

Town Council Summary from the November 14, 2016 Town Meeting

- Approved the Closed Session Minutes from October 10, 2016.
- Approved the Town Meeting Minutes from October 10, 2016.
- The Council concurred to place a second speed hump along the 10300 block of Armory Avenue, as recommended by the Traffic Committee.
- Approved the Fountain Committee's request to move forward with the purchase of the proposed fountain for Flinn Park; the Fountain Committee will continue to solicit donations to reach their \$30,000 goal.
- Approved Resolution No. R-13-2016 - A Resolution of the Mayor and Town Council authorizing the Town Manager to execute a contract with AA Refuse, Inc., to provide trash, brush, recycling, and bulk collection services for the Town of Kensington.
- Approved Resolution No. R-14-2016 - A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works month within the Town of Kensington.

November 14, 2016

Town Meeting 7:08 p.m.

Mayor Furman, Council Members Bartram, McMullen, and Rollins, Town Manager Daily, Assistant Town Manager Hoffman, and Clerk-Treasurer Engels were present. Council Member Rodriguez was necessarily absent. The Pledge of Allegiance was recited and a Moment of Silence was observed.

The Closed Session and Town Meeting Minutes from October 10, 2016 were reviewed and approved. See Council Actions.

Council Member McMullen reported the Traffic Committee met and confirmed the location of the two speed humps on Dupont Avenue; received a petition from the Residents along the 4000 block of Prospect Street requesting a speed hump; and recommended the placement of a second speed hump along the 10300 block of Armory Avenue.

The Council concurred to move forward with the Traffic Committee's recommendation to install an additional speed hump along Armory Avenue.

Council Member McMullen prepared the following report to the Council following the recommendation by Montgomery County Public Schools Superintendent, Jack Smith, with regards to the Walter Johnson cluster roundtable discussions:

The WJ Cluster previously conducted a Roundtable to discuss suggestions and provide commentary on the various options that it considered available and appropriate to address the overcrowding issue. The Town monitored the Roundtable proceedings to support the Town's position that the Town public school children remain within a single cluster, and specifically within the WJ cluster, such that TOK students continue to attend Kensington Parkwood ES, North Bethesda MS, and Walter Johnson HS.

The most favored alternative arising from the Roundtable was to reopen the former Woodward HS as additional capacity for WJ cluster high school students. On October 13, 2016, MCPS Superintendent Jack Smith submitted his recommendations to the Board of Education on the overcrowding issue. Superintendent Smith agreed with the reopening of Woodward HS to alleviate overcrowding, and further suggested additional study and discussion to determine how the additional space opened up at Woodward might alleviate overcrowding forecast to occur at additional high schools in other MCPS clusters, including those in the Downcounty Consortium high schools--Einstein, Northwood, Kennedy, Blair and Wheaton. These high schools are predicted to have significant capacity issues over the next 10 years, similar to what it forecast for WJ. Therefore, the Superintendent recommended that a new Roundtable be convened to include WJ and the Downcounty Consortium to discuss the use of Woodward HS by all of these high schools.

On November 3, 2016, the Board of Education held a work session to consider and discuss the Superintendent's recommendations. The Superintendent clarified that his concept was to repurpose the old Woodward HS by creating programs that could attract high school students from surrounding school clusters. Because Woodward HS had been identified as a possible resource to alleviate overcrowding in the BCC and Whitman clusters, the Board added those clusters to the proposed Roundtable to discuss the future use of Woodward. The Board members also clarified that, at the present time, there is no consideration of changing boundaries in order to reassign students to a reopened Woodward HS, but that future consideration include the creation of programs that would result in students choosing to attend Woodward on a voluntary basis. MCPS staff noted that, for boundary changes to occur, an entirely different Boundary Study process would have to be initiated, but that is not being done at the present. There is some recognition that students within the WJ cluster may have to be re-assigned to attend the reopened Woodward HS.

The consensus of WJ Cluster school PTA representatives is that the WJ cluster boundaries remain intact and that all WJ cluster students attend either WJ or Woodward HS.

