.m. Following the Worksession, the Council convened in Executive Session at 10:41, and later adjourned for the evening.

Executive Session 1/11/96 - Moved by Williams; seconded by Chavez. Council convened in Executive Session by unanimous vote at 10:41 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Porter, Rubin, Williams. OFFICIALS ABSENT: Davenport, Elrich. STAFF PRESENT: Habada, Grimmer, Silber, Shafer, Kowaluk, Hensley. Council received briefing on pending litigation, and suggested next steps in litigation (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(8)).

Introduced by: Councilmembers Rubin and Williams

RESOLUTION #1996-1

EXPRESSING THE SUPPORT OF THE TAKOMA PARK CITY COUNCIL FOR THE GRANTING OF APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES (SAVORY & MARK'S KITCHEN) AND APPLICATION FOR TRANSFER OF LICENSE TO NEW OWNER (TALIANO'S)

WHEREAS, the City has been notified that (1) Linda Pompa, on behalf of Savory, Inc., premises located at 7071 Carroll Avenue, has applied for a Class H, Beer & Wine License, Hotel/Restaurant, On Sale Only, (2) Tae Wook Choe, for the premises known as Mark's Kitchen, located at 7006 Carroll Avenue, has applied for a Class H, Beer & Wine License, Hotel/Restaurant, On Sale Only, and (3) a Transfer of License to New Owners has been applied for on behalf of the premises known as Taliano's, located at 7001 Carroll Avenue; **AND**

WHEREAS, following legal notification in the City's Newsletter and a separate notice hand-delivered to each of the premises described above for the named applicant(s), a Public Hearing was held on Monday, January 8, 1996, providing an opportunity for the applicant(s) and citizens to testify regarding the pending application; **AND**

WHEREAS, after hearing public comment and discussing the matter, the City Council has come to the conclusion that granting of all three applications would be supportive of the establishments' business endeavors and not otherwise detrimental to the community at large; **AND**

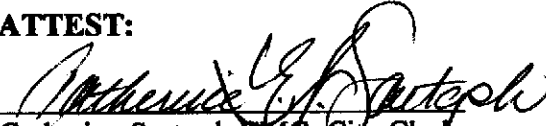
NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby support the granting of the the following:

Application for Class H, Beer & Wine License	Mark's Kitchen, 7006 Carroll Avenue
Application for Class H, Beer & Wine License	Savory, 7071 Carroll Avenue
Transfer of License to New Owner(s)	Taliano's 7001 Carroll Avenue

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be sent to the Montgomery County Board of License Commissioners.

ADOPTED this 11 day of January, 1996.

ATTEST:


Catherine Sartoph CMC, City Clerk

Introduced By: Councilmember Davenport

RESOLUTION #1996 - 2
IN SUPPORT OF COMPREHENSIVE GUN CONTROL LEGISLATION

WHEREAS, Every year, over 36,000 Americans are killed by handguns, and many hundreds of thousands more are seriously injured; AND

WHEREAS, In the State of Maryland, more than seven hundred people were killed by gun violence in 1994, and more than 16,000 people were victimized by gun-related crimes; AND

WHEREAS, In Prince George's County, eighty-two people were killed by handguns in 1994, and handguns were used in over 3,000 additional crimes involving both juveniles and adults; AND

WHEREAS, In Montgomery County, fourteen people were killed in handgun crimes in 1994, and 139 other assaults involved firearms; AND

WHEREAS, These homicides, suicides, and injuries would have been less likely to occur if handguns had not been abused; AND

WHEREAS, It has been established that reduction of the proliferation of handgun abuse through reasonable weapon control laws would substantially reduce the likelihood of available death and injury.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the City of Takoma Park supports, in principle, Governor Glendening's comprehensive gun control legislation, AND

BE IT FURTHER RESOLVED, THAT the City of Takoma Park commits itself to working with the Governor and General Assembly to enact comprehensive weapon control measures during the 1996 Legislative Session, AND

BE IT FURTHER RESOLVED, THAT the City of Takoma Park commits itself to participate in educating its residents about the need and benefits of effective weapon control laws.

ADOPTED this 11th day of January, 1996.

1st Reading 12/11/95

2nd Reading 1/11/96

Introduced By: Councilmember Williams

ORDINANCE NO. 1995-51

TAKOMA JUNCTION DEVELOPMENT PLAN CONTRACT

Ordinance to award the contract for preparation of the Takoma Junction Development Plan to Hammer, Siler, George Associates.

WHEREAS, the City of Takoma Park has allocated \$35,000 (\$20,000 from Community Development Block Grant Funds and a \$15,000 grant from the MD Department of Housing and Community Development); AND

WHEREAS, appropriate solicitation of interest through a formally advertised Request for Proposals resulted in the submission of seven responsive and responsible proposals; AND

WHEREAS, based on the selection criteria and in consideration of other qualifications included in the Request for Proposals, the Review Team recommended award of the contract to Hammer, Siler, George Associates; AND

WHEREAS, the available funds are sufficient to pay for the cost of the services to be provided;

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND that the contract be awarded to the firm of Hammer, Siler, George Associates in the amount of \$35,000.

Ayes: Sharp, Chavez, Davenport, Porter, Rubin, Williams

Nays: None

Abstain: None

Absent: Elrich

Introduced By: Councilmember Porter

Adopted: 1/11/96

Effective Date: 1/11/96

ORDINANCE NO. 1996- 1

(An ordinance to provide for the emergency purchase of a "Bobcat" to remove snow from City streets for the immediate protection of public safety, health, and welfare.)

WHEREAS, the Blizzard of '96 has dumped large quantities of snow on the City; and

WHEREAS, the record snowfall has made snow removal difficult and snow and ice have left many City streets and walks in a dangerous condition; and

WHEREAS, present City snow removal equipment is inadequate to deal with snow emergency conditions and to adequately plow intersections, narrow cul-de-sacs, and around barriers; and

WHEREAS, another storm is anticipated tonight which may dump up to an additional 6 to 8 inches of snow and ice and exacerbate the already hazardous driving and walking conditions in the City; and

WHEREAS, the City's arsenal of snow removal equipment is missing an essential item, i.e., a "Bobcat"; and

WHEREAS, a Bobcat is well suited for the removal of snow from the many narrow cul-de-sacs and courts in the City and also for removing snow from intersections and around barriers; and

WHEREAS, due to the snow emergency, the City has been unable to find a Bobcat to rent or to obtain the services of a contractor with a Bobcat in the entire Washington, D.C. metropolitan area; and

WHEREAS, the need to make City roads and intersections safe during this Blizzard of '96 is an emergency which threatens public safety and health; and

WHEREAS, the Council finds that there is an immediate and emergency need for the City to purchase a Bobcat to aid with snow removal and help make the streets safer for public passage; and

WHEREAS, in accordance with Takoma Park Code, Section 9A-13(c), an emergency procurement may be made without the requirement of competitive bidding when there exists a threat to the public health, welfare or safety under emergency conditions; and

WHEREAS, the City has obtained two quotes for the purchase of a Bobcat in the amounts of \$22,000.00 and \$21,000.00 respectively; and

WHEREAS, the \$21,000.00 quote from Metro Rentals, Inc. is the low quote and Metro Rentals, Inc. has a bobcat immediately available for the City's purchase; and

WHEREAS, Section 308(e) of the City Charter provides that upon the finding that an emergency exists, the provision that an Ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative vote of four members of the Council; and

WHEREAS, Takoma Park Code, Section 2-5(b) also states that an ordinance which is necessary to meet a public emergency affecting the public health, safety and welfare may be adopted after one reading at a meeting of the Council and that an emergency ordinance shall be effective immediately after adoption.

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

SECTION 1. FINDING OF AN EMERGENCY.

The Council finds that the Blizzard of '96 has created an extraordinary need for snow removal in the City and that the need to effectively and to immediately remove the snow from City streets constitutes an emergency as unplowed (or inadequately plowed) streets endanger the public health, safety, and welfare. Accordingly, the Council finds that an emergency exists and that the purchase of a Bobcat, as an emergency procurement, is necessary for the immediate protection of public health, safety, and welfare.

SECTION 2. SUSPENSION OF REQUIREMENT FOR 2ND READING OF ORDINANCE AT A LATER MEETING OF THE COUNCIL.