The Board is scheduled to consider the Superintendent's recommendation for approval at a meeting later in November.

The current status is that nothing in the current considerations related to WJ overcrowding is contrary to the Town's policy that it remain a single-cluster Town in the WJ cluster, but the Mayor and Council Member McMullen will continue to monitor closely the future meetings on this issue going forward.

The Mayor pointed out that the Town does not have a seat at any of the Roundtable meetings or at the meetings of the WJ cluster representatives, such that if Town residents want to have their voices, especially if they have children

attending one or more of the cluster schools, then they should contact their PTA representatives and attend PTA meetings on the subject.

Council Member McMullen asked if the Council was interested in extending the 11:00 pm curfew for Town Hall events, following a request by a Town Resident to host a New Year's Eve party.

Mayor Furman suggested that the Resident reach out to the surrounding neighbors of Town Hall to see if they would be amenable to an event; she also noted that the Resident would have to cover all rental fees as the event was private.

Mayor Furman reported she attended the Government Operations and Fiscal Policy (GO) Committee meeting and noted that the Committee is no longer considering removing the 15 percent impact tax incentive from development projects and thanked Peter Fosselman for bringing this to the Town's attention; attended the grand opening of Dish & Dram, located at 10301 Kensington Parkway; asked the Traffic Committee to review extending the parking from 1 hour to 2 hours along Kensington Parkway, at the request of Dish & Dram; and asked the Town staff to have the tree lights along Howard Avenue corrected prior to the Antique Row Holiday Party on December 2nd.

Assistant Town Manager Hoffman noted that the Norway Spruce, which is used as the Town Christmas tree, in front of Town Hall has been assessed by an arborist and was recommended for removal. The tree will be removed in January and replaced with a new Norway Spruce.

Town Manager Daily reported the upcoming paving projects would include the following: Wake Drive; Frederick Avenue between Wake Drive and Kensington Parkway; Kensington Parkway between Frederick Avenue and Montgomery Avenue; St. Paul Street between Metropolitan Avenue and Plyers Mill Road; and St. Paul Street between Dupont Avenue and Farragut Avenue.

Mayor Furman stated that the Audit Committee, which includes Jeff Capron, Leslie Olson, and Kerry Thompson, met with the Town's Auditor, Linton, Shafer, Warfield, & Garrett, to review the Town's Fiscal Year 2015-16 Audit. The Committee will prepare a letter approving the audit.

From the Public –

Jack Gaffey stated that he was involved in the school boundary discussion years ago and expressed the importance of keeping the Town in one district; noted that the Pumpkin Rock N' Roll went very well; supports the new Kensington Parkway crosswalk; and noted two upcoming astronomical events: the supermoon and the Leonid meteor shower.

Arlene Lukacs, Lindsay Nichols, Leslie Olson, and Kerry Thompson all expressed concern over the Ayoub Carpet sign, which is illuminating the residential area of St. Paul Street.

Leslie Olson also requested the Town remind the car dealership on Metropolitan to correct their lighting.

The Council questioned the sign restrictions that apply and whether the brightness could be measured.

Assistant Town Manager Hoffman stated that there are multiple concerns with the sign, which the County and Town are in the process of addressing; however, in reviewing the distance of the sign from the closest residential property, the sign was located further than the Town's 150 foot requirement, which does not require the sign to be turned off prior to 10:00 pm.

Council Member Bartram suggested changing the ordinance and placing a moratorium on signage within 200 feet.

Assistant Town Manager Hoffman advised against the moratorium and recommended that the regulations could be amended through an Ordinance, as a few updates to the current code were already necessary.

Conor Crimmins stated that Murphy Brothers Auto is parking vehicles on the grass, which impairs the visibility of oncoming traffic when turning onto Metropolitan Avenue from St. Paul Street; suggested an illuminated crosswalk be installed at the intersection of Metropolitan Avenue and St. Paul Street; and requested that the time restrictions along St. Paul Street have greater enforcement.