In accordance with Section 308(d) of the City Charter, the Council, by the affirmative vote of at least four members of the Council, hereby suspends the provision that an Ordinance may not be passed at the meeting at which it is introduced.

SECTION 3. AUTHORIZATION FOR PURCHASE OF BOBCAT.

The Council authorizes the City Administrator or her designee to purchase a Bobcat from Metro Rentals, Inc. for the sum of \$21,000.00, to be charged to Account 9000-8001.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall be effective immediately.

This Emergency Ordinance is adopted this 11th day of January, 1996, by roll-call vote as follows:

Aye: Sharp, Chavez, Davenport, Porter, Rubin, Williams

Nay: None

Absent: Elrich

Abstain: None

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**PRESENTATION, INTERVIEW, REGULAR MEETING, WORKSESSION
AND EXECUTIVE SESSION
OF THE CITY COUNCIL**

Monday, January 22, 1996

Executive Session 1/11/96 - Moved by Williams; seconded by Chavez. Council convened in Executive Session by unanimous vote at 10:41 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Porter, Rubin, Williams. OFFICIALS ABSENT: Davenport, Elrich. STAFF PRESENT: Habada, Grimmer, Silber, Shafer, Kowaluk, Hensley. Council received briefing on pending litigation, and suggested next steps in litigation (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(8)).

Executive Session 1/16/96 - Moved by Rubin; seconded by Davenport. Council convened in Executive Session by unanimous vote at 10:30 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams. STAFF PRESENT: Habada, Espinosa. Council discussed possible land acquisition; staff advised to further explore purchase (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3)).

OFFICIALS PRESENT:

- | | |
|-------------------------|------------------------------------|
| Mayor Sharp | City Administrator Habada |
| Councilmember Chavez | Deputy City Administrator Grimmer |
| Councilmember Davenport | Assistant City Administrator Hobbs |
| Councilmember Elrich | Deputy City Clerk Espinosa |
| Councilmember Porter | Corporation Counsel Silber |
| Councilmember Rubin | Police Chief Phillips |
| Councilmember Williams | Construction Specialist Kowaluk |
| | Treasurer McKenzie |

The City Council convened at 7:39 p.m. on Monday, January 22, 1996, in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

Following the Pledge of Allegiance, these remarks were made:

MAYOR AND COUNCIL COMMENTS

Mr. Davenport asked that a moment of silence be observed in memory of the late Representative Barbara Jordan (D-TX).

PRESENTATION

#1 Resolution re: "Blizzard of '96". (Moved by Sharp; seconded by Davenport)

Mr. Sharp read the resolution expressing appreciation to employees of Public Works and the Police Department for their response efforts during the recent weather emergency.

Debbie Easterly, 7111 Sligo Avenue (Longbranch-Sligo Citizens Association), presented a cake to the Public Works staff in appreciation of their extraordinary efforts.

Ms. Porter related the appreciation of citizens in the annexation area, including one gentleman who said that they had joined the city just in time.

The resolution was adopted unanimously (ABSENT: Elrich).

RESOLUTION #1996-3 (Attached)

Mr. Sharp commented on the reception sponsored by One Takoma, held on Sunday, January 21st at Savory, in appreciation of the efforts of individuals and the community related to unification. He recognized the number of residents who turned out, and said it was a good event for the city-- a demonstration of how residents can pull together.

(NOTE: Staff is to prepare a letter of appreciation to Savory.)

CITIZEN COMMENTS

Benjamin Onyeneke, Maple Avenue, noted today's meeting on ESPN about women's rights. He commented on the right of parents to discipline their children, and that discipline does not necessarily involve physical punishment. He stated that many runaways are victims of physical abuse. Mr. Onyeneke supported the notion that more discipline is needed in schools, and that students should be required to wear uniforms.

Paul D'Eustachio, 19 Pine Avenue, stated that with regard to the snow clean-up efforts, staff needs to explore alleviating snow and ice accumulations on city sidewalks. He noted that he has a long history of complaints related to concerns about violations of the city's snow and ice regulations. Mr. D'Eustachio suggested that the city increase its revenues by collection of fines for violations of the regulation.

INTERVIEW

#2 Nuclear-Free Takoma Park Committee. Mr. Williams reported that Angelia Smith is unable to attend this evening's meeting, and asked that staff reschedule the interview as soon as possible.

PRESENTATION

#3 FY95 Financial Report. On behalf of Wooden & Benson, Frank Blitzenberger commented

that a management letter was not issued, but noted that the current overhauling of the city Treasurer's Office computer system could result in issuance of a management letter. He called attention to two points in the Report: (1) the unreserved fund balance as of June 30, 1995, indicates excess revenue (pg.2), and (2) overages are reported on the Combined Statement (pg.4).

Mr. Sharp commented on the unreserved fund balance as it relates to maintenance of FY95 service levels in FY96.

Mr. Williams referred to page 9 of the Report and asked how deposits were collateralized.

Mr. Blitzenberger replied that banks pledge their securities, i.e., it is their collateral, not the city's, which secure the deposits.

Mr. Sharp commented on the market value of city real property, referring to page 46 of the Report.

In response to a question raised by Mr. Williams, Ms. McKenzie explained that additional information is expected from the State as to a reduction in business and property tax revenues from FY94 to FY95.

Mr. Sharp asked about disclaimers in the Report, including those related to internal control structures.

Mr. Blitzenberger replied that the Report does not analyze internal control structures in elaborate detail. He provided clarification regarding matters related to the city's possible participation in arbitrage.

Ms. Habada confirmed that the effect of the 1995 City Charter amendment related to the Emergency Reserve is reflected in the Report.

Mr. Sharp requested that the Council be briefed on fund accounting during an upcoming worksession.

REGULAR SESSION

#4 Single Reading Ordinance re: Takoma/Langley Streetscape Improvements. Mr. Kowaluk explained the city's criteria for selecting a contractor. He also described the proposed Takoma/Langley improvements, and confirmed that the improvements are to be funded through the Community Development Block Grant (CDBG) program.

In response to Mr. Rubin, Mr. Kowaluk commented on potential contractors' "clear understanding of scope of services" (see memorandum).

Mr. Rubin distinguished between "best price" and "best value".

Benjamin Onyeneke, Maple Avenue, said that it seems that sometimes a vendor's experience does not count, and that he feels this qualification needs more consideration. He expressed his belief that the city does not need this work right now.

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

**ORDINANCE #1996-2
(Attached)**

#5 Resolution re: Appointment to Nuclear-Free Takoma Park Committee. Appointment was postponed until after the interview with Ms. Smith. Item will be rescheduled.

#6 Resolution re: Appointments to Commission on Landlord-Tenant Affairs (COLTA). Mr. Sharp recalled the Council's interviews with Wanda Baker and Mary Stover, and the subsequent worksession discussion of appointing these candidates.

Mr. Williams stated that candidates not selected should be notified by staff.

(NOTE: Staff is to follow-up with appropriate notification to all candidates.)

The resolution was adopted unanimously.

**RESOLUTION #1996-4
(Attached)**

WORKSESSION

The Council adjourned to Worksession at 8:40 p.m. Following the Worksession, the Council convened in Executive Session at 10:05 p.m. The Council later adjourned for the evening.

EXECUTIVE SESSION

Executive Session 1/22/96 - Moved by Rubin; seconded by Chavez. Council convened in Executive Session by unanimous vote at 10:05 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Elrich, Porter, Rubin, Williams. OFFICIAL ABSENT: Davenport. STAFF PRESENT: Habada, Grimmer, Hobbs, Silber, Phillips, Espinosa. Council received a briefing on pending litigation and personnel issue. Staff was given direction on two legal matters; no action was taken regarding the personnel issue. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(7) and (1)(I)).