Town Manager Daily will check the visibility issue with the Code Enforcement Officers; noted that an illuminated crosswalk on Metropolitan would require approval from SHA; and stated the Town could request our State Delegation (District 18) to draft legislation for the enforcement of time restrictions by camera.

The Council concurred to have Town Manager Daily request legislation from the District 18 Delegation for time restriction enforcement by camera.

Mayor Furman noted that this would be a long process, which would need support from the State Legislature.

Council Member Bartram suggested the Town request that the Montgomery County Police concentrate their efforts on enforcing time restrictions on more vehicles instead of just ticketing a few vehicles, in response to Mr. Crimmins concerns.

Sabina Emerson stated that there is a lack of code enforcement in the Town and suggested a code enforcement committee.

Mayor Furman explained that the Code Enforcement Officers are enforcing more than just parking restrictions, and reminded Residents that code enforcement concerns should be directed to the Town staff.

Eli Sola-Sole requested the approval to install decorative banners along the Howard Avenue street lights for the Day of the Book Festival, which would allow for an extra sponsorship level.

Mayor Furman stated she would check with the Town Attorney regarding the use of the lamp posts for advertising and determine the availability of pole brackets from the vendor.

Mark Hudson, Fountain Committee Chair, reported that the Committee has received approximately \$27,000 in donations thus far, with a goal of \$30,000. Mr. Hudson requested approval to move forward with the purchase of the fountain and noted that his firm would cover the difference until additional donations could be received. See Council Actions.

Paul Sexton announced that the Kensington-Wheaton Chamber of Commerce will be hosting a public event on January 27th at Town Hall, and requested that the Town Hall rental fee be adjusted.

Joseph Campbell thanked the Town for the timely response to his request to repair the utility patch on Frederick Avenue; and he also stated he supports flashing crosswalks within the Town.

Ordinances, Resolutions, Regulations –

Resolution No. R-13-2016 – A Resolution to authorize the Town Manager to execute a contract with AA Refuse, Inc., to provide refuse, recycling, yardwaste, and bulk collections for the Town of Kensington was presented. See Council Actions.

Town Manager Daily stated AA Refuse, Inc., was the low bidder following the request for proposal, and that he has reviewed their profile and conducted reference checks. Mr. Daily stated he recommends the Town award the bid to AA Refuse, Inc.

Anthony Young, CEO of AA Refuse, Inc., was present to answer any questions.

Council Member Rollins questioned the language in the contract on single stream recycling, whether AA Refuse would replace damaged receptacles, and if the Town could receive tonnage information.

Mr. Young confirmed the company would replace any damaged trash receptacles and could provide tonnage information to the Town staff.

Joseph Campbell questioned whether the proposed contract requires the proper disposal of liquid refuse, since there were previous problems with the existing contractor.

Council Member Rollins noted there was a provision in the contract to address Mr. Campbell's concerns.

Resolution No. R-14-2016 – A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works month within the Town of Kensington was presented. There were no public comments. See Council Actions.

Mayor Furman discussed the benefits of the Maryland Municipal League and their efforts in supporting municipal government, and presented a municipal quiz, which was also available within the October 2016 Around Town Journal.

Council Actions –

Council Member McMullen moved to approve the Closed Session Minutes from October 10, 2016. The motion passed unanimously.

Council Member McMullen moved to approve the Town Meeting Minutes from October 10, 2016. The motion passed unanimously.

Council Member Rollins moved to approve the Fountain Committee's request to proceed with the purchase of the fountain for Flinn Park. The motion passed unanimously.

Council Member McMullen moved to approve Resolution No. R-13-2016 authorizing the Town Manager to execute a contract with AA Refuse, Inc., to provide trash, brush, recycling, and bulk collections for the Town. The motion passed unanimously.

Council Member McMullen moved to approve Resolution No. R-14-2016 proclaiming November to be Municipal Government Works Month in the Town of Kensington. The motion passed unanimously.

Council Member Bartram moved to adjourn the Town Meeting at 9:10 pm. The motion passed unanimously.