Introduced by: Mayor Sharp

RESOLUTION 1996- 3

WHEREAS, *on Sunday, January 7, 1996 at approximately 12:00 a.m. the City experienced a snow storm that dumped in excess of 22" in Takoma Park, and a couple of days later, on January 11th & 12th, another 4-5 inches fell, overwhelming most of the Eastern region; AND*

WHEREAS, *Public Works staff, lead by Willis Shafer, Public Works Coordinator/Team Leader, and Robert Allen, Mark Busciano, Randy Christian, Len Davis, David Dick, Elmer Driggers, Ed Harrison, Herman Lucas, Nelson Matchett, David Miller, Len Moritz, Robert Phillips, Curtis Pumphery, Reynaldo Romero, Andrew Ross, Paul Ross, Rohan Ross, David Thorman, Sean Stone, Wayne Walls, Taylor Wardrick, worked diligently to make the City streets and City buildings accessible; AND*

WHEREAS, *City police officers and dispatchers assisted one another to get to work, and both groups worked many overtime hours to deal with the emergency, some working on their normal day off; AND*

WHEREAS, *some officers and dispatchers were unable to return home at the end of their shifts, and accordingly slept overnight at a Takoma Park motel so as to be able to work the next day.*

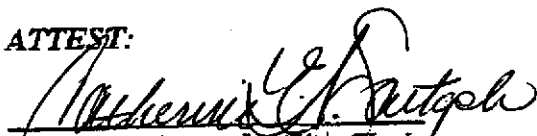
NOW THEREFORE BE IT RESOLVED THAT *the City Council of Takoma Park, Maryland commend Public Works staff members for their timely and efficient response which made the roads in the City driveable and for their willingness to dedicate day after day, around the clock, in a successful team effort in the face of an immense challenge; AND*

BE IT FURTHER RESOLVED THAT *Police Department employees be commended and thanked for devotion to duty.*

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

Dated this 22nd day of January, 1996.

ATTEST:


Catherine Sartoph, City Clerk

Introduced by: Mayor Sharp

RESOLUTION # 1996-4

APPOINTING NEW COMMISSIONERS TO COLTA

WHEREAS, there presently exists two vacancies on the City's Commission on Landlord-Tenant Affairs (COLTA); AND

WHEREAS, a number of City residents have applied to fill the vacancies, AND

WHEREAS, Council has interviewed the applicants, and has evaluated their qualifications; AND

WHEREAS, two residents have been selected for appointment to fill the vacancies.

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the City of Takoma Park, Maryland, hereby appoints the following individuals to fill the vacancies on the Takoma Park Commission on Landlord-Tenant Affairs:

<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Mary Stover	504 Lincoln Avenue	June 30, 1996
Wanda Baker	7777 Maple Avenue, #302	June 30, 1996

BE IT FURTHER RESOLVED THAT this appointment becomes effective immediately.

Dated this 22nd day of January, 1996

ATTEST:


Catherine Sartoph, City Clerk

Introduced by: Councilmember Rubin

Adopted: 1/22/96

ORDINANCE NO. 1996-2

TAKOMA/LANGLEY STREETSCAPE IMPROVEMENT PROJECT

WHEREAS, Prince George's County has allocated \$89,128.00 in Program Year 21 funds for the Takoma/Langley Phase III Project to the City through the Community Development Block Grant Program for streetscape improvements for the Seventy Six Hundred Block of New Hampshire Avenue; AND

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

WHEREAS, four bids were received and publicly opened at 4:00 pm, January 11, 1996 with the results as follows:

Integrated Construction Design, Inc.	\$2,836.00
Larsen Engineers	\$5,790.00
Sheladia & Associates	\$7,581.94
Sidhu Engineering	\$7,900.00

WHEREAS, based on the selection criteria included in the Request for Proposals, Larsen Engineers received the highest score; AND

WHEREAS, based on the unit costs of the bid Larsen Engineers submitted, the allocated funds are sufficient to accomplish the authorized work on the street improvements.

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

SECTION 1. THAT the bid received from Larsen Engineers in the amount of FIVE THOUSAND SEVEN HUNDRED NINETY DOLLARS AND ZERO CENTS (\$5,790.00) be accepted; AND

SECTION 2. THAT funds to cover this work in the amount of FIVE THOUSAND SEVEN HUNDRED NINETY DOLLARS AND ZERO CENTS (\$5,790.00) be charged as follows:

PRINCE GEORGE'S COUNTY ACCOUNT NO. 0010 6815 (\$89,128.00)

ADOPTED THIS 22th DAY OF JANUARY, 1996

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams
NAYS: None
ABSTAIN: None
ABSENT: None